

RESOLUTION NO. RA-5-2000

RESOLUTION CONCERNING THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE REDEVELOPMENT AGENCY OF THE CITY OF LAS VEGAS TO APPROVE AND EXECUTE CONTRACTS, CONTRACT MODIFICATIONS AND RENEWAL OPTIONS TO PREVIOUSLY APPROVED CONTRACTS; AUTHORIZING THE DELEGATION OF THAT AUTHORITY TO OTHERS; AND DESIGNATING THE AGENCY'S AUTHORIZED REPRESENTATIVE FOR PURPOSES OF NRS 332.025

WHEREAS, the Executive Director of the Redevelopment Agency of the City of Las Vegas (the "Agency"), as a matter of policy, has had similar authority regarding contracts as has the City Manager regarding contracts of the City of Las Vegas; and

WHEREAS, the City Council recently adopted Resolution R-47-2000, increasing the City Manager's authority regarding contracts; and

WHEREAS, for the sake of consistency, the governing body of the Agency desires to provide for a parallel increase in the authority of the Executive Director regarding Agency contracts; and

WHEREAS, the governing body of the Agency, by the adoption of this Resolution, intends to (i) authorize the Executive Director to execute certain contracts and modifications to existing contracts, (ii) authorize the Executive Director to exercise renewal options to annual contracts under the guidelines set forth herein, (iii) authorize the delegation by the Executive Director of all or a portion of the authority to approve contract modifications to other persons as designated herein, and (iv) designate the person authorized to act as the Agency's authorized representative for purposes of NRS 332.025.

NOW, THEREFORE, THE GOVERNING BODY OF THE REDEVELOPMENT AGENCY OF THE CITY OF LAS VEGAS HEREBY RESOLVES as follows:

1. Authority to Approve and Execute Contracts and Contract Modifications.

(a) The Executive Director is hereby authorized to approve and execute:

(1) Any contract provided the amount to perform such contract does not exceed \$25,000 and the contract does not require the Agency to indemnify any other party thereto against any liability that may arise thereunder,

(2) Any modification (including time extensions) to a contract previously approved by the governing body of the Redevelopment Agency, provided that the modification separately, or together with all previously approved modifications in the aggregate, does not exceed the amount of the contingency fund and/or construction conflicts fund, if any, established in connection with the contract, or the amount of \$25,000, whichever is greater.

(b) The Executive Director is further authorized to reject any contract modification that is repetitive in nature or circumvents the intent of this Resolution by splitting the contract modification in such a manner as to avoid approval by the governing body of the Agency. All such contract modifications shall be presented to the governing body of the Redevelopment Agency for approval.

(c) The Executive Director shall maintain a permanent record of each contract and contract modification approved and executed pursuant to this authorization. Any contract or contract modification in excess of the limits set forth herein shall be submitted to the governing body of the Redevelopment Agency for approval.

2. Authority to Exercise Renewal Options. The Executive Director is further authorized to exercise any renewal option granted under a contract previously approved by the governing body of the Redevelopment Agency including, without limitation, annual requirement contracts, under the following guidelines:

- (a) The renewal option is specifically authorized by the contract;
- (b) Unencumbered appropriations exist to continue the contract;
- (c) The need for the good or services still exists;
- (d) The vendor is in compliance with the contract terms;
- (e) Any increase in cost for the renewal period is (i) within the limits, if any, specified in the contract, or (ii) based on an increased demand for goods or services by the Agency, or due to cost increases which can be justified through independent sources (such as, but not limited to, the consumer price index published by the United States Department of Labor, Short Range and Price Review published by McGraw Hill, or the price lists published by competing vendors); and
- (f) A market survey or study indicates that a better price is not likely to be obtained by entering into a new contract.

The Executive Director shall reject all such increases if rebidding the annual contract would be in the best interests of the Agency.

3. Delegation of Authority to Approve and Execute Contract Modifications. The authority granted under Subsection (a)(2) of Section 1 of this Resolution to approve and execute contract modifications for contracts previously approved by the governing body of the Redevelopment Agency may be delegated and assigned by the Executive Director, subject to the same limitations and responsibilities imposed under Subsections (1)(b) and (1)(c), as follows:

- (a) To the Director of Operations, or his or her duly authorized representative(s), for modifications (including change orders) pertaining to public works projects,

provided that the cost of the modification separately, or together with all previously approved modifications in the aggregate, does not exceed the amount of the contingency fund and/or construction conflict fund, if any, established in connection with the previously approved contract, or \$25,000, whichever is greater; and

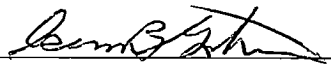
(b) To the Finance Officer, or his or her duly authorized representative(s), for any and all other contract modifications provided (i) a written request as authorized herein has been received by the Finance Officer, and (ii) the cost of the modification separately, or together with all previously approved modifications in the aggregate, does not exceed the amount of the contingency fund and/or construction conflicts fund, if any, established in connection with the previously approved contract, or \$25,000, whichever is greater.

4. Delegation of Authority to Reject Contract Modifications and to Exercise Renewal Options. The authority granted under Subsection (1)(b) and Section (2) of this Resolution may be delegated by the Executive Director to the Finance Officer or the Director of Operations, or both.

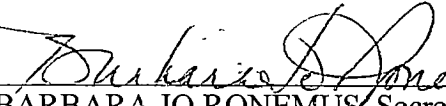
5. Designation of Authorized Representative. The Agency's Finance Officer is hereby designated as the authorized representative of the Agency for purposes of NRS 332.025.

PASSED, ADOPTED, and APPROVED this 6th day of September, 2000

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

By 
OSCAR B. GOODMAN, Chairman

ATTEST:


BARBARA JO RONEMUS, Secretary

APPROVED AS TO FORM:

 7-27-2000
Date