

10-0-1206

(Do Not Write Above This Line)

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 3 WITH ADVANCED DISPOSAL SERVICES, INC. FOR FC-7650-04A, ANNUAL CONTRACT FOR DISPOSAL OF MUNICIPAL SOLID WASTE SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, TO EXTEND THE AGREEMENT ON A MONTH TO MONTH BASIS NOT TO EXCEED NOVEMBER 28, 2010; AND AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTIONS 2-1187 THROUGH 2-1189, AND 2-1206 OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

SUBSTITUTE

ADOPTED BY

JUL 19 2010

COUNCIL

- Consent Refer, Regular Report Refer, Advertise & Refer, 1st Adopt 2nd Read & Refer, Personal Paper Refer

Date Referred, Referred To: Finance Exec., Date Referred, Referred To:, Date Referred, Referred To:

First Reading

Committee Finance/Executive, Date 6-30-10, Chair Madua, Referred To Finance

Committee Finance/Executive, Date 7/14/2010, Chair Maduan, Action Fav, Adv, Hold (see rev. side) On substitute, Members, 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, Refer To

Committee, Date, Chair, Action Fav, Adv, Hold (see rev. side) Other, Members, Refer To

FINAL COUNCIL ACTION

- 2nd, 1st & 2nd, 3rd, Readings, Consent, V Vote, FC Vote

CERTIFIED

CERTIFIED stamp with date JUL 19 2010 and signature of Atlanta City Council President

CERTIFIED stamp with date JUL 19 2010 and signature of Municipal Clerk

MAYOR'S ACTION

APPROVED stamp with date JUL 27 2010 and signature of Mayor



CITY COUNCIL
ATLANTA, GEORGIA

A SUBSTITUTE ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

10-O-1206

A SUBSTITUTE ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 3 WITH ADVANCED DISPOSAL SERVICES, INC. FOR FC-7650-04A, ANNUAL CONTRACT FOR DISPOSAL OF MUNICIPAL SOLID WASTE SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, TO EXTEND THE AGREEMENT ON A MONTH TO MONTH BASIS NOT TO EXCEED FEBRUARY 28, 2011, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED NINETY THOUSAND DOLLARS AND NO CENTS (\$490,000.00); AND AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTIONS 2-1187 THROUGH 2-1189, AND 2-1206 OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL WORK TO BE PAID FROM FUND , DEPARTMENT, ACCOUNT AND ACTIVITY NUMBER: 5401 (SOLID WASTE SERVICES REVENUE FUND), 130542 (DPW DISPOSAL-LANDFILL), 5212001 (CONSULTANT/ PROF. SERVICES), 4560000 (CLOSURE & POST CLOSURE CARE) OR SUCCESSOR ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an Agreement with Advanced Disposal Services, Inc. for FC-7650-04A, Annual Contract for Disposal of Municipal Solid Waste, pursuant to Resolution 04-R-1764; and

WHEREAS, the initial term of the Contract was for one (1) year, effective November 19, 2004, through November 18, 2005, with four (4) one (1) year renewal options to be exercised at the sole discretion of the City; and

WHEREAS, a ninety (90) day extension was granted by the Chief Procurement Officer giving the contract an expiration date of February 18, 2006; and

WHEREAS, the City executed Renewal Agreement No. 1 pursuant to Resolution 05-R-2329 effective February 19, 2006, through February 18, 2007; and

WHEREAS, the City executed Renewal Agreement No. 2 pursuant to Resolution 06-R-2708 effective February 19, 2007, through February 18, 2008; and

WHEREAS, the City executed Renewal Agreement No. 3 pursuant to Ordinance 08-O-0407 effective February 19, 2008, through February 18, 2009; and

WHEREAS, the City executed Renewal Agreement No. 4 pursuant to Resolution 09-R-0125 effective February 19, 2009, through February 18, 2010; and

WHEREAS, the City executed Amendment Agreement No. 1 pursuant to Resolution 08-R-1479 in an amount not to exceed Eight Hundred Thousand Dollars (\$800,000.000); and

WHEREAS, the City executed Amendment Agreement No. 2 pursuant to Ordinance 09-O-2040 in an amount not to exceed Six Hundred Sixty Thousand Dollars (\$660,000.00) and to extend the term of the contract on a month to month basis not to exceed July 31, 2010; and

WHEREAS, the Department of Public Works desires to amend FC-7650-04A, Annual Contract for Disposal of Municipal Solid Waste Services, to extend the term of the Contract on a month to month basis not to exceed February 28, 2011, in an amount not to exceed Four Hundred Ninety Thousand Dollars and no Cents (\$490,000.00); and

WHEREAS, Advanced Disposal Services, Inc. has performed the services under the terms of the Contract satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works recommends Amendment Agreement No. 3, for FC-7650-04A, Annual Contract for Disposal of Municipal Solid Waste Services with Advanced Disposal Services, Inc.

NOW, THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Mayor or his designee is authorized to execute Amendment Agreement No. 3 with Advanced Disposal Services, Inc. for FC-7650-04A, Annual Contract for Disposal of Municipal Solid Waste, for the purpose of extending the term of the Contract on a month to month basis not to exceed February 28, 2011, in an amount not to exceed Four Hundred Ninety Thousand Dollars and no Cents (\$490,000.00).

Section 2: That the provisions of Section 2-1187 through 2-1189, and 2-1206 are hereby waived to permit the Department of Public Works to continue this Contract on a month to month basis beyond the final expiration date of July 31, 2010, for a period not to extend beyond February 28, 2011.

Section 3: That the Chief Procurement Officer is directed to prepare an appropriate Amendment for execution by the Mayor.

Section 4: That this Amendment will not become binding on the City and the City shall incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to Advanced Disposal Services, Inc.

Section 5: That all work will be charged to and paid from Fund , Department, Account and Activity Number: 5401 (Solid Waste Services Revenue Fund), 130542 (DPW Disposal-Landfill), 5212001 (Consultant/ Prof. Services), 4560000 (Closure & Post Closure Care) Or Successor Accounts.

Section 6: That all ordinances or parts of ordinances in conflict with this ordinance, shall be waived to the extent of the conflict only.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JUL 19, 2010
JUL 27, 2010

RCS# 449
7/19/10
3:09 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1227

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 4

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

CONSENT I

		07-19-10
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 10-O-0808	39. 10-R-1286	59. 10-R-1302
2. 10-O-1206	40. 10-R-1287	60. 10-R-1303
3. 10-O-1207	41. 10-R-1325	61. 10-R-1304
4. 10-O-1248	42. 10-R-1326	62. 10-R-1305
5. 10-O-1250	43. 10-R-1332	63. 10-R-1306
6. 10-O-1346	44. 10-R-1288	64. 10-R-1307
7. 10-O-0305	45. 10-R-1289	65. 10-R-1308
8. 10-O-1204	46. 10-R-1290	66. 10-R-1309
9. 10-O-1220	47. 10-R-1291	67. 10-R-1310
10. 10-O-1214	48. 10-R-1292	68. 10-R-1311
11. 10-O-1337	49. 10-R-1293	69. 10-R-1312
12. 10-O-1251	50. 10-R-1293	70. 10-R-1313
13. 10-R-1259	51. 10-R-1294	71. 10-R-1314
14. 10-R-1260	52. 10-R-1295	72. 10-R-1315
15. 10-R-1261	53. 10-R-1296	73. 10-R-1316
16. 10-R-1263	54. 10-R-1297	74. 10-R-1317
17. 10-R-1264	55. 10-R-1298	75. 10-R-1318
18. 10-R-1265	56. 10-R-1299	76. 10-R-1319
19. 10-R-1266	57. 10-R-1300	77. 10-R-1320
20. 10-R-1267	58. 10-R-1301	78. 10-R-1321
21. 10-R-1268		79. 10-R-1322
22. 10-R-1269		80. 10-R-1323
23. 10-R-1270		81. 10-R-1324
24. 10-R-1271		
25. 10-R-1280		
26. 10-R-1281		
27. 10-R-1282		
28. 10-R-1283		
29. 10-R-1331		
30. 10-R-1273		
31. 10-R-1344		
32. 10-R-1274		
33. 10-R-1275		
34. 10-R-1336		
35. 10-R-1277		
36. 10-R-1278		
37. 10-R-1284		
38. 10-R-1285		