

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION 2012 – 78

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO TERMINATE ITS CONTRACTUAL RELATIONSHIP WITH B&E JACKSON AND ASSOCIATES, INC., FOR THE PROVISION OF PROFESSIONAL CONSULTING SERVICES; TO ENTER INTO AN AGREEMENT WITH RIGHT OF WAY PARTNERS PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH PROFESSIONAL RIGHT-OF-WAY ACQUISITION SERVICES WILL BE PROVIDED; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET AS NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County and B&E Jackson and Associates, Inc., (hereinafter “B&E”) previously entered into an Agreement for Consulting Services to include professional design engineering services, right-of-way acquisition services and optional construction and inspection services for the road widening and reconstruction of Godby Road (the “Project”); and

WHEREAS, due to circumstances beyond the control of the parties, the Project has significantly extended beyond the anticipated completion date; and

WHEREAS, at the request of B&E, the parties wish to terminate any existing contractual relationship upon the County’s payment of \$89,689.00 and the provision by B&E of lien waivers from all subcontractors working under B&E; and

WHEREAS, Clayton County and Right Of Way Partners, who served as a subcontractor for the Project, wish to enter into an Agreement for the completion of the right-of-way acquisition portion of the Project; and

WHEREAS, the Board of Commissioners believes it is in the best interest of the County and the County will best be served by terminating its existing Agreement for Consulting Services with B&E Jackson and Associates, Inc., and entering into an Agreement with Right Of Way Partners for the stated reasons.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF  
CLAYTON COUNTY, GEORGIA, AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to terminate its Agreement for Consulting Services with B&E Jackson and Associates, Inc., upon the County's payment of \$89,689.00 and the provision by B&E of lien waivers from all subcontractors working under B&E.

Section 2. The Board also authorizes the County to enter into an Agreement with Right Of Way Partners for the completion of the right-of-way acquisition portion of the Project with compensation not to exceed the sum of \$166,795.00. The Board authorizes the Department of Transportation and Development and the County Attorney's Office to negotiate the terms of said Agreement with Right Of Way Partners and authorizes the Chairman to execute the Agreement and such other documents as may be necessary to accomplish the intent of this Resolution.


Section 3. Further, the Board authorizes the Finance Director to amend the budget as necessary to reflect an appropriate revenue source and expense, all as may be required.

Section 4. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 17<sup>th</sup> day of April, 2012.

***{SIGNATURES ON FOLLOWING PAGE}***


CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN

  
WOLE RALPH, VICE-CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK