

ORDINANCE NO. O-25-2025

AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING THE EAGLE MOUNTAIN MUNICIPAL CODE
PURCHASING POLICY TO MODIFY THE APPROVAL PROCESS
FOR CHANGE ORDERS

PREAMBLE

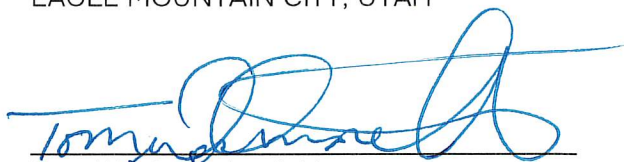
WHEREAS the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code Section 3.20.030 (H) for Approval of Change Orders in the Purchasing Policy, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Section 3.20.030 (H) for Approval of Change Orders in the Purchasing Policy, as described in Exhibit A.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 3rd day of June, 2025.

EAGLE MOUNTAIN CITY, UTAH


Tom Westmoreland, Mayor

ATTEST:


Gina L. Olsen
City Recorder



CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 3rd day of June, 2025.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Melissa Clark	☐ Melissa Clark	☒ Melissa Clark	☐ Melissa Clark
☒ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☒ Rich Wood	☐ Rich Wood	☐ Rich Wood	☐ Rich Wood
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright





Gina L. Olsen
City Recorder

Posted on 6/23/25 by UM.

Exhibit A

3.20.030 General policy.

- A. All city purchases and contracts for goods and services shall be subject to this chapter unless specifically exempted.
- B. No contract or purchase shall be so arranged, fragmented, or divided with the purpose or intent to circumvent this chapter.
- C. Reasonable attempts shall be made to publicize anticipated purchases or contracts to known vendors, contractors, and suppliers.
- D. When it is advantageous to the city, annual contracts for services and supplies regularly purchased should be approved.
- E. All contracts for services shall be approved as to form by the city attorney.
- F. The city manager/designee may recommend to the city council additional policies and controls for adoption which are consistent with the approval mechanism set forth in this chapter.
- G. Conflicts of Interest. It is unlawful for any elected official, officer, or employee to actively participate in the awarding of a contract from which he/she will directly benefit or derive any income from any business entity, without fully disclosing any interest he/she has therein and/or to violate state or federal law concerning conflict of interest.
- H. Change Orders.
 - 1. The completion and issuance of a change order or execution of a contract amendment shall be required if any alteration to, amendment of, or deviation from an awarded purchase order or contract as to scope, cost, time for completion, material, equipment, or services furnished as part of the purchase order or contract, or any alteration to, amendment of, or deviation from the nature of work to be performed.
 - 2. Change orders shall not be issued as a means to add or complete an additional project or a portion of another project outside of the originally defined project or scope of work defined in the proposal, bid or contract unless approved by city council.
 - 3. A city department head is authorized to approve change orders to a contract when the total amount of all such change orders is not exceeded by more than the greater of 10 percent of the contract price or \$25,000, provided the overall project budget is not exceeded, and city council is notified of the change order.
 - 4. The city manager is authorized to approve change orders to a contract when the total amount of all such change orders is not exceeded by more than the greater of 10 percent of the contract price or \$75,000, provided the overall projected budget is not exceeded, and city council is notified of the change order.
 - 5. The city council must approve change orders to a contract when the total amount of all such change orders exceeds more than the greater of 10 percent of the contract price or \$75,000, provided the overall projected budget is not exceeded; however, a budget amendment may be approved by the city council to allow for an increase in the budget.
 - 6. The city manager/designee may require a change order of any amount and from any department to come before the city council for approval.
- I. Contingency. Upon city council approval, a contingency amount determined by city council may be added to the bid award amount to cover unknown conditions, errors, and omissions. [Ord. O-21-2024 § 2 (Exh. A); Ord. O-47-2023 § 2 (Exh. A)].