

**AN ORDINANCE
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AS SUBSTITUTED
BY FINANCE/EXECUTIVE COMMITTEE**

A SUBSTITUTE ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO EXECUTE AN AGREEMENT WITH DR. EDGAR SCOTT, FOR CONTINUED PHYSICIAN SERVICES AND INMATE OVERSIGHT ON BEHALF OF THE DEPARTMENT OF CORRECTIONS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY EIGHT THOUSAND DOLLARS AND NO CENTS (\$188,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 3PO2 (TRUST FUND) 524001 (CONSULTANT ACCOUNT) I21W02CL9999 (INMATE WELFARE FUND); AND FOR OTHER PURPOSES.

WHEREAS, Chapter 98 Article, 4, Division 2, Section 98-158 of the Code of Ordinances of the City of Atlanta and the Standards for Adult Local Detention Facilities require that the City provide comprehensive health care services to inmates of the Atlanta City Detention Center.

WHEREAS, on July 18, 2005, the City Council adopted a Resolution 05-R-1228 and the Mayor approved the same on July 26, 2005, which authorized the Mayor to execute an agreement with Dr. Edgar Scott to provide physician services at the Atlanta Detention Center beginning September 22, 2005; and

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

WHEREAS, the first renewal was executed on October 12, 2006 with an effective date of September 22, 2006 through September 22, 2007; and

WHEREAS, the Department of Procurement granted a 90-day extension from September 21, 2007 until January 28, 2008 in order to provide the user agency with sufficient time to execute the necessary legislation for the second renewal; and

WHEREAS, the City inadvertently failed to exercise the Second Renewal Option prior to January 28, 2008 date; and

WHEREAS, the second renewal will reinstate the initial contract and will expire on September 21, 2008; and

WHEREAS, Inmate Physician Services has continued to provide services under the expired contract; and

WHEREAS, the City desires to ratify the prior provision of services by Inmate Physician Services under the expired contract, and to authorize payment for unpaid services rendered under the expired contract.

WHEREAS, the Commissioner of the Department of Human Resources and the Chief Procurement Officer of the Department of Procurement recommend the execution of a Second Renewal Option Agreement Inmate Physician Services, for FC-60005007891, in an amount not to exceed One Hundred Eighty Eight Thousand Dollars and No Cents (\$188,000.00) to be charged to and paid from Fund Account and Center number 3P02 (Trust Fund) 524001 (Consultant Account) I21W02CL9999 (Inmate Welfare Fund).

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 physician services provided by Dr. Edgar Scott, under the expired contract are ratified and confirmed, and the Chief Financial Officer is authorized to remit payment to Dr. Scott for unpaid services rendered under the expired contract.

SECTION 2: That the Mayor is authorized to execute the Second Renewal Option Agreement with Dr. Scott, for FC-7264-00, Inmate Physician Services in an amount not to exceed One Hundred Eighty Eight Thousand Dollars and No Cents (\$188,000.00), to be charged to and paid from Fund Account and Center number 3P02 (Trust Fund) 524001 (Consultant Account) I21W02CL9999 (Inmate Welfare Fund).

SECTION 3: That the term of the Agreement will be effective from January 28, 2008 until September 21, 2008.

SECTION 4: That the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.

SECTION 5: That the Agreement will not become binding on the City, and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to Dr. Edgar Scott.

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 authorization of payment for services rendered by Dr. Edgar Scott, and the Renewal Agreements.

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

**AN ORDINANCE
BY PUBLIC SAFETY AND LEGAL COMMITTEE**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO EXECUTE AN AGREEMENT WITH DR. EDGAR SCOTT, FOR CONTINUED PHYSICIAN SERVICES AND INMATE OVERSIGHT ON BEHALF OF THE DEPARTMENT OF CORRECTIONS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY EIGHT THOUSAND DOLLARS AND NO CENTS (\$188,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 3P02 (TRUST FUND) 524001 (CONSULTANT ACCOUNT) I21W02CL9999 (INMATE WELFARE FUND); AND FOR OTHER PURPOSES.

WHEREAS, Chapter 98 Article, 4, Division 2, Section 98-158 of the Code of Ordinances of the City of Atlanta and the Standards for Adult Local Detention Facilities require that the City provide comprehensive health care services to inmates of the Atlanta City Detention Center.

WHEREAS, on July 18, 2005, the City Council adopted a Resolution 05-R-1228 and the Mayor approved the same on July 26, 2005, which authorized the Mayor to execute an agreement with Dr. Edgar Scott to provide physician services at the Atlanta Detention Center; and

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

WHEREAS, the City exercised the first renewal option pursuant to Resolution 06-R-1622; and

WHEREAS, the City inadvertently failed to exercise its second renewal option and execute Renewal Agreement No. 2; and

WHEREAS, Inmate Physician Services has continued to provide services under the expired contract; and

WHEREAS, the City desires to ratify the prior provision of services by Inmate Physician Services under the expired contract, and to authorize payment for unpaid services rendered under the expired contract, in an amount not to exceed one hundred eighty eight thousand dollars (\$188,000.00) to be charged to and paid from Fund Account and Center Number 3P02 (Trust Fund) 524001 (Consultant Account) I21W02CL9999 (Inmate Welfare Fund); and

WHEREAS, the Commissioner of the Department of Human Resources and the Chief Procurement Officer of the Department of Procurement recommend the execution of an

Agreement Inmate Physician Services, for FC-60005007891, in an amount not to exceed One Hundred Eighty Eight Thousand Dollars and No Cents (\$188,000.00) to be charged to and paid from Fund Account and Center number 3P02 (Trust Fund) 524001 (Consultant Account) I1W02CL9999 (Inmate Welfare Fund).

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 physician services provided by Dr. Edgar Scott, under the expired contract are ratified and confirmed, and the Chief Financial Officer is authorized to remit payment to Dr. Scott for unpaid services rendered under the expired contract, in an amount not to exceed One Hundred Eighty Eight Thousand Dollars and No Cents (\$188,000.00, to be charged to and paid from Fund Account and Center Number 3P02 (Trust Fund) 524001 (Consultant Account) I1W02CL9999 (Inmate Welfare Fund).

SECTION 2: That the Mayor is authorized to execute an Agreement with Dr. Scott, for FC-7264-00, Inmate Physician Services, pursuant to the terms and conditions of the Agreement authorized under Resolution 05-R-1228, in an amount not to exceed One Hundred Eighty Eight Thousand Dollars and No Cents (\$188,000.00), to be charged to and paid from Fund Account and Center number 3P02 (Trust Fund) 524001 (Consultant Account) I1W02CL9999 (Inmate Welfare Fund).

SECTION 3: That the term of the Agreement will be for one (1) year.

SECTION 4: That the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.

SECTION 5: That the Agreement will not become binding on the City, and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to Dr. Edgar Scott.

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 authorization of payment for services rendered by Dr. Edgar Scott, and the Renewal Agreements.

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

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: GREG PRIDGEON
(for review & distribution to Executive Management)
From: Originating Dept.: Public Safety Contact (name): Diane Jones x8078
Committee(s) of Purview: Corrections Committee Deadline:
Committee Meeting Date(s): February 12-13 City Council Meeting Date

CAPTION:

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO EXECUTE AN AGREEMENT WITH DR. EDGAR SCOTT, FOR CONTINUED PHYSICIAN SERVICES AND INMATE OVERSIGHT ON BEHALF OF THE DEPARTMENT OF CORRECTIONS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY EIGHT THOUSAND DOLLARS AND NO CENTS (\$188,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 3P02 (TRUST FUND) 524001 (CONSULTANT ACCOUNT) I21W02CL9999 (INMATE WELFARE FUND); AND FOR OTHER PURPOSES.

Commissioner Signature: *F.C. [Signature]* Director Signature: _____

BACKGROUND/PURPOSE/DISCUSSION:

The purpose of this legislation is to renew the Inmate Physician Services contract for continued physician services and oversight at the Atlanta City Detention Center for period of one year. This is the second of two renewal options.

FINANCIAL IMPACT (if any):

\$188,000 financial impact to FAC 3P02 524001 I21W02CL9999 (Inmate Welfare Trust Fund).

Mayor's Staff Only

Received by Mayor's Office: 2/1/08 Reviewed: *[Signature]*

Submitted to Council: _____

Action by Committee: _____ Approved _____ Adverse _____ Held _____ Amended
_____ Substitute _____ Referred _____ Other

RCS# 1745
2/18/08
2:12 PM

Atlanta City Council

REGULAR SESSION

08-O-0330

AUTH.CITY OF ATLANTA TO WAIVE PROVISIONS
CONATAINES IN ART.X PROCUREMENT
REFER/FINANCE

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

08-O-0330

RCS# 1740
2/18/08
2:03 PM

Atlanta City Council

REGULAR SESSION

PROCEDURE

RETURN TO REGULAR SESSION

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	NV Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURE

RCS# 1739
2/18/08
1:55 PM

Atlanta City Council

REGULAR SESSION

PROCEDURE

ENTER COMMITTEE OF A WHOLE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	NV Moore	Y Mitchell
NV Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

PROCEDURE