

**CHILDREN'S TRUST OF ALACHUA COUNTY
RESOLUTION 2020-18**

**AMENDMENT TO SECTION 6.70 "CONTRACT MANAGEMENT" OF THE
CHILDREN'S TRUST OF ALACHUA COUNTY'S PROCUREMENT POLICIES**

WHEREAS, the Children's Trust of Alachua County (CTAC) developed and approved Resolution 2020-12, Procurement Policies; and

WHEREAS, the CTAC desires to improve upon the policies to ensure accountability while allowing for the efficient and effective administration of the Trust; and

WHEREAS, the CTAC desires to amend the current policies,

NOW THEREFORE, be it ordained by the Board of Children's Trust of Alachua County, in the State of Florida, as follows:

SECTION 1: **AMENDMENT** "6.70 Contract Administration" of the Children's Trust of Alachua County Board Policies is hereby *amended* as follows:

BEFORE AMENDMENT

6.70 Contract Administration

- A. **Generally** The Executive Director or designee shall establish procedures to administer and monitor contracts issued by the Trust.
- B. **Types of Contracts** Any type of Contract which promotes the best interest of the Trust and has been approved for legal sufficiency by the Trust Attorney, may be used. All Trust Contracts shall include provisions necessary to define the responsibilities and rights of the parties to the Contracts.
- C. **Assignment of Contracts** No agreement made pursuant to any Section of this policy shall be assigned or sublet as a whole or in part without the written consent of the Trust.
- D. **Required Contract Clauses for Direct Community Services** All contracts for Direct Community Services shall have the following clauses:
 - 1. Maximum Indebtedness
 - 2. Term of service
 - 3. Contract Type, either fee-for-service, cost reimbursement, or another method approved by the Trust
 - 4. Number of renewal options
 - 5. Scope of work, which may include incorporating by reference the response to the solicitation
 - 6. Deliverables
 - 7. Reporting Schedule
 - 8. Performance measures approved by the Trust

9. Trust's right to withhold or suspend payment, or terminate the contract, if the Provider has not met the performance measures contained in the contract
10. Trust's right to terminate for a lack of appropriations

E. Contract Amendments for Direct Community Services

1. Guidelines

- a. Proposed amendments should not compromise the original intent or intended outcome of the program.
- b. Trust strongly encourages funds to be utilized for Direct Services. Amendments to move funds from Direct Services to indirect expenses will require approval of the Trust.
- c. Trust's approval of amendment requests will take into consideration if there is sufficient time for the funded goods or services to be utilized by the end of the contract term.
- d. Prior approval by the Trust is needed for redirecting funds of any amount within a line item for different expenses than those that were approved by Trust in the original budget submission. A request for approval should be submitted via email to the Trust's assigned contract manager.
- e. Contract Budget amendments and narratives must be submitted to the Trust, showing the line item(s) from which dollars are being moved and the line item to which dollars are being added. These detailed narratives should explain the reason for the request, including what has occurred that was unanticipated at the time that the budget was submitted to the Trust.

2. Approval Thresholds

- a. Contract Budget amendments in-between line items in the amount of 10% of the overall budget or less require TRUST staff approval and must be submitted by the last day of the month to be considered for that month. The Trust's Executive Director or his/her designee(s) will review and decide to approve or deny all budget amendment requests of 10% of the budget or less. No contract amendment will be required for amendments approved that are less than 10% of the overall budget.
- b. Contract Budget amendment requests in-between line items greater than 10% of the overall budget or more for a TRUST-funded program require Trust approval and a contract amendment. Requests that exceed 10% shall be administered in the following manner:
 - (1) The contractor's Executive Director, or equivalent position, shall submit a letter to the Trust's Executive Director with a detailed description of the proposed budget amendment, along with a revised budget and narrative as described in B (1)(f).
 - (2) Trust's staff will make a recommendation to the Trust. The Trust will consider the request at a publicly-noticed meeting.

AFTER AMENDMENT

6.70 Contract Administration

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- B. **Types of Contracts** Any type of Contract which promotes the best interest of the Trust and has been approved for legal sufficiency by the Trust Attorney, may be used. All Trust Contracts shall include provisions necessary to define the responsibilities and rights of the parties to the Contracts.
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 - 9. Trust's right to withhold or suspend payment, or terminate the contract, if the Provider has not met the performance measures contained in the contract
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 - d. Prior approval by the Trust is needed for redirecting funds of any amount within a line item for different expenses than those that were approved by Trust in the original budget submission. A request for approval should be submitted via email to the Trust's assigned contract manager.
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- b. Contract Budget amendment requests in-between line items greater than 10% of the overall budget or more for a TRUST-funded program require Trust approval. No contract amendment will be required so long as the original intent and intended outcomes of the contract are maintained. ~~and a contract amendment.~~ Requests that exceed 10% shall be administered in the following manner:
 - (1) The contractor's Executive Director, or equivalent position, shall submit a letter to the Trust's Executive Director with a detailed description of the proposed budget amendment, along with a revised budget and narrative as described in B ~~(2)(a).~~ ~~(+)~~.
 - (2) Trust's staff will make a recommendation to the Trust. The Trust will consider the request at a publicly-noticed meeting.

PASSED AND ADOPTED BY THE CHILDREN'S TRUST OF ALACHUA COUNTY
BOARD _____.

	AYE	NAY	ABSENT	ABSTAIN
Lee Pinkoson	_____	_____	_____	_____
Dr. Maggie Labarta	_____	_____	_____	_____
Tina Certain	_____	_____	_____	_____
Karen Clarke	_____	_____	_____	_____
Dr. Karen-Cole Smith	_____	_____	_____	_____
Ken Cornell	_____	_____	_____	_____
Dr. Nancy Hardt	_____	_____	_____	_____
Dr. Patricia Snyder	_____	_____	_____	_____
Cheryl Twombly	_____	_____	_____	_____
Susanne Wilson Bullard	_____	_____	_____	_____

Presiding Officer

Attest

Lee Pinkoson, Chairman, Children's
Trust of Alachua County

Tina Certain, Treasurer Children's
Trust of Alachua County