

10-0-1207

(Do Not Write Above This Line)

AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 8 WITH REPUBLIC SERVICES OF GEORGIA, LP FOR FC-7650-04B, 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.

ADOPTED BY

JUL 19 2010

COUNCIL

SUBSTITUTE

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

Date Referred: 07/09/10

Referred To: Finance Exec.

Date Referred

Referred To:

Date Referred

Referred To:

Committee Finance / Executive First Reading
 Date 6-30-10
 Chair [Signature]
 Referred to Finance / Executive

Committee Finance / Executive
 Date 7/14/2010
 Chair [Signature]
 Action: Fav. Adv, Hold (see rev. side)
 Other: on Substitute
 Members [Signatures]
 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
- RC Vote

CERTIFIED

CERTIFIED
 JUL 19 2010
 ATLANTA CITY COUNCIL PRESIDENT
 [Signature]

CERTIFIED
 JUL 19 2010
 Ronda Daughin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 JUL 27 2010
 [Signature]
 MAYOR

A SUBSTITUTE ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 8 WITH REPUBLIC SERVICES OF GEORGIA, LP FOR FC-7650-04B, ANNUAL CONTRACT FOR DISPOSAL OF MUNICIPAL SOLID WASTE SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE DEPARTMENT OF WATERSHED MANAGEMENT, TO EXTEND THE AGREEMENT ON A MONTH TO MONTH BASIS NOT TO EXCEED FEBRUARY 28, 2011, IN AN AMOUNT NOT TO EXCEED TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS AND NO CENTS (\$2,700,000.00); 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 CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ACCOUNT AND ACTIVITY NUMBERS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into a Contract with Republic Services of Georgia, LP for FC-7650-04B, Annual Contract for Disposal of Municipal Solid Waste, pursuant to Resolution 04-R-1765; and

WHEREAS, the initial term of the Contract was for one (1) year, effective November 20, 2004, through November 19, 2005, with four (4) one-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 22, 2006; and

WHEREAS, the City executed Renewal Agreement No. 1, pursuant to Resolution 05-R-2328 effective February 23, 2007, through February 22, 2008; and

WHEREAS, the City executed Renewal Agreement No. 2, pursuant to Resolution 06-R-2707 effective February 23, 2007, through February 22, 2008; and

WHEREAS, the City executed Renewal Agreement No. 3, pursuant to Ordinance 08-O-0409 effective February 23, 2008, through February 22, 2009; and

WHEREAS, the City executed Renewal Agreement No. 4, pursuant to Resolution 09-R-0126 effective February 23, 2009, through February 22, 2010; and

WHEREAS, Amendment Agreement No. 1 was executed in the amount of Two Million Seven Hundred Fifty-One Thousand three Hundred Eighty-Eight Dollars and Thirty Five Cents (\$2,751,388.35), pursuant to Ordinance 08-O-0408; and



WHEREAS, Amendment Agreement No. 2 was executed in the amount of Seven Hundred Sixteen Thousand Five Hundred Seventy-Three Dollars (\$716,573.00) to add funding for sludge hauling, pursuant to Resolution 08-R-1482; and

WHEREAS, Amendment Agreement No. 3 received administrative approval and was executed in the amount of One Hundred Fifty Seven Thousand Dollars (\$157,000.00) to add funding for incinerator ash disposal services pursuant to Article X, Section 2-1292 of the City of Atlanta Code of Ordinances; and

WHEREAS, Amendment Agreement No. 4 was executed to add funding in the amount of Six Hundred Seventy Thousand Dollars (\$670,000.00) and to adjust 2009 fuel costs associated with the hauling and disposal of solid waste, pursuant to Resolution 09-R-1000; and

WHEREAS, Amendment Agreement No. 5 was executed in an amount not to exceed Two Million Forty Thousand Eight Hundred Eighty-two Dollars (\$2,040,882.00) for sludge hauling and disposal services, pursuant to Resolution 09-R-1117; and

WHEREAS, Amendment Agreement No. 6 was executed to add funding in the amount of Four Million Three Hundred Thousand Dollars (\$4,300,000.00) and to extend the term of the Contract on a month to month basis not to exceed July 31, 2010, pursuant to Ordinance 09-O-2041; and

WHEREAS, Amendment Agreement No. 7 was executed to add funding in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00), pursuant to Resolution 10-R-0810

WHEREAS, the Department of Public Works and the Department of Watershed management desire to amend FC-7650-04B, 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 Two Million Seven Hundred Thousand Dollars and no Cents (\$2,700,000.00); and

WHEREAS, Republic Services of Georgia, LP has performed the services under the terms of this Contract satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Commissioner of the Department Watershed Management recommend Amendment Agreement No. 8, for FC-7650-04B, Annual Contract for Disposal of Municipal Solid Waste Services with Republic Services of Georgia, LP.

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. 8 with Republic Services of Georgia, LP for FC-7650-04B, 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 Two Million Seven Hundred Thousand Dollars and no Cents (\$2,700,000.00).

Section 2: That the provisions of Sections 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 the Amendment will not becoming binding on the City and the City will 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 Republic Services of Georgia, LP.

Section 5: That all contracted work to be charged to and paid from various Fund, Department, Account and Activity Numbers as follows:

Office of Solid Waste Services – \$1,835,000.00

5401.130542.5212001.4560000 – \$1,835,000.00

Bureau of Wastewater Treatment & Collections – \$805,000.00

5052.170204.5222003.4335000 – \$100,000.00

5052.170205.5222003.4335000 - \$50,000.00

5052.170206.5222003.4335000 - \$100,000.00

5052.170207.5222003.4335000 - \$45,000.00

5052.170209.5222003.4334000 -\$60,000.00

5052.170212.5222003.4310000 - \$450,000.00

Bureau of Drinking Water – \$60,000.00

5051.170409.5222003.4440000 - \$20,000.00

5051.170411.5222003.4440000 - \$20,000.00

5051.170412.5222003.4440000 - \$20,000.00

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 Daughin 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		