

RESOLUTION No. 1749

A Resolution of the Board of Commissioners of Public Utility District No. 1 of Okanogan County, Washington, Delegating Authority to the General Manager for Contracting, Purchasing, Emergency Powers and Claims Settlement.

WHEREAS, Under Resolution No. 1463 dated August 5, 2008, the Board of Commissioners delegated certain authorities to the General Manager for Contracting, Purchasing, and Work Order Approval; and

WHEREAS, Under Resolution No. 1683 dated May 13, 2009, Governance Policy No. 5 provides in pertinent part that the Board will maintain “written policies to ensure a high quality of governance and clear direction and roles in decision-making between the Board and General Manager.”

WHEREAS, RCW 54.16.100 sets forth as follows: “The manager shall be the chief administrative officer of the District, in control of all administrative functions and shall be responsible to the Commission for the efficient administration of the affairs of the district place in his or her charge. The manager shall carry out the orders of the Commission, and see that the laws pertaining to matters within the functions of his or her department are enforced; and perform such other duties as may be imposed upon the manager by resolution of the Commission.”

WHEREAS, The Board of Commissioners desires to update its delegation of authority to ensure conformity with State law and District policy, reflect increased dollar thresholds for contracting and purchasing, provide for claims settlement authority, and allow for re-delegation of contracting authority to management staff.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF PUBLIC UTILITY DISTRICT NO. 1 OF OKANOGAN COUNTY, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Resolution No 1463 is repealed.

Section 2. The following powers and authorities are hereby delegated and assigned to the General Manager:

- A. The authority to approve all purchases of materials, supplies, and equipment that have been specifically provided for in the budget and that do not exceed \$350,000.00.
- B. The authority to approve all contracts for the public works projects that have been specifically provided for in the budget and that do not exceed \$350,000.00.
- C. The authority to approve professional or purchased service contracts that have been provided for in the budget and that do not exceed \$350,000.00.

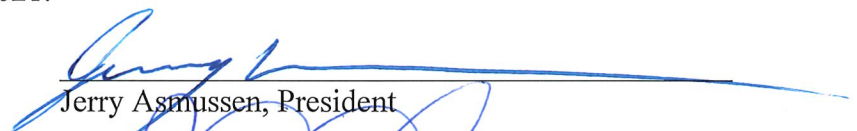
- D. The authority to declare an emergency, waive competitive bidding requirements, and award all necessary contracts in the event of an emergency presenting unforeseen circumstances beyond the control of the District that either (a) present a real, immediate threat to the proper performance of essential functions, or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken. Such delegated authority shall continue until the next meeting of the Board of Commissioners, but in no event longer than two weeks following the contract award.
- E. The authority to approve no-cost change orders for all purchases and contracts, regardless of the contract amount.
- F. The authority to settle claims by or against the District related to contracts entered into under A through E, above, that do not exceed \$25,000.00.

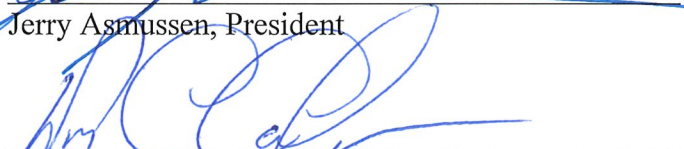
Section 3. The exercise of authority delegated now shall be executed in such a way to assure the Commission and the ratepayers of the District that the District is receiving maximum value for each utility dollar expended and to enhance and assure fiscal responsibility in the procurement process.

Section 4. The exercise of the powers delegated now shall be carried out in full compliance with all duly adopted resolutions of the District and all local, state, and federal laws and regulations.

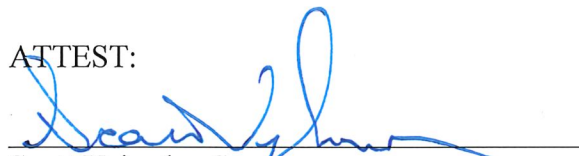
Section 5. The General Manager is authorized to re-delegate the powers and authorities delegated herein to management staff in writing, with notice to the Clerk and General Counsel.

PASSED AND APPROVED May 24, 2021.

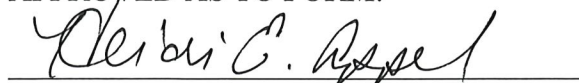

Jerry Asmussen, President


William C. Colyar, Vice President

ATTEST:


Scott Vejraska, Secretary

APPROVED AS TO FORM:


Heidi E. Appel, General Counsel