

11-*R*-1579

(Do Not Write Above This Line)

A RESOLUTION

BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT, AND THE ATLANTA DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR THE ATLANTA STREETCAR PROJECT IN ORDER TO ADD TRAFFIC ENHANCEMENTS TO THE SCOPE OF WORK AND PROVIDE FOR RESPECTIVE DUTIES AND RESPONSIBILITIES OF THE ATLANTA STREETCAR PROJECT AND FOR OTHER PURPOSES.

ADOPTED BY

NOV 07 2011

COUNCIL

- 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:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee Finance/Executive
 Date 11-2-11
 Chair J. Allen
 Action _____
 Fav. Adv. Hold (see rev. side) _____
 Other _____
 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
 NOV 07 2011
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

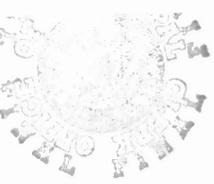
CERTIFIED
 NOV 07 2011
 Rhonda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 16 2011

WITHOUT SIGNATURE
BY OPERATION OF LAW



**A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT, AND THE ATLANTA DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR THE ATLANTA STREETCAR PROJECT IN ORDER TO ADD TRAFFIC ENHANCEMENTS TO THE SCOPE OF WORK AND PROVIDE FOR RESPECTIVE DUTIES AND RESPONSIBILITIES OF THE ATLANTA STREETCAR PROJECT AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ordinance 11-O-0327, adopted by the Atlanta City Council on March 7, 2011 and approved by the Mayor on March 14, 2011, the City of Atlanta (the "City") entered into an intergovernmental agreement in March, 2011 ("Intergovernmental Agreement") with Metropolitan Atlanta Rapid Transit Authority ("MARTA"), the Downtown Atlanta Community Improvement District, and the Atlanta Downtown Improvement District, Inc. ("ADID") (together, the "Parties"), to build a modern streetcar system in the City (the "Atlanta Streetcar"); and

WHEREAS, through their joint efforts, the Parties prepared and submitted to the Atlanta Regional Commission an application for the funding of the Atlanta Streetcar Transit Enhancements Project ("Transit Enhancements Project") through a Livable Centers Initiative Grant ("LCI Grant"); and

WHEREAS, the Transit Enhancements Project is defined as enhancements and improvements to Streetcar stop locations, pedestrian and cycling facilities, and traffic signal modifications to maximize the operations of the Atlanta Streetcar; and

WHEREAS, the design-build contractor for the Atlanta Streetcar will be responsible for all work necessary for the enhancements including, but not limited to, bike lanes and sharrows in select locations, and traffic signalization improvements to accommodate the streetcar power supply, ensure signal priority and allow operational compatibility; and

WHEREAS, MARTA was awarded the amount of Five Million Eighty Six Thousand, One Hundred Dollars and no cents (\$5,086,100.00) for the Transit Enhancements Project from the LCI Grant funding described in the award, said award requiring a twenty percent (20%) local share obligation; and

WHEREAS, the City and ADID have agreed to contribute the twenty percent (20%) local share obligation and have reserved the City's right to direct the budget and scope of the Transit Enhancements Project, and the tasks to be performed by MARTA; and

WHEREAS, the City will contribute Seven Hundred Seventy Thousand Dollars and no cents (\$770,000.00) in capital funds previously raised through the issuance of Urban Redevelopment Authority Recovery Zone Economic Development Bonds, Series 2010; and

WHEREAS, the City will also contribute One Hundred Thirty Seven Thousand Dollars and no cents (\$137,000.00.00) in capital funds previously raised through the issuance of the City's Quality of Life Bonds; and

WHEREAS, ADID, acting on behalf of the Downtown Atlanta Community Improvement District, will contribute Two Hundred Twenty Five Thousand Dollars and no cents (\$225,000.00); and

WHEREAS, to increase efficiency and facilitate the design, construction and operation of the Atlanta Streetcar, the Parties agree that the Transit Enhancements Project should be integrated into the Atlanta Streetcar's procurement, design and construction project; and

WHEREAS, MARTA has agreed to include the Transit Enhancements Project in the Atlanta Streetcar Project Design-Build Project, MARTA RFP P21954 ; and

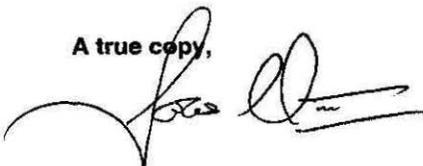
WHEREAS, the Parties desire to enter into this second amendment to the Intergovernmental Agreement for the Atlanta Streetcar Project ("Second Amendment") to provide for the addition of traffic enhancements to the scope of work and the respective duties and responsibilities of the Parties in relation to the inclusion of the Transit Enhancements Project into the Atlanta Streetcar's design and build process.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor is authorized to execute this Second Amendment to the Intergovernmental Agreement with "the Parties" in order to provide for the addition of traffic enhancements to the scope of work and the respective duties and responsibilities of the Parties in relation to the inclusion of the Transit Enhancements Project into the Atlanta Streetcar's design and build process.

BE IT FURTHER RESOLVED, that the City Attorney is directed to negotiate, prepare, and/or review the Second Amendment necessary to effect the intent of this resolution provided that such amendment is in compliance with the conditions set forth herein and provided that there is no cost to the City.

BE IT FINALLY RESOLVED, that the Second Amendment to the Intergovernmental Agreement (and any additional amendments to the Intergovernmental Agreement) will not become binding upon 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 by the City Attorney as to form and delivered to the Parties.

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# 1544
11/07/11
4:32 PM

Atlanta City Council

REGULAR SESSION

11-R-1579 AGREEMENT W/MARTA AND DWNTWN CID AND DID
 FOR TRAFFIC ENHANCEMENTS/STREETCAR PROJ
 ADOPT

YEAS: 10
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 2
ABSENT 2

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

11-R-1579

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Stefanie Grant

Contact Number: 404-330-6404

Originating Department: Law

Committee(s) of Purview: Finance Executive

Chief of Staff Deadline: October 14, 2011

Anticipated Committee Meeting Date(s): November 2, 2011

Anticipated Full Council Date: November 7, 2011

Legislative Counsel's Signature: Stefanie Grant *Stefanie Grant*

Commissioner's Signature: Cathy Hampton *Cathy Hampton*

Chief Information Officer Signature (for IT Procurements) _____

Chief Procurement Officer Signature: _____

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT, AND THE ATLANTA DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR THE ATLANTA STREETCAR PROJECT IN ORDER TO ADD TRAFFIC ENHANCEMENTS TO THE SCOPE OF WORK AND PROVIDE FOR RESPECTIVE DUTIES AND RESPONSIBILITIES OF THE ATLANTA STREETCAR PROJECT AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 10.17.11 *[Signature]*
(date)

Reviewed by: [Signature]
(date)

Submitted to Council: _____ (date)