

**AN ORDINANCE
BY TRANSPORTATION COMMITTEE**

11-0-1447

AN ORDINANCE AMENDING THE FISCAL YEAR 2012 (AIRPORT REVENUE FUND) BUDGET BY TRANSFERRING TO AND FROM APPROPRIATIONS THE AMOUNT OF \$1,645,128 TO PROVIDE APPROPRIATE FUNDING FOR CHANGES REQUIRED IN THE "OPERATIONS AND MAINTENANCE CONTRACT AUTOMATED GUIDEWAY TRANSIT SYSTEM AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT" WITH BOMBARDIER TRANSPORTATION (HOLDINGS) USA, INC. ADDRESSING INCREASES TO THE MANAGEMENT FEE, LABOR BURDEN, OVERTIME BURDEN, AND SPECIAL PROJECTS/INCENTIVE INCREASE; AND FOR OTHER PURPOSES.

WHEREAS, the AGTS is currently operated and maintained by Bombardier Transportation (Holdings) USA, Inc. ("Bombardier"), a successor in interest to Westinghouse, under a Contract titled "Operations and Maintenance Contract Automated Guideway Transit System At Hartsfield-Jackson Atlanta International Airport" (the "Contract"), dated, July 1, 2005 and authorized by City Council Resolution 05-R-1118; and

WHEREAS, the Contract has an initial term of ten years and is subject to up to two consecutive five-year options for extensions; and

WHEREAS, the AGTS is being extended to support the Maynard H. Jackson, Jr. International Terminal ("MHJIT") which is scheduled to open at the Airport in the Spring of 2012; and

WHEREAS, as contemplated in the Contract, the extension of the AGTS will require Bombardier to perform additional services and incur additional costs necessitating an increase in Bombardier's Management Fee which has been negotiated by the parties; and

WHEREAS, the Contract provides that after the fifth Contract year, the labor burden rate shall be adjusted to reflect Bombardier's actual, historical labor burden (direct labor and overtime) costs; and

WHEREAS, the parties have discussed the interpretation of the methodology contained in the Contract by which system availability, and the associated adjustment to Bombardier's Management Fee based thereon, was calculated and will impact costs associated with special projects/incentive increases; and

WHEREAS, to provide funding from the Department of Aviation to satisfy required funding changes to the "Operations and Maintenance Contract Automated Guideway Transit System at Hartsfield-Jackson Atlanta International Airport" with Bombardier

Transportation (Holdings) USA, Inc., a transfer of appropriations must be executed within the Airport Revenue Fund (5501).

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1: That the Fiscal Year 2012 (Airport Revenue Fund) Budget be and hereby is amended as follows:

TRANSFER FROM APPROPRIATIONS

The amount of: \$1,645,128

FDOA

<u>Airport Revenue Fund</u>	NDP Reservation	Reserve	
5501	<u>of Funds</u>	<u>Conversion</u>	<u>Accounting</u>
	200101	5999901	1512000

TRANSFER TO APPROPRIATIONS

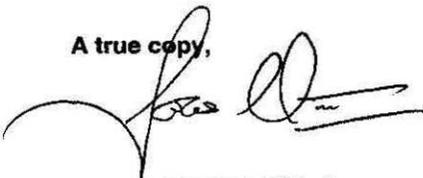
The amount of: \$1,645,128

FDOA

<u>Airport Revenue Fund</u>	Aviation	Consulting	
5501	<u>Transit System</u>	<u>Prof. Svcs.</u>	<u>Accounting</u>
	180314	5213001	7563000

SECTION 2: That all ordinances and parts of ordinances in conflict herewith, be and the same are hereby repealed.

A true copy,



Deputy Municipal Clerk

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

**Nov. 07, 2011
Nov. 16, 2011**

RCS# 1513
11/07/11
3:15 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I
NOVEMBER 7, 2011
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

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

CONSENT I