

**AN ORDINANCE AS AMENDED BY**

**PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE**

**AUTHORIZING THE CITY OF ATLANTA TO WAIVE ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO EXTEND THE CONTRACTUAL AGREEMENT WITH S&W TOWING FOR FC-6004007821-A, WRECKER SERVICES FOR VEHICLES UNDER TWO (2) TONS, FOR ZONE ONE (1) UNTIL JUNE 30, 2008, ALL REVENUES GENERATED UNDER THIS CONTRACT SHALL BE DEPOSITED TO FUND ACCOUNT AND CENTER NUMBERS: 1A01 (GENERAL FUND), 462316 (TOWING CONCESSIONS), B00001 (REVENUE CENTER).**

**WHEREAS**, the City of Atlanta Police Department solicited Proposals for Wreckers Services Under Two (2) tons, in order to eliminate the system of month-to-month billing with various towing companies; and

**WHEREAS**, City Council adopted a resolution permitting the City to contract with towing companies outside the City limits; and

**WHEREAS**, pursuant to Article B., Section 8-2095 of the City Code of Atlanta, which ordains that impound lots are required to have landscape buffering, and be maintained to the same standards of automobile salvage yards to protect residential neighborhoods; and

**WHEREAS**, the Chief of Police and the Chief Procurement Officer of the Department of Procurement recommended that the appropriate Contractual Agreement be executed; and

**WHEREAS**, on April 18, 2005 the City Council adopted Resolution 05-R-0470 and the Mayor approved the same on April 26, 2005 directing the Mayor or her designee to prepare an appropriate contractual agreement with S&W Towing to provide wrecker services for vehicles under two (2) tons for Atlanta Police Department Zone One (1); and

**WHEREAS**, the original term of the Contract was for two (2) years; and

**WHEREAS**, the contractual agreement with S&W Towing prepared in accordance with Resolution 05-R-0470 expired on October 13, 2007; and

**WHEREAS**, in accordance with Atlanta City Code section 2-1206, the Chief Procurement Officer granted the contractual agreement, prepared in accordance with Resolution 05-R-0470, a 90 extension which shall end on or around January 11, 2008; and

**WHEREAS**, the Chief of Police and the Chief Procurement Officer have recommended that the Contractual Agreement be extended until June 30, 2008, the end of the current budget cycle.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**SECTION 1:** That the Mayor is authorized to execute an extension of the appropriate contractual agreement with S&W Towing to provide wrecker services for vehicles under two (2) tons for Atlanta Police Department Zone One (1).

**SECTION 2:** That all monies generated under this contractual agreement shall be deposited into Fund, Account and Center numbers: **1A01 (General Fund), 462316 (Towing Concessions), B00001, (Revenue Center).**

**SECTION 3:** That the extension of the Contract shall be until June 30, 2008.

**SECTION 4:** That the Chief Procurement Officer is directed to prepare the extension of the appropriate contractual agreement for execution by the Mayor.

**SECTION 5:** That this extended contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until contract extension has been extended by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to the contracting party.

**SECTION 6:** That Chapter 2 Article X of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such applies to the extension of the appropriate contractual agreement with S&W Towing.

**SECTION 7:** That all Ordinances or parts of Ordinances in conflict with this Ordinance are waived for this instance only.

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**WHEREAS**, the City of Atlanta Police Department solicited Proposals for Wreckers Services Under Tow (2) tons, in order to eliminate the system of month-to-month billing with various towing companies; and

**WHEREAS**, City Council adopted a resolution permitting the City to contract with towing companies outside the City limits; and

**WHEREAS**, pursuant to Article B., Section 8-2095 of the City Code of Atlanta, which ordains that impound lots are required to have landscape buffering, and be maintained to the same standards of automobile salvage yards to protect residential neighborhoods; and

**WHEREAS**, the Chief of Police and the Chief Procurement Officer of the Department of Procurement recommended that the appropriate Contractual Agreement be executed; and

**WHEREAS**, on April 18, 2005 the City Council adopted Resolution 05-R-0470 and the Mayor approved the same on April 26, 2005 directing the Mayor or her designee to prepare an appropriate contractual agreement with S&W Towing to provide wrecker services for vehicles under two (2) tons for Atlanta Police Department Zone One (1); and

**WHEREAS**, the original term of the Contract was for two (2) years; and

**WHEREAS**, the contractual agreement with A-Tow Atlanta, Inc. prepared in accordance with Resolution 05-R-0470 expired on October 13, 2007; and

**WHEREAS**, in accordance with Atlanta City Code section 2-1206, the Chief Procurement Officer granted the contractual agreement, prepared in accordance with Resolution 05-R-0470, a 90 extension which shall end on or around January 11, 2008; and

**WHEREAS**, the Chief of Police and the Chief Procurement Officer have recommended that the Contractual Agreement be extended until June 30, 2008, the end of the current budget cycle.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

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TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Investigator Kurt Braunsroth

Contact Number: (404) 853-4266

Originating Department: Department of Police

Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: 16 November 2007

Anticipated Committee Meeting Date(s): 27-28 November 2007

Anticipated Full Council Date: 3 December 2007

Commissioner Signature: GAT Turner RM 11/9/07

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

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FINANCIAL IMPACT (if any)

Mayor's Staff Only \_\_\_\_\_

Received by CPO: \_\_\_\_\_ (date) Received by LC from CPO: \_\_\_\_\_ (date)

Received by Mayor's Office: 11/9/07 (date) DN Reviewed by: [Signature] (date)

Submitted to Council: \_\_\_\_\_ (date)