

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2001 - 022

APPROVING AN AMENDMENT DELEGATING TO THE EXECUTIVE
DIRECTOR AUTHORITY TO NEGOTIATE, EXECUTE, AND AMEND
CONTRACTS SUPPORTING TOTAL MAXIMUM DAILY LOAD WORK

WHEREAS:

1. The budget provides baseline contract funding for support of Total Maximum Daily Load (TMDL) development by the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs).
2. SWRCB Resolution 90-14 currently authorizes the Executive Director to execute and amend contracts up to \$200,000 without acquiring specific authorization by the SWRCB.
3. Contracts for TMDL work exceed \$200,000 and need to be executed for long-term (up to five years) efforts.
4. Streamlining the contracting process for TMDL work will enhance the ability of the RWQCBs to maintain TMDL development schedules and save considerable administrative time at both the SWRCB and the RWQCBs.
5. Delegation of authority to execute and amend TMDL contracts to the Executive Director would not substantially infringe on the ability of the SWRCB to exercise judgement in regard to TMDL staff activities or remove any review and approval responsibility or discretion that the SWRCB may choose to exercise in regard to TMDLs.

THEREFORE BE IT RESOLVED THAT:

The SWRCB delegates to the Executive Director, or his designee, the authority to execute and amend all contracts, interagency agreements, and intergovernmental agreements that support the development of TMDLs, not to exceed the baseline contract funding allocations and spending authority for TMDL contract work, with the added provision that the term of TMDL contracts could extend to five (5) years provided that the contract funds encumbered are expended in accordance with Government Code Section 16304, which specifies that General Funds must be expended within two (2) years following their encumbrance.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 15, 2001.

/s/

Maureen Marché

Administrative Assistant to the Board