

CALIFORNIA HIGH-SPEED RAIL RESOLUTION #HSRA 19-05

Revision of the Delegation to the CEO Related to Contracts and Contingency

Whereas, the California High-Speed Rail Authority (Authority) is responsible for the development and implementation of intercity high-speed rail service pursuant the Public Utilities Code §185030 et seq,

Whereas, pursuant to Public Utilities Code §185024, the Authority has appointed an Executive Director/Chief Executive Officer (CEO) who, subject to the direction of the Authority, has charge of administering the affairs of the Authority;

Whereas, the Authority Board delegated procurement contracting authority to the CEO in Board Policy #HSRA 11- 001 section A/B/C, which was approved via Resolution #HSR 11-09, and amended via Resolutions #HSR 12-24 and #HSR 18-15;

Whereas, the Board has accepted an Updated Program Baseline (“Baseline”), Program Budget, and FY 19/20 Budget in May 2019 that strictly define a scope, schedule, cost and budget for the Program;

Whereas, the staff has a Program Management Plan that clarifies roles, responsibilities, and organizational decision making;

Whereas, given these parameters, the Board has determined that a conforming revision of the delegation of authority to the CEO related to contracts, agreements and contingency is necessary for timely execution of key decisions to advance the Program.

Therefore, it is resolved:

The Board amends Board Policy #HSRA 11-001, as relates to the delegation of contracting authority to the CEO, to modify the delegation under *Section A: Procurement, Section B: Contract Management, and Section C: Agreements with Other Public Entities* generally as follows, and more specifically as shown in the attached (as Attachment A) underline and strikeout version of Board Policy HSRA 11-001:

- (a) to allow the CEO to approve and execute new contracts up to \$25 million without Board approval, provided the associated action is consistent with the Program Baseline and Program Budget (including the contingency balance amount contained therein);
- (b) to require Board approval of all new contracts greater than \$25 million;
- (c) to allow the CEO to amend any contract as to time only, for any time extension amount, provided that the action is consistent with the Program Baseline Schedule;
- (d) to allow the CEO to amend any contract by any dollar amount, provided the action is consistent with the Program Baseline and Program Budget (including the contingency balance amount contained therein); and
- (e) to require the CEO to report (i) contingency balance trending information to the F&A Committee at its regular meetings, or more frequently upon request, and (ii) to the Board Chairperson any single contingency use equal to or greater than \$25 million.

Vote:
Yes:
No:
Absent:
Date:

o000o