

10-R-0811

(Do Not Write Above This Line)

A RESOLUTION  
BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF GEORGIA, DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF WATER SYSTEM IMPROVEMENTS ON BRIDGE NO. 2 IN CONJUNCTION WITH CONSTRUCTION OF THE D.L. HOLLOWELL PARKWAY/BANKHEAD HIGHWAY SR8/US78/US278 PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FOURTEEN THOUSAND SIX HUNDRED TWENTY FIVE DOLLARS AND FIFTY-FIVE CENTS (\$14,625.55); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5057 (2001 WATER & WASTEWATER BOND FUND) 170202 (DWM BIOSOLIDS TREATMENT & COLLECTIONS) 5414002 (FACILITIES OTHER THAN BUILDINGS/ INFRASTRUCTURE CIP) 4330000 (SEWAGE COLLECTION & DISPOSAL) AND PROJECT AWARD TASK ORGANIZATION AND ACCOUNT AND EXPENDITURE NUMBER 17100395.102.505721444.5414002.COA; AND FOR OTHER PURPOSES.

SUBSTITUTE ADOPTED BY

MAY 17 2010

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

Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred  
Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee *City Utilities*

Date *May 17 2010*

Chair *Walter Schupp*

Action Fav, Adv, Hold (see rev. side)  
Other *as substitute*

Members

*John Stice*

*Carla Smith*

*John*

Refer To

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members

Refer To

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members

Refer To

Refer To

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

CERTIFIED

CERTIFIED  
MAY 17 2010  
ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

CERTIFIED  
MAY 17 2010  
Municipal Clerk  
*[Signature]*

MAYOR'S ACTION

APPROVED  
MAY 25 2010  
*[Signature]*  
MAYOR



**CITY COUNCIL  
ATLANTA, GEORGIA**

**10-R-0811**

**A SUBSTITUTE RESOLUTION**

**BY CITY UTILITIES COMMITTEE**

**AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ITEM AGREEMENT WITH THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF WATER SYSTEM IMPROVEMENTS ON BRIDGE NO. 2 IN CONJUNCTION WITH CONSTRUCTION OF THE D.L. HOLLOWELL PARKWAY/BANKHEAD HIGHWAY SR8/US78/US278 PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FOURTEEN THOUSAND SIX HUNDRED TWENTY-FIVE DOLLARS AND FIFTY-FIVE CENTS (\$114,625.55). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5057 (2001 WATER & WASTEWATER BOND FUND) 170202 (DWM BIOSOLIDS TREATMENT & COLLECTIONS) 5414002 (FACILITIES OTHER THAN BUILDINGS/INFRASTRUCTURE CIP) 4330000 (SEWAGE COLLECTION & DISPOSAL) AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17100395.102.505721444.5414002.COA; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Georgia Department of Transportation (“GADOT”) is constructing a new Bridge No. 2 on Donald Lee Hollowell Parkway/Bankhead Highway SR8/US78/US278 (STPNH-0003-01(033)) Fulton County Project (P.I. 720570); and

**WHEREAS**, the City must make adjustments or replacements of water facilities and appurtenances (“Water System Improvements”) for the No. 2 Bridge on Donald Lee Hollowell Parkway between Law Street and Finley Street as required to maintain proper water service for the City of Atlanta’s Water System; and

**WHEREAS**, the cost of the required Water System Improvements is One Hundred Fourteen Thousand Six Hundred Twenty-Five Dollars and Fifty-Five Cents (\$114,625.55); and

**WHEREAS**, the Department of Watershed Management and the GADOT have determined that the most effective and economical method of constructing the City’s required Water System Improvements is to include the construction of the Water System Improvements in the Donald Lee Hollowell Parkway/Bankhead Highway Project; and

**WHEREAS**, sufficient funds are available for the City’s portion of the cost of the project from Fund Department Organization and Account Number 5057 (2001 Water & Wastewater Bond Fund) 170202 (DWM Biosolids Treatment & Collections) 5414002 (Facilities Other than Buildings/Infrastructure CIP) 4330000 (Sewage Collection & Disposal).



**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA** that the Mayor or his designee be and is hereby authorized to execute a Contract Item Agreement with the State of Georgia Department of Transportation (GADOT) in substantial form as the agreement attached hereto as "Exhibit A" for construction of the Water System Improvements in an amount not to exceed One Hundred Fourteen Thousand Six Hundred Twenty-Five Dollars and Fifty-Five Cents (\$114,625.55).

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

**BE IT FURTHER RESOLVED**, that this Agreement will not become binding on the City and the City will incur no liability or obligation under it 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 GADOT.

**AND FINALLY BE IT RESOLVED**, that all services for said contracted work shall be charged to and paid from the Fund Department Organization and Account Number 5057 (2001 Water & Wastewater Bond Fund) 170202 (DWM Biosolids Treatment & Collections) 5414002 (Facilities Other than Buildings/Infrastructure CIP) 4330000 (Sewage Collection & Disposal) and Project Task Award Expenditure and Organization Number 17100395.102.505721444.5414002.COA

A true copy,

*Phanda Daughin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed

MAY 17, 2010  
MAY 25, 2010



Project No.: DL Hollowell Parkway/Bankhead Highway SR 8/US78/US278  
(STPNH-0003-01(033)) Fulton County Project  
P.I. No.: 720570

THIS AGREEMENT, made \_\_\_\_\_ by and between the Department of Transportation, an agency of the State of Georgia, hereinafter called the DEPARTMENT, first party and the CITY OF ATLANTA, a political subdivision of the State of Georgia, hereinafter called the CITY, second party;

WITNESS that:

WHEREAS, the DEPARTMENT is constructing roadway improvements on DL Hollowell Parkway/Bankhead Highway between Law and Finley Street in the City of Atlanta, Fulton County, Georgia; and

WHEREAS, due to the construction of this project, it will become necessary to make certain adjustments or replacements of water facilities and appurtenances of the CITY associated with Bridge No. 2, the cost of which is \$114,625.55; and

WHEREAS, the CITY has requested that the DEPARTMENT include the installation or adjustment of certain water facilities in its bridge construction contract ; and

WHEREAS, the CITY shall bear the cost of adjustment or installation of the requested water facilities; and

WHEREAS, this Agreement being for the sole purpose of providing a contractor for the CITY'S work, the CITY shall bear the cost of said work as indicated herein;

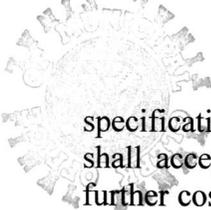
WHEREAS, the plans and costs for the water facilities work have been approved by both the DEPARTMENT and the CITY prior to commencing work;

NOW THEREFORE, in consideration of the premises and the mutual covenants of the parties hereinafter set forth, it is agreed:

1. All construction engineering and contract supervision shall be the responsibility of the DEPARTMENT and the DEPARTMENT shall be responsible to assure that all water facilities work is accomplished in accordance with plans and specifications and to consult with the CITY before authorizing any changes or deviations which affect the CITY'S water facilities.

2. The CITY shall have the right to visit and inspect the work at any time and advise the DEPARTMENT'S Engineer of any observed discrepancies or potential problems. The DEPARTMENT agrees to notify the CITY when all water facilities work is completed and ready for final inspection by the CITY.

3. Upon completion of the work and upon certification by the DEPARTMENT that the work has been completed in accordance with the aforesaid plans and

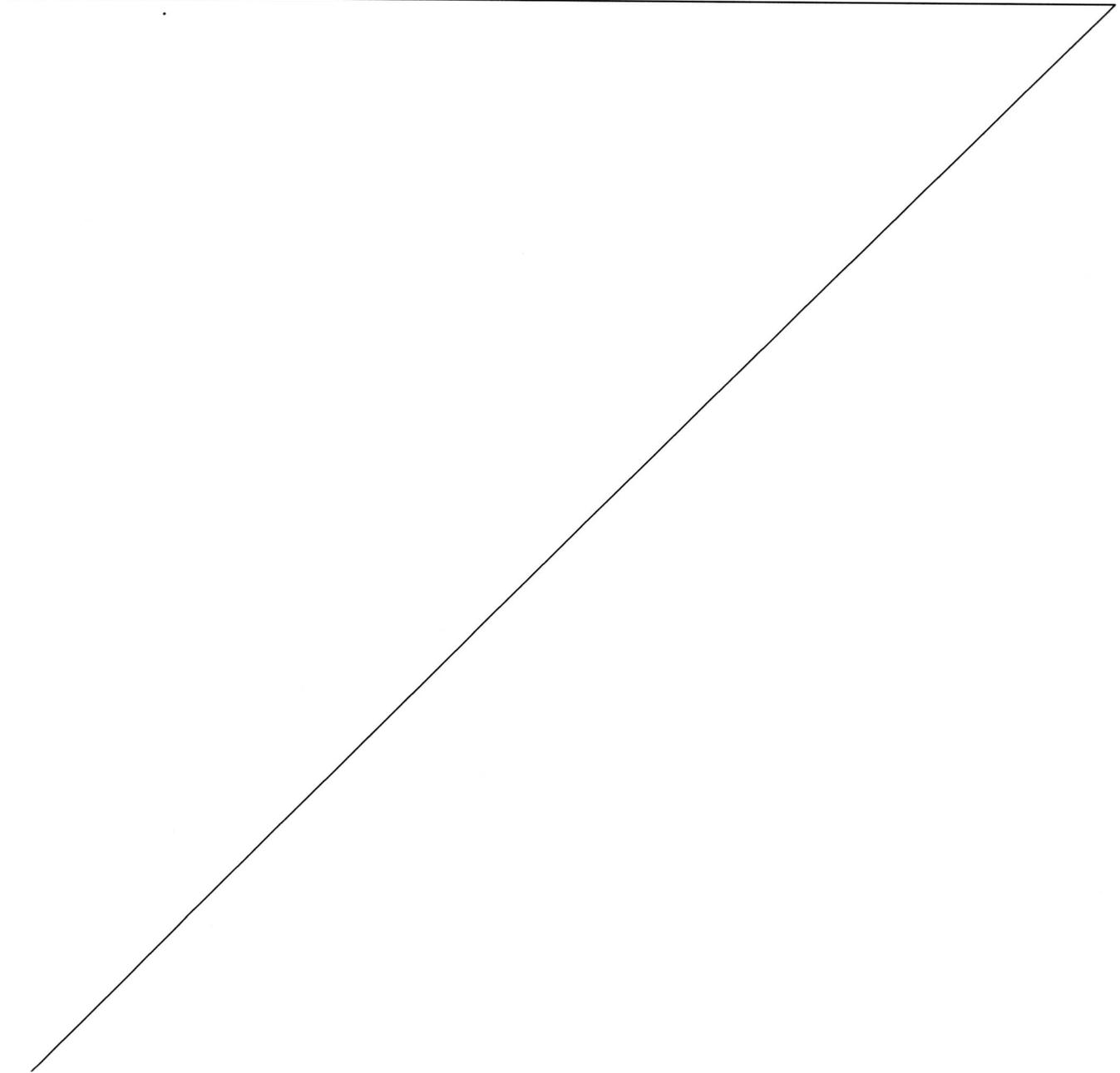


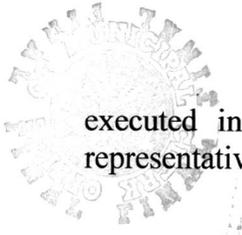
specifications, the DEPARTMENT shall make a "Final Acceptance" of the work. Thereafter, the CITY shall accept the water facilities and shall thereafter operate and maintain the water facilities without further cost to the DEPARTMENT or its contractor. Such maintenance and all operations and activities shall be subject to the DEPARTMENT'S rules, policies and procedures as contained in its Utility Accommodation Policy and Standards, current edition.

4. The CITY agrees to make payment to the DEPARTMENT in the amount of \$114,625.55; within thirty (30) days after the execution of this Agreement.

5. The covenants herein contained shall, except as otherwise provided, accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

6. It is mutually agreed between the parties hereto that this document shall be deemed to have been executed in Fulton County, Georgia, and that all questions of interpretation and construction shall be governed by the laws of the State of Georgia.





IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in three counterparts, each to be considered as original by their duly authorized representatives the day and date hereinabove written.

**CITY OF ATLANTA:**

\_\_\_\_\_  
**MUNICIPAL CLERK (Seal)**

\_\_\_\_\_  
**KASIM REED, MAYOR**

RECOMMENDED:

This Agreement approved by the Atlanta City Council at meeting held on \_\_\_\_, and signed by the Mayor on \_\_\_\_\_

\_\_\_\_\_  
**Commissioner, Department of Watershed Management**

\_\_\_\_\_  
**Chief Financial Officer**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

\_\_\_\_\_  
**DEPARTMENT OF TRANSPORTATION**

RECOMMENDED:

ACCEPTED:

By: \_\_\_\_\_  
**STATE UTILITIES ENGINEER**

By: \_\_\_\_\_  
**COMMISSIONER**

Project No: STPNH-0003-01(033)  
COUNTY: FULTON  
P.I. No.: 720570  
Date: April 23, 2010

Signed, sealed and delivered this \_\_\_\_\_  
day of \_\_\_\_\_, 20 \_\_\_\_\_

I attest that the seal imprinted herein is the official Seal of the DEPARTMENT.

By: \_\_\_\_\_  
**TREASURER**  
(OFFICIAL CUSTODIAN OF THE SEAL)

RCS# 241  
5/17/10  
2:50 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-0743, 10-R-0839

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

		05-17-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0741	35.10-R-0903	57. 10-R-0828
2. 10-O-0742	36. 10-R-0868	58. 10-R-0829
3. 10-O-0744	37. 10-R-0869	59. 10-R-0830
4. 10-O-0745	38. 10-R-0871	60. 10-R-0831
5. 10-O-0746	39. 10-R-0872	61. 10-R-0832
6. 10-O-0747	40. 10-R-0873	62. 10-R-0833
7. 10-O-0748	41. 10-R-0809	63. 10-R-0834
8. 10-O-0796	42. 10-R-0810	64. 10-R-0835
9. 10-O-0798	43. 10-R-0811	65. 10-R-0836
10. 10-O-0889	44. 10-R-0812	66. 10-R-0837
11. 10-O-0893	45. 10-R-0814	67. 10-R-0838
12. 10-O-0627	46. 10-R-0815	68. 10-R-0840
13. 10-O-0330	47. 10-R-0816	69. 10-R-0841
14. 10-O-0331	48. 10-R-0819	70. 10-R-0842
15. 10-O-0632	49. 10-R-0820	71. 10-R-0843
16. 10-O-0633	50. 10-R-0821	72. 10-R-0844
17. 10-O-0730	51. 10-R-0822	73. 10-R-0845
18. 10-O-0731	52. 10-R-0823	74. 10-R-0846
19. 10-O-0732	53. 10-R-0824	75. 10-R-0847
20. 10-O-0733	54. 10-R-0825	76. 10-R-0848
21. 10-O-0735	55. 10-R-0826	77. 10-R-0849
22. 10-O-0779	56. 10-R-0827	78. 10-R-0850
23. 10-R-0882		79. 10-R-0851
24. 10-R-0883		80. 10-R-0852
25. 10-R-0884		81. 10-R-0853
26. 10-R-0885		82. 10-R-0854
27. 10-R-0887		83. 10-R-0856
28. 10-R-0638		84. 10-R-0857
29. 10-R-0639		85. 10-R-0858
30. 10-R-0818		
31. 10-R-0859		
32. 10-R-0860		
33. 10-R-0861		
34. 10-R-0862		