

RESOLUTION NO. 18-10756

**A RESOLUTION OF THE BILLINGS, MONTANA CITY COUNCIL
AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE AND EXECUTE
CERTAIN CONTRACTS AND CHANGE ORDERS ON BEHALF OF THE CITY AND
REPEALING RESOLUTIONS 06-18387 AND 16-10523.**

WHEREAS, the City of Billings purchases a substantial amount of goods and services each year through its various departments and agencies; and,

WHEREAS, state law requirements regarding municipal contracts have changed since the adoption of Resolutions 06-18387 and 16-10523; and,

WHEREAS, each year the City Council duly approves and adopts by resolution, a budget which provides specific funding for specific purposes; and,

WHEREAS, formal approval of said annual budget constitutes legal authorization by the City Council to expend funds for specified purposes; and,

WHEREAS, competition for purchases for any automobile, truck, other vehicle, road machinery, other machinery, apparatus, appliances, equipment, materials or supplies, or for construction, repair or maintenance is required as set forth in MCA §7-5-4302.

WHEREAS, the City Council may legally delegate to the City Administrator the authority to approve and execute certain contracts which are funded in the Council-approved budget and which are not required to be advertised for competitive bids.

WHEREAS, the Council desires to eliminate unnecessary additional Council action on such contracts.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

Section 1: The City Administrator is hereby authorized to approve and execute any contracts on behalf of the City which do not exceed the threshold amount for competitive bids set forth in MCA §7-5-4302.

Section 2: The City Administrator is hereby authorized to execute amendments or change orders to all contracts if the changes do not exceed his/her signing authority, which shall be the threshold amount set forth for competitive bids in MCA §7-5-4302.

All change orders or amendments on any given project will be cumulatively combined. If cumulative change orders exceed the City Administrator's signing authority as set forth above, the City Administrator shall still have the authority to execute a change order if the cumulative amount does not exceed ten percent (10%) of the contract price, otherwise the proposed change must be presented to the City Council for approval.

Where the size of the contract makes it probable that administrative change order authority will be quickly exhausted, the City Council may, upon recommendation of the City Administrator, extend the aggregate limits in an amount set by council resolution for a specific project.

Section 3: The City Administrator may designate, in writing, City employees authorized to act on his/her behalf in executing the contracts referred to in this resolution.

Section 4: Resolutions 06-18387 AND 16-10523 are hereby repealed.

Section 5: EFFECTIVE DATE. This resolution shall be immediately effective upon the repeal of Section 13-502, Billings, Montana City Code, on October 24, 2018, and remain in effect thereafter until changed by resolution.

APPROVED AND ADOPTED by the City Council this 10th day September, 2018.



CITY OF BILLINGS

BY: William A Cole
William A. Cole, Mayor

ATTEST:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk