

12-0-0307

(Do Not Write Above This Line)

AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE
MAYOR TO ENTER INTO AN
AGREEMENT FOR FC-4408, ANNUAL
CONTRACT FOR ASBESTOS
ABATEMENT SERVICES WITH DPC
GENERAL CONTRACTORS, INC. FOR
THE PURPOSE OF EXTENDING THE
TERM ON A MONTH TO MONTH
BASIS FOR TIME-ONLY ON BEHALF
OF THE DEPARTMENT OF
WATERSHED MANAGEMENT; AND
FOR OTHER PURPOSES.

ADOPTED BY

APR 16 2012

COUNCIL

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

Date Referred

3/19/12

Referred To:

Finance/Exec

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Finance/Exec
Chair 3/19/12
Referred To Chairman R. Moore

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

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

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote R/C Vote

CERTIFIED

CERTIFIED
APR 16 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
APR 16 2012

Rachel Dunlap Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

APR 25 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

**AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE**

12-0-0307

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT AGREEMENT FOR FC-4408, ANNUAL CONTRACT FOR ASBESTOS ABATEMENT SERVICES WITH DPC GENERAL CONTRACTORS, INC. FOR THE PURPOSE OF EXTENDING THE TERM ON A MONTH TO MONTH BASIS ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; TO RATIFY RENEWALS NO. 1 AND RENEWAL NO. 2; AND FOR OTHER PURPOSES.

WHEREAS, the Chief Procurement Officer ("CPO"), on behalf of the City of Atlanta ("City"), entered into FC-4408, Annual Contract for Asbestos Abatement Services with DPC General Contractors, Inc. ("Agreement") in an amount not to exceed Forty Thousand dollars (\$40,000.00), pursuant to City Code Section 2-1140; and

WHEREAS, the initial term of the Agreement was for a period of one (1) year with two (2) one (1) year renewal options, effective February 5, 2009 to February 4, 2010; and

WHEREAS, the City erroneously authorized Renewal Agreement No. 1 by administrative authorization, which intended to extend the term from February 5, 2010 to February 4, 2011; and

WHEREAS, the City erroneously entered into the Renewal Agreement No. 2 by administrative authorization, which intended to extend the term from February 5, 2011 to February 4, 2012; and

WHEREAS, the City executed a ninety (90) day extension, which extended the term to May 4, 2012; and

WHEREAS, it is necessary to ratify Renewal No. 1 and Renewal No. 2 by council approval, as required by Section 2-1205 of the City of Atlanta Code of Ordinances; and

WHEREAS, the City Council authorized Amendment Agreement No. 1, which provided for the Department of Watershed Management ("DWM")'s use of the Agreement for the Hazard Mitigation Project properties located along Peachtree Creek, Nancy Creek, and South River in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00) pursuant to Resolution 11-R-1306; and

WHEREAS, the City is currently in the process of procuring a new contract for Asbestos Abatement Services; and

WHEREAS, the DWM Hazard Mitigation project is ongoing and the asbestos abatement work is required as a condition of the FEMA Flood Hazard Mitigation program; however, such work, cannot proceed under the Agreement unless and until i) Renewal No.1 and Renewal No. 2 is properly authorized by Council; and ii) the Agreement is extended for such period of time as is required for the work and/or a new agreement for these services is procured; and



WHEREAS, the Commissioner of the Department of Watershed Management recommends entering into a month to month Agreement for FC-4408, Annual Contract for Asbestos Abatement Services with DPC General Contractors, Inc., effective February 5, 2012 until such time as the work contemplated by Amendment No. 1 is complete or an Agreement for such services is procured.

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

SECTION 1:

The Agreement, known as, FC-4408, Annual Contract for Asbestos Abatement Services, Renewal No. 1 for FC-4408, Annual Contract for Asbestos Abatement Services and Renewal No. 2 for FC-4408, Annual Contract for Asbestos Abatement Services is hereby ratified and approved; and Article X, Real Estate and Procurement Code of the City of Atlanta Code of Ordinances is hereby waived to the extent that such code provisions conflict with this ordinance, specifically including without limitation, Section 2-1205 of the City's Code of Ordinances.

SECTION 2:

The Mayor, or his authorized designee, is authorized to extend the Agreement from the intended expiration of the Agreement, being February 5, 2012 and enter into an Amendment Agreement No. 2 for the provision of services under the Agreement on a month to month basis with DPC General Contractors, Inc. for FC-4408, Annual Contract for Asbestos Abatement Services on behalf of the Department of Watershed Management for such time as the work contemplated under Amendment No. 1 is complete or a new agreement for the same services is procured; and Article X, Real Estate and Procurement Code, of the City's Code of Ordinances, specifically including without limitation, "Division 4. Source Selection and Contract Formation."

SECTION 2:

The Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare an appropriate agreement for execution by the Mayor or his authorized designee.

SECTION 3:

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 the DPC General Contractors, Inc.

SECTION 4:

All ordinances or parts or section of the City of Atlanta Code of Ordinances are waived to the extent of the conflict.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk

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

APR 16, 2012
APR 25, 2012

RCS# 1860
4/16/12
2:25 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I
MONDAY, APRIL 16, 2012; EXCEPT 12-R-0451
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

CONSENT I

		04-16-12
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 12-O-0298	38. 12-R-0416	
2. 12-O-0306	39. 12-R-0417	
3. 12-O-0307	40. 12-R-0418	
4. 12-O-0447	41. 12-R-0419	
5. 12-O-0459	42. 12-R-0420	
6. 12-O-0292	43. 21-R-0421	
7. 12-O-0206	44. 12-R-0422	
8. 12-O-0291	45. 12-R-0423	
9. 12-O-0235	46. 12-R-0424	
10. 12-O-0373	47. 12-R-0425	
11. 12-R-0196	48. 12-R-0426	
12. 12-R-0393	49. 12-R-0427	
13. 12-R-0394	50. 12-R-0428	
14. 12-R-0395	51. 12-R-0429	
15. 12-R-0396	52. 12-R-0430	
16. 12-R-0403	53. 12-R-0431	
17. 12-R-0404	54. 12-R-0432	
19. 12-R-0405	55. 12-R-0433	
20. 12-R-0406	56. 12-R-0434	
21. 12-R-0460		
22. 12-R-0461		
23. 12-R-0462		
24. 12-R-0463		
25. 12-R-0390		
26. 12-R-0441		
27. 12-R-0407		
28. 12-R-0456		
29. 12-R-0435		
30. 12-R-0436		
31. 12-R-0413		
32. 12-R-0414		
33. 12-R-0415		
34. 12-R-0467		
35. 12-R-0468		
36. 12-R-0469		
37. 12-R-0470		