

**AN ORDINANCE BY
FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE A MONTH-TO-MONTH CONTRACT WITH ACS STATE AND LOCAL SOLUTIONS, INC., FOR UP TO SIX (6) MONTHS, FOR FINANCIAL COLLECTION SERVICES, AT A COMPENSATION RATE OF 22% OF PRINCIPAL AMOUNT COLLECTED TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; ALL REVENUE GENERATED SHALL BE DEPOSITED TO VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES

WHEREAS, on October 17, 2005 the Atlanta City Council adopted Resolution 05-R-1905 and the Mayor approved the same on October 25, 2005 directing the Mayor of her designee to execute an appropriate contractual agreement with ACS State and Local Solutions, Inc., ("ACS") to provide financial collection services for delinquent accounts receivable for the City of Atlanta ("City"); and

WHEREAS, the original term of the Contract was for two (2) years with two (2) one-year renewal options at the City's sole discretion; and

WHEREAS, the contractual agreement with ACS prepared in accordance with Resolution 05-R-1905 expired on January 22, 2008; and

WHEREAS, the Chief Procurement Officer granted a ninety (90) day extension of the contractual agreement on January 24, 2008, after the expiration of the contract; and

WHEREAS, ACS has continued to provide services to the City under such expired Contract; and

WHEREAS, the services provided by ACS under the expired contract need to continue while a new solicitation is completed, to ensure that financial collection services continue uninterrupted; and

WHEREAS, the City desires to continue its relationship with ACS, on a month-to-month basis, for a period of up to six (6) months, so as to ensure the continued provision of the vital services provided by ACS until the City successfully awards a new contract for services under its pending procurement; and

WHEREAS, ACS is willing to continue providing services to the City under such an extended contractual relationship on a month-to-month basis; and

WHEREAS, ACS shall be compensated in an amount not to exceed 22% of principal amount collected; and

WHEREAS, the Chief Financial Officer and the Chief Procurement Officer have recommended the transaction contemplated by this Ordinance.

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

SECTION 1: That the City is authorized to continue its relationship with ACS State and Local Solutions, Inc. (“ACS”), and enter into a month- to- month contract with ACS, at a compensation rate of 22% of principal amount collected, pursuant to the terms and conditions of Agreement FC-6005007932 authorized under Resolution 05-R-1905, for a period of up to six (6) months, so as to ensure the continued provision of the vital service provided by ACS until the City successfully awards a new contract for such services under its pending procurement.

SECTION 2: That all revenue generated under this contractual agreement shall be deposited into Fund, Department Organization and Account numbers 1001 (General Fund) 000002 (General Revenue Org) 3441102 (Sanitary Service); 1001 (General Fund) 000002 (General Revenue Org) 3212002 (General Bus. Licenses); 5051 (Water and Wastewater Revenue Fund) 000002 (General Revenue Org) 3442101 (Water Service); 5051 (Water and Wastewater Revenue Fund) 000002 (General Revenue Org) 3442551 (Sewer Services);; 1001 (General Fund) 000002 (General Revenue Org) 3511717 (Traffic & Parking Fines).

SECTION 3: That all compensation paid to ACS shall be charged to and paid from Fund Department Organization and Account numbers 7101 (Agency Fund) 190101 (JDA Municipal Courts Operations) 5212001 (Consulting/ Professional Services) 2650000 (Municipal Courts) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999); 7101 (Agency Fund) 170101 (Commissioner of Watershed Mgt) 5212001 (Consulting/ Professional Services); 1320000 (Chief Executive) 202361 (Collection Fee) 91468 (Agency Fund 9999); ;7101 (Agency Fund) 100502 (DOF Billings) 5212001 (Consulting/ Professional Services) 1515000 (Treasury) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999).

SECTION 4: That the Chief Financial Officer is authorized to accept payment for the services identified in Section One of this ordinance.

SECTION 5: That the Mayor is authorized, on behalf of the City, to take any other and further action and to execute, acknowledge, accept and/or deliver any other and further instruments, documents and assurances deemed desirable and appropriate to consummate

the temporary transactions authorized by this Ordinance and to effectuate the terms, purposes and intent of this Ordinance.

SECTION 6: That Chapter 2, Article X, Division 4, Section 2-1187 of the City of Atlanta's Code of Ordinances is hereby waived, for this instance only, to the extent that such Code provision applies to the authorization of the month-to-month contract with ACS.

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

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: April 9, 2008

Anticipated Committee Meeting Date(s): April 29-30, 2008

Anticipated Full Council Date: May 5, 2008

Legislative Counsel's Signature: [Signature]

Commissioner Signature: [Signature] 4/21/08

Chief Procurement Officer Signature: [Signature]

CAPTION

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE A MONTH-TO-MONTH CONTRACT WITH ACS STATE AND LOCAL SOLUTIONS, INC., FOR UP TO SIX (6) MONTHS, FOR FINANCIAL COLLECTION SERVICES, AT A COMPENSATION RATE OF 22% OF PRINCIPAL AMOUNT COLLECTED TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; ALL REVENUE GENERATED SHALL BE DEPOSITED TO VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): 22% of principal amount collected

Mayor's Staff Only

Received by CPO: [Signature] (date) Received by LC from CPO: _____ (date)

Received by Mayor's Office: 4/9/08 (date) Reviewed by: [Signature] (date)