

11-1440
 (Do Not Write Above This Line)

A RESOLUTION BY
 CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 1 IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$276,000.00); TO ENTER INTO AMENDMENT AGREEMENT NO. 2 TO CORRECT THE CONTRACT TERM; FOR FC-5068, ANNUAL CONTRACT FOR LANDSCAPING SERVICES WITH ED CASTRO LANDSCAPING SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: \$121,000 - 5051 (WATER & WASTEWATER REVENUE FUND) 170602 (GREENWAY PLANNING & ACQUISITION) 5222003 (REPAIR & MAINTENANCE-OTHER) 7410000 (PLANNING & ZONING), \$20,000.00 - 5051 (WATER & WASTEWATER REVENUE FUND) 170608 (DWM PLAN REVIEW) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4410000 (WATER ADMINISTRATION), \$110,000.00 - 5051 (WATER & WASTEWATER REVENUE FUND) 170212 (DWM WASTEWATER COLLECTION) 5222003 (REPAIR & MAINTENANCE-OTHER) 4310000 (SANITARY ADMINISTRATION), \$25,000.00 - 5051 (WATER & WASTEWATER REVENUE FUND) 170205 (DWM TREATMENT PLANT - UTOY CREEK) 5222003 (REPAIR & MAINTENANCE-OTHER) 4335000 (SEWAGE TREATMENT PLANTS); AND FOR OTHER PURPOSES.

- 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:

Committee
 Date
 Chair
 Referred To

First Reading

City Committee
 Date 10/17/11
 Chair *[Signature]*

Action
 Fav, Adv, Hold (see rev. side)
 Other *[Signature]*

Members

[Signatures]

Refer To

Committee

Date

Chair

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

Members

ADOPTED BY

OCT 17 2011

COUNCIL

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
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED
 OCT 17 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
 OCT 17 2011

[Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

OCT 26 2011

WITHOUT SIGNATURE
 BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

11-R-1440

A SUBSTITUTE RESOLUTION

BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 1 IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$276,000.00) FOR FC-5068, ANNUAL CONTRACT FOR LANDSCAPING SERVICES WITH ED CASTRO LANDSCAPING SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED; TO CORRECT RESOLUTION NO. 10R1263 TO CORRECT THE AGREEMENT TERM; TO AMEND THE AGREEMENT TO CORRECT THE AGREEMENT TERM; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: \$121,000 – 5051 (WATER & WASTEWATER REVENUE FUND) 170602 (GREENWAY PLANNING & ACQUISITION) 5222003 (REPAIR & MAINTENANCE-OTHER) 7410000 (PLANNING & ZONING), \$20,000.00 – 5051 (WATER & WASTEWATER REVENUE FUND) 170608 (DWM PLAN REVIEW) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4410000 (WATER ADMINISTRATION), \$110,000.00 - 5051 (WATER & WASTEWATER REVENUE FUND) 170212 (DWM WASTEWATER COLLECTION) 5222003 (REPAIR & MAINTENANCE-OTHER) 4310000 (SANITARY ADMINISTRATION), \$25,000.00- 5051(WATER & WASTEWATER REVENUE FUND) 170205 (DWM TREATMENT PLANT - UTOY CREEK) 5222003 (REPAIR & MAINTENANCE-OTHER) 4335000 (SEWAGE TREATMENT PLANTS).; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) entered into an agreement for FC-5068, Annual Contract for Landscaping Services, with Ed Castro Landscaping Services (“Agreement”), pursuant to Resolution 10R1263, adopted by the Council on June 19, 2010 and approved by the Mayor June 27, 2010 in an amount not to exceed Three Hundred Thirty-Seven Thousand Five Hundred Seventy-Two Dollars and Seventy-Five Cents (\$337,572.75)(“Legislation”);

WHEREAS, the Legislation erroneously authorized the term of the Agreement for three (3) years with two (2) one year renewal options, which should have authorized the term of the Agreement for one (1) year with two (2) one year renewal options, according to the bid documents included in the solicitation for landscaping services; and

WHEREAS, the Agreement was executed with the erroneous agreement term of three (3) years with two (2) one year renewal options, which should have included the term of one (1) year with two (2) one year renewal options, according to the bid documents included in the solicitation for landscaping services; and



WHEREAS, City entered into Amendment No. 1 for FC-5068, Annual Contract for Landscaping Services, for various parks on behalf of the Department of Parks, Recreation and Cultural Affairs, in an amount not to exceed \$925,000.00 pursuant to Resolution 11R0263; and

WHEREAS, it is the desire to of the Department of Watershed Management to amend the Legislation and the Agreement to correct the term of the Agreement, as a term of one (1) year with two (2) one (1) year renewals options at the sole discretion of the City, as intended by the parties; and

WHEREAS, once the term of the Agreement is corrected, the first one year term of the Agreement will be concluding, subject to the City's exercise of the first renewal option; and

WHEREAS, subject to correction of the Agreement term, the Department of Watershed Management desires to exercise its option for Renewal No. 1 for FC-5068, Annual Contract for Landscaping Services with a term commencing November 1, 2011 through October 31, 2012; and

WHEREAS, the Department of Watershed Management and the Chief Procurement Officer recommend to authorize Renewal No. 1 in an amount not to exceed Two Hundred Seventy-Six Thousand Dollars and No Cents (\$276,000.00) and Amendment No. 2 to reflect the solicited term of one (1) year with two (2) one (1) year renewals options at the sole discretion of the City with Ed Castro Landscaping Services.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Legislation is hereby amended to authorize a term for the Agreement of one (1) year with two (2) one year renewal options at the sole discretion of the City;

BE IT FURTHER RESOLVED that the Mayor is authorized to exercise the option for Renewal No. 1 for FC-5068, Annual Contract for Landscaping Services with Ed Castro Landscaping Services in an amount not to exceed Two Hundred Seventy-Six Thousand Dollars and No Cents (\$276,000.00); and to amend the Agreement term to reflect a term of .one (1) year with two (2) one year renewal options at the sole discretion of the City, as intended by the parties;

BE IT FURTHER RESOLVED, that the term of Renewal No. 1 will be from November 1, 2011 to October 31, 2012.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to prepare an appropriate agreement documents for execution by an authorized City representative.

BE IT FURTHER RESOLVED, that no agreement will become binding upon the City, and the City will incur no obligation or liability under it until it has been executed by the



Mayor, or other authorized representative, sealed/attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Ed Castro Landscaping Services.

BE IT FURTHER RESOLVED, that all contracted work will be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts: \$121,000 – 5051 (Water & Wastewater Revenue Fund) 170602 (Greenway Planning & Acquisition) 5222003 (Repair & Maintenance-Other) 7410000 (Planning & Zoning), \$20,000.00 – 5051 (Water & Wastewater Revenue Fund) 170608 (DWM Plan Review 5212001 (Consulting/Professional Services) 4410000 (Water Administration), \$110,000.00 - 5051 (Water & Wastewater Revenue Fund) 170212 (DWM Wastewater Collection) 5222003 (Repair & Maintenance-Other) 4310000 (Sanitary Administration), \$25,000.00- 5051(Water & Wastewater Revenue Fund) 170205 (DWM Treatment Plant - Utoy Creek) 5222003 (Repair & Maintenance-Other) 4335000 (Sewage Treatment Plants).

BE IT FINALLY RESOLVED, that all Resolutions or parts of Resolutions in conflict with this Resolution be are hereby waived to the extent of the conflict.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

Oct. 17, 2011
Oct. 26, 2011

RCS# 1478
10/17/11
2:41 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I
OCTOBER 17, 2011
ADOPT

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

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

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	10-17-11 ITEMS ADVERSED ON CONSENT
1. 11-O-1292 2. 11-O-1383 3. 11-O-1483 4. 11-O-1380 5. 11-O-1371 6. 11-O-1372 7. 11-O-1421 8. 11-O-0815 9. 11-O-1234 10. 11-O-1290 11. 11-O-1291 12. 11-O-1235 13. 11-O-1375 14. 11-O-1376 15. 11-R-1443 16. 11-R-1471 17. 11-R-1444 18. 11-R-1445 19. 11-R-1472 20. 11-R-1485 21. 11-R-1438 22. 11-R-1439 23. 11-R-1440 24. 11-R-1481 25. 11-R-1482 26. 11-R-1406 27. 11-R-1448 28. 11-R-1449 29. 11-R-1450 30. 11-R-1451 31. 11-R-1452 32. 11-R-1453 33. 11-R-1454 34. 11-R-1455 35. 11-R-1456 36. 11-R-1457	37. 11-R-1458 38. 11-R-1459 39. 11-R-1460 40. 11-R-1461 41. 11-R-1462 42. 11-R-1463 43. 11-R-1464 44. 11-R-1465 45. 11-R-1466 46. 11-R-1467	47. 11-R-1468 48. 11-R-1469 49. 11-R-1470