

#36

11-0-1832

(Do Not Write Above This Line)

AN ORDINANCE BY *Yolanda Adams*

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN AGREEMENT AS RENEWAL NO. 1 WITH INDUSTRIAL FURNACE COMPANY, INC. ("IFCO") FOR FC-4941, INCINERATOR MAINTENANCE REPAIR AND REPLACEMENT, A SOLE SOURCE AGREEMENT, WHICH EXPIRED, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED THREE HUNDRED FORTY THOUSAND DOLLARS AND NO CENTS (\$340,000.00); TO WAIVE THE COMPETITIVE BIDDING REQUIREMENTS OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: 5200,000.00 - 5052 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) 170204 (DWM TREATMENT PLANT - R. M. CLAYTON) 5222002 (REPAIR & MAINTENANCE - EQUIPMENT) 4335000 (SEWAGE TREATMENT PLANT, \$140,000.000 - 5052 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) 170205 (DWM TREATMENT PLANT - UTOY CREEK) 5222002 (REPAIR & MAINTENANCE - EQUIPMENT) 4335000 (SEWAGE TREATMENT PLANT); AND FOR OTHER PURPOSES.

ADOPTED BY

JAN 0 3 2012

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

Date Referred 12/5/11

Referred To: Finance/Exec

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Finance/Executive

Date

Chair

Action

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

Members

*Yolanda Adams*

*[Signature]*

*[Signature]*

Refer To

Committee

Date

Chair

Action

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

Members

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

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED  
JAN 0 3 2012

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

CERTIFIED  
JAN 0 3 2012

*Yolanda Adams*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 1 2 2012

WITHOUT SIGNATURE  
BY OPERATION OF LAW



AN ORDINANCE BY *Jolanda Adrean*

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN AGREEMENT AS RENEWAL NO. 1 WITH INDUSTRIAL FURNACE COMPANY, INC. ("IFCO") FOR FC-4941, INCINERATOR MAINTENANCE REPAIR AND REPLACEMENT, A SOLE SOURCE AGREEMENT, WHICH EXPIRED, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED THREE HUNDRED FORTY THOUSAND DOLLARS AND NO CENTS (\$340,000.00); TO WAIVE THE COMPETITIVE BIDDING REQUIREMENTS OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: \$200,000.00 - 5052 ((WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) 170204 (DWM TREATMENT PLANT - R. M. CLAYTON) 5222002 (REPAIR & MAINTENANCE - EQUIPMENT) 4335000 (SEWAGE TREATMENT PLANT), \$140,000.00 - 5052 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) 170205 (DWM TREATMENT PLANT - UTOY CREEK) 5222002 (REPAIR & MAINTENANCE - EQUIPMENT) 4335000 (SEWAGE TREATMENT PLANT); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") entered into FC-4941, Incinerator Maintenance Repair and Replacement, a sole source agreement, ("Contract") with IFCO, pursuant to Resolution 09R0991; and

**WHEREAS**, the initial term of the Contract was for one (1) year with two (2) one (1) year renewal option(s) to be exercised at the sole discretion of the City; and

**WHEREAS**, IFCO, performed the services under the Contract satisfactorily; and

**WHEREAS**, the Department was unable to proceed with the option of renewing the Contract, prior to the expiration of the base term of the Contract on November 1, 2011, and so the Contract expired; and

**WHEREAS**, the Commissioner of the Department of Watershed Management desires to re-enter into an agreement with IFCO as Renewal No. 1 for Contract, in an amount not to exceed Three Hundred Forty Thousand Dollars and No Cents (\$340,000.00).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY Ordains, as follows:**

**Section 1:**

That the Mayor, or his designee, is authorized to enter into an agreement with IFCO as Renewal No. 1 for Contract on behalf of the Department of Watershed Management in an



amount not to exceed Three Hundred Forty Thousand Dollars and No Cents (\$340,000.00), effective November 2, 2011 through November 1, 2012.

**Section 2:**

That the competitive solicitation requirements of Article X Real Estate and Procurement Code of the City of Atlanta Code of Ordinances are hereby waived to the extent of the conflict due to the expiration of the prior term.

**Section 3:**

That the Chief Procurement Officer is directed to prepare all appropriate documents for execution by the Mayor, or his designee to effectuate the intent of this Ordinance for Renewal No. 1.

**Section 4:**

Renewal No. 1 will not become binding on the City, and the City will incur no obligation or liability under it until all appropriate documents have been duly executed by the Mayor, or his designee, and, if applicable, attested to by the Municipal Clerk and approved as to form by the City Attorney, and delivered to IFCO.

**Section 5:**

That all contracted work will be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts: \$200,000.00 - 5052 (Water and Wastewater Renewal and Extension Fund) 170204 (DWM Treatment Plant - R. M. Clayton) 5222002 (Repair & Maintenance - Equipment) 4335000 (Sewage Treatment Plant), \$140,000,000.00-5052 (Water and Wastewater Renewal and Extension Fund)170205 (DWM Treatment Plant - Utoy Creek) 5222002 (Repair & Maintenance - Equipment) 4335000 (Sewage Treatment Plant).



**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.

**BE IT FURTHER RESOLVED**, 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 Industrial Furnace Company, Inc.

**BE IT FINALLY RESOLVED**, that all contracted work will be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts: \$200,000.00 - 5052 ((Water and Wastewater Renewal and Extension Fund) 170204 (DWM Treatment Plant - R. M. Clayton) 5222002 (Repair & Maintenance - Equipment) 4335000 (Sewage Treatment Plant), \$140,000,000.00-5052 (Water and Wastewater Renewal and Extension Fund)170205 (DWM Treatment Plant - Utoy Creek) 5222002 (Repair & Maintenance - Equipment) 4335000 (Sewage Treatment Plant).

A true copy,

Deputy Municipal Clerk

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

Jan. 03, 2012  
Jan. 12, 2012

RCS# 1647  
1/03/12  
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I  
JANUARY 3, 2012  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>	<b>01-03-12 ITEMS ADVERSED ON CONSENT</b>
1. 11-O-1694 2. 11-O-1717 3. 11-O-1713 4. 11-O-1714 5. 11-O-1832 6. 11-O-1836 7. 11-O-1837 8. 11-O-1838 9. 11-O-1630 10. 11-O-1712 11. 11-O-1839 12. 11-O-1718 13. 11-R-1789 14. 11-R-1815 15. 11-R-1811 16. 11-R-1844 17. 11-R-1821 18. 11-R-1822 19. 11-R-1823 20. 11-R-1824 21. 11-R-1825 22. 11-R-1826 23. 11-R-1796 24. 11-R-1797 25. 11-R-1798 26. 11-R-1799 27. 11-R-1800 28. 11-R-1801		29. 11-R-1802 30. 11-R-1803 31. 11-R-1804