

Committee _____
 Date _____
 Chair _____
 Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

AN ORDINANCE BY 

THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES TO AUTHORIZE MWH/KHAFRA, JV INC. TO PROVIDE AND THE CITY OF ATLANTA TO ACCEPT PROGRAM MANAGEMENT SERVICES FOR THE RAW WATER DELIVERY, PROGRAM MANAGEMENT SERVICES PROJECT, AND PMT SPECIAL INITIATIVE SUPPORT SERVICES ON A MONTH-TO-MONTH BASIS FOR A PERIOD OF UP TO NINE (9) MONTHS COMMENCING NOVEMBER 23, 2014 UNDER THE TERMS OF FC-4343, PROGRAM MANAGEMENT SERVICES ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT EXCEED NINE MILLION, EIGHT HUNDRED SEVENTY-TWO THOUSAND DOLLARS AND NO CENTS (\$9,872,000.00); AND FOR OTHER PURPOSES.

CERTIFIED

MAYOR'S ACTION

- CONSENT REFER
 - REGULAR REPORT REFER
 - ADVERTISE & REFER
 - 1ST ADOPT 2ND READ & REFER
 - PERSONAL PAPER REFER
- Date Referred: 10/26/2014
 Referred To: Finance/Exec
 Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____

First Reading		Committee
Committee	_____	_____
Date	_____	_____
Chair	_____	_____
Action	_____	_____
Fav, Adv, Hold (see rev. side)	_____	_____
Other	_____	_____
Members	_____	_____
Refer To	_____	_____
Committee	_____	_____
Date	_____	_____
Chair	_____	_____
Action	_____	_____
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Other	_____	_____
Members	_____	_____
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Committee	_____	_____
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Chair	_____	_____
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Fav, Adv, Hold (see rev. side)	_____	_____
Other	_____	_____
Members	_____	_____
Refer To	_____	_____

AN ORDINANCE BY



AN ORDINANCE AUTHORIZING THE MAYOR TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES TO AUTHORIZE MWH/KHAFRA, JV INC. TO PROVIDE AND THE CITY OF ATLANTA TO ACCEPT PROGRAM MANAGEMENT SERVICES FOR THE RAW WATER DELIVERY, PROGRAM MANAGEMENT SERVICES PROJECT, AND PMT SPECIAL INITIATIVE SUPPORT SERVICES ON A MONTH-TO-MONTH BASIS FOR A PERIOD OF UP TO NINE (9) MONTHS COMMENCING NOVEMBER 23, 2014 UNDER THE TERMS OF FC-4343, PROGRAM MANAGEMENT SERVICES ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT EXCEED NINE MILLION, EIGHT HUNDRED SEVENTY-TWO THOUSAND DOLLARS AND NO CENTS (\$9,872,000.00); 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 2-403 of the City's Code of Ordinances; and

WHEREAS, the Department of Watershed Management entered into 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) pursuant to 14O1011 with a term of November 23 2013 through November 22, 2014; and

WHEREAS, Department of Watershed Management entered into Amendment Agreement No. 2 with MWH/KHAFRA, JV to provide management and design oversight services for the raw water delivery program, on behalf of the in an amount not to Exceed Three Million, Two Hundred Thousand Dollars And Zero Cents (\$3,200,000.00); and

WHEREAS, the Commissioners of the Department of Watershed Management recommends the extension of FC-4343, Program Management Services, for a period of nine (9) months on a month-to-month basis commencing November 23, 2014 with MWH/Khafra, JV for FC-4343 for Program Management Services for ; and

WHEREAS, MWH/Khafra, JV, Inc. continues to satisfactorily perform services under the Agreement.

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

SECTION 1:

That Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances is waived to the extent of any conflict with this Ordinance.

SECTION 2: That MWH/Khafra, JV is authorized to provide and the City of Atlanta is authorized to accept Program Management Services on a month-to-month basis for a period of nine (9) months beginning on November 23, 2014 under the terms of Contract FC-4343, Program Management Services in an amount not to exceed Nine Million, Eight Hundred Seventy-Two Thousand Dollars and No Cents (\$9,872,000.00) on behalf of the Department of Watershed Management for the Raw Water Delivery, Program Management Services project, and PMT Special Initiative Support Services.

SECTION 3:

That 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 4:

That all contracted work shall be charged to and paid from Fund Department Organization and Account Number _____.