

10-0-0492
(Do Not Write Above This Line)

**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO WAIVE THE SOURCE SELECTION AND PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO SATISFY THE PRIOR PROVISION OF EMERGENCY 911 EQUIPMENT AND SUPPORT SERVICES BY AT&T TELECOMMUNICATIONS FOR THE PERIOD BEGINNING MARCH 21, 2008 THROUGH MARCH 31, 2010; TO AUTHORIZE AN AGREEMENT WITH AT&T TELECOMMUNICATIONS FOR EMERGENCY 911 SUPPORT EQUIPMENT FROM APRIL 1, 2010 THROUGH MAY 04, 2013 FOR AN AMOUNT NOT TO EXCEED EIGHTY-SIX THOUSAND, THREE HUNDRED SIXTY-FOUR DOLLARS AND EIGHT CENTS (\$86,364.08) PER MONTH, ALL FUNDS TO BE CHARGED TO AND PAID FROM ACCOUNT NUMBERS 2151 (EMERGENCY TELEPHONE SYSTEM) 243207 (A&D E-911) 5232005 (E-911 TELEPHONE EXPENSES) 38000000 (E-911); AND FOR OTHER PURPOSES.

AS AMENDED

ADOPTED BY

**SUBSTITUTE
CONSISTENT REFER**

MAY 0 3 2010

- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

COUNCIL

Date Referred: 03/15/10
 Referred To: Finance Exec.
 Referred To:
 Date Referred:
 Referred To:

First Reading
 Committee: Finance Executive
 Date: 3/10/10
 Chair: John L. Moore
 Referred To: Finance Executive

Committee: Finance Executive
 Date: 3/31/10
 Chair:
 Action: Hold (see rev. side)
 Other:
 Members:

Refer To:
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Committee:
 Date:
 Chair:
 Action:
 Other:
 Members:

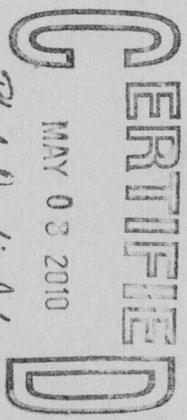
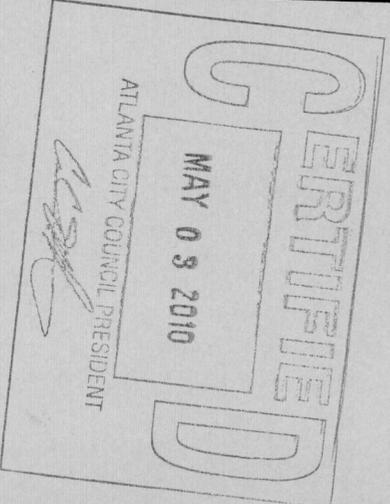
Refer To:
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Committee: Finance Executive
 Date: 4-28-10
 Chair: John L. Moore
 Action: Substitute
 Other: Members - 200
 Fav, Adv, Hold (see rev. side): As Amended

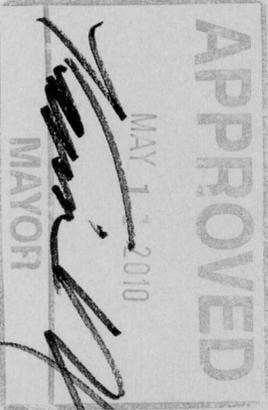
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FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED



MAYOR'S ACTION





CITY COUNCIL
ATLANTA, GEORGIA

**AN ORDINANCE SUBSTITUTE AND AMENDED
BY FINANCE/ EXECUTIVE COMMITTEE**

10-O-0492

AN ORDINANCE WAIVING THE _SOURCE SELECTION AND PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO RATIFY THE PRIOR PROVISION OF EMERGENCY RESPONSE EQUIPMENT, MAINTENANCE AND SUPPORT SERVICES BY AT&T FOR THE PERIOD BEGINNING MAY 1, 2009 THROUGH APRIL 30, 2010; TO AUTHORIZE THE MAYOR TO EXECUTE APPROPRIATE CONTRACTUAL AGREEMENTS WITH AT&T FOR MAINTENANCE AND SUPPORT OF THE EMERGENCY RESPONSE EQUIPMENT, FROM MAY 1, 2010 THROUGH APRIL 30, 2014 WITH AUTOMATIC RENEWAL OPTIONS AND SUBJECT TO TERMINATION FOR NON-APPROPRIATION OF FUNDS IN AN AMOUNT NOT TO EXCEED ONE MILLION, TWO HUNDRED FIFTYTHREE THOUSAND, NINE HUNDRED FIFTY-TWO DOLLARS AND NO CENTS (\$1,253,952.00), ALL PAYMENTS SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS 2151 (EMERGENCY TELEPHONE SYSTEM) 240207 (APD E-911) 5232005 (E911 TELEPHONE EXPENSE) 3800000 (E-911); AND TO AUTHORIZE A FORTY-EIGHT (48) MONTH AGREEMENT WITH AT&T CAPITAL SERVICES, INC. TO FINANCE THE PURCHASE PRICE OF THE EMERGENCY RESPONSE EQUIPMENT FROM MAY 1, 2010 THROUGH APRIL 30, 2014 IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED THIRTY-SEVEN THOUSAND, FIVE HUNDRED FIFTY-ONE DOLLARS AND FOUR CENTS (\$837,551.04), ALL PAYMENTS SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS 2151 (EMERGENCY TELEPHONE SYSTEM) 240207 (APD E-911) 5232005 (E-911 TELEPHONE EXPENSE) 3800000 (E-911); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") obtained emergency response equipment, maintenance and support services from AT&T Telecommunications (formerly known as "Bellsouth" and hereinafter "AT&T") beginning on March 21, 2008; and

WHEREAS, the City obtained additional equipment on August 28, 2008 and installed, integrated and operated the equipment in May of 2009; and

WHEREAS, the documentation created in conjunction with the acquisition was not accompanied by authorizing legislation and the services reflected in the documentation were not adequately defined so as to reflect enforceable rights and obligations for both parties; and

WHEREAS, the equipment and services provided by AT&T are necessary for the continued operation of the City's emergency response center; and

WHEREAS, the Chief Information Officer desires to ratify the prior provision of emergency response equipment, maintenance and support services by AT&T as listed in the documents dated March 21, 2008 and August 27, 2008; and

WHEREAS, the Chief Procurement Officer, in consultation with the City Attorney, has drafted a contract document that reflects a fully-formed scope of work, service level agreements, rights and



obligations impacting and protecting both parties; and

WHEREAS, the Chief Procurement Officer and the Chief Information Officer have determined that it is in the City's best interests to define and continue the City's relationship with AT&T as it relates to the acquisition of the aforementioned equipment, and the provision of ongoing maintenance and support services for the emergency response center for an additional forty-eight (48) months beginning May 1, 2010 through April 30, 2014; and

WHEREAS, the City has made twelve (12) monthly payments of \$49,552.00 to AT&T for the acquisition of the emergency response equipment, maintenance and support services, totaling \$594,624.00; and

WHEREAS, the price of the additional forty-eight (48) months of maintenance and support services is in an amount not to exceed Twenty-Six Thousand, One Hundred, Twenty-Four Dollars and No Cents (\$26,124.00) per month resulting in a total price for support and maintenance not to exceed One Million, Two Hundred Fifty-Three Thousand, Nine Hundred Fifty-Two Dollars and No Cents (\$1,253,952.00); and

WHEREAS, the Chief Procurement Officer and the Chief Information Officer have determined that it is in the City's best interests to finance the purchase of the emergency response equipment through AT&T Capital Services, Inc.; and

WHEREAS, the terms of the financing agreement require Forty-Eight (48) monthly payments to AT&T Capital Services, Inc in the amount of Seventeen Thousand, Four Hundred Forty-Eight Dollars and Ninety-Eight Cents (\$17,448.98) for a total amount of Eight Hundred Thirty-Seven Thousand, Five Hundred Fifty-One Dollars And Four Cents (\$837,551.04).

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

SECTION 1: That the City's actions in accepting emergency response equipment, maintenance and support services provided by AT&T and making related payments from May 1, 2009 through the date of this legislation are ratified and confirmed.

SECTION 2: That the Chief Information Officer is authorized to define and continue the City's relationship with AT&T, as it relates to the aforementioned emergency response equipment, maintenance and support services, for the purpose of any warranty coverage, repair claims or other rights related to the equipment, maintenance and support that the City may have.

SECTION 3: That the Chief Procurement Officer is authorized to prepare the appropriate contractual documents to establish a forty-eight (48) month agreement with AT&T for purchasing maintenance and support services with an effective date of May 1, 2010 in an amount of Twenty-Six Thousand, One Hundred, Twenty-Four Dollars and No Cents (\$26,124.00) per month resulting in a total price for maintenance and support not to exceed One Million, Two Hundred Fifty-Three Thousand, Nine Hundred Fifty-Two Dollars and No Cents (\$1,253,952.00), to be charged to and paid from Fund, Department, Organization, and Account Numbers 2151 (Emergency Telephone



System) 240207 (APD E-911) 5232005 (E-911 Telephone Expense) 3800000 (E-911) subject to the annual appropriation of funds therefor.

SECTION 4: That the Chief Procurement Officer is authorized to prepare the appropriate contractual documents to establish a forty-eight (48) month agreement with AT&T Capital Services Inc. in a substantially similar form as the document attached hereto as Exhibit "A" to finance the purchase price of the emergency response equipment, provided that the sum of the scheduled monthly payments shall not exceed Seventeen Thousand, Four Hundred Forty-Eight Dollars and Ninety-Eight Cents (\$17,448.98) per month and the aggregate amount of all such scheduled monthly payments shall not exceed Eight Hundred, Thirty-Seven Thousand, Five Hundred FiftyOne Dollars And Four Cents (\$837,551.04) to be charged to and paid from Fund, Department, Organization, and Account Numbers 2151 (Emergency Telephone System) 240207 (APD E-911) 5232005 (E-91 I Telephone Expense) 3800000 (E-91 1), subject to the annual appropriation of funds therefor.

SECTION 5: That the Chief Procurement Officer, in consultation with the City Attorney, shall prepare the appropriate contract documents for execution by the Mayor.

SECTION 6: That the Agreements will not become binding on the City, and the City will incur no obligation or liability hereunder until the contract documents have been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to AT&T and AT&T Capital Services.

SECTION 7: That all Ordinances or parts of Ordinances in conflict with this Ordinance, including but not limited to Section 2-1212 (Encumbrances required for contracts) and Section 2-1 187 (Methods of source selection), are waived for this instance only.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk

ADOPTED as amended by the Council
APPROVED by Mayor Kasim Reed

MAY 03, 2010
MAY 11, 2010

RCS# 209
5/03/10
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

NV Smith	Y Archibong	Y Moore	B Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		05-03-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0393	36. 10-R-0642	76. 10-R-0682
2. 10-O-0492	37. 10-R-0651	77. 10-R-0683
3. 10-O-0598	38. 10-R-0783	78. 10-R-0684
4. 10-O-0595	39. 10-R-0789	79. 10-R-0685
5. 10-O-0782	40. 10-R-0724	80. 10-R-0686
6. 10-O-0790	41. 10-R-0725	81. 10-R-0687
7. 10-R-0652	42. 10-R-0726	82. 10-R-0688
8. 10-R-0749	43. 10-R-0771	83. 10-R-0689
9. 10-R-0750	44. 10-R-0736	84. 10-R-0690
10. 10-R-0753	45. 10-R-0737	85. 10-R-0691
11. 10-R-0754	46. 10-R-0738	86. 10-R-0692
12. 10-R-0755	47. 10-R-0653	87. 10-R-0693
13. 10-R-0756	48. 10-R-0654	88. 10-R-0694
14. 10-R-0757	49. 10-R-0655	89. 10-R-0695
15. 10-R-0758	50. 10-R-0656	90. 10-R-0696
16. 10-R-0759	51. 10-R-0657	91. 10-R-0697
17. 10-R-0770	52. 10-R-0658	92. 10-R-0698
19. 10-R-0775	53. 10-R-0659	93. 10-R-0699
20. 10-R-0781	54. 10-R-0660	94. 10-R-0700
21. 10-R-0786	55. 10-R-0661	95. 10-R-0701
22. 10-R-0787	56. 10-R-0662	96. 10-R-0702
23. 10-R-0797	57. 10-R-0663	97. 10-R-0703
24. 10-R-0799	58. 10-R-0664	98. 10-R-0704
25. 10-R-0800	59. 10-R-0665	99. 10-R-0705
26. 10-R-0620	60. 10-R-0666	100. 10-R-0706
27. 10-R-0621	61. 10-R-0667	101. 10-R-0707
28. 10-R-0622	62. 10-R-0668	102. 10-R-0708
29. 10-R-0625	63. 10-R-0669	103. 10-R-0709
30. 10-R-0626	64. 10-R-0670	104. 10-R-0710
31. 10-R-0637	65. 10-R-0671	105. 10-R-0711
32. 10-R-0752	66. 10-R-0672	106. 10-R-0712
33. 10-R-0496	67. 10-R-0673	107. 10-R-0713
34. 10-R-0640	68. 10-R-0674	108. 10-R-0714
35. 10-R-0641	69. 10-R-0675	109. 10-R-0715
	70. 10-R-0676	110. 10-R-0716
	71. 10-R-0677	111. 10-R-0717
	Items Adversed	112. 10-R-0718
	72. 10-R-0678	113. 10-R-0719
	73. 10-R-0679	114. 10-R-0720
	74. 10-R-0680	115. 10-R-0721
	75. 10-R-0681	116. 10-R-0722
		117. 10-R-0723