

12-0-1515

(Do Not Write Above This Line)

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO REMIT PAYMENT OF ALL OUTSTANDING INVOICES TO ATC ASSOCIATES, INC./C.E.R.M. INC. JOINT VENTURE (ATC/CERM) FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING TESTING AND INVESTIGATIONAL SERVICES FOR THE SANITARY SEWER EVALUATION SERVICES REHABILITATION PROGRAM IN THE AMOUNT NOT TO EXCEED SIXTEEN THOUSAND, FIVE HUNDRED THIRTEEN DOLLARS AND TWO CENTS (\$16,513.02); TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS AND REAL ESTATE ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL SERVICES PERFORMED SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION

Committee Fin. / Exec First Reading
 Date 10-31-12
 Chair Delia A. Hester
 Referred To

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
 Readings
 Consent
 V Vote
 RC Vote

Date 11-14-12
 Committee Fin. / Exec
 Chair Delia A. Hester
 Action Delia A. Hester
 Fav, Adv, Hold (see rev. side)
 Other

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

CERTIFIED
 NOV 19 2012
 ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
 NOV 19 2012
 Frank Douglas Johnson
 MUNICIPAL CLERK

Committee

Committee

MAYOR'S ACTION

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPPER REFER

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

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

Date Referred 11/5/12
 Referred To: Finance / Exec

Date Referred
 Referred To:
 Date Referred:
 Referred To:

ADOPTED BY
 NOV 19 2012
 COUNCIL
 Refer To

APPROVED
 NOV 28 2012
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

12-0-1515

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO REMIT PAYMENT OF ALL OUTSTANDING INVOICES TO ATC ASSOCIATES, INC./C.E.R.M. INC. JOINT VENTURE (ATC/CERM) FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING TESTING AND INVESTIGATION SERVICES FOR THE SANITARY SEWER EVALUATION SERVICES REHABILITATION PROGRAM IN THE AMOUNT NOT TO EXCEED SIXTEEN THOUSAND, FIVE HUNDRED THIRTEEN DOLLARS AND TWO CENTS (\$16,513.02); TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL SERVICES PERFORMED SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTEWATER RENEWAL AND EXTENSION FUND) 170215 (DWM WASTEWATER SEWER REPAIR) 5414002 (FACILITIES OTHER THAN BUILDINGS-INFRASTRUCTURE) 4333000 (NEW SEWER SERVICE) 102445 (SEWER GROUP 2 REHABILITATION) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17102445 (SEWER GROUP 2 REHABILITATION) 505221391(WATER & WASTEWATER RENEWAL AND EXTENSION FUND) 104 (TASK) 5414002 (FACILITIES OTHER THAN BUILDINGS-INFRASTRUCTURE) COA ; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into FC-7449-02A, Annual Contract for Citywide Geotechnical and Environmental Engineering Testing and Investigation Services ("Contract") with ATC Associates, Inc./C.E.R.M. Inc. Joint Venture ("Contractor"), pursuant to Resolution 03R1503; and

WHEREAS, the term of the Contract was two (2) years with three (3) one (1) year renewal options to be exercised at the City's sole discretion; and

WHEREAS, the City entered into Renewal Agreement No. 1, pursuant to Resolution 06R0059, adopted by the City Council on January 17, 2006 and approved by the Mayor on January 24, 2006; and

WHEREAS, the City issued a Notice to Proceed to ATC Associates, Inc./C.E.R.M. Inc. Joint Venture for FC-7449-02A, Annual Contract for Geotechnical and Environmental Engineering, Testing and Investigation Services for the Sanitary Sewer Evaluation Services Rehabilitation Program, in an amount not to exceed Two Million, One Hundred Eighty-Two Thousand, Seven Hundred Eight Dollars and No Cents (\$2,182,708.00), pursuant to Resolution 06R2411; and

WHEREAS, the City entered into Renewal Agreement No. 2, pursuant to Ordinance 07O0590, adopted by the City Council on May 7, 2007 and approved by the Mayor on May 14, 2007; and

WHEREAS, the City did not exercise any additional renewal options; and



WHEREAS, the City exhausted the authorized Contract amount under the Contract; however, critical services under the Contract were required by DWM in order to complete work required by federal Consent Decree; and

WHEREAS, the Contractor continued to provide Geotechnical and Environmental Engineering, Testing and Investigation Services after the expiration of the Contract at the City's request without the benefit of a contract with the City; and the Contractor has submitted certain invoices for payment to the City for services performed, as further described in **Exhibit A**; and

WHEREAS, the Contractor has performed contracted Services satisfactorily; and

WHEREAS, the Commissioner of the Department of Watershed Management desires to ratify the unauthorized Geotechnical and Environmental Engineering, Testing and Investigation Services performed by ATC Associates, Inc./C.E.R.M. Inc. Joint Venture and to authorize outstanding payments and invoices to the Contractor in the amount of Sixteen Thousand, Five Hundred Thirteen Dollars and Two Cents (\$16,513.02).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HERBY ORDAINS:

Section 1: The Services performed for the benefit of the City by ATC Associates, Inc./C.E.R.M. Inc. Joint Venture is hereby ratified and Contractor shall be paid an amount of Sixteen Thousand, Five Hundred Thirteen Dollars and Two Cents (\$16,513.02) to pay for Services performed as further described in **Exhibit A**.

Section 2: All services performed will be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater Renewal and Extension Fund) 170215 (DWM Wastewater Sewer Repair) 5414002 (Facilities Other Than Buildings-Infrastructure) 4333000 (New Sewer Service) 102445 (Sewer Group 2 Rehabilitation); Project Task Award Expenditure and Organization Number 17102445 (Sewer Group 2 Rehabilitation) 505221391 (Water & Wastewater Renewal and Extension Fund) 104 (Task) 5414002 (Facilities Other Than Buildings-Infrastructure).

Section 3: The Chief Financial officer is authorized to remit payment to ATC Associates, Inc./C.E.R.M. Inc. Joint Venture for Geotechnical and Environmental Engineering, Testing and Investigation Services rendered in the amount of Sixteen Thousand, Five Hundred Thirteen Dollars and Two Cents (\$16,513.02).

Section 4: The competitive provisions of Article X, Real Estate and Procurement Code of the City of Atlanta Code of Ordinances are hereby waived for to the extent such sections apply to the authorizations contemplated by this Ordinance.

Section 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby waived to the extent of the conflict.



WHEREAS, the City exhausted the authorized Contract amount under the Contract; however, critical services under the Contract were required by DWM in order to complete work required by federal Consent Decree; and

WHEREAS, the Contractor continued to provide Geotechnical and Environmental Engineering, Testing and Investigation Services after the expiration of the Contract at the City's request without the benefit of a contract with the City; and the Contractor has submitted certain invoices for payment to the City for services performed, as further described in **Exhibit A**; and

WHEREAS, the Contractor has performed contracted Services satisfactorily; and

WHEREAS, the Commissioner of the Department of Watershed Management desires to ratify the unauthorized Geotechnical and Environmental Engineering, Testing and Investigation Services performed by ATC Associates, Inc./C.E.R.M. Inc. Joint Venture and to authorize outstanding payments and invoices to the Contractor in the amount of Sixteen Thousand, Five Hundred Thirteen Dollars and Two Cents (\$16,513.02).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HERBY ORDAINS:

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Section 3: The Chief Financial officer is authorized to remit payment to ATC Associates, Inc./C.E.R.M. Inc. Joint Venture for Geotechnical and Environmental Engineering, Testing and Investigation Services rendered in the amount of Sixteen Thousand, Five Hundred Thirteen Dollars and Two Cents (\$16,513.02).

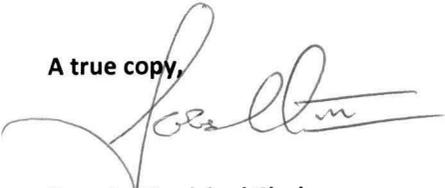
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Section 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby waived to the extent of the conflict.

A true copy,

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

November 19, 2012
November 28, 2012


Deputy Municipal Clerk

RCS# 2400
11/19/12
2:23 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I
EXCEPT 12-O-1416
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

CONSENT I

		11-19-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 12-O-1404	35. 12-R-1558	69. 12-R-1581
2. 12-O-1504	36. 12-R-1559	70. 12-R-1582
3. 12-O-1505	37. 12-R-1560	71. 12-R-1583
4. 12-O-1506	38. 12-R-1561	72. 12-R-1584
5. 12-O-1507	39. 12-R-1562	73. 12-R-1585
6. 12-O-1598	40. 12-R-1563	ITEMS ADVERSED ON CONSENT
7. 12-O-1515	41. 12-R-1564	74. 12-R-1586
8. 12-O-1516	42. 12-R-1596	75. 12-R-1587
9. 12-O-1525	43. 12-R-1617	76. 12-R-1588
10. 12-O-1526	44. 12-R-1625	77. 12-R-1589
11. 12-O-1609	45. 12-R-1626	78. 12-R-1590
12. 12-O-1611	46. 12-R-1538	79. 12-R-1592
13. 12-O-1495	47. 12-R-1540	80. 12-R-1593
14. 12-O-1497	48. 12-R-1541	
15. 12-O-1498	49. 12-R-1601	
16. 12-O-1608	50. 12-R-1602	
17. 12-O-1508	51. 12-R-1616	
18. 12-O-1509	52. 12-R-1511	
19. 12-O-1523	53. 12-R-1542	
20. 12-R-1566	54. 12-R-1543	
21. 12-R-1567	55. 12-R-1544	
22. 12-R-1568	56. 12-R-1612	
23. 12-R-1547	57. 12-R-1624	
24. 12-R-1548	58. 12-R-1570	
25. 12-R-1549	59. 12-R-1571	
26. 12-R-1619	60. 12-R-1572	
27. 12-R-1096	61. 12-R-1573	
28. 12-R-1347	62. 12-R-1574	
29. 12-R-1355	63. 12-R-1575	
30. 12-R-1531	64. 12-R-1576	
31. 12-R-1554	65. 12-R-1577	
32. 12-R-1555	66. 12-R-1578	
33. 12-R-1556	67. 12-R-1579	
34. 12-R-1557	68. 12-R-1580	