AN ORDINANCE
BY TRANSPORTATION COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO RENTAL CAR CONCESSIONS AGREEMENT FC-2605-85 CR-004 WITH A BETTER RENT A CAR, INC. D/B/A BUDGET RENT A CAR OF ATLANTA FOR THE PURPOSE OF EXTENDING THE TERM OF THE AGREEMENT THROUGH THE DATE OF BENEFICIAL OCCUPANCY OF THE CONRAC FACILITY BUT NOT TO EXTEND BEYOND DECEMBER 31, 2009; WAIVING ANY CONFLICTING PROVISIONS OF THE ATLANTA CITY CODE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City"), as owner and operator of the Hartsfield Jackson Atlanta International Airport (the "Airport") entered into Rental Car Concessions Agreement FC-2605-85 (the "Agreement") with a Better Rent A Car, Inc. ("Budget Rent A Car") of Atlanta pursuant to Resolution 03-R-1389; and

WHEREAS, the Rental Car Concessions Agreement will expire by their terms on December 31, 2008; and

WHEREAS, the City is constructing a new Consolidated Rental Car ("CONRAC") Facility which, upon completion, will house all on-airport rental car companies serving Airport customers, including Budget Rent A Car; and

WHEREAS, it is anticipated that the CONRAC Facility will be open for operation in late 2009; and

WHEREAS, the City is in the process of finalizing agreements with all on-airport rental car operators, including Budget Rent A Car for their respective occupation and use of the CONRAC Facility upon the date of beneficial occupancy ("DBO") thereof; and

WHEREAS, the Aviation General Manager believes that it is desirable and in the best interests of the City to extend the Agreement with Budget Rent A Car until the DBO of the CONRAC Facility, but not to extend beyond December 31, 2009, under all terms and conditions contained in the Rental Car Concessions Agreement.

WHEREAS, the Aviation General Manager and Chief Procurement Officer have recommended that the City amend the Agreement to meet the objectives described herein.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

Section 1: That the Mayor is authorized to execute an amendment (the "Amendment") to the Agreement for the purpose of extending the term of such Agreement through the DBO of the CONRAC Facility but not to extend beyond December 31, 2009, under all other terms and conditions contained in the Rental Car Concessions Agreement.

Section 2: That the City Attorney is directed to prepare the Amendment for execution by the Mayor.

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance are waived to the extent of the conflict.

Section 4: That the Amendment will not become binding on the City and the City will incur no liability thereunder 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 A Betterway Rent A Car, Inc. D/B/A Budget Rent A Car of Atlanta.

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:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).
The City of Atlanta (the "City"), as owner and operator of the Hartsfield Jackson Atlanta International Airport (the "Airport") entered into Rental Car Concession Agreement CR-007, Vanguard Car Rental USA, Inc., which became effective on December 1, 2004 covering rental car services at the Airport, which will continue in force until December 31, 2008.

The Department of Aviation recommends the City enters into an extension of the agreement with Car Rental agencies for a term of Twelve (12) months or the date City procures and executes a new Consolidated Rental Car Agreement, which ever occurs first.

2. Please provide background information regarding this legislation.
Continue providing rental car services, uninterrupted, and the City be authorized to accept such services, under the terms set forth until such time as a new Consolidated Rental Car Agreement for rental car services has been procured and executed.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc): Rental Car Concessions Agreement

(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: _____ Account: _____ Center:_____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery:

Examples:

a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*

b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Chili Ewing

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE **ATTN: GREG PRIDGEON**

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 10/29/08

Anticipated Committee Meeting Date(s): 11/12/08

Anticipated Full Council Date: 11/17/08

Commissioner Signature:

Chief Procurement Officer Signature:

CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENTS TO THE FOLLOWING RENTAL CAR CONCESSIONS AGREEMENTS FOR THE PURPOSE OF EXTENDING THE TERM OF SUCH AGREEMENTS THROUGH THE DATE OF BENEFICIAL OCCUPANCY OF THE CONRAC FACILITY BUT NOT TO EXTEND BEYOND DECEMBER 31, 2009: (1) FC-7542-02 WITH ENTERPRISE LEASING COMPANY OF GEORGIA, A MISSOURI CORPORATION D/B/A ENTERPRISE RENT-A-CAR; (2) FC-6005007933 WITH E-Z RENTAL CAR, INC.; (3) CR-004 WITH A BETTERWAY RENT A CAR, INC. D/B/A BUDGET RENT A CAR OF ATLANTA; (4) CR-007 WITH VANGUARD CAR RENTAL USA, INC.; (5) CR-008 WITH DTG OPERATIONS, INC. D/B/A THRIFTY CAR RENTAL; AND (6) CR-009 WITH DTG OPERATIONS, INC. D/B/A DOLLAR RENT A CAR, WAIVING ANY CONFLICTING PROVISIONS OF THE ATLANTA CITY CODE, AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

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

Received by Mayor's Office: 10.29.08 (date) Reviewed by: _____ (date)

Submitted to Council: _____ (date)