

AN ORDINANCE BY COUNCILMEMBER C. T. MARTIN 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 EST ATE 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 A WARD 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.

Review List:

Atlanta City Council	Completed	01/09/2014 5:29 PM
Finance/Executive Committee	Pending	
Mayor's Office	Pending	

HISTORY:

01/06/14 Atlanta City Council

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

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

14-O-1011

SPONSOR SIGNATURES

Clarence T Martin Jr

Clarence "C. T." Martin, Councilmember, District 10

AN ORDINANCE BY COUNCILMEMBER C. T. MARTIN 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 EST ATE 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 A WARD 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.

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.

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.

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