10- O-0292

AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 1 FOR FC- 4718B, ANNUAL CONTRACT FOR SMALL WATER METERS FOR THE BUREAU OF DRINKING WATER WITH KEMI CONSTRUCTION, INC. ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT/BUREAU OF DRINKING WATER FOR TIME-ONLY; TO WAIVE ARTICLE X, SEC. 2-1188. COMPETITIVE SEALED BIDDING OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta("City") entered into an Agreement for FC-4718B, Annual Contract for Small Water Meters for the Bureau of Drinking Water with Kemi Construction, Inc. pursuant to Resolution 08R1861; and

WHEREAS, the term of the agreement is for a period of one (1) year with two (2) one (1) year renewal options at the sole discretion of the City commencing January 5, 2009; and

WHEREAS, the Commissioner of the Department of Watershed Management recommends Renewal Agreement No. 1 for FC-4718B, Annual Contract for Small Water Meters for the Bureau of Drinking Water with Kemi Construction, Inc. for time-only.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA *hereby ordains*:

SECTION 1:
That the Mayor is hereby authorized to enter into Renewal Agreement No. 1 for FC-4718B, Annual Contract for Small Water Meters for the Bureau of Drinking Water with Kemi Construction, Inc. for time-only.

SECTION 2:
That Article X, Sec. 2-1188. Competitive Sealed Bidding of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances is hereby waived and the term of Renewal Agreement No. 1 shall be from January 6, 2010 to January 5, 2011.

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

SECTION 4:
That the Agreement will not become binding on the City, and the City will incur no obligation or liability 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 Kemi Construction, Inc.

SECTION 5:
That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby waived to the extent of the conflict.

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

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive Committee

Caption: **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 1 FOR FC- 4718B, ANNUAL CONTRACT FOR SMALL WATER METERS FOR THE BUREAU OF DRINKING WATER WITH KEMI CONSTRUCTION, INC. ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT/BUREAU OF DRINKING WATER FOR TIME-ONLY; TO WAIVE ARTICLE X, SEC. 2-1188. COMPETITIVE SEALED BIDDING OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.**

Council Meeting Date: February 15, 2010

Requesting Dept.: Watershed Management

B. To be completed by the department:

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

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to authorize Renewal 1 for Time Only, with Kemi Construction Inc. under FC- 4718B, Annual Contract for Small Water Meters for the Bureau of Drinking Water.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

The purpose of this legislation is for contract renewal authorization of under FC- 4718B, Annual Contract for Annual Contract for Small Water Meters for the Bureau of Drinking Water. The contract will install on-demand services of installation of small meters twelve (12) inch valves, fittings, pipe, excavation, backfill compaction, and restoration.

3. <u>If Applicable/Known:</u>

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

(b) **Source Selection:** Competitive Bid

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

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:**

4. **Fund Account Center (*Ex. Name and number*):**

Fund: _____ **Account:** _____ **Center:**_____

5. **Source of Funds:** ***Example: Local Assistance Grant***

6. **Fiscal Impact:** Time Only

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. **Method of Cost Recovery:**

Examples:

a. ***Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***

b. ***Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

This Legislative Request Form Was Prepared By: Willie Canidate, Contracting Officer Sr. ext. 6335.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE **ATTN: Chief of Staff**

Dept.'s Legislative Liaison: _____**Maisha L. Wood**_____

Contact Number: _____**(404) 330-6887**_____

Originating Department: _____**Department of Watershed Management**___
Committee(s) of Purview: _____**Finance/Executive**_____

Chief of Staff Deadline: _____**January 29, 2010**_____

Anticipated Committee Meeting Date(s): _____**February 10, 2010**_____

Anticipated Full Council Date: _____ **February 15, 2010**_____

Legislative Counsel's Signature: M Theresa [signature] xp

Commissioner Signature: Robert J. Hunter

Chief Procurement Officer Signature: _____**n/a**_____

CAPTION
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 1 FOR FC- 4718B, ANNUAL CONTRACT FOR SMALL WATER METERS FOR THE BUREAU OF DRINKING WATER WITH KEMI CONSTRUCTION, INC. ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT/BUREAU OF DRINKING WATER FOR TIME-ONLY; TO WAIVE ARTICLE X, SEC. 2-1188. COMPETITIVE SEALED BIDDING OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): n/a

Mayor's Staff Only

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

Received by Mayor's Office: 1.26.10 [signature] (date) Reviewed by: [signature] 1/27/10 (date)

Submitted to Council: _____ (date)