

1 RESOLUTION EXPANDING THE AUTHORITY OF THE CITY MANAGER TO
2 APPROVE AND EXECUTE MODIFICATIONS TO CONTRACTS WITHOUT THE
3 PRIOR APPROVAL OF THE CITY COUNCIL, CONFIRMING THE GUIDELINES
4 FOR THE EXERCISE OF THAT AUTHORITY, CONFIRMING THE EXISTENCE OF
5 THE CONTRACT MODIFICATION COMMITTEE AND ESTABLISHING A NEW
6 COMMITTEE TO REVIEW ALL DEPARTMENTAL REQUESTS FOR THE PURCHASE
7 OF SUPPLIES OR EQUIPMENT FROM A SINGLE OR SOLE SOURCE VENDOR

8 WHEREAS, the City Council of the City of Las Vegas,
9 Nevada, at its regular meeting which was held on Wednesday,
10 August 5, 1987, adopted a resolution that (i) authorizes the City
11 Manager to approve and execute contracts the amounts of which do
12 not exceed \$10,000 and to approve contract modifications the
13 amounts of which do not exceed \$10,000, provided that the aggre-
14 gate amount of all contract modifications for any given contract
15 approved by the City Manager pursuant to such authorization does
16 not exceed 5% of the contract amount for that project, (ii) pro-
17 vides guidelines for the exercise of that authority, and (iii)
18 formalizes the establishment of the Contract Modification
19 Committee for the purpose of advising the City Manager concerning
20 the desirability of approving any contract modification pursuant
21 to such authorization; and

22 WHEREAS, said City Council has determined, and by this
23 Resolution does so determine, that it is desirable (i) to
24 increase from 5% to 10% the percentage limitation on the City
25 Manager's authority to approve contract modifications without the
26 prior authorization of the City Council, (ii) to continue the
27 guidelines for the exercise of that authority that have pre-
28 viously been established, (iii) to confirm the establishment of
29 the Contract Modification Committee and (iv) to establish a new
30 committee for the purpose of reviewing all departmental requests
31 for the purchases of equipment or supplies from a single or sole
32 source vendor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of
the City of Las Vegas, Nevada, that the City Manager is hereby
authorized to approve:



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1 1. Any contract if the amount to perform such contract
2 does not exceed \$10,000 and the contract does not require the
3 City to indemnify any other party thereto against any liability
4 which may arise thereunder; provided, however, that the City
5 Manager shall:

6 (a) Comply with NRS 332.035(2) with respect to any
7 contract the estimated amount which is required to
8 perform the same is more than \$5,000 but not more
9 than \$10,000; and

10 (b) Maintain a permanent record of all of the contracts
11 which are approved pursuant to this authorization;

12 2. Any contract modification the amount of which does
13 not exceed \$10,000; provided, however, that:

14 (a) The aggregate amount of all contract modifications
15 which are approved by the City Manager pursuant to
16 this authorization with respect to any one project
17 does not exceed 10% of the contract amount for that
18 project or the contingency fund, if any, which has
19 been established for that project, whichever is
20 less;

21 (b) Such contract modification does not include the
22 addition of any new item or the increase in any
23 existing item the cost of which or the increase in
24 the cost of which, as the case may be, exceeds
25 \$10,000;

26 (c) Such contract modification does not include the
27 deletion of any existing item or the decrease in
28 any existing item the amount of which deletion or
29 decrease, as the case may be, exceeds \$10,000;

30 (d) Such contract modification does not entail an
31 extension of the time within which the project must
32 be completed the consequence of which results in a

1 product, when the number of days which are involved
2 in the requested time extension is multiplied by
3 the amount per day of liquidated damages which is
4 provided in the contract for the late completion of
5 the project, which exceeds \$10,000;

6 (e) Such contract modification has been approved by the
7 Contract Modification Committee; and

8 (f) The City Manager shall report to the City Council,
9 at the time when the City Council is requested to
10 accept a project, the aggregate amount of the
11 contract modifications for that project which are
12 approved by him pursuant to this authorization.

13 BE IT FURTHER RESOLVED that the Contract Modification
14 Committee that has heretofore been established for the purpose of
15 recommending to the City Manager what action should be taken with
16 respect to any contract modification which is requested to be
17 approved pursuant to this authorization is hereby confirmed. The
18 Contract Modification Committee shall continue to consist of the
19 Deputy City Manager for Community Services, who shall act as
20 chairman of the Committee, the Director of the Department of
21 General Services or his designee, the Director of the Department
22 of Finance or his designee, the Minority Business Enterprise
23 Officer, a division chief from the Department of Public Works and
24 a division chief from the Department of Design and Development.
25 The Committee shall meet at the call of the chairman upon such
26 notice as the chairman shall deem appropriate in view of all of
27 the attendant circumstances.

28 BE IT FURTHER RESOLVED that no contract, other than a
29 purchase order, and no contract modification or other change in
30 any contract, authorized either in writing or verbally by whom-
31 soever, which has not been approved by the City Council and
32 signed by the Mayor shall be valid or binding upon the City

1 unless the same satisfies the criteria which are hereinabove
2 stated and has been approved by the City Manager pursuant to the
3 foregoing authorization.

4 BE IT FURTHER RESOLVED that a new committee (herein the
5 "Single/Sole Source Committee") is hereby created which will
6 review all departmental requests for a single product or sole
7 source vendor for the purpose of recommending approval or
8 disapproval of such purchase to the City Council. The department
9 requesting the purchase will be responsible for submitting its
10 justification thereof to the Single/Sole Source Committee. This
11 Committee shall be comprised of the same members as comprise the
12 Contract Modifications Committee and shall be subject to the same
13 record keeping requirements.

14 BE IT FURTHER RESOLVED that this Resolution shall super-
15 cede all prior resolutions adopted by the City Council concerning
16 the aforesaid subject matter.

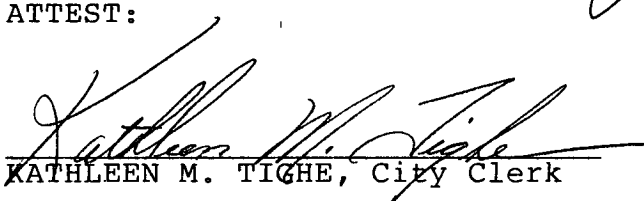
17 PASSED, ADOPTED and APPROVED this 8th day of January, 1992.

18 APPROVED:

19
20 By


JAN LAVERTY JONES, Mayor OK 1-14-92 RLD

21
22 ATTEST:

23
24 
KATHLEEN M. TIGHE, City Clerk