

Date: March 24, 2004  
W.I.: 1150  
Referred by: Administration  
Revised: 04/25/07-C  
06/23/10

ABSTRACT

Resolution No. 3619, Revised

Resolution No. 1101 delegated signature authority to the Executive Director of the Commission, Deputy Executive Director, or a designee of the Executive Director, to enter into certain specific contracts and funding agreements without Administration Committee approval.

This resolution revises the signature authority delegated to the Executive Director by the Commission, or to the Deputy Director if authorized by the Executive Director, to enter into certain specified contracts and funding agreements without Administration Committee approval.

Resolution No. 1101 is superseded.

Attachment A of this resolution was revised on April 25, 2007 to delegate signature authority to the Executive Director of the Commission or to the Deputy Director or other designee, if authorized by the Executive Director, to execute contract amendments that in total do not exceed the dollar value of a contract allotment approved by the Commission. In addition, clarifying changes were made to this resolution to reflect MTC's current staffing organization and Committee structure.

Attachment A of this resolution was revised on June 23, 2010 to modify and clarify the delegation of signature authority.

Date: March 24, 2004  
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RE: Delegation of Contracting Authority, without Administration Committee approval, to the Executive Director of the Commission, a Deputy Director, or a designee of the Executive Director

METROPOLITAN TRANSPORTATION COMMISSION

Resolution No. 3619

WHEREAS, the Metropolitan Transportation Commission (Commission) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 *et seq.*; and

WHEREAS, pursuant to Government Code § 66505, the Commission has appointed an Executive Director who, subject to the direction of the Commission, has charge of administering the affairs of the Commission; and

WHEREAS, pursuant to the Executive Director's duties in administering the affairs of the Commission, the Executive Director, among other things, enters into contracts and purchase orders for goods and services necessary to carry out the statutory purposes of the Commission and funding agreements with other public agencies for the distribution and receipt of funds; and

WHEREAS, funds for such purchase orders, contracts and funding agreements are programmed by the Commission with the adoption of the annual Overall Work Program (OWP) and annual budget for each fiscal year and are approved via appropriate committee(s) of the Commission; and

WHEREAS, in order to efficiently administer such purchase orders, contracts and funding agreements, the Commission authorized the Executive Director, pursuant to MTC Resolution No. 1101, to execute certain agreements without prior approval by the Administration Committee; and

WHEREAS, the Commission wishes to modify MTC Resolution No. 1101; now, therefore, be it

RESOLVED, that the Executive Director, or the Deputy Director, or a designee of the Executive Director, is hereby authorized and directed to sign purchase orders, contract documents and funding agreements, as indicated on Attachment A; and, be it further

RESOLVED, that any action taken by the Executive Director (or the Deputy Director or designee, as applicable), shall be reported to the Administration Committee as part of the monthly financial reporting procedure; and, be it further

RESOLVED, that Commission Resolution No. 1101 is superseded with the adoption of this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

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Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on March 24, 2004.

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Attachment A  
Resolution No. 3619  
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1. References to “contracts” in this Attachment refer also to “purchase orders”.
2. The Executive Director or a designated Deputy Executive Director or other designee if authorized by the Executive Director, is hereby authorized to sign contracts and/or amendments to contracts totaling and purchase orders in amounts not to exceed \$100,000 each, without referral to the Administration or Operations a standing Committee of the Commission with contract approval authority, provided the things to be purchased or the work to be done are included in the annual Overall Work Program and/or the annual budget approved by the Commission. This delegated authority is renewed for any single contract each time the appropriate Committee approves a new total contract amount. The Executive Director may designate an MTC Section Director to sign purchase orders for the purchase of goods and services or revisions to such purchase orders up to \$10,000.
3. The Executive Director may authorize MTC Section Directors to sign contracts and/or amendments to such contracts with a total contract value up to \$25,000 cumulatively. The Executive Director, Deputy Director or other designee, if authorized by the Executive Director, is authorized to sign contract amendments in cumulative amounts up to 10% of the original contract price or \$25,000, whichever is greater, not to exceed \$100,000, without referral to the Administration or Operations Committee, provided the things to be purchased or the work to be done are included in the annual Overall Work Program and/or the annual budget approved by the Commission.
4. Where a Commission the Administration or Operations Committee with contract approval authority has approved a contract allotment in addition to the original contract amount to cover changes that may be required during the performance period, the Executive Director, or a designated Deputy Executive Director or other designee, if authorized by the Executive Director, is authorized to sign change orders and contract amendments that in total do not exceed the approved contract allotment, without further referral to the Administration or Operations appropriate authorizing Committee.

5. The Executive Director, ~~or designated Deputy Executive Director or other designee, if authorized by the Executive Director,~~ is authorized to sign funding agreements and amendments to funding agreements included in the annual Overall Work Program and/or the annual budget approved by the Commission authorizing MTC to receive funds from other public agencies and to distribute funds to other public agencies without referral to the appropriate authorizing Administration or Operations Committee and without regard to dollar amount, provided, with respect to distribution of funds, that the recipients are named in the Overall Work Program or annual agency budget or by action of another Committee of the Commission. Funding agreements distributing funds to recipients not so named are subject to the delegation authority for contracts, purchase orders, and amendments in paragraphs one, two and three of this Attachment.
  
6. The Executive Director is hereby authorized to waive competitive procurement requirements for emergency contracts and purchase orders, with the approval of the Commission Chair, or in his/her absence, the Vice Chair, provided that funds for the contract or purchase order are available in the adopted agency budget. "Emergency" contract is defined as a contract necessary to deal with Acts of God or other threats to public safety or well-being when the delay caused by waiting for the next meeting of the Committee or Commission would increase that threat. Any contract or purchase order in excess of \$100,000 shall be ratified by the ~~Administration or Operations~~ appropriate authorizing Committee or Commission at the next regular meeting.