

**AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY CERTAIN OUTSTANDING INVOICES TO COWIN EQUIPMENT COMPANY, INC. ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE RENTAL OF SPECIALIZED EQUIPMENT IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY TWO DOLLARS AND THIRTY FOUR CENTS (\$37,492.34); WITH ALL INVOICES TO BE CHARGED TO AND PAID FROM FDOA: 5401 (SOLID WASTE SERVICES REVENUE FUND) 130501 (DPW SOLID WASTE ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4510000 (SOLID WASTE ADMINISTRATION); AND FOR OTHER PURPOSES.**

**Review List:**

Santana Wright	Completed	06/28/2013 12:51 PM
Rita Braswell	Completed	06/28/2013 1:54 PM
Richard Mendoza	Completed	07/01/2013 12:47 PM
Saul Schultz	Completed	07/01/2013 12:59 PM
Mayor's Office	Completed	07/01/2013 1:50 PM
Office of Research and Policy Analysis	Completed	07/01/2013 4:01 PM
Finance/Executive Committee	Completed	07/11/2013 11:42 AM
Atlanta City Council	Completed	07/17/2013 7:38 PM
Finance/Executive Committee	Pending	

**HISTORY:**

07/10/13	Finance/Executive Committee	
07/15/13	Atlanta City Council	REFERRED WITHOUT OBJECTION

**RESULT:** REFERRED WITHOUT OBJECTION BY CONSENT VOTE [10 TO 0]  
**AYES:** Watson, Wan, Martin, Winslow, Moore, Young Jr., Bottoms, Bond, Archibong, Adrean  
**ABSENT:** Howard Shook, Joyce Sheperd  
**AWAY:** Carla Smith, H. Lamar Willis, Kwanza Hall

**RESULT:** REFERRED WITHOUT OBJECTION BY CONSENT VOTE [10 TO 0]  
**AYES:** Watson, Wan, Martin, Winslow, Moore, Young Jr., Bottoms, Bond, Archibong, Adrean  
**ABSENT:** Howard Shook, Joyce Sheperd  
**AWAY:** Carla Smith, H. Lamar Willis, Kwanza Hall

LEGISLATION HISTORY – BLUE BACK

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY CERTAIN OUTSTANDING INVOICES TO COWIN EQUIPMENT COMPANY, INC. ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE RENTAL OF SPECIALIZED EQUIPMENT IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY TWO DOLLARS AND THIRTY FOUR CENTS (\$37,492.34); WITH ALL INVOICES TO BE CHARGED TO AND PAID FROM FDOA: 5401 (SOLID WASTE SERVICES REVENUE FUND) 130501 (DPW SOLID WASTE ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4510000 (SOLID WASTE ADMINISTRATION); AND FOR OTHER PURPOSES.**

WHEREAS, the Department of Public Works (“DPW”) obtained equipment rental services from Cowin Equipment Company, Inc. (“Cowin”), pursuant to Section 2-1190, Small Purchases, Article X of the City of Atlanta’s Real Estate and Procurement Code, which included specialized equipment for Solid Waste Services; and

WHEREAS, the amount needed to pay for the equipment rentals exceeded the \$20,000.00 threshold for small purchases made by individual departments to the same vendor in a single fiscal year, pursuant to Article X Section 2-1190 of the city Code of Ordinances; and

WHEREAS, the Commissioner of the Department of Public Works recommends the authorization of payment of certain outstanding invoices to Cowin for equipment rentals in an amount not to exceed Thirty Seven Thousand Four Hundred Ninety Two Dollars and Thirty Four Cents (\$37,492.34).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS 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 is authorized to remit payment of outstanding invoices to Cowin Equipment Company, Inc. for equipment rentals provided to the Department of Public Works in an amount not to exceed Thirty Seven Thousand Four Hundred Ninety Two Dollars and Thirty Four Cents (\$37,492.34).

SECTION 3: That all outstanding invoices authorized by this Ordinance shall be charged to and paid from Fund, Department, Organization and Account: 5401 (Solid Waste Services Revenue Fund) 130501 (DPW Solid Waste Administration) 5212001 (Consulting/Professional Services) 4510000 (Solid Waste Administration).

SECTION 4: That all ordinances or parts of ordinances in conflict with this ordinance, including but not limited to Sections 2-1187 of the City of Atlanta Code of Ordinances, are waived to the extent of the conflict only.

**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 OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY CERTAIN OUTSTANDING INVOICES TO COWIN EQUIPMENT COMPANY, INC. ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE RENTAL OF SPECIALIZED EQUIPMENT IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY TWO DOLLARS AND THIRTY FOUR CENTS (\$37,492.34); WITH ALL INVOICES TO BE CHARGED TO AND PAID FROM FDOA: 5401 (SOLID WASTE SERVICES REVENUE FUND) 130501 (DPW SOLID WASTE ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4510000 (SOLID WASTE ADMINISTRATION); AND FOR OTHER PURPOSES.**

**WHEREAS**, the Department of Public Works (“DPW”) obtained equipment rental services from Cowin Equipment Company, Inc. (“Cowin”), pursuant to Section 2-1190, Small Purchases, Article X of the City of Atlanta’s Real Estate and Procurement Code, which included specialized equipment for Solid Waste Services; and

**WHEREAS**, the amount needed to pay for the equipment rentals exceeded the \$20,000.00 threshold for small purchases made by individual departments to the same vendor in a single fiscal year, pursuant to Article X Section 2-1190 of the city Code of Ordinances; and

**WHEREAS**, the Commissioner of the Department of Public Works recommends the authorization of payment of certain outstanding invoices to Cowin for equipment rentals in an amount not to exceed Thirty Seven Thousand Four Hundred Ninety Two Dollars and Thirty Four Cents (\$37,492.34).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS 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 is authorized to remit payment of outstanding invoices to Cowin Equipment Company, Inc. for equipment rentals provided to the Department of Public Works in an amount not to exceed Thirty Seven Thousand Four Hundred Ninety Two Dollars and Thirty Four Cents (\$37,492.34).

**SECTION 3:** That all outstanding invoices authorized by this Ordinance shall be charged to and paid from Fund, Department, Organization and Account: 5401 (Solid Waste Services Revenue Fund) 130501 (DPW Solid Waste Administration) 5212001 (Consulting/Professional Services) 4510000 (Solid Waste Administration).

**SECTION 4:** That all ordinances or parts of ordinances in conflict with this ordinance, including but not limited to Sections 2-1187 of the City of Atlanta Code of Ordinances, are waived to the extent of the conflict only.

---

**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:**

**Caption:**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY CERTAIN OUTSTANDING INVOICES TO COWIN EQUIPMENT COMPANY, INC. ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE RENTAL OF SPECIALIZED EQUIPMENT IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY TWO DOLLARS AND THIRTY FOUR CENTS (\$37,492.34); WITH ALL INVOICES TO BE CHARGED TO AND PAID FROM FDOA: 5401 (SOLID WASTE SERVICES REVENUE FUND) 130501 (DPW SOLID WASTE ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4510000 (SOLID WASTE ADMINISTRATION); AND FOR OTHER PURPOSES.

**Committee of Purview: Finance Executive Committee**

**Committee Meeting Date: July 10, 2013 (1<sup>st</sup> read); July 31, 2013 (2<sup>nd</sup> read)**

**Council Meeting Date: August 19, 2013 (final action)**

**Requesting Dept.: Department of Public Works**

**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 pay outstanding invoices to Cowin Equipment Company for the rental of service equipment.

**2. Please provide background information regarding this legislation.**

The department of Public Works Solid Waste Services rents a piece of equipment (Track Loader) from Cowin Equipment. This equipment has been rented from Cowin for several years utilizing the City's contract MW-8762 which expired in November 2012. This equipment is used to carry yard trimmings to the grinder. Cowin Equipment chose not to rebid for the services with the City; however the two (2) companies selected – Hertz and Volvo – do not carry the Track Loader needed for services.

**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 Department Account Center:**

5401 (Solid Waste Services Revenue Fund) 130501 (DPW Solid Waste Administration)  
5212001 (Consulting/Professional Services) 4510000 (Solid Waste Administration).

**5. Source of Funds:** Solid Waste Services

**6. Fiscal Impact:** \$37,492.34

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By: Soraya Belgrave**

13-R-

(Do Not Write Above This Line)

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 OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY CERTAIN OUTSTANDING INVOICES TO COWIN EQUIPMENT COMPANY, INC. ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE RENTAL OF SPECIALIZED EQUIPMENT IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY TWO DOLLARS AND THIRTY FOUR CENTS (\$37,492.34); WITH ALL INVOICES TO BE CHARGED TO AND PAID FROM FDOA: 5401 (SOLID WASTE SERVICES REVENUE FUND) 130501 (DPW SOLID WASTE ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4510000 (SOLID WASTE ADMINISTRATION); AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> 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

\_\_\_\_\_

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

2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>

Readings

Consent  V Vote  RC Vote

CERTIFIED

MAYOR'S ACTION

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Santana Kempson Wright

Contact Number: 404-330-6579

Originating Department: Department of Public Works

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: June 21, 2013

Anticipated Committee Meeting Date(s): July 10, 2013 (1<sup>st</sup> read); July 31, 2013 (2<sup>nd</sup> read)

Anticipated Full Council Date: August 19, 2013 (final action)

Legislative Counsel's Signature: Saul Schultz

Commissioner's Signature: [Handwritten Signature]

Chief Financial Officer: \_\_\_\_\_

Chief Information Officer Signature (for IT Procurements) \_\_\_\_\_

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY CERTAIN OUTSTANDING INVOICES TO COWIN EQUIPMENT COMPANY, INC. ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR THE RENTAL OF SPECIALIZED EQUIPMENT IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY TWO DOLLARS AND THIRTY FOUR CENTS (\$37,492.34); WITH ALL INVOICES TO BE CHARGED TO AND PAID FROM FDOA: 5401 (SOLID WASTE SERVICES REVENUE FUND) 130501 (DPW SOLID WASTE ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4510000 (SOLID WASTE ADMINISTRATION); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: \$37,492.34

Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 6.21.13 [Signature]  
(date)

Reviewed by: [Signature]  
(date)

Submitted to Council: \_\_\_\_\_ (date)