

RESOLUTION NO. 2011- 3

**A RESOLUTION BY THE BOARD OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
IN REGARD TO CHANGE ORDERS**

WHEREAS, TRLIA is a joint powers authority formed for the purpose of carrying out flood control projects along the Bear, Feather, and Yuba Rivers and the Western Pacific Interceptor Canal and in this role it must enter into large construction contracts that are subject to the requirements of the Public Contract Code;

WHEREAS, from time to time changed circumstances or new information result in the need to make changes to the contracts to provide for additional work, payment, and/or time and sometimes these changes must be made quickly to avoid the potential damage or wasted costs that could result from any delay;

WHEREAS, the Public Contract Code limits the ability of a public agency to make changes to its construction contracts, especially when the contracts in question are required to be awarded on the basis of competitive bids; instead such contracts may be modified only if such modification is authorized;

WHEREAS, Section 20142 of the Public Contract Code provides such an authorization by permitting the Board, by ordinance, resolution, or board order, to authorize an officer to order changes in the work being performed under construction contracts and under current statute these changes may be awarded up to \$210,000 without being considered by the Board;

WHEREAS, this action would explicitly extend to the Executive Director the authority allowed under State law to approve such needed change orders that do not exceed the statutory maximum, thus avoiding the need for each such change order to come to the Board; and

WHEREAS, as provided for in State law, today's action would apply both retroactively and prospectively, and as has happened in the past, such change orders will continue to be accounted for and audited by the State pursuant to TRLIA's funding agreement under Proposition 1E.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board hereby authorizes the Executive Director to approve change orders for construction work required in support of TRLIA awarded projects, up to the statutory maximum (currently \$210,000), as long as budgeted funds are available.

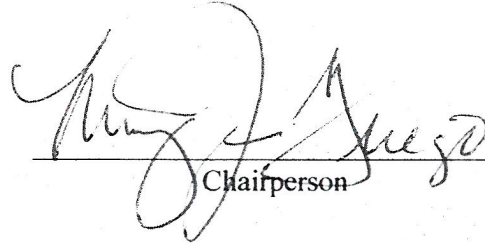
PASSED AND ADOPTED this 5th day of April, 2011, by the Board of Three Rivers Levee Improvement Authority by the following vote:

AYES: Directors Brown, Crippen Graham, Griego, Nicoletti

NOES: None

ABSENT: None

ABSTAIN: None



Chairperson

ATTEST: DONNA STOTTLEMEYER,
CLERK OF THE BOARD



APPROVED AS TO FORM: GENERAL COUNSEL
SCOTT SHAPIRO

The foregoing instrument is a Correct Copy
of the original on file in this office

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors of the
County of Yuba, State of California

By 

Date: April 6, 2011

