

**A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AMENDMENT NO. 3 TO FC-7657-04, CITYWIDE SERVICE, REPAIR AND MAINTENANCE TO HEATING, VENTILATION AND AIR CONDITIONING (HVAC) SYSTEMS, BETWEEN THE CITY OF ATLANTA AND JOHNSON CONTROLS, INC., ON BEHALF OF THE EXECUTIVE OFFICE-OFFICE OF ENTERPRISE ASSETS MANAGEMENT TO INCLUDE ADDITIONAL FUNDING FOR THE DEPARTMENT OF CORRECTIONS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-FOUR THOUSAND DOLLARS AND ZERO CENTS (\$154,000.00) TO BE CHARGED TO AND PAID FROM 7701(TRUST FUND), DEPARTMENT 090101(COMMISSIONER OF CORRECTIONS), ACCOUNT 5212001 (CONSULTING /PROFESSIONAL), FUNCTION ACTIVITY 1320000 (CHIEF EXECUTIVE JAIL FUND ADMIN.)

WHEREAS, the City of Atlanta entered into a Contractual Agreement with Johnson Control For FC-7657-04, Citywide Service, Repair And Maintenance to Heating, Ventilation and Air Conditioning (HVAC) Systems; and

WHEREAS, the City has determined that it desirable and in the best interest to add funding to the Contract in an amount not to exceed One Hundred Fifty-Four Thousand Dollars and Zero Cents (\$154,000.00) representing more than ten (10%) of the original contract amount; and

WHEREAS, said agreement is for a period of two (2) years with two (2) one (1) year renewal options; and

WHEREAS, Johnson Controls, Inc., continues to perform services under the Contract satisfactorily; and

WHEREAS, accordingly, the Officer, of the Office Enterprise Assets Management and the Chief Procurement Officer recommend the execution of Amendment No. 3 with Johnson Controls, Inc., in an amount not to exceed One Hundred Fifty-Four Thousand Dollars and Zero Cents (\$154,000.00)

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to execute Amendment No. 3 to Contract No FC-7657-04, Citywide Service, Repair and Maintenance to Heating, Ventilation and Air Conditioning (HVAC) Systems in an amount not to exceed One Hundred Fifty-Four Thousand Dollars and Zero Cents (\$154,000.00).

BE IT FURTHER RESOLVED that all expenditures shall be charged to and paid from 7701(Trust Fund), Department 090101(Commissioner of Corrections), Account 5212001 (Consulting/Professional), Function Activity 1320000 (Chief Executive Jail Fund Admin.)

BE IT FURTHER RESOLVED, that said agreement shall be for a period of two (2) years with two (1) year renewal options.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare the appropriate Agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Agreement will not become binding upon the City and the City will not incur any obligation or liability under it until it has become approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the contracting parties.

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

B. To be completed by the department:

<p>A. To be completed by Legislative Counsel:</p> <p>Committee of Purview:</p> <p>Caption:</p> <p>Council Meeting Date:</p> <p>Requesting Dept.:</p>

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

The purpose of this legislation is to execute Amendment No. 3 to Contract No. FC-7657-04, Citywide Service, Repair and Maintenance to Heating, Ventilation and Air Conditioning (HVAC) systems, on behalf of the Executive Offices-Office of Enterprise Assets Management to appropriate additional funding for the Department Of Corrections in an amount not to exceed One Hundred Fifty-Four Thousand Dollars and Zero Cents (\$154,000.00).

2. Please provide background information regarding this legislation.

Legislation number 04-R-1304 for FC#7657-04-Service, Repair and Maintenance to Heating, Ventilation and Air Conditioning (HVAC) system authorized the Mayor or her designee to enter into an appropriate contractual agreement with Johnson Controls, Inc., for HVAC service at various City facilities in an amount not to exceed Ten Thousand Dollars and zero cents (\$10,000.00). The original contract was executed on November 29, 2004 and expired November 29, 2006. Legislation number 06-R-2406 authorizing contract Renewal and Amendment No. 1 was executed November 20, 2006 in an amount not to exceed Two Million, One Hundred Forty Thousand, Eight Hundred Eighty Dollars and Eighty-Eight cents (\$2,140,880.88).

Legislation number 07-R-2127 authorized the mayor or her designee to execute Renewal and Amendment Agreement No. 2 in an amount not to exceed Seven Hundred Ninety-Four Thousand, Eight Hundred Ninety-One Dollars and zero cents (\$794,891.00) per the code section 2-1292 (c) approval by Council is required. The new contract value will be Two Million, Nine Hundred Forty-Five Thousand, Seven Hundred Seventy-One Dollars and Eighty-Eight cents (\$2,945,771.88).

3. If Applicable/Known:

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

- (b) **Source Selection:** Competively Bid

- (c) **Bids/Proposals Due:** 1

- (d) **Invitations Issued:** 1

- (e) **Number of Bids:** 1

- (f) **Proposals Received:** 1

- (g) **Bidders/Proponents:** 1

- (h) **Term of Contract:** The contract term is for Two (2) years with 2 one (1) year renewal options.)

Fund Account Center: 7701(Trust Fund), Department 090101(Commissioner of Corrections), Account 5212001 (Consulting/Professional), Function Activity 1320000 (Chief Executive Jail Fund Admin.)

5. Source of Funds: Trust Fund

6. Fiscal Impact: The fiscal impact will be to 7701(Trust Fund), Department 090101(Commissioner of Corrections), Account 5212001 (Consulting/Professional), Function Activity 1320000 (Chief Executive Jail Fund) in an amount not to exceed One Hundred Fifty-Four Thousand Dollars and Zero Cents (\$154,000.00).

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Perceta Watkins

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Perceta Watkins

Contact Number: 404-330-6569

Originating Department: Executive Offices/Office of Enterprise Assets Management

Committee(s) of Purview: Finance Executive

Chief of Staff Deadline: September 17, 2008

Anticipated Committee Meeting Date(s): September 30-October 1, 2008

Anticipated Full Council Date: October 6, 2008

Legislative Counsel's Signature: *Adrian L. Jackson*

Commissioner Signature: *FOR GREG GIORNELLI*

Chief Procurement Officer Signature: *Adrian L. Smith*

CAPTION

A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AMENDMENT NO. 3 TO FC-7657-04, CITYWIDE SERVICE, REPAIR AND MAINTENANCE TO HEATING, VENTILATION AND AIR CONDITIONING (HVAC) SYSTEMS, BETWEEN THE CITY OF ATLANTA AND JOHNSON CONTROLS, INC., ON BEHALF OF THE EXECUTIVE OFFICE-OFFICE OF ENTERPRISE ASSETS MANAGEMENT TO INCLUDE ADDITIONAL FUNDING FOR THE DEPARTMENT OF CORRECTIONS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-FOUR THOUSAND DOLLARS AND ZERO CENTS (\$154,000.00) TO BE CHARGED TO AND PAID FROM 7701 (TRUST FUND), DEPARTMENT 090101 (COMMISSIONER OF CORRECTIONS), ACCOUNT 5212001 (CONSULTING /PROFESSIONAL), FUNCTION ACTIVITY 1320000 (CHIEF EXECUTIVE JAIL FUND ADMIN.)

Mayor's Staff Only

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

Received by Mayor's Office: *9.17.08* Reviewed by: *[Signature]*
(date) (date)

Submitted to Council: _____