

**RESOLUTION 2022-84**

**A RESOLUTION TO AMEND AND RESTATE SECTION II OF RESOLUTION 2022-40 REGARDING AUTHORITY OF CITY ADMINISTRATOR TO EXECUTE PROCUREMENT CONTRACTS OR AGREEMENTS WHEN AN AWARD HAS BEEN MADE PURSUANT TO CITY POLICY**

**WHEREAS**, over years, the Board of Mayor and Aldermen have granted certain authorities to the City Administrator in various resolutions; and

**WHEREAS**, to aid City Staff to better locate the authorities granted, several resolutions were rescinded and combined by 2022-40; and

**WHEREAS**, one such resolution that was rescinded by 2022-40 was 2015-20; and

**WHEREAS**, Resolution 2015-20 had granted authority to the City Administrator to negotiate and execute procurement contracts and agreements, including those that do pertain to the design and construction of new infrastructure and facilities as well as those that do not, but are valued at more than Twenty-Five Thousand Dollars (\$25,000.00), on behalf of the City of Franklin, whenever an award to a particular vendor, supplier, service provider or contractor has been made pursuant to City policy, provided the award is for a particular product, service and/or scope of work and provided the award is for an established total amount or established unit pricing, and provided the contract or agreement is reported to the Board of Mayor and Aldermen of the City of Franklin at its next available meeting; and

**WHEREAS**, Resolution 2022-40, also granted authority to the City Administrator to execute agreements and contracts up to an amount increased from \$25,000.00 to \$50,000.00 in order to match the threshold, as increased from \$25,000.00 to \$50,000.00 by City Ordinance No. 2022-20, over which public advertisement and sealed competitive bids or proposals are required for nonemergency, nonproprietary purchases; and

**WHEREAS**, Resolution 2022-40, Section II (6) enumerated circumstances under which the City Administrator is granted authority to negotiate and execute procurement contracts and agreements whenever the basis for pricing has been established; and

**WHEREAS**, one basis for pricing was omitted from those enumerated circumstances that had previously been contemplated under Resolution 2015-20, that omission being when the City's own process for establishing pricing has been followed, pursuant to current law and City policy; and

**WHEREAS**, the Board of Mayor and Aldermen believes it is in the best interest of the City of Franklin to amend 2022-40 to incorporate all the authorities previously granted to the City Administrator.

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

**Section I:** Resolution 2022-40, Section II, is restated and amended as follows, with the additions being underlined and deletions noted with a ~~strike through~~:

The City Administrator shall have the following duties and authorities:

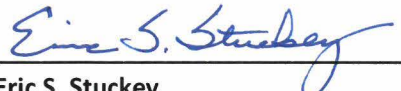
1. Execute agreements or contracts that are valued up to \$50,000.00 for the full contract term.
2. Execute grant applications.
3. Execute Parkland Impact Fee Agreements that are fee only.
4. Overfill positions when needed to provide time for training when the current employee has noticed their intent to terminate employment or resign so long as the overfill is budget neutral. Authority is granted to overfill up to 5 entry level police officer and firefighter positions.
5. Amend departmental organizational charts so long as the changes are budget neutral.
6. Negotiate and execute procurement contracts and agreements valued over \$50,000.00 whenever the basis for pricing has been established by (a) the federal General Services Administration or governments, (b) a purchasing cooperative that caters to local governments and is recognized by the City, unless prohibited by state law, ~~or~~ (c) by another Tennessee purchasing agent, pursuant to a competitive process involving public advertising and sealed submittals, or (d) the City's own process for establishing pricing, provided that process complies with current law and City policy; provided the award is for a particular product, service, and/or scope of work, is for an established amount or unit pricing, and the contract is reported to the Board of Mayor and Aldermen at its next available meeting.

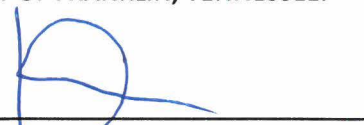
**Section II:** The City Administrator shall report all actions the City Administrator takes pursuant to this resolution to the Board of Mayor and Alderman on an agenda as soon as possible.

IT IS SO RESOLVED AND DONE on this 24<sup>th</sup> day of January, 2023

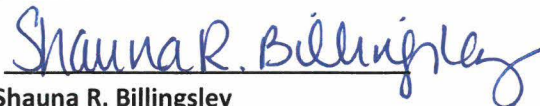
ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By:   
Eric S. Stuckey  
City Administrator

By:   
Dr. Ken Moore  
Mayor

Approved as to Form:

By:   
Shauna R. Billingsley  
City Attorney