




HISTORIC
FRANKLIN
TENNESSEE

ITEM #9
WRKS 02/12/13

MEMORANDUM

February 6, 2013

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator 
David Parker, City Engineer
Shauna Billingsley, City Attorney

SUBJECT: Resolution 2013-07, A Resolution to Authorize the City Administrator or the City Engineer to Execute Retainage Agreements Related to Approved Construction Contracts

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding the scope and purpose of the Resolution 2013-07, A Resolution to Grant Authority to Either the City Administrator or City Engineer to Execute Retainage Agreements Related to Approved Construction Contracts.

Background

Retainage agreements set forth that a portion of an agreed upon contract price will be deliberately withheld by the City until certain work is substantially complete to assure the City that the contractor will satisfy its obligations and complete the construction project. The proposed resolution will allow either the City Administrator or City Engineer to execute the retainage agreement without having to be placed on a BOMA agenda, which will promote efficient use of City resources. The power granted to both the City Administrator and City Engineer through this resolution is only applicable to retainage agreements relating to approved construction contracts.

Financial Impact

There is no direct financial impact associated with this item.

Options

The BOMA may adopt the resolution as presented, amend the resolution as presented, or decline to adopt the resolution and require retainage be released only through BOMA action.

Recommendation

Staff recommends approval of the resolution as presented.

RESOLUTION NO. 2013-07

A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR OR THE CITY ENGINEER TO EXECUTE RETAINAGE AGREEMENTS RELATED TO APPROVED CONSTRUCTION CONTRACTS

WHEREAS, the Board of Mayor and Aldermen find that retainage agreements are a necessary and normal part of construction contracts; and

WHEREAS, the Board of Mayor and Aldermen also find that it is in the best interest of the City of Franklin and for the efficiency of performing approved construction contracts to authorize either the City Administrator or the City Engineer execute retainage agreements on behalf of the City.

WHEREAS, it is the desire of the Board of Mayor and Aldermen to be effective and efficient in the administration of City business.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT:

The City Administrator or the City Engineer are authorized execute retainage agreements on behalf of the City of Franklin for approved construction contracts without seeking prior approval from the Board of Mayor and Aldermen.

RESOLVED this the 12th day of February, 2013

CITY OF FRANKLIN, TENNESSEE

Attest:

Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

APPROVED AS TO FORM BY:

Shauna R. Billingsley
City Attorney