

**AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY UP TO THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00), TO THE PATH FOUNDATION AS CONTRIBUTION FOR CONSTRUCTION COSTS OF THE SOUTHWEST ATLANTA BELTLINE CONNECTOR TRAIL FROM WESTWOOD TO JOHN A. WHITE PARK AND AUTHORIZING ACCEPTANCE OF A DONATION OF TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$200,000.00) TO THE PROJECT BY THE PATH FOUNDATION ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ACCOUNT AND ACCOUNT NUMBER: 3129 (PARK IMPROVEMENT BOND) 140406 100184 6220000 21230 2005 PARK IMPROVEMENT BOND A 9999); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) has the goal of providing trails for the use of its citizens and visitors as a safe venue to engage in outdoor activities free of conflicts with automobiles or streets and rights of way; and

WHEREAS, the PATH Foundation, Inc., (“PATH”) is a Georgia 501(c)(3) non-profit organization whose business is to design, construct, and maintain trails on behalf of public agencies with approximately fifteen years of experience building trails in the City and surrounding communities, and is dedicated to providing expertise in the planning and implementation of trail system projects and locating private funding to reduce or eliminate the cost to the City and its taxpayers; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs (“DPRCA”), Invest Atlanta and PATH have been working on planning, land acquisition and design of the Southwest Beltline Connector Trail since 2006 (the “Trail”); and

WHEREAS, the routing of the Trail has evolved through detailed design and negotiation of easement agreements and now includes segments that will increase access and enhance walk-ability for local school children; and

WHEREAS, additional costs related to the Environmental Protection Agency (“EPA”) acceptable construction methods in a Greenway, additional distance near Hampton Beecher School and other unforeseen costs have increased the Trail implementation costs by approximately five hundred thousand dollars \$500,000.00; and

WHEREAS, PATH is contributing an additional two hundred thousand dollars and no cents (\$200,000.00) to the Trail and DPRCA desires to contribute up to three hundred thousand dollars and no cents (\$300,000.00) toward completion of the Trail, and

WHEREAS, the DPRCA recognizes the valuable service provided by PATH and desires to continue to facilitate PATH's work of planning, designing, acquiring, and constructing the Trail.

NOW THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances is waived to the extent of any conflict with this ordinance.

SECTION 2: That the Chief Financial Officer or his designee is authorized to pay PATH up to three hundred thousand dollars and no cents (\$300,000.00) toward completion of the Trail.

SECTION 3: That all funds shall be charged to and paid from the following: 3129 (PARK IMPROVEMENT BOND) 140406 100184 6220000 21230 2005 PARK IMPROVEMENT BOND A 9999); and for other purposes.

SECTION 4: All ordinances and resolutions in conflict herewith are hereby repealed for purposes of this Ordinance only, and only to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive Committee

Caption: AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY UP TO THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00), TO THE PATH FOUNDATION AS CONTRIBUTION FOR CONSTRUCTION COSTS OF THE SOUTHWEST ATLANTA BELTLINE CONNECTOR TRAIL FROM WESTOOD TO JOHN A. WHITE PARK AND AUTHORIZING ACCEPTANCE OF A DONATION OF TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$200,000.00) TO THE PROJECT BY THE PATH FOUNDATION ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ACCOUNT AND ACCOUNT NUMBER: 3129 (PARK IMPROVEMENT BOND) 140106 100184 6220000 21230 2005 PARK IMPROVEMENT BOND A 9999); AND FOR OTHER PURPOSES.

Council Meeting Date: December 3, 2012

Requesting Dept.: Department of Parks, Recreation and Cultural Affairs

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

THE PURPOSE OF THIS LEGISLATION IS TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY UP TO THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00), TO THE PATH FOUNDATION AS CONTRIBUTION FOR CONSTRUCTION COSTS OF THE SOUTHWEST ATLANTA BELTLINE CONNECTOR TRAIL FROM WESTOOD TO JOHN A. WHITE PARK AND AUTHORIZING ACCEPTANCE OF A DONATION OF TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$200,000.00) TO THE PROJECT BY THE PATH FOUNDATION.

2. Please provide background information regarding this legislation.

3. If Applicable/Known:

- (a) Contract Type:**
- (b) Source Selection:**
- (c) Bids/Proposals Due:**
- (d) Invitations Issued:**
- (e) Number of Bids:**
- (f) Proposals Received:**
- (g) Bidders/Proponents:**
- (h) Term of Contract:**

4. Fund Account Center: 3129 (PARK IMPROVEMENT BOND) 140106 100184 6220000 21230 2005 PARK IMPROVEMENT BOND A 9999); and for other purposes.

5. Source of Funds:

6. Fiscal Impact:

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Trina Horton, Departmental Contracting Officer

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Trina Horton

Contact Number: (404) 546-6795

Originating Department: Department of Parks, Recreation and Cultural Affairs

Committee(s) of Purview: Finance Executive Committee

Chief of Staff Deadline: November 9, 2012

Anticipated Committee Meeting Date(s): November 28, 2012

Anticipated Full Council Date: December 3, 2012

Legislative Counsel's Signature: _____

Commissioner's Signature: _____

Chief Information Officer Signature (for IT Procurements) _____

Chief Procurement Officer Signature: _____

CAPTION

**AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY UP TO THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00), TO THE PATH FOUNDATION AS CONTRIBUTION FOR CONSTRUCTION COSTS OF THE SOUTHWEST ATLANTA BELTLINE CONNECTOR TRAIL FROM WESTOOD TO JOHN A. WHITE PARK AND AUTHORIZING ACCEPTANCE OF A DONATION OF TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$200,000.00) TO THE PROJECT BY THE PATH FOUNDATION ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ACCOUNT AND ACCOUNT NUMBER: 3129 (PARK IMPROVEMENT BOND) 140106 100184 6220000 21230 2005 PARK IMPROVEMENT BOND A 9999); AND FOR OTHER PURPOSES.

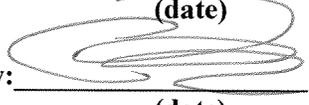
FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 11.9.12 
(date)

Reviewed by: 
(date)

Submitted to Council: _____ (date)