

**CITY COUNCIL
ATLANTA, GEORGIA**

14-R-3609

A RESOLUTION BY MICHAEL J. BOND AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH MWH/KHAFRA, JV FOR FC-4343, PROGRAM MANAGEMENT SERVICES, TO PROVIDE MANAGEMENT AND DESIGN OVERSIGHT SERVICES FOR THE RAW WATER DELIVERY PROGRAM, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTE WATER R&E FUND) 170115 (DWM PERFORMANCE & ACCOUNTABILITY) 5212001(CONSULTING & PROFESSIONAL SERVICES) 1560000 (INTERNAL AUDIT)AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17111732 (PROGRAM MANAGEMENT SERVICES) TASK (101)505221391 (WATER & WASTE WATER R&E FUND) 5212001 (CONSULTING& PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.

Workflow List:

Atlanta City Council	Completed	05/21/2014 5:57 PM
City Utilities Committee	Pending	

HISTORY:

05/19/14	Atlanta City Council	REFERRED WITHOUT OBJECTION
----------	----------------------	----------------------------

RESULT:	REFERRED WITHOUT OBJECTION	Next: 5/27/2014 9:30 AM
----------------	-----------------------------------	--------------------------------

RESULT:	REFERRED WITHOUT OBJECTION	Next: 5/27/2014 9:30 AM
----------------	-----------------------------------	--------------------------------

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-R-3609

SPONSOR SIGNATURES

A handwritten signature in black ink, appearing to read "Michael Julian Bond". The signature is stylized and written over a horizontal line.

Michael Julian Bond, Councilmember, Post 1 At-Large

A RESOLUTION BY MICHAEL J. BOND AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH MWH/KHAFRA, JV FOR FC-4343, PROGRAM MANAGEMENT SERVICES, TO PROVIDE MANAGEMENT AND DESIGN OVERSIGHT SERVICES FOR THE RAW WATER DELIVERY PROGRAM, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTE WATER R&E FUND) 170115 (DWM PERFORMANCE & ACCOUNTABILITY) 5212001(CONSULTING & PROFESSIONAL SERVICES) 1560000 (INTERNAL AUDIT)AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17111732 (PROGRAM MANAGEMENT SERVICES) TASK (101)505221391 (WATER & WASTE WATER R&E FUND) 5212001 (CONSULTING& PROFESSIONAL SERVICES) COA; 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 through August 23, 2012; 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 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! 0-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 12-R-0012; and

WHEREAS, the City executed a ninety (90) day extension that extended the term of the Agreement to November 22, 2012; and

WHEREAS, the City authorized Renewal No. 1 of the Agreement with a term 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, MWH/Khafra, JV continues to satisfactorily perform services under the Agreement; 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 23, 2012 through November 22, 2013; and

WHEREAS, the Atlanta City Council adopted Resolution No. 13R3776 for the purposes of entering into Renewal No. 2 with MWH/Khafra, JV for FC-4343, Program Management Services November 18, 2013; and

WHEREAS, Resolution No. 13R3776 was unable to be approved prior to the expiration of Renewal No. 1 for FC-4343, Program Management Services pursuant to City Charter Section 2-403 of the City's Code of Ordinances; and

WHEREAS, the City reinstated the option to exercise Renewal No. 2 with MWH/Khafra, JV for FC-4343, Program Management Services, on behalf of the Department of Watershed Management pursuant to Ordinance No. 14-O-1011; and

WHEREAS, the Department of Watershed Management capital improvement projects include the Raw Water Delivery Program ("Program") to provide a reliable and secure raw water conveyance system to move raw water from the Chattahoochee River to the City's water treatment plants and storage facilities; and

WHEREAS, the Program includes, but is not limited to, drinking water system renewal by the construction of secure raw water conveyance in deep rock tunnels, constructing pump stations, developing an additional raw water storage facility at a city-owned quarry site, acquiring required easements and permits, collecting geotechnical data through deep rock borings, performing pilot plant studies and preliminary design for an alternative treatment facility at the RM Clayton plant, and performing enhanced oversight of the program; and

WHEREAS, the Department of Watershed Management desires to enter into Amendment No. 1 for FC-4343, Program Management Services with MWH/Khafra, JV, to provide management and design services of the Raw Water Delivery Program; an

WHEREAS, the Commissioner of the Department of Watershed Management recommends Amendment Agreement No. 1 with MWH/Khafra, JV for FC-4343, Program Management Services to provide management and design services for the Raw Water Delivery Program, in an amount not to exceed Five Million Dollars and Zero Cents (\$5,000,000.00); and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor is authorized to enter into Amendment Agreement No. 1 with MWH/Khafra, JV for FC-4343, Program Management Services, to provide management and design oversight services for the Raw Water Delivery Program on behalf of the Department of Watershed Management, in an amount not to exceed Five Million Dollars and Zero Cents (\$5,000,000.00); and

BE IT FURTHER RESOLVED, that the Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare all appropriate documents for execution by the Mayor; and

BE IT FURTHER RESOLVED, that Amendment Agreement No. 1 will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to MWH/Khafra, JV; and

AND FINALLY BE IT RESOLVED, that all contracted work will be charged to and paid from 5052 (Water & Wastewater R&E Fund) 170115 (DWM Performance & Accountability) 5212001 (Consulting & Professional Services) 1560000 (Internal Audit) and Project Task Award Expenditure and Organization Number 17111732 (Program Management Services) Task (101) 505221391 (Water & Wastewater R&E Fund) 5212001 (Consulting & Professional Services) COA.

A RESOLUTION
BY



A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH MWH/KHAFRA, JV FOR FC-4343, PROGRAM MANAGEMENT SERVICES, TO PROVIDE MANAGEMENT AND DESIGN OVERSIGHT SERVICES FOR THE RAW WATER DELIVERY PROGRAM, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTEWATER R&E FUND) 170115 (DWM PERFORMANCE & ACCOUNTABILITY) 5212001 (CONSULTING & PROFESSIONAL SERVICES) 1560000 (INTERNAL AUDIT) AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17111732 (PROGRAM MANAGEMENT SERVICES) TASK (101) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING & PROFESSIONAL SERVICES) COA; 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 through August 23, 2012; 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 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 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 12-R-0012; and

WHEREAS, the City executed a ninety (90) day extension that extended the term of the Agreement to November 22, 2012; and

WHEREAS, the City authorized Renewal No. 1 of the Agreement with a term 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, MWH/Khafra, JV continues to satisfactorily perform services under the Agreement; 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 23, 2012 through November 22, 2013; and

WHEREAS, the Atlanta City Council adopted Resolution No. 13R3776 for the purposes of entering into Renewal No. 2 with MWH/Khafra, JV for FC-4343, Program Management Services November 18, 2013; and

WHEREAS, Resolution No. 13R3776 was unable to be approved prior to the expiration of Renewal No. 1 for FC-4343, Program Management Services pursuant to City Charter Section Section 2-403 of the City's Code of Ordinances; and

WHEREAS, the City reinstated the option to exercise Renewal No. 2 with MWH/Khafra, JV for FC-4343, Program Management Services, on behalf of the Department of Watershed Management pursuant to Ordinance No. 14O1011; and

WHEREAS, the Department of Watershed Management capital improvement projects include the Raw Water Delivery Program ("Program") to provide a reliable and secure raw water conveyance system to move raw water from the Chattahoochee River to the City's water treatment plants and storage facilities; and

WHEREAS, the Program includes, but is not limited to, drinking water system renewal by the construction of secure raw water conveyance in deep rock tunnels, constructing pump stations, developing an additional raw water storage facility at a city-owned quarry site, acquiring required easements and permits, collecting geotechnical data through deep rock borings, performing pilot plant studies and preliminary design for an alternative treatment facility at the RM Clayton plant, and performing enhanced oversight of the program; and

WHEREAS, the Department of Watershed Management desires to enter into Amendment No. 1 for FC-4343, Program Management Services with MWH/Khafra, JV, to provide management and design services of the Raw Water Delivery Program; and

WHEREAS, the Commissioner of the Department of Watershed Management recommends Amendment Agreement No. 1 with MWH/Khafra, JV for FC-4343, Program Management Services to provide management and design services for the Raw Water Delivery Program, in an amount not to exceed Five Million Dollars and Zero Cents (\$5,000,000.00); and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor is authorized to enter into Amendment Agreement No. 1 with MWH/Khafra, JV for FC-4343, Program Management Services, to provide management and design oversight services for the Raw Water Delivery Program on behalf of the Department of Watershed Management, in an amount not to exceed Five Million Dollars and Zero Cents (\$5,000,000.00); and

BE IT FURTHER RESOLVED, that the Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare all appropriate documents for execution by the Mayor; and

BE IT FURTHER RESOLVED, that Amendment Agreement No. 1 will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to MWH/Khafra, JV; and

BE IT FINALLY RESOLVED, that all contracted work will be charged to and paid from 5052 (Water & Wastewater R&E Fund) 170115 (DWM Performance & Accountability) 5212001 (Consulting & Professional Services) 1560000 (Internal Audit) and Project Task Award Expenditure and Organization Number 17111732 (Program Management Services) Task (101) 505221391 (Water & Wastewater R&E Fund) 5212001 (Consulting & Professional Services) COA.