

COMMITTEE AMENDMENT FORM

DATE: 5/13/08

COMMITTEE CITY UTILITIES PAGE NUM. (S)

ORDINANCE I. D. #08-O- SECTION (S)

RESOLUTION I. D. #08-R-0897 PARA.

AMENDS THE LEGISLATION BY DELETING "RENEWAL AGREEMENT NUMBER 1" WHEREVER IT APPEARS IN THE LEGISLATION AND REPLACING IT WITH "AN AMENDMENT AGREEMENT"

IT FURTHER AMENDS THE LEGISLATION BY DELETING THE FIRST DEPARTMENT OF PUBLIC WORKS AND REPLACING IT WITH THE DEPARTMENT OF WATERSHED MANAGEMENT IN THE 5TH WHEREAS CLAUSE.

AND FINALLY AMENDS THE LEGISLATION BY STRIKING "NO. 1" IN THE 7TH WHEREAS CLAUSE.

**AN AMENDED RESOLUTION BY
CITY UTILITIES COMMITTEE**

08-R-0897

AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 1 WITH SITE ENGINEERING INC. FOR FC-3006007923, ANNUAL CONTRACT FOR STREAMBANK STABILIZATION AND BIO-ENGINEERING SYSTEMS TO AMEND THE AGREEMENT TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL USER; ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR STREAMBANK STABILIZATION IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED EIGHTY THOUSAND DOLLARS (\$880,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS 7701 (TRUST FUND) 130201 (DPW SOLID WASTE ADMINISTRATION) 5999999 (PROJECTS AND GRANTS BUDGET) 4100000 (PUBLIC WORKS ADMINISTRATION) 600099 (SOLID WASTE MGMT PGMUSER FEE) 69999 (FUNDING SOURCE FOR NON CAPITAL TRUST PROJECTS); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an Agreement with Site Engineering Inc., for FC-3006007923, Annual Contract for Streambank Stabilization and Bio-Engineering Systems, effective June 15,2006; and

WHEREAS, the term of the Agreement is for a period of one (1) year with an option to renew for two (2) additional one (1) year periods; and

WHEREAS, the Chief Procurement Officer authorized a 90-day extension on March 18, 2008, until June 16, 2008;

WHEREAS, the Department of Public Works requires the services of Site Engineering, Inc., to repair severe creek erosion along a section of Intrenchment Creek; and

WHEREAS, the Department of Watershed Management desires to amend this agreement to include the Department of Public Works as an additional user in an amount not to exceed Eight Hundred Eighty Thousand Dollars (\$880,00.00); and

WHEREAS, Site Engineering , Inc. has performed the contracted service satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement, to the Annual Contract for Streambank Stabilization and Bio-Engineering Systems.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows; that the Mayor is authorized to execute Amendment Agreement No. 1 with Site Engineering, Inc., FC-3006007923, Annual Contract for Streambank Stabilization and Bio-Engineering Systems with Site Engineering, Inc., on behalf of the Department of Public Works in an amount not to exceed Eight Hundred Eighty Thousand Dollars: (\$880,000.00).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is hereby directed to prepare the appropriate agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that this Agreement will not become binding upon the City and the City shall incur no obligation or liability hereunder until the same has been signed by the Mayor and attested to by the municipal clerk, and delivered to Site Engineering, Inc.

AND FINALLY BE IT RESOLVED, that all contracted work shall be charged to and paid from Fund Department and Account Numbers 7701 (Trust Fund) 130201 (DPW Solid Waste Administration) 5999999 (Projects and Grants Budget) 4100000 (Public Works Administration) 600099 (Solid Waste Mgmt. PGM-User Fee) 69999 (Funding Source for Non Capital Trust Projects); and for other purposes.

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 1 WITH SITE ENGINEERING INC. FOR FC-3006007923, ANNUAL CONTRACT FOR STREAMBANK STABILIZATION AND BIOENGINEERING SYSTEMS TO AMEND THE AGREEMENT TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL USER; ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR STREAMBANK STABILIZATION IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED EIGHTY THOUSAND DOLLARS (\$880,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS 7701 (TRUST FUND) 130201 (DPW SOLID WASTE ADMINISTRATION) 5999999 (PROJECTS AND GRANTS BUDGET) 4100000 (PUBLIC WORKS ADMINISTRATION) 600099 (SOLID WASTE MGMT PGMUSER FEE) 69999 (FUNDING SOURCE FOR NON CAPITAL TRUST PROJECTS) AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an Agreement with Site Engineering Inc., for FC-3006007923, Annual Contract for Streambank Stabilization and Bio-Engineering Systems, effective June 15,2006; and

WHEREAS, the term of the Agreement is for a period of one (1) year with an option to renew for two (2) additional one (1) year periods; and

WHEREAS, the Chief Procurement Officer authorized a 90-day extension on March 18, 2008, until June 16, 2008;

WHEREAS, the Department of Public Works requires the services of Site Engineering, Inc., to repair severe creek erosion along a section of Intrenchment Creek; and

WHEREAS, the Department of Public Works desires amend the agreement to include the Department of Public Works as an additional in an amount not to exceed Eight Hundred Eighty Thousand Dollars (\$880,00.00); and

WHEREAS, Site Engineering Inc., has performed the contracted service satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement No.1, Annual Contract for Streambank Stabilization and Bio-Engineering Systems.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBI RESOLVES, that the Mayor is authorized to execute Amendment Agreement No. I wit] Site Engineering, Inc., FC-3006007923, Annual Contract for Streambank StabilizatiOJ and Bio-Engineering Systems with Site Engineering, Inc., on behalf of the Department o Public Works in an amount not to exceed Eight Hundred Eighty Thousand Dollars: (\$880,000.00).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is hereby directed to prepare the appropriate agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that this Agreement will not become binding upon the City and the City shall incur no obligation or liability hereunder until the same has been signed by the Mayor and attested to by the municipal clerk, and delivered to Site Engineering Inc.

BE IT FINALLY RESOLVED, that all contracted work shall be charged to and paid from **FUND DEPARTMENT AND ACCOUNT NUMBERS 7701 (TRUST FUND) 130201 (DPW SOLID WASTE ADMINISTRATION) 5999999 (PROJECTS AND GRANTS BUDGET) 4100000 (PUBLIC WORKS ADMINISTRATION) 600099 (SOLID WASTE MGMT PGM-USER FEE) 69999 (FUNDING SOURCE FOR NON CAPITAL TRUST PROJECTS) AND FOR OTHER PURPOSRS.**



**Department of Public Works
Office of Solid Waste Services
Legislative White Paper - Addendum**

Finance/Executive Committee

Timeline/Schedule

Contract: Site Engineering
Reopair of Streambank and Buffer

Purpose/Project Description

The Department of Public Works is requesting construction cost for emergency streambank repair and stabilization along approximately 500 linear feet of Intrenchment Creek, adjacent to the Key Road Landfill and Atlanta SWAT Training Facility access road. The project will include temporary bypassing of the stream and project site dewatering, placement of gabion baskets, placement of riprap, placement and compaction of select backfill material, excavation and channel reshaping, site restoration and revegetation, roadway repairs, and other associated construction tasks identified herein, or required to complete necessary stream stabilization and access road repair.

Background Information

Severe creek bank erosion has occurred along a section of Intrenchment Creek where the creek flows adjacent to the Atlanta Police Department's (APD) S.W.A.T team access road, and the Key Road landfill in southwest Atlanta. The erosion has undermined the access road to the S.W.A.T team headquarters, and has made the road unsafe for vehicular traffic. Further erosion will result in a complete loss of the road and prevent access to the S.W.A.T team headquarters. Additionally, the integrity of the DPW's Key Road landfill is in danger of failure because it is located immediately adjacent to the access road. Once erosion of the landfill cell occurs, municipal waste will discharge into Intrenchment Creek negatively impacting surface water quality, and creating a health and safety risk to residents and wildlife.

Additionally, without immediate action in the form of bank stabilization and road repair, the City will incur fines from the Georgia Environmental Protection Division (EPD) for damage to the landfill and releases to Intrenchment Creek. The EPD inspected this area on June 20, 2007 and stated their concerns regarding the integrity of the landfill cell, and damage to the groundwater and methane monitoring well networks (see attached EPD Trip Report).

It is impossible to know with any certainty when failure of the access road will occur and when the landfill will be breached; however, given the current rate of erosion, it could be as soon as the next severe rainfall event. These urgent conditions require immediate action. The DPW is prepared to take immediate action and make the repairs necessary to prevent further erosion. Specifically, the DPW requests emergency funding and the authority to stabilize the creek bank, repair the access road, and reinstall wells damaged by the erosion.

Other Associated Projects/Legislation

Costs

Balance to be requested in future legislation \$800,000.00

Department Position

Recommendation for Approval

Explanation (Include Benefits):

- Protect health of City employees and citizens.
- Repair and install monitoring wells.
- Avoid reprocutions from EPD such as fines and Consent Order.
- Regain full access to Atlanta SWAT training facility.

Recommendation for Disapproval

Explanation:

Recommendation to Hold

Explanation:

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 1 WITH SITE ENGINEERING INC. FOR FC-3006007923, ANNUAL CONTRACT FOR STREAMBANK STABILIZATION AND BIO-ENGINEERING SYSTEMS TO AMEND THE AGREEMENT TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL USER; ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR STREAMBANK STABILIZATION IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS 7701 (TRUST FUND) 130201 (DPW SOLID WASTE ADMINISTRATION) 5999999 (PROJECTS AND GRANTS BUDGET) 4100000 (PUBLIC WORKS ADMINISTRATION) 600099 (SOLID WASTE MGMT PGM-USER FEE) 69999 (FUNDING SOURCE FOR NON CAPITAL TRUST PROJECTS) AND FOR OTHER PURPOSES.

Council Meeting Date: April 21, 2008

Requesting Dept.: Department of Public Works

Council members and staff)

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 is to amend FC-3006007923, Annual Contract for Streambank Stabilization and Bio-Engineering Systems with Site Engineering Inc., to include DPW as an authorized user.

2. Please provide background information regarding this legislation.

Severe creek bank erosion has occurred along a section of Intrenchment Creek where the creek flows adjacent to the Atlanta Police Department's (APD) S.W.A.T team access road, and the Key Road landfill in southwest Atlanta. The erosion has undermined the access road to the S.W.A.T team headquarters, and has made the road unsafe for vehicular traffic. Further erosion will result in a complete loss of the road and prevent access to the S.W.A.T team headquarters. Additionally, the integrity of the DPW's Key Road landfill is in danger of failure because it is located immediately adjacent to the access road. Once erosion of the landfill cell occurs, municipal waste will discharge into Intrenchment Creek negatively impacting surface water quality, and creating a health and safety risk to residents and wildlife.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Construction Agreement

(b) **Source Selection:** N/A

(c) **Bids/Proposals Due:** N/A

(d) **Invitations Issued:** N/A

(e) **Number of Bids:** N/A

(f) **Proposals Received:** N/A

(g) **Bidders/Proponents:** N/A

(h) **Term of Contract:** The term of this contract is for a period of one (1) year, with the provision that the City may exercise its option to renew this contract under the original terms and agreements for another one (1) year contract for the next two (2) subsequent years.

4. Fund Account Center: 7701 (TRUST FUND) 130201 (DPW SOLID WASTE ADMINISTRATION) 5999999 (PROJECTS AND GRANTS BUDGET) 4100000 (PUBLIC WORKS ADMINISTRATION) 600099 (SOLID WASTE MGMT PGMUSER FEE) 69999 (FUNDING SOURCE FOR NON CAPITAL TRUST PROJECTS)

5. Source of Funds: Solid Waste

6. Fiscal Impact: \$800,000.00

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Soraya Belgrave

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Soraya Belgrave

Contact Number: (404) 330-6002

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: April 30, 2008

Anticipated Committee Meeting Date(s): May 13-14, 2008

Anticipated Full Council Date: May 19, 2008

Legislative Counsel's Signature: Terry Grandison

Commissioner Signature: 


Chief Procurement Officer Signature: _____

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 1 WITH SITE ENGINEERING INC. FOR FC-3006007923, ANNUAL CONTRACT FOR STREAMBANK STABILIZATION AND BIOENGINEERING SYSTEMS TO AMEND THE AGREEMENT TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL USER; ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR STREAMBANK STABILIZATION IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED EIGHTY THOUSAND DOLLARS (\$880,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS 7701 (TRUST FUND) 130201 (DPW SOLID WASTE ADMINISTRATION) 5999999 (PROJECTS AND GRANTS BUDGET) 4100000 (PUBLIC WORKS ADMINISTRATION) 600099 (SOLID WASTE MGMT PGMUSER FEE) 69999 (FUNDING SOURCE FOR NON CAPITAL TRUST PROJECTS) AND FOR OTHER PURPOSES.

Mayor's Staff Only

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

Received by Mayor's Office: Amé 5/11/08 Reviewed by: 
(date) (date)

Submitted to Council: _____