

**AN ORDINANCE BY
FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO PAY OUTSTANDING INVOICES TO DPC GENERAL CONTRACTORS, INC., FOR ASBESTOS TESTING AND ABATEMENT SERVICES, IN AN AMOUNT NOT TO EXCEED TWENTY FOUR THOUSAND TWO HUNDRED TWENTY FOUR DOLLARS AND NO CENTS (\$24,224.00); ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBER 1A01 (GENERAL FUND) 524001 (CONSULTANT/ PROFESSIONAL SERVICES) Y45001 (ZONING & CODE ENFORCEMENT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) entered into an Agreement with DPC General Contractors, Inc. (“DPC”) for FC-7511-02, Annual Contract for Citywide Asbestos Abatement (“Agreement”), pursuant to Resolution 03-R-0072; and

WHEREAS, the Agreement was for a period of one (1) year with two (2) one-year renewal options; and

WHEREAS, Resolution 04-R-0807 authorizing Renewal Agreement No. 1 was adopted by the Atlanta City Council on May 17, 2004 and approved by the Mayor on May 25, 2004, after the expiration of the original contract; and

WHEREAS, Resolution 05-R-2004 authorizing Renewal Agreement No. 2 was adopted by the Atlanta City Council on November 7, 2005 and approved by the Mayor on November 14, 2005, however the renewal was invalid due to the expiration of the contract; and

WHEREAS, in 2005, DPC performed asbestos testing and abatement services for the Department of Planning and Community Development, without the issuance of a Notice-To-Proceed; and

WHEREAS, the City is in possession of outstanding invoices from DPC in an amount not to exceed Twenty Four Thousand Two Hundred Twenty Four Dollars and No Cents (\$24,224.00) for the work completed in 2005; and

WHEREAS, the City desires to make payments to DPC in an amount not to exceed Twenty Four Thousand Two Hundred Twenty Four Dollars and No Cents (\$24,224.00), for past due invoices submitted by DPC for asbestos testing and abatement services.

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

SECTION 1: That the City's actions in accepting and paying for services provided by DPC General Contractors, Inc., under the expired contract, are ratified and confirmed, and the Chief Financial Officer is authorized to remit payment of outstanding invoices to DPC General Contractors, Inc., in an amount not to exceed Twenty Four Thousand Two Hundred Twenty Four Dollars and No Cents (\$24,224.00).

SECTION 2: That invoices from DPC General Contractors, Inc., in an amount not to exceed Twenty Four Thousand Two Hundred Twenty Four Dollars and No Cents (\$24,224.00) shall be charged to and paid from Fund, Account, and Center Number 1A01 (General Fund) 524001 (Consultant/ Professional Services) Y45001 (Zoning & Code Enforcement).

SECTION 3: That Chapter 2, Article X, Division 4, Section 2-1212 of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such applies to the authorization of payment of the outstanding invoices.

SECTION 4: That all Ordinance and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

(Do Not Write Above This Line)

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- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

Committee _____
 Date _____
 Chair _____
 Referred To _____

First Reading

Committee _____

Date _____
 Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____

Date _____
 Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____

Date _____
 Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

MAYOR'S ACTION

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/ Executive Committee

Caption: AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO PAY OUTSTANDING INVOICES TO DPC GENERAL CONTRACTORS, INC., FOR ASBESTOS TESTING AND ABATEMENT SERVICES, IN AN AMOUNT NOT TO EXCEED TWENTY FOUR THOUSAND TWO HUNDRED TWENTY FOUR DOLLARS AND NO CENTS (\$24,224.00); ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBER 1A01 (GENERAL FUND) 524001 (CONSULTANT/ PROFESSIONAL SERVICES) Y45001 (ZONING & CODE ENFORCEMENT); AND FOR OTHER PURPOSES.

Council Meeting Date: January 22, 2008

Requesting Dept.: Department of Planning and Community
Development

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation would be to proceed with payment of the past due invoice for DPC General Contractors for work previously completed.

2. Please provide background information regarding this legislation.

Each property(s) that this contractor receives has completed the entire In Rem Process. Once this process is signed into Ordinance the work shall begin with one of the city-wide contractors. Unfortunately no legislation was ever submitted to Council for a Notice-to-Proceed to begin.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**

- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center (Ex. Name and number):

Fund: 1A01 Account: 524001 Center: Y45001

5. Source of Funds: Example: Local Assistance Grant General Fund Monies: Consultant /Professional Fees

6. Fiscal Impact:

This legislation will result in a reduction in the amount of \$ 24,224.00 to Fund Account Center Number 1A01 524001 Y45001

7. Method of Cost Recovery: Liens placed against property(s) that work is completed by a city-wide contractor.

This Legislative Request Form Was Prepared By: Monica Barnes

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Garnett Brown

Contact Number: 404-330-6724

Originating Department: Department of Planning

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: December 19, 2007

Anticipated Committee Meeting Date(s): January 15-16, 2008

Anticipated Full Council Date: January 22, 2008

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: _____

CAPTION

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO PAY OUTSTANDING INVOICES TO DPC GENERAL CONTRACTORS, INC., FOR ASBESTOS TESTING AND ABATEMENT SERVICES, IN AN AMOUNT NOT TO EXCEED TWENTY FOUR THOUSAND TWO HUNDRED TWENTY FOUR DOLLARS AND NO CENTS (\$24,224.00); ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBER 1A01 (GENERAL FUND) 524001 (CONSULTANT/ PROFESSIONAL SERVICES) Y45001 (ZONING & CODE ENFORCEMENT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$24,224.00

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 12/19/07  Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)