

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: KAJARA ANDERSON

Contact Number: 404-330-6596

Originating Department: THE DEPARTMENT OF PUBLIC WORKS

Committee(s) of Purview: CITY UTILITIES COMMITTEE

Chief of Staff Deadline: October 28, 2016

Anticipated Committee Meeting Date(s): November 15, 2016

Anticipated Full Council Date: November 21, 2016

Legislative Counsel's Signature: n/a

Commissioner's Signature: [Signature]

Chief Financial Officer: n/a

Chief Information Officer Signature (for IT Procurements) n/a

Chief Procurement Officer Signature: n/a

CAPTION

A RESOLUTION TO AUTHORIZE THE MAYOR, OR HIS DESIGNEE, TO EXECUTE SPECIAL PROCUREMENT AGREEMENT FC-9062, PURSUANT TO ATLANTA CITY CODE SECTION 2-1191.1 WITH THE WORTHING COMPANIES, FOR THE HUFF ROAD WIDENING PROJECT, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$1,500,000.00); TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT:

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: _____
(date)

Reviewed by: [Signature]
(date)

Submitted to Council: _____ (date)

[Signature]
11/15/16
DCOS

**A RESOLUTION
BY CITY UTILITIES COMMITTEE**

A RESOLUTION TO AUTHORIZE THE MAYOR, OR HIS DESIGNEE, TO EXECUTE SPECIAL PROCUREMENT AGREEMENT FC-9062, PURSUANT TO ATLANTA CITY CODE SECTION 2-1191.1 WITH THE WORTHING COMPANIES, FOR THE HUFF ROAD WIDENING PROJECT, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$1,500,000.00); TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, the Worthing Companies (“Worthing”) is currently building the Western Heights Community, a 282 unit apartment complex at Huff Road N.W.; and

WHEREAS, in order to accommodate the increased traffic flow from the apartment complex, Huff Road N.W., on both sides of Howell Mill Road to Foster Street N.W., must be widened (“Huff Road Widening Project”); and

WHEREAS, Worthing has engaged Kimley- Horn to design the road widening plan; and

WHEREAS, Worthing has agreed to utilize the Kimley-Horn study and design plan at no cost to the City; and

WHEREAS, the Chief Procurement Officer has determined that a proposed agreement between Worthing and the City for Worthing to complete the Huff Road Widening Project meets the criteria for a Special Procurement as defined in Atlanta City Code Section 2-1191.1; and

WHEREAS, the Commissioner of the Department of Public Works (“DPW”) and the Chief Procurement Officer recommend the execution of Special Procurement Agreement FC-9062 (“Agreement”), with Worthing, for a term of eighteen (18) months with no renewal options, for the Huff Road Widening Project, and curb and gutter repairs, in an amount not to exceed One Million Five Hundred Thousand Dollars And No Cents (\$1,500,000.00).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES, that the Mayor, or his designee, is authorized to execute Special Procurement Agreement FC-9062, with The Worthing Companies, for a term of eighteen (18) months with no renewal options, for the Huff Road Widening Project, and curb and gutter repairs, in an amount not to exceed One Million Five Hundred Thousand Dollars And No Cents (\$1,500,000.00).

BE IT FURTHER RESOLVED, that all contracted work shall be paid to and from FDOA: 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5999999 (Projects & Grants Budget-Summary) 4270000 (Traffic Engineering) 112175 (Huff Road Complete Street) 91105 (D.I.F. Transportation (SWMA 9985) PTAE0: 13112175 101 350291105 5414002 COA.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer, in consultation with the City Attorney is directed to prepare an agreement for execution by the Mayor or his designee.

BE IT FINALLY RESOLVED, that the Agreement 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 The Worthing Companies.



CITY OF ATLANTA

Kasim Reed
Mayor

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DEPARTMENT OF PROCUREMENT
Adam L. Smith, Esq., CPPO, CPPB, CPPM, CPP
CIPC, CISCC, CIGPM, CPPC
Chief Procurement Officer
asmikh@atlantaga.gov

November 10, 2016

PROCUREMENT CODE SECTION 2-1191.1 SPECIAL PROCUREMENT DESIGNATION FC-9062

Pursuant to Atlanta City Code Section 2-1191.1, the Chief Procurement Officer may initiate a procurement above the small purchase amount specified in Section 2-1190 where he determines that an unusual or unique situation exists that make the application of all requirements of competitive sealed bidding or competitive sealed proposals contrary to the public interest. Such procurement does not technically qualify as sole source procurement under Code Section 2-1191. Any special procurement under this Section is conducted with such competition as practicable under the circumstances. The Chief Procurement Officer in the contract file shall include a written determination of the basis for the procurement and for the selection of the particular contractor.

This special procurement request is to engage The Worthing Companies ("Worthing") to widen Huff Road from Howell Mill Road to Marietta Street to accommodate the increased traffic flow caused by the development of a 282 unit apartment complex. This request is on behalf of the Department of Public Works. ("DPW")

Having conducted an investigation of the available sources regarding the specialized, repairs and/or services stipulated herein pursuant to § 2-1191.1 of the City of Atlanta Code of Ordinances, Special Procurement, and my findings are the following:


1. Worthing is currently building the Western Heights Community ("Community") on the site of the former Georgia Steel property in Atlanta, Georgia. The Community will be, at its completion, a state of the arts 282 unit apartment complex (housing over 500 people). To accommodate the increased traffic flow by the Community, Huff Road must be widened;
2. Worthing, as a part of the Community project (independent of the City) engaged the design firm of Kimley Horn to design a road widening plan from Howell Mill Road to Marietta Street and subsequently, a revised plan widening Huff Road plan from Foster Street to the Community;
3. As a result of the Kimley Horn study, the City's DPW passed legislation in an amount not to exceed One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00), anticipating the road widening project as well as a traffic light warrant analysis for the intersection of Huff Road and Foster Road;

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4. Worthing has agreed to utilize their study and design plan (completed by Kimley Horn) at no cost to the City to widen Huff Road;
5. the estimated price associated with bidding this project out without the design work already completed is Three Million Dollars and Zero Cents (\$3,000,000.00), twice the amount the City has allotted to this project;
6. the potential impact of delaying this project for competitive sealed bidding may cost the City an additional \$1.5 Million Dollars and may also severely impair the City's ability to satisfy necessary performing upgrades that are needed for the current critical public safety system;
7. Worthing already has resources mobilized at the Community, therefore they will be able to quickly mobilize for this project;
8. it has been determined that because of the specialize service and time constraints, the application of all requirements for competitive bidding would not apply. It has also been determined that procurement does not technically qualify as a sole source;
9. the term shall not exceed eighteen (18) months; and
10. No one request shall exceed One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00).

I, Adam L. Smith, by the authority vested in me pursuant to § 2-1191.1 of the City of Atlanta Code of Ordinances, do hereby approve, direct and authorize the special procurement of construction services to be provided by The Worthing Companies.



Adam L. Smith

ALS/dme

**DEPARTMENT OF PROCUREMENT
LEGISLATIVE SUMMARY
FC-9062, HUFF ROAD WIDENING PROJECT**

TO: CITY UTILITIES COMMITTEE

CAPTION A RESOLUTION TO AUTHORIZE THE MAYOR, OR HIS DESIGNEE, TO EXECUTE SPECIAL PROCUREMENT AGREEMENT FC-9062, PURSUANT TO ATLANTA CITY CODE SECTION 2-1191.1 WITH THE WORTHING COMPANIES, FOR THE HUFF ROAD WIDENING PROJECT, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$1,500,000.00); TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

Committee Meeting Date:	November 15, 2016
Council Meeting Date:	November 21, 2016
Legislation Title:	FC-9062, Huff Road Widening Project
Requesting Dept.:	Department of Public Works
Contract Type:	Special Procurement
Advertisement:	N/A
Bids/Proposals Due:	N/A
Invitations Mailed:	N/A
Bids/Proposals Received:	N/A
Bidders/Proponents:	N/A
Contractor:	The Worthing Companies
Estimated Value:	\$1,500,000.00
Scope Summary:	The purpose of this legislation is to request authorization to enter into an agreement under FC-9062, Huff Road Widening Project with The Worthing Companies. This project will consist of the widening of Huff Road on both sides of Howell Mill

to Foster Street including curb and gutter repairs to accommodate the increased traffic flow caused by new housing community development.

Background:

TBD

Evaluation Team:

N/A

Term of Contract:

Eighteen (18) months with no renewal options.

Fund Account Centers:

3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5999999 (Projects & Grants Budget-Summary) 4270000 (Traffic Engineering) 112175 (Huff Road Complete Street) 91105 (D.I.F. Transportation (SWMA 9985) PTAE0: 13112175 101 350291105 5414002 COA.

Prepared By:

Derek East

Contact Number:

404-330-6486

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: **FINANCE EXECUTIVE COMMITTEE**

Caption:

A RESOLUTION TO AUTHORIZE THE MAYOR, OR HIS DESIGNEE, TO EXECUTE SPECIAL PROCUREMENT AGREEMENT FC-9062, PURSUANT TO ATLANTA CITY CODE SECTION 2-1191.1 WITH THE WORTHING COMPANIES, FOR THE HUFF ROAD WIDENING PROJECT, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$1,500,000.00); TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

Council Meeting Date: November 21, 2016

Legislation Title: Special Procurement FC-9062, with The Worthing Companies, for the Huff Road Widening Project

Requesting Dept.: THE 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 request authorization to enter into an agreement under FC - 9062, Huff Road Widening Project with The Worthing Companies. This project will consist of the widening of Huff Road on both sides of Howell Mill to Foster Street including curb and gutter repairs to accommodate the increased traffic flow caused by new housing community development.

2. Please provide background information regarding this legislation.

3. If Applicable/Known:

- (a) Contract Type: Special Procurement**
- (b) Source Selection:**

- (c) Bids/Proposals Due:**

- (d) Invitations Issued:**

- (e) Number of Bids/Proposals Received:**

- (f) Bidders/Proponents:**

- (g) Background:**

- (h) Term of Contract: 18 months**

4. Fund Account Center: 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5999999 (Projects & Grants Budget-Summary) 4270000 (Traffic Engineering) 112175 (Huff Road Complete Street) 91105 (D.I.F. Transportation (SWMA 9985) PTAE0: 13112175 101 350291105 5414002 COA.

5. Source of Funds:

6. FISCAL IMPACT

- Cost will be covered by the Department's current year budget
- Budget neutral – no monetary impact
- Cost not anticipated in the Department's current year budget –
see account string in legislation

Or

Note

7. Method of Cost Recovery:

- 8. Approvals:**
- DOF:**
- DOL:**

This Legislative Request Form Was Prepared By: Rita Braswell
Contact Number:404-330-8407