

**A SUBSTITUTE RESOLUTION**

**BY TRANSPORTATION COMMITTEE**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH NATIONAL OR REGIONAL BRANDED HAMBURGER CONCESSIONS CONCOURSE E AGREEMENT (FC-6004007848) WITH GOODRUM ENTERPRISES, INC. (D/B/A - MCDONALD'S) FOR LEASE AGREEMENT TO PROVIDE FOOD AND BEVERAGE SERVICES ON CONCOURSE E AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (“City”) owns and operates Hartsfield-Jackson Atlanta International Airport (“Airport”); and

**WHEREAS**, the City’s Department of Procurement solicited proposals for FC-6004007848 National or Regional Branded Hamburger Concession on behalf of the City’s Department of Aviation; and

**WHEREAS**, Goodrum Enterprises, Inc. (d/b/a – McDonald’s) (“Goodrum”) was the successful proponent; and

**WHEREAS**, the City and Goodrum entered into that certain Lease Agreement for Concourse E Food and Beverage (RFP#3) National or Regional Branded Hamburger Concession dated as of March 22, 2006 (“Lease Agreement”), as authorized by the City Council on October 17, 2005 pursuant to Resolution 05-R-1839; and

**WHEREAS**, the Agreement had an initial term of seven (7) years, with a single three (3) year renewal at the sole discretion of the City; and

**WHEREAS**, Goodrum has provided satisfactory food and beverage services in this location at the Airport and continuing to provide nationally branded hamburger concessions on Concourse E of the Airport is in the best interest of the City; and

**WHEREAS**, the Department of Aviation recommends that the City exercise and the City desires to exercise its option to renew the term of the Agreement with Goodrum.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor is authorized to execute a renewal Agreement for Concourse E Food and Beverage (RFP#3) National or Regional Branded Hamburger Concession with Goodrum Enterprises, Inc. (d/b/a McDonald’s) for FC-6004007848.

**BE IT FURTHER RESOLVED**, that said renewal term will be for a period of three years (3).

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an appropriate renewal agreement for execution by the Mayor.

**AND FINALLY BE IT RESOLVED**, that the renewal agreement shall not become binding on the City, nor will the City incur no liability hereunder until such renewal agreement has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Goodrum Enterprises, Inc. (d/b/a McDonald's).

**A RESOLUTION AS AMENDED  
BY TRANSPORTATION COMMITTEE**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH NATIONAL OR REGIONAL BRANDED HAMBURGER CONCESSIONS CONCOURSE E AGREEMENT (FC-6004007848) WITH GOODRUM ENTERPRISES, INC. (D/B/A - MCDONALD'S) FOR LEASE AGREEMENT TO PROVIDE FOOD AND BEVERAGE SERVICES ON CONCOURSE E AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") owns and operates Hartsfield-Jackson Atlanta International Airport ("Airport"); and

**WHEREAS**, the City's Department of Procurement solicited proposals for FC-6004007848 National or Regional Branded Hamburger Concession on behalf of the City's Department of Aviation; and

**WHEREAS**, Goodrum Enterprises, Inc. (d/b/a – McDonald's) ("Goodrum") was the successful proponent; and

**WHEREAS**, the City and Goodrum entered into that certain Lease Agreement for Concourse E Food and Beverage (RFP#3) National or Regional Branded Hamburger Concession dated as of March 22, 2006 ("Lease Agreement"), as authorized by the City Council on October 17, 2005 pursuant to Resolution 05-R-1839; and

**WHEREAS**, the Agreement had an initial term of seven (7) years, with a single three (3) year renewal at the sole discretion of the City; and

**WHEREAS**, Goodrum has provided satisfactory food and beverage services in this location at the Airport and continuing to provide nationally branded hamburger concessions on Concourse E of the Airport is in the best interest of the City; and

**WHEREAS**, the Department of Aviation recommends that the City exercise and the City desires to exercise its option to renew the term of the Agreement with Goodrum.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor is authorized to execute a renewal Agreement for Concourse E Food and Beverage (RFP#3) National or Regional Branded Hamburger Concession with Goodrum Enterprises, Inc. (d/b/a McDonald's) for FC-6004007848.

**BE IT FURTHER RESOLVED**, that said renewal term will be for a period of three years (3).

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an appropriate renewal agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the renewal agreement shall not become binding on the City, nor will the City incur no liability hereunder until such renewal agreement has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Goodrum Enterprises, Inc. (d/b/a McDonald's).

**A RESOLUTION  
BY TRANSPORTATION COMMITTEE**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO NATIONAL OR REGIONAL BRANDED HAMBURGER CONCESSIONS CONCOURSE E AGREEMENT (FC-6004007848) WITH GOODRUM ENTERPRISES, INC. (D/B/A - MCDONALD'S) TO EXTEND THE TERM OF THE AGREEMENT FOR ONE ADDITIONAL THREE YEAR PERIOD TO PROVIDE FOOD AND BEVERAGE SERVICES ON CONCOURSE E AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") owns and operates Hartsfield-Jackson Atlanta International Airport ("Airport"); and

**WHEREAS**, the City's Department of Procurement solicited proposals for FC-6004007848 National or Regional Branded Hamburger Concession on behalf of the City's Department of Aviation; and

**WHEREAS**, Goodrum Enterprises, Inc. (d/b/a – McDonald's) ("Goodrum") was the successful proponent; and

**WHEREAS**, the City and Goodrum entered into that certain Lease Agreement for Concourse E Food and Beverage (RFP#3) National or Regional Branded Hamburger Concession dated as of March 22, 2006 ("Lease Agreement"), as authorized by the City Council on October 17, 2005 pursuant to Resolution 05-R-1839; and

**WHEREAS**, the Lease Agreement has an initial term of seven (7) years with an option, exercisable in the City's discretion, to extend the term of the Lease Agreement for a single period of three (3) years;

**WHEREAS**, Goodrum has provided satisfactory food and beverage services in this location at the Airport and continuing to provide nationally branded hamburger concessions on Concourse E of the Airport is in the best interest of the City; and

**WHEREAS**, the Department of Aviation recommends that the City exercise and the City desires to exercise its option to extend the term of the Lease Agreement for an additional three (3) years.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor is authorized to execute a First Amendment to Lease Agreement for Concourse E Food and Beverage (RFP#3) National or Regional Branded Hamburger Concession with Goodrum Enterprises, Inc. (d/b/a McDonald's) for FC-6004007848.

**BE IT FURTHER RESOLVED**, that the First Amendment shall extend the term of the Lease Agreement for Concourse E Food and Beverage (RFP #3) National or Regional Branded Hamburger Concession (FC-6004007848) for three (3) additional years.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare a First Amendment to Lease Agreement for Concourse E Food and Beverage (RFP#3) National or Regional Branded Hamburger Concession (FC-6004007848) for execution by the Mayor, with same to be approved as to form by the City Attorney.

**BE IT FINALLY RESOLVED**, that said First Amendment shall not become binding on the City, nor will the City incur no liability hereunder until such First Amendment has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Goodrum Enterprises, Inc. (d/b/a McDonald's).

**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:**

**Caption:**

**Council Meeting Date:**

**Requesting Dept.:**

**FAC Confirmed by:**

**B. To be completed by the department:**

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

This legislation allows the City to exercise the renewal option for the National or Regional Branded Hamburger Concessions Concourse E agreement with Goodrum Enterprises, Inc. d/b/a McDonald's for a period of three (3) years as stipulated in the Lease Agreement.

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

Goodrum Enterprises, Inc. has successfully operated the McDonalds located on Concourse E since 2006. The Term of their Concessions Agreement provides an option to extend the agreement for an additional three years. The initial term will expire on March 21, 2013.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Concessions Lease Agreement

(b) **Source Selection:** N/A

(c) **Bids/Proposals Due:** N/A

(d) **Invitations Issued:** N/A

- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** Extended term of 3 years

**4. Fund Account Center (Ex. Name and number):** N/A

**Fund:** \_\_\_\_\_ **Account:** \_\_\_\_\_ **Center:** \_\_\_\_\_

**5. Source of Funds:** *Example: Local Assistance Grant* N/A

**6. Fiscal Impact:** Minimum Annual guaranteed rent income of \$505,569

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

**7. Method of Cost Recovery:** N/A

*Examples:*

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

**This Legislative Request Form Was Prepared By: Pat Armes**

Date: November 26, 2012

To: Adam L. Smith, Esq., CPPB, CPPO  
Chief Procurement Officer

From: Louis E. Miller   
Aviation General Manager

**SUBJECT: FC-6004007848 – National or Regional Branded Hamburger Concessions Concourse E – Request for Renewal**

The City of Atlanta entered into the subject Contract with Goodrum Enterprises, Inc., d/b/a/ McDonald's on March 22, 2006. The initial term of the Contract was for seven (7) years, with one (1) additional three (3) year renewal option at the sole discretion of the City.

We have completed our review of Goodrum Enterprises, Inc., d/b/a/ McDonald's performance during the first term of the Contract and are recommending the Contract be renewed under this single renewal option for three (3) years in accordance with the terms and conditions of the Contract.

If additional information is required, please contact Philip Keller, Contracting Officer, at 404-382-2234.

cc: R. Council  
P. Brown  
P. Armes  
J. Mann  
E. Jenkins  
P. Keller  
A. Williams  
K. Patrick  
G. Geeter  
J. Boston  
File



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 12/28/12

Anticipated Committee Meeting Date(s): 1/15/13

Anticipated Full Council Date: 1/22/13

Legislative Counsel's Signature: Jonathan Hunt

Commissioner's Signature: [Signature]

Chief Financial Officer: N/A

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: [Signature]

**CAPTION**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO NATIONAL OR REGIONAL BRANDED HAMBURGER CONCESSIONS CONCOURSE E AGREEMENT (FC-6004007848) WITH GOODRUM ENTERPRISES, INC. (D/B/A - MCDONALD'S) TO EXTEND THE TERM OF THE AGREEMENT FOR ONE ADDITIONAL THREE YEAR PERIOD TO PROVIDE FOOD AND BEVERAGE SERVICES ON CONCOURSE E AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; 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: [Signature] 12-14-12  
(date)

Reviewed by: [Signature]  
(date)

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