

10

14-0-1011

14-0-1011

AN ORDINANCE BY

AN ORDINANCE AUTHORIZING THE MAYOR TO EXERCISE THE CITY'S OPTION FOR RENEWAL NO. 2 WITH MWH/KHAFRA, JV FOR FC-433, PROGRAM MANAGEMENT SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED SIX MILLION, SEVEN HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$6,700,000.00); TO WAIVE ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WATSEWATER R&E FUND) 170101 (DWM COMMISSIONER OF WATERSHED MANAGEMENT) 5212001 (CONSULTING) 132000 (CHIEF EXECUTIVE) AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17102335 (PROGRAM MANAGEMENT) 105 (PROGRAM MANAGEMENT & CONTRACT ADMIN.-YEAR 2 OPTION TASK) 505221391 (WATER & WATSEWATER R&E FUND) 5212001 (CONSULTING); 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: 1/9/14  
 Referred To: Francis J. Beck
- Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_
- Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

First Reading

Committee Env. Affairs  
Date 1-15-14  
Chair [Signature]

Action Pass  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members [Signatures]  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

**ADOPTED BY**

**JAN 21 2014**

**COUNCIL**

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 \_\_\_\_\_

**APPROVED**

**JAN 20 2014**

WITHOUT SIGNATURE  
BY OPERATION OF LAW

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

3510

**CERTIFIED**  
 JAN 21 2014  
 ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

**CERTIFIED**  
 JAN 21 2014  
 MUNICIPAL CLERK  
[Signature]

MAYOR'S ACTION

AN ORDINANCE  
BY



**AN ORDINANCE AUTHORIZING THE MAYOR TO EXERCISE THE CITY'S OPTION FOR RENEWAL NO. 2 WITH MWH/KHAFRA, JV FOR FC-4343, PROGRAM MANAGEMENT SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED SIX MILLION, SEVEN HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$6,700,000.00); TO WAIVE ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTEWATER R&E FUND) 170101 (DWM COMMISSIONER OF WATERSHED MANAGEMENT) 5212001 (CONSULTING) 1320000 (CHIEF EXECUTIVE) AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17102335 (PROGRAM MANAGEMENT) 105 (PROGRAM MANAGEMENT & CONTRACT ADMIN. - YEAR 2 OPTION TASK) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") authorized FC-4343, Program Management Services ("Agreement") with MWH/Khafra, JV, on behalf of the Department of Watershed Management ("Department"), pursuant to Resolution No. 08-R-1478; and

**WHEREAS**, the term of the Agreement is for four (4) years with two (2) one (1) year renewal options to be exercised at the City's sole discretion effective August 24, 2008; and

**WHEREAS**, the Department appropriated funds for Year One (1) of the Agreement in an amount not to exceed Nineteen Million, One Hundred Eighty Eight Thousand, Six Hundred Twenty Seven Dollars and Zero Cents (\$19,188,627.00), pursuant to Resolution No. 08-R-1478; and

**WHEREAS**, the Department appropriated funds for Year Two (2) of the Agreement in an amount not to exceed Eighteen Million, Four Hundred Ninety One Thousand, Eleven Dollars and Zero Cents (\$18,491,011.00), pursuant to Resolution No. 09-R-1729; and

**WHEREAS**, the Department appropriated additional funds for Three (3) Months of the Agreement in an amount not to exceed One Million, Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00), pursuant to Resolution No. 10-R-2125; and

**WHEREAS**, the Department appropriated funds for Year Three (3) of the Agreement in an amount not to exceed Fifteen Million, Six Hundred Thirty Four Thousand, Nine Hundred Sixty Eight Dollars and Zero Cents (\$15,634,968.00), pursuant to Resolution No. 10-R-2237; and

**WHEREAS**, the Department appropriated funds for Year Four (4) of the Agreement in an amount not to exceed Eight Million, Four Hundred Thousand Dollars and Zero Cents (\$8,400,000.00), pursuant to Resolution No. 12-R-0012; and

**WHEREAS**, the City executed a ninety (90) day extension that extended the term of the Agreement to November 21, 2012; and

**WHEREAS**, the City authorized Renewal No. 1 of the Agreement with a term of August 24, 2012 to August 23, 2013, pursuant to Resolution No. 12-R-0997, which inadvertently failed to reflect the ninety (90) day extension executed by the City; and

**WHEREAS**, the City authorized Renewal No. 2 of the Agreement with a term of August 23, 2012 to August 22, 2014, which inadvertently included the incorrect date of the ninety (90) day extension executed by the City, pursuant to Resolution No. 13-R-3776; and

**WHEREAS**, the Department inadvertently allowed the term of Renewal No. 2 of the Agreement to expire before Resolution No. 13-R-3776 was approved by the Mayor, and so the Agreement expired; and

**WHEREAS**, the Commissioner of the Department of Watershed Management desires to correct Resolution No. 12-R-0997 to reflect the correct term of Renewal No. 1 as November 22, 2012 through November 21, 2013; and

**WHEREAS**, MWH/Khafra, JV continues to satisfactorily perform services under the Agreement; and

**WHEREAS**, the Commissioner of the Department of Watershed Management has identified an ongoing need for program management services provided under the Agreement; and

**WHEREAS**, the Commissioner of the Department of Watershed Management recommends authorizing the City's option for Renewal No. 2 with MWH/Khafra, JV for FC-4343, Program Management Services in an amount not to exceed Six Million, Seven Hundred Thousand Dollars and Zero Cents (\$6,700,000.00) with a retroactive effective date of November 22, 2013.

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

**SECTION 1:**

The Mayor, or his authorized designee, is authorized to exercise the City's option for Renewal No. 2 with MWH/Khafra, JV for FC-4343, Program Management Services, on behalf of the Department of Watershed Management, in an amount not to exceed Six Million, Seven Hundred Thousand Dollars and Zero Cents (\$6,700,000.00), effective November 22, 2013.

**SECTION 2:**

The term of Renewal No. 2 will be November 22, 2013 through November 21, 2014.

**SECTION 3:**

The Resolution No. 12-R-0997 be corrected to reflect the term of Renewal No. 1 by deleting the incorrect term of August 24, 2012 to August 23, 2013 and inserting in lieu thereof the term of November 22, 2012 through November 21, 2013 wherever the incorrect term occurs in Resolution 12-R-0997.

**SECTION 4:**

Article X, Real Estate and Procurement Code, of the City of Atlanta Code of Ordinances, specifically including and without limitation, "Division 4. Sources Selection and Contract Formation" is hereby waived to the extent applicable to meet the intent and purpose of this ordinance.

**SECTION 5:**

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

**SECTION 6:**

Renewal No. 2 will not become binding on the City and the City will incur no obligation or liability under it until it has been duly executed by the City and delivered to MWH/Khafra, JV.

**SECTION 7:**

All contracted work shall be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater R&E Fund) 170101 (DWM Commissioner of Watershed Management) 5212001 (Consulting) 1320000 (Chief Executive) and Project Task Award Expenditure and Organization Number 17102335 (Program Management) 105 (Program Management & Contract Admin. - Year 2 Option Task) 505221391 (Water & Wastewater R&E Fund) 5212001 (Consulting).

**SECTION 8:**

All ordinances or parts or ordinances and sections of the City of Atlanta Code of Ordinances in conflict herewith are waived to the extent of the conflict.

A true copy,

  
Municipal Clerk

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

JAN 21, 2014  
JAN 30, 2014

RCS# 17  
1/21/14  
1:43 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ALL ITEMS

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

+

		01-21-14
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 14-O-1006	41. 14-R-3040	67. 14-R-3065
2. 14-O-1000	42. 14-R-3041	68. 14-R-3066
3. 14-O-1007	43. 14-R-3042	69. 14-R-3067
4. 14-O-1009	44. 14-R-3043	70. 14-R-3068
5. 14-O-1010	45. 14-R-3044	71. 14-R-3069
6. 14-O-1011	46. 14-R-3045	72. 14-R-3070
7. 14-O-1012	47. 14-R-3083	73. 14-R-3071
8. 14-O-1013	48. 14-R-3046	74. 14-R-3072
9. 14-R-3006	ITEMS ADVERSED ON CONSENT	75. 14-R-3073
10. 14-R-3007	49. 14-R-3047	76. 14-R-3074
11. 14-R-3000	50. 14-R-3048	77. 14-R-3075
12. 14-R-3010	51. 14-R-3049	78. 14-R-3076
13. 14-R-3011	52. 14-R-3050	79. 14-R-3077
14. 14-R-3012	53. 14-R-3051	80. 14-R-3078
15. 14-R-3013	54. 14-R-3052	81. 14-R-3079
16. 14-R-3014	55. 14-R-3053	82. 14-R-3080
17. 14-R-3016	56. 14-R-3054	83. 14-R-3081
18. 14-R-3018	57. 14-R-3055	84. 14-R-3082
19. 14-R-3019	58. 14-R-3056	85. 14-R-3084
20. 14-R-3020	59. 14-R-3057	86. 14-R-3085
21. 14-R-3021	60. 14-R-3058	87. 14-R-3086
22. 14-R-3022	61. 14-R-3059	88. 14-R-3087
23. 14-R-3023	62. 14-R-3060	89. 14-R-3088
24. 14-R-3024	63. 14-R-3061	90. 14-R-3089
25. 14-R-3100	64. 14-R-3062	91. 14-R-3090
26. 14-R-3025	65. 14-R-3063	92. 14-R-3091
27. 14-R-3026	66. 14-R-3064	93. 14-R-3092
28. 14-R-3027		94. 14-R-3093
29. 14-R-3028		95. 14-R-3094
30. 14-R-3029		96. 14-R-3095
31. 14-R-3030		97. 14-R-3096
32. 14-R-3031		98. 14-R-3097
33. 14-R-3032		99. 14-R-3098
34. 14-R-3033		100. 14-R-3099
35. 14-R-3034		
36. 14-R-3035		
37. 14-R-3036		
38. 14-R-3037		
39. 14-R-3038		
40. 14-R-3039		