

**FULTON COUNTY BOARD OF COMMISSIONERS  
RECESS MEETING**

February 16, 2022  
10:00 AM



Fulton County Government Center  
Assembly Hall  
141 Pryor Street SW  
Atlanta, Georgia 30303



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## **A G E N D A**

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**CALL TO ORDER:** Chairman Robert L. Pitts

**ROLL CALL:** Tonya R. Grier, Clerk to the Commission

Robert L. Pitts, Chairman (At-Large)  
Liz Hausmann, Vice-Chairman (District 1)  
Bob Ellis, Commissioner (District 2)  
Lee Morris, Commissioner (District 3)  
Natalie Hall, Commissioner (District 4)  
Marvin S. Arrington, Jr., Commissioner (District 5)  
Khadijah Abdur-Rahman, Commissioner (District 6)

**INVOCATION:** Reverend Clifton Dawkins, Jr., County Chaplain

**PLEDGE OF ALLEGIANCE:** Recite in unison

### **ANNOUNCEMENTS**

PLEASE SWITCH ALL ELECTRONIC DEVICES (CELL PHONES, PAGERS, PDAs, ETC.) TO THE SILENT POSITION DURING THIS MEETING TO AVOID INTERRUPTIONS.

IF YOU NEED REASONABLE MODIFICATIONS DUE TO A DISABILITY, INCLUDING COMMUNICATIONS IN AN ALTERNATE FORMAT PLEASE CONTACT THE OFFICE OF THE CLERK TO THE COMMISSION. FOR TDD/TTY OR GEORGIA RELAY SERVICE ACCESS DIAL 711.

**CONSENT AGENDA****22-0106 Board of Commissioners**

Adoption of the Consent Agenda - All matters listed on the Consent Agenda are considered routine by the County Commission and will be enacted by one motion. No separate discussion will take place on these items. If discussion of any Consent Agenda item is desired, the item will be moved to the Recess Meeting Agenda for separate consideration.

**22-0107 Board of Commissioners**

Proclamations for Spreading on the Minutes.

Proclamation recognizing "Charletta Wilson Jacks Appreciation Day." **(Pitts)**  
February 1, 2022

Proclamation recognizing "Hasan Jelani Durley Remembrance Day."  
**(Abdur-Rahman)**  
February 5, 2022

Proclamation recognizing "Jerolyn Ferrari Appreciation Day." **(Hausmann/BOC)**  
February 11, 2022

Proclamation recognizing "Karen Jordan Appreciation Day." **(Pitts)**  
February 15, 2022

**Open & Responsible Government****22-0108 Finance**

Ratification of the January 2022 Grants Activity Report.

**22-0109 Finance**

Request approval of a Pension Salary Resolution to give a Cost of Living Adjustment (COLA) to those Defined Benefit Plan retirees who participated in pension plans that did not provide for an automatic cost of living increase.

**Arts and Libraries****22-0110 Library**

Request approval to accept name change and authorize the Library System and the Department of Purchasing & Contract Compliance to reflect the name change of The Foundation Center to Candid. Effective upon BOC approval.

**22-0111 Library**

Request approval to accept name change and authorize the Fulton County Library System and the Department of Purchasing & Contract Compliance to reflect the name change of Infogroup to Data Axel for online access to a database of consumer and business data that can be used for marketing, business research, and other analytical possibilities which is presently provided under the name Infogroup (DBA Data Axel) on the County's AML. Effective upon BOC approval.

**22-0112 Library**

Request approval to award a contract without competition - Fulton County Library System 21EF131840B, 2022 Edition of World Book Encyclopedia in an amount not to exceed \$20,000.00 with World Book, Inc., to provide patrons with a physical source of information for homework, research projects and fact searches for all ages. Effective upon BOC approval for a 12 month period.

**Health and Human Services****22-0113 Department for HIV Elimination**

Request approval to extend current Ryan White HIV/AIDS Program Emergency Relief Project Part A contracts for a period not to exceed three months and to provide no more than three months of continuation funding, in an amount not to exceed \$7,887,647.00, to avoid service interruption. Request authorization for the Chairman to execute contracts with selected subrecipients. To protect the interest of the County, the County Attorney is authorized to approve the contracts as to form and substance and make any necessary modifications thereto prior to execution by the Chair.

**Justice and Safety****22-0114 Police**

Request approval of the 2021 Equitable Sharing Agreement and Certification with the U.S. Department of Justice for the Fulton County Police Department, establishing the requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, or proceeds.

**RECESS MEETING AGENDA****22-0115 Board of Commissioners**

Adoption of the Recess Meeting Agenda.

**22-0116 Clerk to the Commission**

Ratification of Minutes.

Recess Meeting Minutes, January 19, 2022

Regular Meeting Post Agenda Minutes, February 2, 2022

Special Called Meeting Post Agenda Minutes, February 4, 2022

**22-0117 Board of Commissioners**

Presentation of Proclamations and Certificates.

Proclamation recognizing "Bridge of Light Appreciation Day." **(Hall)**

Proclamation recognizing "Winnie Varghese Appreciation Day." **(Hall)**

Proclamation recognizing "Larry Dingle Remembrance Day." **(Arrington/Hall)**

Proclamation recognizing "Pamela Stoner-Gay Appreciation Day." **(Arrington)**

Proclamation recognizing "Devotis Lee Appreciation Day." **(Abdur-Rahman)**

Proclamation recognizing "Jill Lindsey Appreciation Day." **(Abdur-Rahman)**

Presentation of Certificates: Youth Commission Induction Ceremony **(BOC)**

**PUBLIC HEARINGS****22-0118 Board of Commissioners**

Public Comment - Citizens are allowed to voice County related opinions, concerns, requests, etc. during the Public Comment portion of the Commission meeting.

**Speakers will be granted up to two minutes each. Members of the public will not be allowed to yield or donate time to other speakers. The Public Comment portion of the meeting will not exceed 30 minutes at the Regular Meeting, nor will this portion exceed thirty minutes at the Recess Meeting.** In the event the 30 minute time limit is reached prior to public comments being completed, public comment will be suspended and the business portion of the BOC meeting will commence. Public comment will resume at the end of the meeting. Similarly, written comments (that were timely submitted) not previously read, may be read at the end of the meeting. For more information or to arrange a speaking date, contact the Clerk's Office.

**COUNTY MANAGER'S ITEMS****Open & Responsible Government****22-0119 County Manager**

Presentation of COVID-19 Operational Response Update.

**22-0120 County Manager**

Request approval of a Resolution to extend emergency purchasing authority of the Chairman and County Manager for COVID-19 related purchases; and for other purposes.

**22-0121 Human Resources Management**

Request approval to modify the classification section of the Classification and Compensation plan by changing the title of the existing classification of Network Applications Coordinator to Technology Innovation and Support Manager, BOC.

**22-0122 Real Estate and Asset Management**

Request approval of spending authority - Real Estate and Asset Management, North Georgia Fuel Cooperative (NGFC) Contract #BL113-20, Gasoline and Diesel Fuel in the total amount of \$1,680,000.00 with: (A) James River Solutions, LLC, (Ashland, VA) in the amount of \$740,000.00; (B) Petroleum Traders Corporation (Fort Wayne, IN) in the amount of \$740,000.00; and (C) Colonial Oil Industries, Inc. (Savannah, GA) in the amount of \$200,000.00, to provide gasoline and diesel fuel for Fulton County. Effective dates: March 1, 2022 through February 28, 2023.

**22-0123 Real Estate and Asset Management**

Request approval of recommended proposals - Department of Real Estate and Asset Management, RFP#21RFP130182C-MH, General Landscaping & Lawn Care Services for Countywide Facilities in the total amount of \$1,300,000.00 with (A) ReIMAGE General Contractors, LLC (Atlanta, GA) in the amount of \$1,000,000.00, and (B) WorldScapes, LLC (Atlanta, GA) in the amount of \$300,000.00, to provide on-site landscape/ground maintenance and lawn care services for all 106 County-own sites to include the Fulton County Executive Airport - Charlie Brown Field. Effective upon execution of contracts through December 31, 2022, with two renewal options.

**22-0124 Real Estate and Asset Management**

Request approval of a recommended proposal - Department of Real Estate and Asset Management, RFP#21RFP131973C-MH, Bus and Shuttle Services in the amount of \$522,857.25 with MTI Limo and Shuttle Services, Inc. (College Park, GA), to provide bus and shuttle services for Fulton County employees and jurors. Effective dates: April 1, 2022 through December 31, 2022, with two renewal options.

**22-0125 Real Estate and Asset Management**

Request approval of a recommended proposal - Department of Real Estate and Asset Management, RFP#21RFP132087K-DB, Design/Build Services for the Fulton County Government Center Cooling Tower Repair and Retrofit, in the amount of \$1,677,706.00 with Mallory & Evans Service Company, Inc. (Scottsdale, GA), to provide complete design and construction services for the retrofit of the counter flow ceramic cooling tower serving the chiller plant and emergency generators at the Fulton County Government Center Complex located at 141 Pryor Street, Atlanta, Georgia 30303. Effective upon issuance of Notice to Proceed for a period of 210 calendar days or until contract completion as determined by the County.

**Infrastructure and Economic Development****22-0126 Select Fulton**

Request approval to award a contract without competition - Select Fulton, 22EF1212022B, Community Navigator Pilot Program, in the amount not to exceed \$1,000,000.00, with the Greater South Fulton Chamber of Commerce, to provide small business technical assistance and counseling services to no less than 300 firms located in South Fulton. Effective dates: December 1, 2021 through December 31, 2023, in order to align with the grant award contract term.

**22-0127 Public Works**

Request approval of a Resolution by the Fulton County Board of Commissioners authorizing the Imposition of a 0.40 percent Transportation Special Purpose Local Option Sales and Use Tax (T-SPLOST) on behalf of the City of Atlanta for transportation purposes; specifying the specific transportation purposes to be funded within the City of Atlanta; specifying the approximate costs of such transportation purposes; specifying the maximum period of time the tax may be imposed; specifying the list of projects and purposes qualifying as transportation purposes to be funded; requesting the Elections Superintendent to call for a ballot referendum to approve the imposition of such sales and use tax; approving the form of the ballot; and for other purposes.

**Justice and Safety****22-0128 Police**

Request approval of an alcohol beverage license application submitted by Shoe Crazy Wine LLC., for the wholesale of wine located at 3800 Wendell Drive Suite 406, Atlanta, Ga. 30336.

**COMMISSIONERS' ACTION ITEMS****22-0096 Board of Commissioners**

Discussion and request approval of a Resolution approving updates to Fulton County's Sustainability Plan and Goals for the purpose of accelerating the path towards increased sustainability by 2030 in Fulton County; and for other purposes. **(Pitts/Morris/Hall) (HELD ON 2/2/22)**

**22-0097 Board of Commissioners**

Request approval of a Resolution by the Board of Commissioners of Fulton County to provide initial fiscal resources to fund the Fulton Technology and Energy Enhancement Authority; and for other purposes. **(Abdur-Rahman) (HELD ON 2/2/22)**

**22-0129 Board of Commissioners**

Request approval of a Resolution pursuant to O.C.G.A. ss 15-18-19 (e) (6), 15-6-27(h) and 15-6-28 to approve salary supplements for State paid staff in the office of the District Attorney and State paid staff employed by the Chief Superior Court Judge. **(Hall)**

**COUNTY MANAGER'S PRESENTATION AND DISCUSSION ITEMS****Open & Responsible Government****22-0130 External Affairs**

Presentation of 2022 Legislative Agenda.

**COMMISSIONERS' PRESENTATION AND DISCUSSION ITEMS****22-0131 Board of Commissioners**

Discussion: Atlanta BeltLine, Inc. February 9, 2022 CEO Report **(Morris)**

**22-0132 Board of Commissioners**

Discussion: Update of activities of the City of Atlanta and Fulton County Recreation Authority (AFCRA). **(Arrington)**

**22-0133 Board of Commissioners**

Discussion: Safety and security of Fulton County employees, staff and officers; the process of allocation and approval of resources for protection thereof. **(Abdur-Rahman)**

**22-0134 Board of Commissioners**

Discussion: Information Technology Roadmap Update **(Hall)**

**EXECUTIVE SESSION**

**22-0135 Board of Commissioners**

Executive **(CLOSED)** Sessions regarding litigation **(County Attorney)**, real estate **(County Manager)**, and personnel **(Pitts)**.

**ADJOURNMENT**





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0107

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Proclamations for Spreading on the Minutes.

Proclamation recognizing “Charletta Wilson Jacks Appreciation Day.” **(Pitts)**  
February 1, 2022

Proclamation recognizing “Hasan Jelani Durley Remembrance Day.” **(Abdur-Rahman)**  
February 5, 2022

Proclamation recognizing “Jerolyn Ferrari Appreciation Day.” **(Hausmann/BOC)**  
February 11, 2022

Proclamation recognizing “Karen Jordan Appreciation Day.” **(Pitts)**  
February 15, 2022





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0108

**Meeting Date:** 2/16/2022

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### Department

Finance

**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Ratification of the January 2022 Grants Activity Report.

**Requirement for Board Action** *(Cite specific Board policy, statute or code requirement)*

Grants Policy A(10): All grant applications and awards must be presented via the Grants Activity Report on the Consent Agenda during the Board of Commissioners' Regular or Recess meetings. The Board of Commissioners shall utilize the Grants Activity Report to ratify the submission of all grant applications and acceptance of all grant funding.

**Strategic Priority Area related to this item** *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

All Districts ☒

District 1 ☐

District 2 ☐

District 3 ☐

District 4 ☐

District 5 ☐

District 6 ☐

### Is this a purchasing item?

No

**Summary & Background** *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

The Fulton County January 2022 Grants Activity Report (GAR) Exhibit 1: BOARD GRANTS RATIFICATION SUMMARY summarizes grants submitted/pending and awarded for the period January 1, 2022 through January 31, 2022. Fulton County departments report the following grants activity:

- Applications Submitted/Pending: 5 (\$140,940.00 + \$500.00 Cash Match)
- Applications Awarded: 3 (\$52,890.12 + \$15,412.36 Cash Match)

The following Strategic Priority Areas are Impacted by January 2022 grant applications:

- Justice and Safety
- Arts and Libraries
- Open and Responsible Government

The Fulton County January 2022 Grants Activity Report (GAR) Exhibit 2: ALL GRANTS ACTIVITY summarizes cumulative grants activity through January 31, 2022. Fulton County departments report the following grants activity:

- Total Applications Submitted/Pending: 22 (\$82,343,399.34+ \$500.00 Cash Match)
- Total Applications Awarded: 3 (\$52,890.12 + \$15,412.36 Cash Match)
- Total Grant Applications Denied: 0

**Scope of Work:** Click or tap here to enter text.

**Community Impact:** Click or tap here to enter text.

**Department Recommendation:** Department Recommendation: Department recommends ratification of the January 2022 Grants Activity Report (GAR).

**Project Implications:**

**Community Issues/Concerns:**

**Department Issues/Concerns:**



# **FULTON COUNTY FY2021 GRANTS ACTIVITY REPORT January 2022**

Presented to:  
Fulton County Board of Commissioners  
Wednesday, February 16, 2022  
Recess Meeting

*Provided by: Fulton County Finance Department, Grants Administration Division*



# Exhibit 1: Board Grants Ratification Summary

## Grants Submitted and/or Awarded January 1, 2022 Through January 31, 2022

Exhibit 1 lists by Strategic Goal grants that require BOC ratification. Per the Fulton County Grants Policy approved 3/2/2016, Section A(10), “all grant applications and awards must be presented via the Grants Activity Report on the Consent Agenda during the Board of Commissioners' Regular or Recess meetings. The Board of Commissioners shall utilize the Grants Activity Report to ratify the submission of all grant applications and acceptance of all grant funding.”

# EXHIBIT 1: BOARD GRANTS RATIFICATION SUMMARY

## Fulton County FY2022 January Grants Activity Report

Exhibit 1 lists by Strategic Goal grant applications that require BOC ratification. Per the Fulton County Grants Policy approved 3/2/2016, Section A(10), "all grant applications and awards must be presented via the Grants Activity Report on the Consent Agenda during the Board of Commissioners' Regular or Recess meetings. The Board of Commissioners shall utilize the Grants Activity Report to ratify the submission of all grant applications and acceptance of all grant funding."

Grant Applications Submitted and/or Awarded January 1, 2022 Through January 31, 2022 Requiring BOC Ratification						
Dept.	Grantor	Grant Title	Grant Description	Funds Requested	County Match	Status
JUSTICE AND SAFETY						
District Attorney	GEMA	Technology Grant	Request approval to apply and accept a new grant in the amount of \$50,000 from GEMA to purchase the Formulytics System. Formulytics is an investigative tool that maximizes case preparation to enhance gang prosecution by the Office of the Fulton County District Attorney. The software system is unique and was developed in tandem with the Atlanta Police Department. No County Cash Match.	\$ 50,000.00	\$ -	Pending
District Attorney	Criminal Justice Coordinating Council	Law Enforcement Training Grant	Request approval to apply and accept a new Law Enforcement Training Grant from CJCC in the amount of \$46,140. The funding will provide training and Tasers for investigators. De-escalation and use of force training teaches officers to sow down and use communication techniques to defuse potentially dangerous situations. No County Cash Match.	\$ 46,140.00	\$ -	Pending
Marshal	United States Marshals Service	Regional Fugitive Task Force	Request approval to accept repeat funding in the amount of \$19,372 from the United States Marshals Service for participation in the Regional Fugitive Task Force, retroactive to October 12, 2021 through September 30, 2022. The funding reimburses the County for overtime for an assigned investigator providing full-time support to the task force. No County Cash Match.	\$ 19,372.00	\$ -	Awarded
Solicitor General	Georgia Department of Human Services	Child Support Services	Request approval to accept repeat funding in the amount of \$29,918.12 to support a part-time attorney to handle Child Support cases, effective July 1, 2022 through June 30, 2023. The grant requires a cash match in the amount of \$15,412.36. County Cash Match: \$15,412.36	\$ 29,918.12	\$ 15,412.36	Awarded
Subtotal:				\$ 145,430.12	\$ 15,412.36	
HEALTH AND HUMAN SERVICES						
ARTS AND LIBRARIES						
Arts and Culture	Microsoft Corporation	Public Arts Grant	Request approval to apply and accept a new grant in the amount of \$40,000 from the Microsoft Corporation to support the soon to launch Public Arts Futures Lab. No County Cash Match.	\$ 40,000.00	\$ -	Pending
Arts and Culture	National Arts Program Foundation	National Arts Program	Request approval to accept up to \$3,600 in repeat funding from the National Arts Program Foundation to support Fulton County's National Arts Program Employee Exhibition and Awards, May 1 - May 31, 2022. No County Cash Match.	\$ 3,600.00	\$ -	Awarded
Subtotal:				\$ 43,600.00	\$ -	
INFRASTRUCTURE AND ECONOMIC DEVELOPMENT						
OPEN AND RESPONSIBLE GOVERNMENT						
External Affairs	ACCG Civic Affairs Foundation	Georgia County Internship Program (GCIP)	Request approval to apply and accept a new grant from the ACCG Civic Affairs Foundation, in the amount of \$2,400 to fund a summer internship within the Department of External Affairs. The intern will be afforded opportunities to help research new legislative issues for the upcoming session. County Cash Match: \$500.00	\$ 2,400.00	\$ 500.00	Pending
Finance	ACCG Civic Affairs Foundation	Georgia County Internship Program (GCIP)	Request approval to apply and accept a new grant from the ACCG Civic Affairs Foundation, in the amount of \$2,400 to fund a summer internship within the Finance Department, Benefits Division. The intern will work as a Wellness and Fitness Coordinator and gain hands-on work experience in the area of exercise science. No County Cash Match.	\$ 2,400.00	\$ -	Pending
Subtotal:				\$ 4,800.00	\$ 500.00	
REGIONAL LEADERSHIP						
TOTAL:				\$ 193,830.12	\$ 15,912.36	



## Exhibit 2: All Grants Activity

Cumulative Through January 31, 2022

Exhibit 2 shows, for all grant-active departments, the cumulative grants activity and the current period grants activity.  
Total grants broken out by grants still pending, grants awarded, and grants denied.  
Grants awarded broken out by new vs. renewal and competitive vs formula.

**EXHIBIT 2: ALL GRANTS ACTIVITY**  
**CUMULATIVE & CURRENT PERIOD (AS OF January 31, 2022)**

*Exhibit 2 shows, for all grant-active departments, the cumulative grants activity and the current period grants activity.*

*Total grants broken out by grants still pending, grants awarded, and grants denied. Grants awarded broken out by new vs. renewal and competitive vs formula.*

ALL GRANTS ACTIVITY						
^All Grants	Prior Period Grants	Prior Period Funds	Current Period Grants: 1/1/2022-1/31/2022	Current Period Funds: 1/1/2022-1/31/2022	Cumulative Total Grants	Cumulative Total Funds
Grants Pending^	17	\$ 82,202,459.34	5	\$ 140,940.00	22	\$ 82,343,399.34
Grants Awarded	0	\$ -	3	\$ 52,890.12	3	\$ 52,890.12
Grants Denied**	0	\$ -	-	\$ 15,912.36	0	\$ 15,912.36
Cash Match Requested-2022	-	\$ -	-	\$ -	-	\$ -
<b>Total:</b>	<b>17</b>	<b>\$ 82,202,459.34</b>	<b>8</b>	<b>\$ 193,830.12</b>	<b>25</b>	<b>\$ 82,412,201.82</b>

ALL GRANTS AWARDED, NEW VS. RENEWAL						
All Grants Awarded	Prior Period Grants	Prior Period Funds	Current Period Grants: 1/1/2022-1/31/2022	Current Period Funds: 1/1/2022-1/31/2022	Cumulative Total Grants	Cumulative Total Funds
New Grant Awards	0	\$ -	0	\$ -	0	\$ -
Renewal/Repeat Grant Awards	0	\$ -	3	\$ 52,890.12	3	\$ 52,890.12
<b>Total:</b>	<b>0</b>	<b>\$ -</b>	<b>3</b>	<b>\$ 52,890.12</b>	<b>3</b>	<b>\$ 52,890.12</b>

ALL GRANTS AWARDED, COMPETITIVE VS. FORMULA						
All Grants Awarded	Prior Period Grants	Prior Period Funds	Current Period Grants: 1/1/2022-1/31/2022	Current Period Funds: 1/1/2022-1/31/2022	Cumulative Total Grants	Cumulative Total Funds
Competitive Grant Awards	0	\$ -	1	\$ 3,600.00	1	\$ 3,600.00
Formula Grant Awards^^	0	\$ -	2	\$ 49,290.12	2	\$ 49,290.12
<b>Total:</b>	<b>0</b>	<b>\$ -</b>	<b>3</b>	<b>\$ 52,890.12</b>	<b>3</b>	<b>\$ 52,890.12</b>

^Includes 17 grants that were pending at the end of 2021 and carried forward for tracking in 2022.

^^Formula grant awards include noncompetitive grants and allocations.





# Fulton County Board of Commissioners

## Agenda Item Summary

**Agenda Item No.:** 22-0109

**Meeting Date:** 2/16/2022

### Department

Finance

### **Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Pension Salary Resolution to give a Cost of Living Adjustment (COLA) to those Defined Benefit Plan retirees who participated in pension plans that did not provide for an automatic cost of living increase.

### **Requirement for Board Action** *(Cite specific Board policy, statute or code requirement)*

Cost of Living Adjustments for retirees without automatic COLA increases within the Pension Plans they participated in require Fulton County Board of Commissioners approval.

### **Strategic Priority Area related to this item** *(If yes, note strategic priority area below)*

**Open and Responsible Government**

### **Summary & Background** *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

**Scope of Work:** The purpose of this resolution is to request a three percent (3%) Cost of Living Adjustment (COLA) increase effective April 1, 2022 to the pension benefits of eligible Defined Benefit Pension Plan retirees and beneficiaries, who are entitled to receive pension payments from the Fulton County General Employees' Pension Fund, the Fulton County Judges and Solicitors' General Retirement Fund, the Public Safety Fund and those whose pensions are payable directly from County funds who are not eligible to receive automatic COLA increases. The resolution calls for a monthly increase by the greater of THREE PERCENT (3%) or TEN DOLLARS (\$10.00). The 3% COLA that is being recommended is the same percentage that was received effective January 1, 2022, by those retirees and beneficiaries in the Fulton County Employees Retirement System 1982, 1991 and 1991 Enhanced Defined Benefit Plans, which provides an automatic 3% COLA increase if the Consumer Price Index is positive year-over-year.

**Community Impact:** The estimated cost of this request is \$117,587.10; funding is available in FY2022 budget to pay for it.

**Department Recommendation:** The Finance Department recommends approval of the 3% COLA increase effective April 1, 2022, to those eligible retirees and beneficiaries.

**Project Implications:** None

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**Agenda Item No.:** 22-0109

**Meeting Date:** 2/16/2022

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**Community Issues/Concerns:** None

**Department Issues/Concerns:** None

1                   **A RESOLUTION PROVIDING FOR AN INCREASE IN**  
2                   **PENSION BENEFITS**

3  
4           **WHEREAS**, there are numerous employees of Fulton County who have retired on small  
5 pensions, and who have the need for increased pension benefits.

6           **NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Fulton  
7 County pursuant to the authority contained in the amendment to the Constitution of Georgia  
8 appearing in Ga. **Laws 1974, page 1809**, as follows:

9                   **SECTION I**

10           Effective April 1, 2022, the pension benefits of all retired individuals, including  
11 beneficiaries, who are entitled to receive pension payments from the Fulton County General  
12 Employees' Pension Fund, the Fulton County Judges and Solicitors' General Retirement Fund, or  
13 the Public Safety Fund who are not eligible to receive cost of living increases, and also, individuals  
14 whose pensions are payable directly from County funds, are hereby increased by the greater of  
15 three percent (3%) or TEN DOLLARS (\$10.00) per month.

16                   **SECTION II**

17           The minimum pension for all eligible retirees and beneficiaries under the Fulton County  
18 General Employees' Pension Act, the Fulton County Judges and Solicitors' General Retirement  
19 Fund, the Public Safety Fund, the 1982 and 1991 Laws, shall be increased by three percent (3%)  
20 effective April 1, 2022. The minimum retiree monthly pension amount shall be increased to FIVE  
21 HUNDRED ONE DOLLAR AND TWENTY ONE CENTS [\$501.21]. The minimum beneficiary  
22 monthly death benefit pension amount shall be increased to THREE HUNDRED FORTY  
23 DOLLARS AND SEVENTY ONE CENTS [\$340.71].

24  
25                   **SECTION III**

1 All funds necessary to pay the increased benefits authorized by this Resolution, shall be  
2 paid from General Funds of Fulton County.

3 **SECTION IV**

4 This Resolution shall become effective on the 1<sup>st</sup> day of April, 2022.

5 **SPONSORED BY:**

6  
7  
8  
9  
10 \_\_\_\_\_  
11 Robert L. Pitts, Chairman  
12 Fulton County Board of Commissioners  
13

14 **ATTEST:**

15  
16  
17  
18 \_\_\_\_\_  
19 Tonya Grier,  
20 Clerk to the Commission  
21

22 **APPROVED AS TO FORM:**

23  
24  
25  
26 \_\_\_\_\_  
27 Y. Soo Jo, County Attorney





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0110

**Meeting Date:** 2/16/2022

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### Department

Library

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to accept name change and authorize the Library System and the Department of Purchasing & Contract Compliance to reflect the name change of The Foundation Center to Candid. Effective upon BOC approval.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Arts and Libraries

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

No

### Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Candid provides statistical research on grants, foundations, and nonprofits. Patrons utilize this research to verify that certain organizations are legitimate and that they are actually functioning as intended. This is a popular research tool amongst college students and entrepreneurs.

**Scope of Work:** Candid provides data tools on nonprofits, foundations and grants. This company

finds out “where money comes from, where it goes, and why it matters.” The Fulton County Library system will make this data accessible to citizens of Fulton County.

**Community Impact:** Fulton County citizens are will not has access to statistical information that can be used for consumers, businesses, and students.

**Department Recommendation:** The Fulton County Library System recommends approval.

**Project Implications:** The Fulton County Library System will lose a great source of data that is already mined and is available under one roof.

**Community Issues/Concerns:** There are no community issues

**Department Issues/Concerns:** There are no departmental issues

**Contract Modification:**

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

Not Applicable

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: W9 for Candid

Exhibit 2: Candid NY Certificate of Existence

Exhibit 3: Candid name change notification letter

**Contact Information** *(Type Name, Title, Agency and Phone)*

Jamar Parker, Library Financial Systems Manager 404-771-7578

**Contract Attached**

No

**Previous Contracts**

No

**Total Contract Value**

Original Approved Amount:

Previous Adjustments:

This Request:

TOTAL:

**Grant Information Summary**

Amount Requested:

Match Required:

Start Date:

End Date:

Match Account \$:

- ☐ Cash
- ☐ In-Kind
- ☐ Approval to Award
- ☐ Apply & Accept

**Fiscal Impact / Funding Source**

This action has no fiscal impact.

Key Contract Terms	
<b>Start Date:</b> Upon BOC approval	<b>End Date:</b>
<b>Cost Adjustment:</b>	<b>Renewal/Extension Terms:</b>

**Overall Contractor Performance Rating:****Would you select/recommend this vendor again?**

Yes

**Report Period Start:**      **Report Period End:**

# Request for Taxpayer Identification Number and Certification

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Give Form to the  
requester. Do not  
send to the IRS.

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.  
**Candid.**

**2** Business name/disregarded entity name, if different from above

**3** Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC

☒ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

**Note:** Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) **5**

Exemption from FATCA reporting code (if any)

(Applies to accounts maintained outside the U.S.)

**5** Address (number, street, and apt. or suite no.) See instructions.  
**32 Old Slip, Floor 24**

**6** City, state, and ZIP code  
**New York, NY 10005**

**7** List account number(s) here (optional)

**Requester's name and address (optional)**

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

**Social security number**

			-			-				
--	--	--	---	--	--	---	--	--	--	--

**OR**

**Employer identification number**

1	3	-	1	8	3	7	4	1	8
---	---	---	---	---	---	---	---	---	---

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here**

Signature of U.S. person ► *John Lee*

Date ► *4/21/2021*

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
  - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
  - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
  - Form 1099-S (proceeds from real estate transactions)
  - Form 1099-K (merchant card and third party network transactions)
  - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

SS.:

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the University of the State of New York and of the State Education Department at the City of Albany, New York on this 30<sup>th</sup> day of April, 2020.



Amir

26

# Candid.

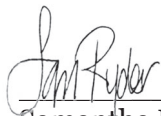
Candid  
32 Old Slip  
24<sup>th</sup> FL  
New York, NY  
10005

Atlanta Fulton Public Library  
1 Margaret Mitchell Sq  
Atlanta, GA 30303

January 25, 2022

Dear recipient:

On September 19<sup>th</sup>, 2019, Foundation Center legally changed its name to Candid. Candid will continue to operate as a 501 © 3 under the same EIN 13-1837418. Please see the accompanying certificate and charter amendment from the state of New York.



---

Samantha Ryder

Candid  
Senior Manager of Network Engagement





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0111

**Meeting Date:** 2/16/2022

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### Department

Library

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to accept name change and authorize the Fulton County Library System and the Department of Purchasing & Contract Compliance to reflect the name change of Infogroup to Data Axel for online access to a database of consumer and business data that can be used for marketing, business research, and other analytical possibilities which is presently provided under the name Infogroup (DBA Data Axel) on the County's AML. Effective upon BOC approval.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Arts and Libraries

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

No

### Summary & Background

The Fulton County Library System recommends the acceptance of the name change for Data Axel. Infogroup (DBA Data Axle) is the sole compiler and publisher of its US Business database. As the original compiler and publisher, Infogroup (DBA Data Axel) does not aggregate from third parties. Infogroup is the sole owner, publisher and licensor of our data. Being the original compiler and publisher of this data, and having a unique proprietary compilation process, Infogroup (DBA Data Axel) maintains a sole source provider status for US Business data.

**Scope of Work:** Infogroup (dba Data Axle) compiles Consumer/Residential data from 5,000 unique sources. The Fulton County Library system will make this data accessible to citizens of Fulton County.

**Community Impact:** Fulton County citizens are will not has access to statistical information that can be used for consumers, businesses, and students.

**Department Recommendation:** The Fulton County Library System recommends the approval of this name change.

**Project Implications:** The Fulton County Library System will lose a great source of data that is already mined and is available under one roof if the name change is not approved to reflect the correct vendor name.

**Community Issues/Concerns:** There are no community issues.

**Department Issues/Concerns:** There are no departmental issues.

**Contract Modification:** Name change only.

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*  
Not Applicable

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: W9 for Data Axel

Exhibit 2: Letter to customers for Data Axle

**Contact Information** *(Type Name, Title, Agency and Phone)*  
Jamar Parker, Library Financial Systems Manager 404-771-7578

**Contract Attached**  
No

**Previous Contracts**  
No

**Total Contract Value**  
Original Approved Amount: Click here to enter text.  
Previous Adjustments: Click here to enter text.  
This Request: Click here to enter text.  
TOTAL: Click here to enter text.

**Grant Information Summary**

Amount Requested: Click here to enter text. ☐ Cash  
Match Required: Click here to enter text. ☐ In-Kind

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**Agenda Item No.:** 22-0111

**Meeting Date:** 2/16/2022

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Start Date: Click here to enter text.

☐ Approval to Award

End Date: Click here to enter text.

☐ Apply & Accept

Match Account \$: Click here to enter text.

**Fiscal Impact / Funding Source**

This action has no fiscal impact.

Key Contract Terms	
<b>Start Date:</b> Upon BOC approval	<b>End Date:</b> Click here to enter a date.
<b>Cost Adjustment:</b> Click here to enter text.	<b>Renewal/Extension Terms:</b> Click here to enter text.

**Overall Contractor Performance Rating:**

**Would you select/recommend this vendor again?**

Yes

**Report Period Start:**      **Report Period End:**

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Data Axle, Inc.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions. 1001 Fort Crook Road North, Suite 150L	Requester's name and address (optional)
	6 City, state, and ZIP code Bellevue, NE 68005	
7 List account number(s) here (optional)		

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
			-				-		
or									
Employer identification number									
4	7		-	0	7	5	1	5	4

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► 	Date ► 12/7/21
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## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*



September 9, 2020

Dear Customer,

We hope you are doing well and staying safe during these times. In a world full of chaos and uncertainty, we could all use some exciting news. That said, we are pleased to announce the rebranding of our company. Effective immediately, Infogroup Inc. is now Data Axle Inc. We always look for ways to move our company forward, and this rebranding takes us another step forward.

This marketing effort is a name change only. The tax identification and corporate structure of our company remain the same. We have attached an updated W-9, Delaware Certificate of Good Standing, and our name change filing. In the coming weeks you will see our websites and branding change to Data Axle. Unless your company requires a different approach, Data Axle will update our contracts upon renewals or other necessary amendments.

If you have any questions regarding the legal or contractual implications of the name change, please do not hesitate to contact me. We look forward to continuing to support you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amy Janeiro".

Amy Janeiro  
Data Axle Inc. (formerly Infogroup, Inc.)  
Associate General Counsel  
Amy.janeiro@infogroup.com





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0112

Meeting Date: 2/16/2022

### Department

Library

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to award a contract without competition - Fulton County Library System 21EF131840B, 2022 Edition of World Book Encyclopedia in an amount not to exceed \$20,000.00 with World Book, Inc., to provide patrons with a physical source of information for homework, research projects and fact searches for all ages. Effective upon BOC approval for a 12 month period.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with the Purchasing Code Sections 102-384, after conducting a good faith review, the Purchasing Department has determined that there is only one source available for the required supply, service or construction item, the request shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Arts and Libraries

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

Yes

**Summary & Background** Fulton County is seeking to purchase 10 sets of the World Book Encyclopedias to be distributed throughout the Fulton County Library System. World Book, Inc is a sole source supplier of digital and physical products.

**Scope of Work:** This action allows the library to provide the most updated selection of encyclopedias. These selections are updated on an annual basis.

**Community Impact:** Fulton County citizens can access research data from a reliable information

source.

**Department Recommendation:** The Fulton County Library System recommends approval for sole source of recommended vendor.

**Project Implications:** Fulton County is the largest county in Georgia and not providing this service would negatively impact a wide range of Fulton County citizens in every Fulton area code.

**Community Issues/Concerns:** There are no Community Issues/Concerns

**Department Issues/Concerns:** There are no Department Issues/Concerns

**Contract Modification:** This is a new procurement.

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

Not Applicable

### **Exhibits Attached**

Exhibit 1: World Book Quote

Exhibit 2: World Book Digital List of Products

Exhibit 3: Sole Source Justification Form

**Contact Information** *(Type Name, Title, Agency and Phone)*

Jamar Parker, Financial Systems Manager 404-771-7578

### **Contract Attached**

No

### **Previous Contracts**

No

### **Total Contract Value**

Original Approved Amount:	\$0.00
Previous Adjustments:	\$0.00
This Request:	\$20,000.00
TOTAL:	\$20,000.00

### **Grant Information Summary**

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**Agenda Item No.:** 22-0112

**Meeting Date:** 2/16/2022

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Amount Requested:

☐ Cash

Match Required:

☐ In-Kind

Start Date:

☐ Approval to Award

End Date:

☐ Apply & Accept

Match Account \$:

## **Fiscal Impact / Funding Source**

### **Funding Line 1:**

100-650-6565-1312: General Fund - Library - Library-Public Service Operations- Books-Library

<b>Key Contract Terms</b>	
<b>Start Date:</b> Upon BOC approval	<b>End Date:</b> One Year Term
<b>Cost Adjustment:</b>	<b>Renewal/Extension Terms:</b> No Extension/No Renewal

### **Overall Contractor Performance Rating:**

**Would you select/recommend this vendor again?**

Yes

**Report Period Start:**

Upon Approval

**Report Period End:**

12/31/2021



*a Scott Fetzer company*

180 N. LaSalle St., Suite 900  
Chicago, IL 60601 U.S.A.  
(312) 729-5800 phone (312) 729-5600 fax

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## 2021 – 2022 School Year

### Attn: All Schools and Public Libraries in the United States

World Book, Inc. is the publisher and/or sole source of supply to schools and public libraries in the United States for the following publications through copyright ownership or exclusive distribution contract with copyright owner:

### DIGITAL PRODUCTS

Activity Corner (World Book Online)  
Advanced by World Book (World Book Online)  
Banco de Contenidos: aulaPlaneta -- Spanish (a)  
Discover (World Book Online)  
Dramatic Learning (World Book Online)  
Early Learning by World Book (World Book Online)  
Enciclopedia Estudiantil Hallazgos (World Book Online)  
L'Encyclopédie Découverte (World Book Online)  
Kids by World Book (World Book Online)  
Kids eLearn (World Book Online)  
Student by World Book (World Book Online)  
Timelines (World Book Online)  
Wizard (World Book Online)

Discovery Encyclopedia, The World Book (set)  
Discovery Science Encyclopedia, The WB (set)  
Earth's Changing Climate (set)  
Food Brands We Love (set) WB branded ed (g)  
Fun With Colors (set) World Book branded ed (g)  
How I Changed the World (set)  
History Summarized (set)  
Lost & Found (set)  
Minding Emotions (set) World Book branded ed. (g)  
Natural Disasters, World Book's Library of (set)  
Natural Marvels (set)  
Our Solar System (set)  
Out of This World (set)  
Out of This World 2 (set)  
Robots (set)  
The Sky's the Limit (set) World Book branded ed. (g)  
Social and Emotional Learning Collection WB ed. (g)  
Sports Superstars (set) WB branded ed (f)  
Survival Stories (set) World Book branded editions (f)  
Taste the World! (set)  
That's Disgusting (set) World Book branded ed. (f)  
A Timeline of... (set)  
True or False? (set)  
Ultimate Supercars (set) WB branded ed. (f)  
Ugh! Yuck! And Whoa! (set)  
Where in the World Can I... (set)  
Where Does It Come From (set) WB branded ed. (g)  
The World Book Encyclopedia (current year set)  
World Book Library of Natural Disasters (set)  
The World Book Year Book -- (current edition)

### PRINT PRODUCTS

Abnormal Field Guides to Cryptic Creatures (set)  
Action Sports (set) WB branded edition (f)  
The Adventures of Young H. C. Andersen  
Answer Me This, World Book (set)  
Atlas of the World (d)  
Ayo's Awesome Adventures (set)  
Be A Leader (set) (g)  
Bolt 1 (sets) – World Book branded editions (e)  
Bolt 2 (sets) – World Book branded editions (e)  
Bolt 3 (sets) – World Book branded editions (e)  
Bolt 4 (sets) – World Book branded editions (e)  
Bolt Spanish (sets) – World Book branded editions (e)  
Building Blocks of Computer Science (set)  
Cool Tech (set)  
Destination Pennsylvania Avenue  
Dinosaurs! (set) (b)  
Dirt Bike Crazy (set) WB branded edition (f)

## KEY:

- (a) Grupo Planeta
- (b) Amber Books
- (c) N/A
- (d) Dorling Kindersley
- (e) Black Rabbit Books
- (f) Kaleidoscope Books
- (g) Jump!

This constitutes the official and authorized sole source letter issued by World Book, Inc. Valid as of June 1, 2021. Sole source status for all listed sets and products refers to the most current copyright year available only.

NB: Not all titles available at all times.



Donald D. Keller  
Vice President, Finance  
World Book, Inc.  
180 N. LaSalle Street  
Suite 900  
Chicago, IL 60601  
312-729-5800

World Book Inc.  
180 N LaSalle Street, Suite 900  
Chicago, IL 60601  
Phone: (800) 975-3250  
Fax: (888) 922-3766  
<http://www.worldbook.com>

## Quote Details

Presented By:	Michele Hamer	Quotation Date	8/25/2021
Title	Sales Rep	Valid Until Date	9/30/2021
Email	michele.hamer@worldbook.com	WB Acct No	L6840
Bill To Name	Fulton County Public Library	Ship To Name	Fulton County Public Library
Bill Attn To	Bernice Truitt	Ship Attn To	Bernice Truitt
Bill To	1 MARGARET MICHELL SQ ATLANTA, Georgia 30303 United States	Ship To	1 MARGARET MICHELL SQ ATLANTA, Georgia 30303 United States

SKU	Product	Quantity	Sales Price	Subtotal
10049	World Book Encyclopedia 2022	10.00	USD 999.00	USD 9,990.00
		Subtotal	USD 9,990.00	
		Grand Total	USD 9,990.00	

## Payment Option

<p><input type="checkbox"/> Invoice the Institution listed above Purchase Order Required?  <input type="checkbox"/> Yes, Purchase Order #: _____  <input type="checkbox"/> No</p> <p><input type="checkbox"/> Check or Money Order Make Checks payable to World Book Inc.</p>	<p><input type="checkbox"/> Credit Card World Book accepts most Credit Cards. Enter your contact information and you will be contacted to complete your transaction.</p> <p>Print Name _____</p> <p>Phone _____</p>
---	---

## Order Instruction

To place an order:

1. Fax to (888) 922-3766, or
2. Mail to: World Book, Inc. Attn: Order Processing 180 N LaSalle Street, Suite 900 Chicago, IL 60601

## Terms & Condition

Standard Shipping & Handling Is Included in all prices. Prices are subject to change without notice. School / Library orders directly billed or under a purchase order are net 30 days form date of Invoice. Taxes will apply unless valid Tax Exemption ID is provided. This order is subject to acceptance in Chicago, IL. For full Terms and Conditions see <http://worldbook.com/terms-conditions>.

## Signature

I confirm that I am authorized by the above Institution to make this purchase and that the institution will be responsible for the balance due in accordance with the terms specified.

Authorized Signature \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Date \_\_\_\_\_



## JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION

### SECTION A

**Department:** *Fulton County Library*

**Department Contact:** *Jamar Parker*

**Description of Supplies/Services:** *Encyclopedias*

**Demonstration of Contractor's Unique Qualifications:**

*Encyclopedias are used for homework, research projects, and quick fact checks by all ages visiting the library. World Book publishes an encyclopedia with content and writing that is accessible for all ages and is updated on a yearly basis. World Book, Inc. is the publisher and/or sole source of supply to schools and public libraries in the United States for the following publications through copyright ownership or exclusive distribution contract with copyright owner. Sole source status for all listed sets and products refers to the most current copyright year available only. Not all titles available at all times.*

**DIGITAL PRODUCTS:** Activity Corner (World Book Online), Advanced by World Book (World Book Online), Banco de Contenidos: aulaPlaneta -- Spanish (a), Discover (World Book Online), Dramatic Learning (World Book Online), Early Learning by World Book (World Book Online), Enciclopedia Estudiantil Hallazgos (World Book Online), L'Encyclopédie Découverte (World Book Online), Kids by World Book (World Book Online), Kids eLearn (World Book Online), Student by World Book (World Book Online), Timelines (World Book Online), Wizard (World Book Online)

**PRINT PRODUCTS:** Abnormal Field Guides to Cryptic Creatures (set), Action Sports (set) WB branded edition (f), The Adventures of Young H. C. Andersen, Answer Me This, World Book(set), Atlas of the World (d), Ayo's Awesome Adventures(set), Be A Leader(set) (g), Bolt 1 (sets) - World Book branded editions(e), Bolt 2 (sets) — World Book branded editions(e), Bolt 3 (sets) — World Book branded editions(e), Bolt 4 (sets) — World Book branded editions(e), Bolt Spanish (sets) — World Book branded editions(e), Building Blocks of Computer Science (set), Cool Tech (set), Destination Pennsylvania Avenue, Dinosaurs! (set) (b), Dirt Bike Crazy (set) WB branded edition (f), Discovery Encyclopedia, The World Book (set), Discovery Science Encyclopedia, The WB (set), Earth's Changing Climate (set), Food Brands We Love (set) WB branded ed (g), Fun With Colors (set) World Book branded ed (g), History Summarized (set), Lost & Found (set), Minding Emotions (set), World Book branded ed. (g), Natural Disasters, World Book's Library of (set), Natural Marvels (set), Our Solar System (set), Out of This World (set), Out of This World 2 (set), Robots (set), The Sky's the Limit (set). World Book branded ed. (g), Social and Emotional Learning Collection WB ed. (g), Sports Superstars (set( WB branded (f)), Survival Stories (set) World Book branded editions (f), Taste the World! (set), That's Disgusting (set) World Book branded ed. (f), A Timeline of... (set), True or False? (sets), Ultimate Supercars (set) WB branded ed. (f), Ugh! Yuck! And Whoa! (set), Wherein the World Can I... (set), Where Does It Come From (set) WB branded ed. (g), The World Book Encyclopedia (current year set), World Book Library of Natural Disasters (set), The World Book Year Book-- (current edition)

**KEY:** (a) Grupo Planeta (b) Amber Books (c) N/A (d) Dorling Kindersley (e) Black Rabbit Books (f)Kaleidoscope Books (g) Jump

**SECTION B**

**MARKET SURVEY**

Results of Market Survey *not applicable*

Date Public Notice posted on website: *Tuesday, September 21, 2021*

Date Public Notice closed: *Tuesday, September 28, 2021*

**REVIEW OF OFFER(S)**

Were any offers received (Y/N): **Yes**

Number of offers received: **1**

Respondents: *World Book, Inc.*

Date Offers submitted to User Department for review: *Thursday, September 30, 2021*

User Department review and recommendation: *Fulton County Library System recommends approval of sole source vendor World Book, Inc.*

Purchasing Agent review and recommendation: *After review and consideration of all available information related to the requirement and criteria of the sole source advertisement 21EF131840B as titled 2022 Edition World Book Encyclopedia, the Department of Purchasing and Contract Compliance recommends proceeding with BOC approval request.*





# Fulton County Board of Commissioners

## Agenda Item Summary

**Agenda Item No.:** 22-0113

**Meeting Date:** 2/16/2022

### Department

Department for HIV Elimination

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to extend current Ryan White HIV/AIDS Program Emergency Relief Project Part A contracts for a period not to exceed three months and to provide no more than three months of continuation funding, in an amount not to exceed \$7,887,647.00, to avoid service interruption. Request authorization for the Chairman to execute contracts with selected subrecipients. To protect the interest of the County, the County Attorney is authorized to approve the contracts as to form and substance and make any necessary modifications thereto prior to execution by the Chair.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

O.C.G.A. § 36-10-1 requires all official contracts entered into by the County governing authority with other persons on behalf of the County shall be in writing and entered on its minutes.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Health and Human Services

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

No

### Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

The Department for HIV Elimination requests approval to extend current Ryan White HIV/AIDS Program Part A contracts for a period not to exceed three months and to provide no more than three months of continuation funding, in an amount not to exceed \$7,887,647, to avoid client service

interruption.

Due to the Federal Continuing Resolution, Fulton County has received only a partial FY2022 award for Ryan White Part A and Minority AIDS Initiative (MAI) funding for the Fiscal Year beginning March 1, 2022. Current Ryan White Part A and Minority AIDS Initiative contracts are set to expire February 28, 2022. Current Ryan White contracts would be extended for a period not to exceed three months for the continuation of existing client services. The Subrecipients and funding amounts are as follows:

SUBRECIPIENT	PART A FUNDING	MAI FUNDING	TOTAL
AID Atlanta, Inc.	\$ 380,349		\$ 380,349
AIDS Healthcare Foundation	\$ 454,068		\$ 454,068
ANIZ, Inc.	\$ 100,644		\$ 100,644
Atlanta Legal AID Society, Inc.	\$ 21,776		\$ 21,776
Cherokee County Board of Health	\$ 54,221		\$ 54,221
Clayton County Board of Health	\$ 216,638		\$ 216,638
DeKalb County Board of Health	\$ 165,903		\$ 165,903
Emory University	\$ 226,497		\$ 226,497
Fulton County Board of Health	\$ 385,231	\$ 55,579	\$ 440,810
Grady Health System	\$ 3,397,106	\$ 491,974	\$ 3,889,080
Here's to Life, Inc.	\$ 139,634		\$ 139,634
Mercy Care Services	\$ 149,957		\$ 149,957
NAESM, Inc.	\$ 23,965		\$ 23,965
Open Hand Atlanta, Inc.	\$ 291,235		\$ 291,235
Positive Impact Health Centers, Inc.	\$ 1,159,680		\$ 1,159,680
Someone Cares, Inc.	\$ 23,019		\$ 23,019
Southside Medical Center	\$ 150,171		\$ 150,171
<b>TOTAL</b>	<b>\$ 7,340,094</b>	<b>\$ 547,553</b>	<b>\$ 7,887,647</b>

Upon notification of the full FY2022 Ryan White Part A and MAI awards, the Department for HIV Elimination will bring forward to the Board a request for approval of contracts for the FY2022-FY2024.

The purpose of the Atlanta Eligible Metropolitan Area (EMA) Ryan White Part A program is to improve the availability and quality of culturally appropriate care for low-income, uninsured, and underinsured individuals and families affected by HIV in the 20-County Atlanta EMA (Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, Pickens, Rockdale, Spalding, and Walton Counties). Funds support clients as they progress through the HIV Care Continuum and include core medical and support services which address gaps in the continuum. The program serves a large number of Persons Living with HIV (PLWH) living in poverty, burdened with other medical conditions, and lacking health insurance. This includes a sizable population of PLWH who are not eligible for insurance under the Affordable Care

Act (ACA), or most publicly-funded programs. Ryan White Part A funds will continue to be used to address service needs and gaps. The Atlanta EMA continues to align programming and services with the National HIV/AIDS Strategy 2020 and with the Georgia Integrated HIV Prevention & Care Plan, 2017-2021.

**Scope of Work:** Provision of core medical and support services to improve the availability and quality of culturally appropriate care for low-income, uninsured, and underinsured individuals and families affected by HIV in the 20-County Atlanta EMA.

**Community Impact:** Ryan White Part A and MAI funding will support essential care and support services for Persons Living with HIV (PLWH) in the targeted counties to improve health outcomes and decrease the number of new HIV cases. All services have as their main goal increased viral suppression rates for Ryan White clients.

**Department Recommendation:** The Department for HIV Elimination recommends approval of 2022 Ryan White Part A and MAI subrecipient awards in an amount of \$7,340,094 in Part A funds and \$547,553 in Minority AIDS Initiative (MAI) Funds for a total of \$7,887,647.

**Project Implications:** No change in budget. These contracts are 100% grant-funded with no County match.

**Community Issues/Concerns:** The Department for HIV Elimination is not aware of any community issues/concerns regarding the agenda item.

**Department Issues/Concerns:** There are no Department issues/concerns regarding the agenda item.

### Grant Information Summary

Amount Requested: \$28,008,447  
Match Required: 0  
Start Date: 3/1/2022  
End Date: 2/28/2025  
Match Account \$: 0

- ☐ Cash
- ☐ In-Kind
- ☒ Approval to Award
- ☐ Apply & Accept

### Fiscal Impact / Funding Source

#### Funding Line 1:

461-270-R221

#### Funding Line 2:

461-270-R225

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**Agenda Item No.:** 22-0113

**Meeting Date:** 2/16/2022

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<b>Key Contract Terms</b>	
<b>Start Date:</b> 3/1/2022	<b>End Date:</b> 5/31/2022



**Department of Health and Human Services**  
Health Resources and Services Administration

Notice of Award  
FAIN# H8900007  
Federal Award Date: 01/12/2022

### Recipient Information

- 1. Recipient Name**  
FULTON COUNTY GOVT, BOARD OF COMMISSIONERS  
141 Pryor St SW  
Atlanta, GA 30303-3444
- 2. Congressional District of Recipient**  
05
- 3. Payment System Identifier (ID)**  
1586001729A1
- 4. Employer Identification Number (EIN)**  
586001729
- 5. Data Universal Numbering System (DUNS)**  
133894167
- 6. Recipient's Unique Entity Identifier**  
J3Y1XYZYUFQ5
- 7. Project Director or Principal Investigator**  
Jeff Cheek  
Director, Department for HIV Elimination  
jeff.cheek@fultoncountyga.gov  
(404)612-0789
- 8. Authorized Official**  
Jeff Cheek  
Director, Department for HIV Elimination  
jeff.cheek@fultoncountyga.gov  
(404)612-0789

### Federal Agency Information

- 9. Awarding Agency Contact Information**  
Olusola Dada  
Grants Management Specialist  
Office of Federal Assistance Management (OFAM)  
Division of Grants Management Office (DGMO)  
ODada@hrsa.gov  
(301) 443-0195
- 10. Program Official Contact Information**  
Lawrence Momodu  
Project Officer  
HIV/AIDS Bureau (HAB)  
lmomodu@hrsa.gov  
(301) 443-0694

### Federal Award Information

- 11. Award Number**  
2 H89HA00007-32-00
- 12. Unique Federal Award Identification Number (FAIN)**  
H8900007
- 13. Statutory Authority**  
42 U.S.C. § 300ff-11-20; 300ff-121
- 14. Federal Award Project Title**  
HIV EMERGENCY RELIEF PROJECT GRANTS
- 15. Assistance Listing Number**  
93.914
- 16. Assistance Listing Program Title**  
HIV Emergency Relief Project Grants
- 17. Award Action Type**  
Competing Continuation
- 18. Is the Award R&D?**  
No

### Summary Federal Award Financial Information

**19. Budget Period Start Date 03/01/2022 - End Date 02/28/2023**

**20. Total Amount of Federal Funds Obligated by this Action** \$9,535,514.00

20a. Direct Cost Amount

20b. Indirect Cost Amount

21. Authorized Carryover \$0.00

22. Offset \$0.00

23. Total Amount of Federal Funds Obligated this budget period \$9,535,514.00

**24. Total Approved Cost Sharing or Matching, where applicable** \$0.00

**25. Total Federal and Non-Federal Approved this Budget Period** \$9,535,514.00

**26. Project Period Start Date 03/01/2022 - End Date 02/28/2025**

27. Total Amount of the Federal Award including Approved  
Cost Sharing or Matching this Project Period \$9,535,514.00

**28. Authorized Treatment of Program Income**  
Addition

**29. Grants Management Officer – Signature**  
Brad Barney on 01/12/2022

### 30. Remarks

This award consists of the following amounts:

FY22 Formula: \$8,669,807  
FY22 MAI: \$865,707

Total FY22 Award: \$9,535,514



Notice of Award  
Award Number: 2 H89HA00007-32-00  
Federal Award Date: 01/12/2022

**HIV/AIDS Bureau (HAB)**

<b>31. APPROVED BUDGET: (Excludes Direct Assistance)</b> <input checked="" type="checkbox"/> Grant Funds Only <input type="checkbox"/> Total project costs including grant funds and all other financial participation	<b>33. RECOMMENDED FUTURE SUPPORT:</b> (Subject to the availability of funds and satisfactory progress of project)
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YEAR	TOTAL COSTS
33	\$9,535,514.00
34	\$9,535,514.00

<b>34. APPROVED DIRECT ASSISTANCE BUDGET: (In lieu of cash)</b>	
a. Amount of Direct Assistance	\$0.00
b. Less Unawarded Balance of Current Year's Funds	\$0.00
c. Less Cumulative Prior Award(s) This Budget Period	\$0.00
d. AMOUNT OF DIRECT ASSISTANCE THIS ACTION	<b>\$0.00</b>

<b>35. FORMER GRANT NUMBER</b> BRH890007
<b>36. OBJECT CLASS</b> 41.15
<b>37. BHCNIS#</b>

<b>31. APPROVED BUDGET: (Excludes Direct Assistance)</b> <input checked="" type="checkbox"/> Grant Funds Only <input type="checkbox"/> Total project costs including grant funds and all other financial participation  a. Salaries and Wages: \$0.00 b. Fringe Benefits: \$0.00 c. Total Personnel Costs: \$0.00 d. Consultant Costs: \$0.00 e. Equipment: \$0.00 f. Supplies: \$0.00 g. Travel: \$0.00 h. Construction/Alteration and Renovation: \$0.00 i. Other: \$0.00 j. Consortium/Contractual Costs: \$0.00 k. Trainee Related Expenses: \$0.00 l. Trainee Stipends: \$0.00 m. Trainee Tuition and Fees: \$0.00 n. Trainee Travel: \$0.00 o. TOTAL DIRECT COSTS: \$9,535,514.00 p. INDIRECT COSTS (Rate: % of S&W/TADC): \$0.00 q. TOTAL APPROVED BUDGET: \$9,535,514.00 i. Less Non-Federal Share: \$0.00 ii. Federal Share: \$9,535,514.00	<b>33. RECOMMENDED FUTURE SUPPORT:</b> (Subject to the availability of funds and satisfactory progress of project)
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YEAR	TOTAL COSTS
33	\$9,535,514.00
34	\$9,535,514.00

<b>34. APPROVED DIRECT ASSISTANCE BUDGET: (In lieu of cash)</b>	
a. Amount of Direct Assistance	\$0.00
b. Less Unawarded Balance of Current Year's Funds	\$0.00
c. Less Cumulative Prior Award(s) This Budget Period	\$0.00
d. AMOUNT OF DIRECT ASSISTANCE THIS ACTION	<b>\$0.00</b>

<b>35. FORMER GRANT NUMBER</b> BRH890007
<b>36. OBJECT CLASS</b> 41.15
<b>37. BHCNIS#</b>

<b>32. AWARD COMPUTATION FOR FINANCIAL ASSISTANCE:</b>	
a. Authorized Financial Assistance This Period	<b>\$9,535,514.00</b>
b. Less Unobligated Balance from Prior Budget Periods	
i. Additional Authority	\$0.00
ii. Offset	\$0.00
c. Unawarded Balance of Current Year's Funds	\$0.00
d. Less Cumulative Prior Award(s) This Budget Period	\$0.00
e. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	<b>\$9,535,514.00</b>

**38. THIS AWARD IS BASED ON THE APPLICATION APPROVED BY HRSA FOR THE PROJECT NAMED IN ITEM 14. FEDERAL AWARD PROJECT TITLE AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE AS:**

a. The program authorizing statute and program regulation cited in this Notice of Award; b. Conditions on activities and expenditures of funds in certain other applicable statutory requirements, such as those included in appropriations restrictions applicable to HRSA funds; c. 45 CFR Part 75; d. National Policy Requirements and all other requirements described in the HHS Grants Policy Statement; e. Federal Award Performance Goals; and f. The Terms and Conditions cited in this Notice of Award. In the event there are conflicting or otherwise inconsistent policies applicable to the award, the above order of precedence shall prevail. Recipients indicate acceptance of the award, and terms and conditions by obtaining funds from the payment system.

<b>39. ACCOUNTING CLASSIFICATION CODES</b>						
FY-CAN	CFDA	DOCUMENT NUMBER	AMT. FIN. ASST.	AMT. DIR. ASST.	SUB PROGRAM CODE	SUB ACCOUNT CODE
22 - 3771356	93.914	22H89HA00007	\$8,669,807.00	\$0.00	FRML	22H89HA00007
22 - 3771355	93.914	22H89HA00007	\$865,707.00	\$0.00	MAI	22H89HA00007

## HRSA Electronic Handbooks (EHBs) Registration Requirements

The Project Director of the grant (listed on this NoA) and the Authorizing Official of the grantee organization are required to register (if not already registered) within HRSA's Electronic Handbooks (EHBs). Registration within HRSA EHBs is required only once for each user for each organization they represent. To complete the registration quickly and efficiently we recommend that you note the 10-digit grant number from box 4b of this NoA. After you have completed the initial registration steps (i.e., created an individual account and associated it with the correct grantee organization record), be sure to add this grant to your portfolio. This registration in HRSA EHBs is required for submission of noncompeting continuation applications. In addition, you can also use HRSA EHBs to perform other activities such as updating addresses, updating email addresses and submitting certain deliverables electronically. Visit <https://grants3.hrsa.gov/2010/WebEPSExternal/Interface/common/accesscontrol/login.aspx> to use the system. Additional help is available online and/or from the HRSA Call Center at 877-Go4-HRSA/877-464-4772.

## Terms and Conditions

**Failure to comply with the remarks, terms, conditions, or reporting requirements may result in a draw down restriction being placed on your Payment Management System account or denial of future funding.**

### Grant Specific Term(s)

1. Recipients must submit an annual Non-Competing Continuation (NCC) progress report via the HRSA EHBs 90 days prior to the budget period end date. Submission and HRSA approval of this NCC progress report triggers the budget period renewal and release of subsequent year funds.
2. Due to the provision of partial funding, this award is being made without a complete list of itemized reporting requirements. Award recipients are reminded of the continuation of FY2021 specialized reporting requirements and provided reference to previous HRSA guidelines and instructions. Remaining FY2022 reporting requirements to include defined due dates will be contained on the final FY2022 NoA. Failure to comply with reporting requirements will result in deferral or additional restrictions for future funding decisions.
3. This award is subject to 45 CFR part 75--Uniform Administrative Requirements, Cost Principles, and Audit Requirement for HHS Awards.
4. The funds for this award are sub-accounted in the Payment Management System (PMS) and will be in a P type (sub accounted) account. This type of account allows recipients to specifically identify the individual grant for which they are drawing funds and will assist HRSA in monitoring the award. The P sub account number and the sub account code (provided on page 1 of this Notice of Award) are both needed when requesting grant funds. You may use your existing PMS username and password to check your organizations P account access. If you do not have access, fill out a New User Access Request form at: <https://pmsapp.psc.gov/pms/app/userrequest/request/newuser?>. If you have any questions about accessing PMS, contact the PMS Liaison Accountant as identified at: <https://pms.psc.gov/find-pms-liaison-accountant.html>.
5. Prior approval for rebudgeting is required when cumulative transfers among direct cost budget categories (i.e., Personnel, Fringe, Travel, Equipment, Supplies, Contractual, etc.) for the current budget period exceed 25% of the total approved budget (which includes direct and indirect costs) for that budget period or \$250,000, whichever is less; or substantial changes are made to the approved work plan or project scope (e.g., changing the model of care, transferring substantive work from personnel to contractual); or the recipient wants to purchase a piece of equipment that exceeds \$5,000 and was not included in the approved project budget/application. Any of the aforementioned post-award changes in Part A and/or Minority AIDS Initiative (MAI) grant allocations must be submitted to the Project Officer via prior approval along with a letter of concurrence from the Planning Council Chair(s).
6. This action reflects a new document number. Please refer to this number when contacting the Payment Management System or submitting drawdown requests. Reporting on the Federal Financial Report (FFR) SF-425 Federal Cash Transaction Report (FCTR) should reflect this number for all disbursements related to this project period.

### Program Specific Term(s)

1. RWHAP Part A recipients are required to use a minimum amount/percentage of this award to provide services to women, infants, children and youth (WICY) living with HIV/AIDS. The minimum set-aside amounts/percentages for each eligible metropolitan area/transitional grant area (EMA/TGA) must be determined separately for each priority population, and may not be less than the percentage of each population to the total number of persons estimated to be living with HIV/AIDS within the EMA/TGA.  
Waiver: If the recipient can document that one or more WICY priority populations are receiving HIV-related services through the state Medicaid program under Title XIX of the Social Security Act, the Children's Health Program (CHIP) under Title XXI of the same Act, or other qualified federal or state programs in accordance with HRSA guidelines, then the recipient may request a waiver of the minimum WICY expenditure requirement from HRSA. Recipients requesting a waiver may utilize the WICY Expenditure Report to document that all priority populations are receiving HIV/AIDS health services through other funding sources
2. The recipient is required to notify the Project Officer, within 30 days, of any changes to Planning Council (PC) composition that impact legislative compliance with "reflectiveness", the mandated membership categories, and/or the composition requirement that 33% of the PC

membership should be comprised of persons receiving Part A HIV-related services who are non-conflicted and accurately reflect the demographics of the epidemic in the EMA/TGA.

You must notify your Project Officer to initiate a Request for Information via EHB to submit this requirement. The notification and letter must be accompanied by revised PC roster and reflectiveness tables or a narrative describing compliance with PC composition and Reflectiveness.

Reflectiveness must be based on the prevalence of HIV Disease (AIDS Prevalence plus HIV Prevalence, real or estimated) in the EMA/TGA as reported in the current fiscal year application.

3. Submit, every two (2) years, to the lead State agency for the Ryan White HIV/AIDS Part B program, audits consistent with 45 CFR 75 Subpart F, regarding funds expended in accordance with this title and include necessary patient level data to complete unmet need calculations and the Statewide Coordinated Statements of Need process.
4. Consistent with Departmental guidance, HRSA recipients that purchase, are reimbursed or provide reimbursement to other entities for outpatient prescription drugs are expected to secure the best prices available for such products and to maximize results for the grantee organization and its patients. Eligible health care organizations/covered entities that enroll in the 340B Program must comply with all 340B Program requirements and will be subject to audit regarding 340B Program compliance. 340B Program requirements, including eligibility, can be found at [www.hrsa.gov/opa/](http://www.hrsa.gov/opa/).
5. The recipient shall make all files, including captioning, audio descriptions, videos, tables, graphics/pictures, registration forms, presentations (both audio and video) or other types of proprietary format files – e.g., Adobe Portable Document Format (.pdf), Microsoft Office PowerPoint (.ppt) and Microsoft Excel (.xls), fully accessible to members of the public with disabilities. Technical and functional standards for accessibility are codified at 36 CFR Part 1194 and may be accessed through the Access Board's Web site at <http://www.access-board.gov>
6. Jurisdictions that 1) are legislatively mandated to establish planning councils or 2) have elected to establish a planning council, must adhere to the requirement that the chief elected official (CEO) retains sole responsibility for appointment and removal of planning council members, as recommended by Planning Council leadership.
7. In accordance with the RWHAP guidance on determining client eligibility and complying with the payor of last resort requirement, while minimizing administrative burden and enhancing continuity of care and treatment services (HRSA HAB PCN 21-02: Determining Client Eligibility & Payor of Last Resort in the Ryan White HIV/AIDS Program), HRSA HAB expects all RWHAP recipients and subrecipients to establish, implement, and monitor policies and procedures to determine client eligibility based on each of the three factors outlined in PCN 21-02, including documentation requirements. See <https://hab.hrsa.gov/sites/default/files/hab/program-grants-management/pcn21-02-determining-eligibility-polr.pdf>
8. The recipient is required to establish and maintain a process for protecting client confidentiality throughout the project period. Client confidentiality requirements apply to all phases of the project.
9. HRSA is operating under a Continuing Resolution; therefore, this award provides partial funding based on the continuation of FY 2021 program requirements, funding levels, and specialized reporting requirements. Additions and revisions to these Terms and Conditions may be necessary once HRSA receives a final FY 2022 appropriations. A revised NoA will be issued to reflect any changes to funding amounts, Terms and Conditions, and/or reporting requirements.
10. All Ryan White HIV/AIDS Program Part A, B, C, and D recipients must adhere to the legislative requirement to establish a clinical quality management program. HRSA HIV/AIDS Bureau expectations for clinical quality management are outlined in Policy Clarification Notice 15-02 (<http://hab.hrsa.gov/manageyourgrant/clinicalqualitymanagementpcn.pdf>).
11. The Ryan White HIV/AIDS Program legislation specifies criteria for the expenditure of Part A funds as follows:  
The recipient may not use more than ten percent (10%) of total grant funds for direct and indirect costs associated with administering the award (including Planning Council or planning body expenses), and in accordance with the legislative definition of administrative activities and the allocation of funds to subrecipients, will not exceed an aggregate amount of 10 percent of such funds for administrative purposes. See Policy 15-01 for additional information on the 10% administrative cap.  
The recipient shall not exceed the lesser of 5 percent of the total grant funds or \$3 million for the required clinical quality management (CQM) program.  
The recipient must expend not less than 75% of total grant funds, exclusive of administration and CQM expenses, for core medical services, unless waived by the Secretary. Also see PCN 16-02 Ryan White HIV/AIDS Program Services: Eligible Individuals & Allowable Uses of Funds.
12. All Conditions, Program Terms, and Reporting Requirements must be electronically submitted through the HRSA Electronic Handbooks.
13. Funds awarded for pharmaceuticals must only be spent to assist clients who have been determined not eligible for other pharmaceutical programs, especially the AIDS Drug Assistance Program and/or for drugs that are not on the State ADAP or Medicaid formulary.
14. These funds may not be used for the following: purchasing or construction of real property, international travel, payments for any item or service to the extent that payment has been made, or reasonably can be expected to be made, with respect to that item or service under

any State compensation program, insurance policy, Federal or State health benefits program or by an entity that provides health services on a prepaid basis (except for a program administered by or providing the services of the Indian Health Services or the U.S. Department of Veterans Affairs; see HAB PCN 16-01 available online at <https://hab.hrsa.gov/sites/default/files/hab/Global/clarificationservicesveterans.pdf> for additional information regarding services provided to veterans).

15. RWHAP funds may not be used to make cash payments to intended clients of core medical or support services. This prohibition includes cash incentives and cash intended as payment for RWHAP services. Where direct provision of the service is not possible or effective, store gift cards, vouchers, coupons, or tickets that can be exchanged for a specific service or commodity (e.g., food or transportation) must be used. Store gift cards that can be redeemed at one merchant or an affiliated group of merchants for specific goods or services that further the goals and objectives of the RWHAP are also allowable as incentives for eligible program participants. Recipients are advised to administer voucher and store gift card programs in a manner which assures that vouchers and gift cards cannot be exchanged for cash or used for anything other than allowable goods or services, and that systems are in place to account for disbursed vouchers and store gift cards. Note: General-use prepaid cards are considered "cash equivalent" and are therefore unallowable. Such cards generally bear the logo of a payment network, such as Visa, MasterCard, or American Express, and are accepted by any merchant that accepts those credit or debit cards as payment. Gift cards that are cobranded with the logo of a payment network and the logo of a merchant or affiliated group of merchants are general-use prepaid cards, not store gift cards, and therefore are also unallowable.
16. Recipients must follow the guidance in all applicable HIV/AIDS Bureau Policy Notices and Program Letters to ensure compliance with programmatic requirements. See <http://hab.hrsa.gov/program-grants-management/policy-notices-and-program-letters>.
17. In accordance with Policy Clarification Notice 16-02 grant funds may not be used for: 1) outreach programs which have HIV prevention education as their exclusive purpose. See <http://hab.hrsa.gov/program-grants-management/policy-notices-and-program-letters>.
18. The recipient must maintain EMA/TGA political subdivision expenditures for HIV-related activities at a level which is not less than the level of expenditures for such activities during the one-year period preceding the fiscal year for which the applicant is applying to receive the grant (see Section 2605(a)(1)(B) of the PHS Act).
19. All providers of services available in the Medicaid State plan must have entered into a participation agreement under the State plan and be qualified to receive payments under such plan, or receive a waiver from this requirement.
20. Minority AIDS Initiative (MAI) funds available under Section 2693 of the Public Health Service Act are disbursed on a formula basis together with the RWHAP Part A formula grant funds as required by legislation. Funds must be used to improve HIV-related health outcomes to reduce existing racial and ethnic disparities. MAI funds must be tracked and reported separately.
21. RWHAP Part A recipients are required to meet specific legislative, programmatic, and grant regulations requirements regarding the monitoring of both their grant and their subrecipients as detailed in the National Monitoring Standards for RWHAP recipients. (<http://hab.hrsa.gov/program-grants-management/ryan-white-hiv-aids-program-recipient-resources>)
22. Ryan White HIV/AIDS Program (RWHAP) funds cannot pay for pre-exposure prophylaxis (PrEP) or non-occupational Post-Exposure Prophylaxis (nPEP) as the person using PrEP is not an individual living with HIV and the person using nPEP is not diagnosed with HIV prior to the exposure and therefore are not eligible for RWHAP funded medications or medical services. RWHAP Parts A and B recipients and subrecipients may provide some limited services under the EIS service category. (See the HIV/AIDS Bureau June 22, 2016 Program Letter available online at <http://hab.hrsa.gov/manageyourgrant/prepletter062216.pdf>.)
23. Recipients are required to track and report all sources of service reimbursement as program income on the annual Federal Financial Report and in annual data reports. All program income earned must be used to further the objectives of the RWHAP program. For additional information, see PCN #15-03 available online at [http://hab.hrsa.gov/sites/default/files/hab/Global/pcn\\_15-03\\_program\\_income.pdf](http://hab.hrsa.gov/sites/default/files/hab/Global/pcn_15-03_program_income.pdf).
24. Per 45 CFR §75.351 - 353, recipients must monitor the activities of their subrecipients as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, Ryan White HIV/AIDS Program legislative requirements, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Recipients must ensure that subrecipients track, appropriately use, and report program income generated by the subaward. Recipients must also ensure that subrecipient expenditures adhere to legislative mandates regarding the distribution of funds.
25. Some aspects of Syringe Services Programs are allowable with HRSA's prior approval and in compliance with HHS and HRSA policy. See <https://www.hiv.gov/federal-response/policies-issues/syringe-services-programs>.
26. If applicable, the awardee must submit the Tangible Personal Property Report (SF-428) and any related forms. The report must be submitted within 90 days after the project period ends. Awardees are required to report all equipment with an acquisition cost of \$5,000 or more per unit acquired by the recipient with award funds. Tangible personal property reports must be submitted electronically through HRSA EHBs.
27. Ryan White HIV/AIDS Program funds cannot be used to provide cash payments such as stipends or honoraria. The recipient must substitute allowable direct costs per PCN 16-02 and PCN 15-01 available online at <https://hab.hrsa.gov/program-grants->

[management/policy-notices-and-program-letters](#) for [insert dollar amount] in stipend costs included in the budget.

28. Funds may not be used by recipients or subrecipients for the purchase of vehicles without written prior approval from the Division of Grants Management Operations (DGMO).
29. RWHAP Part A recipients are required to participate in the development of the Integrated HIV Prevention and Care Plan, Including the Statewide Coordinated Statement of Need (SCSN), 2022-2026 (see <https://careacttarget.org/library/integrated-hiv-prevention-and-care-plan-guidance-including-statewide-coordinated-statement>). The SCSN is a component of the Integrated HIV Prevention and Care Plan. Recipients are required to report progress on the implementation of Integrated HIV Prevention and Care Plans in the FY 2022 RWHAP Part A Annual Progress Report.

## Standard Term(s)

1. Your organization must comply with all HRSA [Standard Terms](#) unless otherwise specified on your Notice of Award.

## Reporting Requirement(s)

1. **Due Date: Annually (Budget Period) Beginning: Budget Start Date Ending: Budget End Date, due Quarter End Date after 90 days of reporting period.**

The recipient must submit an annual Federal Financial Report (FFR). The report should reflect cumulative reporting within the project period of the document number. **Effective October 1, 2020, all FFRs will be submitted through the Payment Management System (PMS).** Technical questions regarding the FFR, including system access should be directed to the PMS Help Desk by submitting a ticket through the self-service web portal ([PMS Self-Service Web Portal](#)), or calling 877-614-5533.

The FFR will be due 90, 120, or 150 days after the budget period end date. Please refer to the chart below for the specific due date for your FFR.

- Budget Period ends August – October: FFR due January 30
- Budget Period ends November – January: FFR due April 30
- Budget Period ends February – April: FFR due July 30
- Budget Period ends May – July: FFR due October 30

2. **Due Date: Within 90 Days of Budget End Date**

The recipient must submit the Ryan White HIV/AIDS Program Expenditure Report no later than 90 days after the budget period end date, consistent with reporting guidelines, instructions, and/or reporting templates provided in the HRSA EHBs.

3. **Due Date: 03/28/2022**

Submit the Ryan White Services Report (RSR) which consists of recipient, service provider, and patient level reports for the calendar year via the EHBs by 6:00 PM ET on the last Monday in March. See <http://hab.hrsa.gov/manageyourgrant/reportingrequirements.html> for additional information.

4. **Due Date: 12/31/2022**

The recipient must submit an estimate of their FY 2022 Unobligated Balances (UOB) and an estimated carryover request no later than December 31, 2022, consistent with reporting guidelines, instructions, and/or reporting templates provided in the HRSA EHBs.

5. **Due Date: Within 90 Days of Budget End Date**

The recipient must submit a Final FY 2022 Part A Annual Progress Report no later than 90 days after the budget period end date, consistent with reporting guidelines, instructions, and/or reporting templates provided in the HRSA EHBs.

**Failure to comply with these reporting requirements will result in deferral or additional restrictions of future funding decisions.**

## Contacts

### NoA Email Address(es):

Name	Role	Email
Jeff Cheek	Program Director	<a href="mailto:jeff.cheek@fultoncountytga.gov">jeff.cheek@fultoncountytga.gov</a>
Bridget T Harris	Employee	<a href="mailto:bridget.harris@fultoncountytga.gov">bridget.harris@fultoncountytga.gov</a>
Jeff Cheek	Authorizing Official, Point of Contact, Business Official	<a href="mailto:jeff.cheek@fultoncountytga.gov">jeff.cheek@fultoncountytga.gov</a>

Note: NoA emailed to these address(es)

All submissions in response to conditions and reporting requirements (with the exception of the FFR) must be submitted via EHBs. Submissions

for Federal Financial Reports (FFR) must be completed in the Payment Management System (<https://pms.psc.gov/>).





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0114

Meeting Date: 2/16/2022

### Department

Police

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of the 2021 Equitable Sharing Agreement and Certification with the U.S. Department of Justice for the Fulton County Police Department, establishing the requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, or proceeds.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Request approval of the 2021 Equitable Sharing Agreement and Certification with the U.S. Department of Justice for the Fulton County Police Department, establishing the requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, or proceeds.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

OCGA §36.10.1 requires all contracts be approved by the Board and entered into the official minutes.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Justice and Safety

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

No

### Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

This annually certified agreement between the Federal Government and Fulton County sets forth

requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, which are shared with participating law enforcement agencies.

The Department of Justice funds the Equitable Sharing program by which local governments receive an allocation of seizures, confiscations and other law enforcement activities in which the Fulton County Police Department has had a cooperative or collaborative role. These funds can be utilized for training, communications, equipment, ammunition and other allowable law enforcement activities. During 2021 reporting, the Police Department spent \$21,952.67.

This annual information return shows the revenue receipts from the federal government, and the local government spending within the restrictions of this program for law enforcement purposes. These transactions are classified within a separate special revenue fund as required under the agreement. During 2021, the Police Department did not receive any Equitable Sharing distributions from the Department of Justice.

**Department Recommendation:** The Department requests approval.

**Project Implications:** Subsequent shared revenues from this program are subject to receipt of signed annual agreement.

**Community Issues/Concerns:** There are no community issues/concerns.

**Department Issues/Concerns:** There are no department issues/concerns.

**Fiscal Impact:** Subsequent shared revenues from this program are subject to receipt of signed annual agreement.

**History of BOC Agenda Item:** Has this item previously been before the BOC? No.

**Exhibits Attached:**

Exhibit 1 - Equitable Sharing Agreement and Certification report.



## Equitable Sharing Agreement and Certification



**NCIC/ORI/Tracking Number:** GA0601300

**Agency Name:** Fulton County Police Department

**Type:** Police Department

**Mailing Address:** 141 Pryor Street Sw, Suite 7001  
Atlanta, GA 30303

**Agency Finance Contact**

**Name:** Dickerson, Delia

**Phone:** 404-613-7906

**Email:** Delia.Dickerson@fultoncountyga.gov

**Jurisdiction Finance Contact**

**Name:** McTier, Sabrina

**Phone:** 404-612-7646

**Email:** Sabrina.McTier@fultoncountyga.gov

**ESAC Preparer**

**Name:** McTier, Sabrina

**Phone:** 404-612-7646

**Email:** Sabrina.McTier@fultoncountyga.gov

**FY End Date:** 12/31/2021

**Agency FY 2022 Budget:** \$11,802,874.00

### Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds <sup>1</sup>	Treasury Funds <sup>2</sup>
1	Beginning Equitable Sharing Fund Balance	\$45,158.59	\$18,396.95
2	Equitable Sharing Funds Received	\$0.00	\$0.00
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force	\$0.00	\$0.00
4	Other Income	\$0.00	\$0.00
5	Interest Income	\$0.00	\$0.00
6	Total Equitable Sharing Funds Received (total of lines 2-5)	\$0.00	\$0.00
7	Equitable Sharing Funds Spent (total of lines a - n)	\$21,952.67	\$0.00
8	Ending Equitable Sharing Funds Balance (difference between line 7 and the sum of lines 1 and 6)	\$23,205.92	\$18,396.95

<sup>1</sup>Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA

<sup>2</sup>Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP and USSS.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Law Enforcement Operations and Investigations	\$0.00	\$0.00
b	Training and Education	\$14,202.00	\$0.00
c	Law Enforcement, Public Safety, and Detention Facilities	\$0.00	\$0.00
d	Law Enforcement Equipment	\$0.00	\$0.00
e	Joint Law Enforcement/Public Safety Equipment and Operations	\$0.00	\$0.00
f	Contracts for Services	\$0.00	\$0.00
g	Law Enforcement Travel and Per Diem	\$7,750.67	\$0.00
h	Law Enforcement Awards and Memorials	\$0.00	\$0.00
i	Drug, Gang, and Other Education or Awareness Programs	\$0.00	\$0.00
j	Matching Grants	\$0.00	\$0.00
k	Transfers to Other Participating Law Enforcement Agencies	\$0.00	\$0.00
l	Support of Community-Based Programs	\$0.00	
m	Non-Categorized Expenditures	\$0.00	\$0.00
n	Salaries	\$0.00	\$0.00
	Total	\$21,952.67	\$0.00

**Equitable Sharing Funds Received From Other Agencies**

Transferring Agency Name	Justice Funds	Treasury Funds

**Other Income**

Other Income Type	Justice Funds	Treasury Funds

**Matching Grants**

Matching Grant Name	Justice Funds	Treasury Funds

**Transfers to Other Participating Law Enforcement Agencies**

Receiving Agency Name	Justice Funds	Treasury Funds

**Support of Community-Based Programs**

Recipient	Justice Funds	

**Non-Categorized Expenditures**

Description	Justice Funds	Treasury Funds

**Salaries**

Salary Type	Justice Funds	Treasury Funds

**Paperwork Reduction Act Notice**

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section at 1400 New York Avenue, N.W., Washington, DC 20005.

**Privacy Act Notice**

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

**Single Audit Information****Independent Auditor****Name:** JORDAN, JOHN**Company:** PJC GROUP, LLC**Phone:** 404-659-3384**Email:** JJORDAN@PJCGRP.COM

**Were equitable sharing expenditures included on your jurisdiction's prior fiscal year's Schedule of Expenditures of Federal Awards (SEFA)?**

YES ☐ NO ☒

**Prior year Single Audit Number Assigned by Harvester Database:**

## Affidavit

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations under the *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies (Guide)* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. The undersigned officials certify that the information submitted on the Equitable Sharing Agreement and Certification form (ESAC) is an accurate accounting of funds received and spent by the Agency.

The undersigned certify that the Agency is in compliance with the applicable nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

## Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the Agency, and (3) the Agency's governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited funds, property, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By submitting this form, the Agency agrees that it will be bound by the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. Submission of the ESAC is a prerequisite to receiving any funds or property through the Equitable Sharing Program.

**1. Submission.** The ESAC must be signed and electronically submitted within 60 days of the end of the Agency's fiscal year. Electronic submission constitutes submission to the Department of Justice and the Department of the Treasury.

**2. Signatories.** The ESAC must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body head is the head of the agency that appropriates funding to the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, administrator, commissioner, and governor. The governing body head cannot be an official or employee of the Agency and must be from a separate entity.

**3. Uses.** Shared assets must be used for law enforcement purposes in accordance with the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations.

**4. Transfers.** Before the Agency transfers funds to other state or local law enforcement agencies, it must obtain written approval from the Department of Justice or Department of the Treasury. Transfers of tangible property are not permitted. Agencies that transfer or receive equitable sharing funds must perform sub-recipient monitoring in accordance with the Code of Federal Regulations.

**5. Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury, funds from state and local forfeitures, joint law enforcement operations funds, and any other sources must not be commingled with federal equitable sharing funds.

The Agency certifies that equitable sharing funds are maintained by the entity that maintains the Agency's appropriated or general funds and agrees that the funds will be subject to the standard accounting requirements and practices employed by the Agency's jurisdiction in accordance with the requirements set forth in the *Guide*, any subsequent updates, and the Code of Federal Regulations, including the requirement to maintain relevant documents and records for five years.

The misuse or misapplication of equitably shared funds or assets or supplantation of existing resources with shared funds or assets is prohibited. The Agency must follow its jurisdiction's procurement policies when expending equitably shared funds. Failure to comply with any provision of the *Guide*, any subsequent updates, and the Code of Federal Regulations may subject the Agency to sanctions.

**6. Single Audit Report and Other Reviews.** Audits shall be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards. The Agency must report its equitable sharing expenditures on the Schedule of Expenditures of Federal Awards (SEFA) under Catalog of Federal Domestic Assistance number 16.922 for Department of Justice and 21.016 for Department of the Treasury. The Department of Justice and the Department of the Treasury reserve the right to conduct audits or reviews.

**7. Freedom of Information Act (FOIA).** Information provided in this Document is subject to the FOIA requirements of the Department of Justice and the Department of the Treasury. Agencies must follow local release of information policies.

**8. Waste, Fraud, or Abuse.** An Agency or governing body is required to immediately notify the Money Laundering and Asset Recovery Section of the Department of Justice and the Executive Office for Asset Forfeiture of the Department of the Treasury of any allegations or theft, fraud, waste, or abuse involving federal equitable sharing funds.

### Civil Rights Cases

**During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?**

☐ Yes ☒ No

### Agency Head

Name: Yates, W. Wade

Title: Chief of Police

Email: William.Yates@fultoncountyga.gov

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

To the best of my knowledge and belief, the information provided on this ESAC is true and accurate and has been reviewed and authorized by the Law Enforcement Agency Head whose name appears above. Entry of the Agency Head name above indicates his/her agreement to abide by the Guide, any subsequent updates, and the Code of Federal Regulations, including ensuring permissibility of expenditures and following all required procurement policies and procedures.

### Governing Body Head

Name: Pitts, Robert

Title: Chair, Board of Commissioners

Email: Robb.Pitts@fultoncountyga.gov

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

To the best of my knowledge and belief, the Agency's current fiscal year budget reported on this ESAC is true and accurate and the Governing Body Head whose name appears above certifies that the agency's budget has not been supplanted as a result of receiving equitable sharing funds. Entry of the Governing Body Head name above indicates his/her agreement to abide by the policies and procedures set forth in the Guide, any subsequent updates, and the Code of Federal Regulations.

☐ I certify that I have obtained approval from and I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0117

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Presentation of Proclamations and Certificates.

Proclamation recognizing "Bridge of Light Appreciation Day." **(Hall)**

Proclamation recognizing "Winnie Varghese Appreciation Day." **(Hall)**

Proclamation recognizing "Larry Dingle Remembrance Day." **(Arrington/Hall)**

Proclamation recognizing "Pamela Stoner-Gay Appreciation Day." **(Arrington)**

Proclamation recognizing "Devotis Lee Appreciation Day." **(Abdur-Rahman)**

Proclamation recognizing "Jill Lindsey Appreciation Day." **(Abdur-Rahman)**

Presentation of Certificates: Youth Commission Induction Ceremony **(BOC)**





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0119

**Meeting Date:** 2/16/2022

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### Department

County Manager

**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Presentation of COVID-19 Operational Response Update.

**Requirement for Board Action** *(Cite specific Board policy, statute or code requirement)*

**Strategic Priority Area related to this item** *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

All Districts ☒

District 1 ☐

District 2 ☐

District 3 ☐

District 4 ☐

District 5 ☐

District 6 ☐

**Is this a purchasing item?**

No





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0120

**Meeting Date:** 2/16/2022

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### Department

Purchasing & Contract Compliance

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution to extend emergency purchasing authority of the Chairman and County Manager for COVID-19 related purchases; and for other purposes.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

Yes

1     **A RESOLUTION TO EXTEND EMERGENCY PURCHASING AUTHORITY OF THE**  
2     **CHAIRMAN AND COUNTY MANAGER FOR COVID-19 RELATED PURCHASES;**  
3     **AND FOR OTHER PURPOSES**  
4

5             **WHEREAS**, beginning in March 2020, Fulton County, Georgia has been impacted  
6 by the threat and spread of a novel coronavirus known as SARS-CoV-2 (COVID-19); and

7             **WHEREAS**, on March 13, 2020, to control the spread of the virus, President  
8 Donald Trump issued a “Proclamation on Declaring a National Emergency Concerning  
9 the Novel Coronavirus Disease (COVID-19) Outbreak”; and

10            **WHEREAS**, on February 24, 2021, President Joseph Biden extended the  
11 “Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus  
12 Disease (COVID-19) Outbreak”; and

13            **WHEREAS**, on March 14, 2020, Georgia Governor Brian Kemp, by Executive  
14 Order 03.14.20.01, declared a public health emergency in the State of Georgia by  
15 Executive Order, including the area encompassing Fulton County to assist health and  
16 emergency management officials across Georgia by deploying all available resources for  
17 mitigation and treatment of COVID-19; and

18            **WHEREAS**, Georgia Governor Brian Kemp’s Executive Order 03.14.20.01, which  
19 was extended every thirty (30) days by the governor, expired on July 1, 2021; and

20            **WHEREAS**, on June 30, 2021, Georgia Governor Brian Kemp, by Executive Order  
21 6.30.21.01, which has been extended every thirty (30) days by the governor, declared  
22 that the State of Georgia is experiencing an ongoing public emergency due to the impacts  
23 of COVID-19 on the economy, supply chain, and healthcare infrastructure, and declared  
24 a state of emergency for continued COVID-19 recovery in the State of Georgia, which  
25 includes the area encompassing Fulton County; and

1       **WHEREAS**, the public health emergency caused by the spread, and potential  
2 spread, of COVID-19 has negatively impacted Fulton County’s public health, supply  
3 chain, and healthcare infrastructure; and

4       **WHEREAS**, on March 18, 2020, the Board of Commissioners (“BOC”) passed  
5 Resolution No. 20-0237 declaring authorization for the Chairman and the County  
6 Manager to execute any documents, including but not limited to contracts, memoranda of  
7 understanding or declarations necessary to ensure the maintenance of critical  
8 governmental functions during the pandemic; and

9       **WHEREAS**, this authority granted to the Chairman and County Manager, as  
10 extended, expires on March 1, 2022; and

11       **WHEREAS**, the BOC wishes to continue the authorization granted to the County  
12 Manager and Chairman to make COVID-19 related emergency purchases from any  
13 funding the County has received, to include from Federal Emergency Management  
14 Agency (FEMA) through the Robert T. Stafford Disaster Relief and Emergency  
15 Assistance Act (Stafford Act) (42 U.S.C §§ 5121-5207), Consolidated Appropriations Act  
16 (H.R. 133, 116th Cong. (2020)), Emergency Rental Assistance Program (15 U.S.C. §  
17 9058c), Coronavirus Aid, Relief and Economic Security Act (C.A.R.E.S Act) (Pub. Law  
18 116-136, March 27, 2020, 15 U.S.C. § 9001 et seq.), and American Rescue Plan Act (  
19 H.R. 1319, 117th Cong. (2021)) using the same process that was put into place to handle  
20 C.A.R.E.S. Act funded projects consistent with Fulton County Code of Ordinances § 102-  
21 385.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby extends the time period of COVID-19 related emergency purchasing authority to the County Manager and Chairman until April 13, 2022.

**BE IT FURTHER RESOLVED**, that the Chairman or the County Manager are hereby authorized to execute any documents, including but not limited to contracts, memoranda of understanding or declarations necessary to ensure the maintenance of critical governmental functions.

**BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon adoption and shall continue until further notice.

**PASSED AND ADOPTED** by the Board of Commissioners of Fulton County, this  
 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**FULTON COUNTY BOARD OF COMMISSIONERS**

**SPONSORED BY:**

Chairman Robert L. Pitts

**ATTEST:**

Tonya R. Grier  
Clerk to the Commission

**APPROVED AS TO FORM:**

Y. Soo Jo,  
County Attorney





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0121

Meeting Date: 2/16/2022

### Department

Human Resources Management

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to modify the classification section of the Classification and Compensation plan by changing the title of the existing classification of Network Applications Coordinator to Technology Innovation and Support Manager, BOC.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Civil Service Act of 1982 and adopted HR Procedures.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

All Districts ☒

District 1 ☐

District 2 ☐

District 3 ☐

District 4 ☐

District 5 ☐

District 6 ☐

### Is this a purchasing item?

No

### Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

### Scope of Work:

The Department of Human Resources management (DHRM) concluded a detail position analysis and has concluded that the following action(s) are warranted to ensure the integrity of the County's Classification system and the changing needs within the respective department. DHRM is requesting approval to:

( X ) modify an existing classification title with no change in grade:

	Title Code	Old Title	Grade	New Title
A.	110006	Network Applications Coordinator	26	Technology Innovation and Support Manager, BOC

**Community Impact:** There is no community impact.

**Department Recommendation:** Human Resources recommends approval.

**Project Implications:** There are no project implications.

**Community Issues/Concerns:** There are no community issues or concerns.

**Department Issues/Concerns:** There are no department issues or concerns.





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0122

Meeting Date: 2/16/2022

### Department

Real Estate and Asset Management

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of spending authority - Real Estate and Asset Management, North Georgia Fuel Cooperative (NGFC) Contract #BL113-20, Gasoline and Diesel Fuel in the total amount of \$1,680,000.00 with: (A) James River Solutions, LLC, (Ashland, VA) in the amount of \$740,000.00; (B) Petroleum Traders Corporation (Fort Wayne, IN) in the amount of \$740,000.00; and (C) Colonial Oil Industries, Inc. (Savannah, GA) in the amount of \$200,000.00, to provide gasoline and diesel fuel for Fulton County. Effective dates: March 1, 2022 through February 28, 2023.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

Yes

**Summary & Background** *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

**Scope of Work:** Fulton County participates in the North Georgia Fuel Cooperative which was formed to purchase gasoline and diesel fuels in high volumes in order to obtain discount pricing. This

cooperative consists of the following metro governmental agencies: City of Atlanta, City of Covington, City of Gainesville, City of Marietta, City of Smyrna, Cobb County Government, Cobb County Board of Education, Dawson County, DeKalb County Government, DeKalb County Board of Education, Fulton County Government, Forsyth County, Gwinnett County, Gwinnett County Board of Education, Jackson County, and Rockdale County.

Gwinnett County served as the Principal Procurement Agency for this fuel contract.

**Community Impact:** All participants of community members should have benefit to have discount pricing through this cooperative action.

**Department Recommendation:** The Real Estate and Asset Management Department requests increase spending authority to provide gasoline and diesel fuel services for County-wide vehicle fleet.

**Project Implications:** Joining this cooperative agreement provides benefits which resulted in discount pricing through this action.

**Community Issues/Concerns:** None that the Department is aware.

**Department Issues/Concerns:** If this increase spending authority is not approved, the County could not purchase gasoline and diesel fuel at retail costs which will immediately increase County's spending.

**Contract Modification:** Annually approved this contract to continue providing fuel services.

**\*\*Spending History:** \$841,038 in FY2021, \$685,837 in FY2020, \$815,023 in FY2019, and \$953,639 in FY2018

**(A) James River Solutions, LLC**

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	21-0212	3/17/21	\$613,500.00
<b>Increase Spending Authority, No #1</b>			<b>\$740,000.00</b>
Total Revised Amount			\$1,353,500.00

**(B) Petroleum Traders Corporation**

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	21-0212	3/17/21	\$613,500.00
<b>Increase Spending Authority, No #1</b>			<b>\$740,000.00</b>
Total Revised Amount			\$1,353,500.00

**(C) Colonial Oil Industries, Inc.**

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	21-0212	3/17/21	\$613,500.00

Increase Spending Authority, No #1			\$200,000.00
Total Revised Amount			\$813,500.00

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

Not Applicable

**Exhibits Attached:**

Exhibit 1: Contractor Performance Reports

Exhibit 2: Contract #BL113-20 Award

**Contact Information** *(Type Name, Title, Agency and Phone)*

Joseph N. Davis, Director,  
Department of Real Estate and Asset Management, (404) 612-5919

**Contract Attached**

Yes

**Previous Contracts**

Yes

**Total Contract Value**

Original Approved Amount: \$1,840,500.00  
Previous Adjustments: \$0.00  
This Request: \$1,680,000.00  
TOTAL: \$3,520,500.00

**Grant Information Summary**

Amount Requested: ☐ Cash  
Match Required: ☐ In-Kind  
Start Date: ☐ Approval to Award  
End Date: ☐ Apply & Accept  
Match Account \$:

**Fiscal Impact / Funding Source****Funding Line 1:**

FY 2022: 700-520-5223-1712, Internal Services, Real Estate and Asset Management, Gasoline -

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\$1,400,000 (for 10 months in FY 2022, \$140,000 per month); FY 2023: 700-520-5223-1712, Internal Services, Real Estate and Asset Management, Gasoline -\$280,000 for 2 months in FY 20213, Pending 2023 BOC approval

Key Contract Terms	
<b>Start Date:</b> 3/1/2022	<b>End Date:</b> 2/28/2023
<b>Cost Adjustment:</b>	<b>Renewal/Extension Terms:</b> 4 one-year renewal options

**Overall Contractor Performance Rating:**  
**Would you select/recommend this vendor again?**  
Yes

**Report Period Start:**      **Report Period End:**  
1/14/2022



**DEPARTMENT OF PURCHASING &  
CONTRACT COMPLIANCE**

**CONTRACTORS PERFORMANCE REPORT**

**GOODS AND COMMODITIES**

Report Period Start	Report Period End	Contract Period Start	Contract Period End
9/1/2021	12/31/2021	3/1/2021	2/28/2022
Purchaser Order Number		Purchase Order Date	
DO #042621-603		8/26/2021	
Department			
Department of Real Estate and Asset Management			
Bid Number		Service Commodity	
BL 113-20		Gasoline and Diesel Fuel	
Contractor			
James River			
<b>Performance Rating</b>			
0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
2 = Satisfactory	Archives contract requirements 80% of the time. Generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.		
3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Quality of Goods/Services		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
<input type="radio"/>	0	The gasoline and diesel fuel provided meets all state and federal requirements.	
<input type="radio"/>	1		
<input type="radio"/>	2		
<input type="radio"/>	3		
<input checked="" type="radio"/>	4		
2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/ Change – On Time Completion Per Contract)	
<input type="radio"/>	0	The vendor provides fuel on the demand by timely manner.	
<input type="radio"/>	1		
<input type="radio"/>	2		
<input type="radio"/>	3		
<input checked="" type="radio"/>	4		

3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)
<input type="radio"/>	0	The vendor operates a 24 hour call center, and we are available to reach them immediately for inquires and orders.
<input type="radio"/>	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – No Substitutions)
	0	The vendor is responsive to fuel orders and provided accurate invoices within 15 days of order placement.
	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)
<input type="radio"/>	0	Our interaction with vendor's staff is limited but however the call center staff is available and responds appropriately to inquires and orders.
<input type="radio"/>	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	

Overall Performance Rating	4.00	Date	1/13/2022
Would you select/recommend this vendor again?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Rating completed by:	Eric Johnson		
Department Head Name:	Joseph N Davis		
Department Head Signature	<i>Joseph Davis</i>		

After completing the form:  
 Submit to Purchasing  
 Print a copy for your records  
 Save the form

Submit

Print

Save



**DEPARTMENT OF PURCHASING &  
CONTRACT COMPLIANCE**

**CONTRACTORS PERFORMANCE REPORT**

**GOODS AND COMMODITIES**

Report Period Start	Report Period End	Contract Period Start	Contract Period End
Purchaser Order Number		Purchase Order Date	
Department			
Bid Number		Service Commodity	
Contractor			
<b>Performance Rating</b>			
0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
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3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Quality of Goods/Services		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
	0		
	1		
	2		
	3		
	4		
2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/ Change – On Time Completion Per Contract)	
	0		
	1		
	2		
	3		
	4		

3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)
	0	
	1	
	2	
	3	
	4	
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – No Substitutions)
	0	
	1	
	2	
	3	
	4	
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)
	0	
	1	
	2	
	3	
	4	

Overall Performance Rating		Date	
Would you select/recommend this vendor again?			
Rating completed by:			
Department Head Name:			
Department Head Signature			

After completing the form:  
 Submit to Purchasing  
 Print a copy for your records  
 Save the form



**DEPARTMENT OF PURCHASING &  
CONTRACT COMPLIANCE**

**CONTRACTORS PERFORMANCE REPORT**

**GOODS AND COMMODITIES**

Report Period Start	Report Period End	Contract Period Start	Contract Period End
Purchaser Order Number		Purchase Order Date	
Department			
Bid Number		Service Commodity	
Contractor			
<b>Performance Rating</b>			
0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
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3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Quality of Goods/Services		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
	0		
	1		
	2		
	3		
	4		
2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/ Change – On Time Completion Per Contract)	
	0		
	1		
	2		
	3		
	4		

3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)
	0	
	1	
	2	
	3	
	4	
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – No Substitutions)
	0	
	1	
	2	
	3	
	4	
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)
	0	
	1	
	2	
	3	
	4	

Overall Performance Rating		Date	
Would you select/recommend this vendor again?			
Rating completed by:			
Department Head Name:			
Department Head Signature			

After completing the form:  
 Submit to Purchasing  
 Print a copy for your records  
 Save the form



February 2, 2021

James River Solutions  
Attn: Tracy Little  
10487 Lakeridge Parkway, Suite 100  
Ashland, VA 23005  
Email: bbailey@jrpenenergy.com

**RE: NOTICE OF AWARD – BL113-20, Purchase of Gasoline and Diesel Fuel on an Annual Contract; GCID# 20210160**

Dear Ms. Little:

The Board of Commissioners at its Tuesday, February 2, 2021 meeting approved your company as one of the successful suppliers for bid, BL113-20, Purchase of Gasoline and Diesel Fuel on an Annual Contract in the amount of \$13,650,000.00. Please note the enclosed tabulation.

The contract dates will be March 1, 2021 through February 28, 2022. Please reference the above bid number on all invoices and correspondence regarding this award.

Sincerely,

Marlo Dial, CPPB  
Purchasing Associate III

MD/bc

Enclosure

c: Wanda Cain, Department of Support Services  
Holly Day, Department of Support Services  
Miria Gamble, Department of Support Services



February 2, 2021

Colonial Oil Industries, Inc.  
Attn: James Mercer  
101 North Lathrop Ave.  
Savannah, GA 31415  
Email: coisales@colonialoil.com

**RE: NOTICE OF AWARD – BL113-20, Purchase of Gasoline and Diesel Fuel on an Annual Contract; GCID# 20210160**

Dear Mr. Mercer:

The Board of Commissioners at its Tuesday, February 2, 2021 meeting approved your company as one of the successful suppliers for bid, BL113-20, Purchase of Gasoline and Diesel Fuel on an Annual Contract in the amount of \$13,650,000.00. Please note the enclosed tabulation.

The contract dates will be March 1, 2021 through February 28, 2022. Please reference the above bid number on all invoices and correspondence regarding this award.

Sincerely,

Marlo Dial, CPPB  
Purchasing Associate III

MD/bc

Enclosure

c: Wanda Cain, Department of Support Services  
Holly Day, Department of Support Services  
Miria Gamble, Department of Support Services



February 2, 2021

Petroleum Traders Corporation  
Attn: Linda Stephens  
P.O. Box 2357  
Fort Wayne, IN 46801-2357  
Email: gnewton@petroleumtraders.com

**RE: NOTICE OF AWARD – BL113-20, Purchase of Gasoline and Diesel Fuel on an Annual Contract; GCID# 20210160**

Dear Ms. Stephens:

The Board of Commissioners at its Tuesday, February 2, 2021 meeting approved your company as one of the successful suppliers for bid, BL113-20, Purchase of Gasoline and Diesel Fuel on an Annual Contract in the amount of \$13,650,000.00. Please note the enclosed tabulation.

The contract dates will be March 1, 2021 through February 28, 2022. Please reference the above bid number on all invoices and correspondence regarding this award.

Sincerely,

Marlo Dial, CPPB  
Purchasing Associate III

MD/bc

Enclosure

c: Wanda Cain, Department of Support Services  
Holly Day, Department of Support Services  
Miria Gamble, Department of Support Services

BL113-20

Purchase of Gasoline and Diesel Fuel on an Annual Contract  
Department of Support Services

			Boswell Oil Company (OC)				Colonial Oil Industries, Inc. (OC)				D-Jay Energy, LLC (OC)			
ITEM #	DESCRIPTION	EST. ANNUAL QTY.	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL
1	Diesel Fuel, Ultra Low Sulfur, #2 Full Transport Load	15,799,062 gal.	\$0.0049	\$0.0049	\$1.22	\$19,352,271.04	-0.0034	-\$0.0034	\$1.22	\$19,221,138.83	N/B	\$0.0145	\$1.22	\$19,503,942.04
2	Diesel Fuel, Ultra Low Sulfur, #2 Wagon Load	3,629,094 gal.	\$0.0619	\$0.0619	\$1.22	\$4,652,135.60	0.0995	\$0.100	\$1.22	\$4,788,589.53	N/B	\$0.150	\$1.22	\$4,971,858.78
3	Low Sulfur Gasoline Ethanol Full Transport Load	11,686,222 gal.	-0.0076	-0.0076	\$1.30	\$15,103,273.31	-0.0362	-\$0.0362	\$1.30	\$14,769,047.36	N/B	\$0.0098	\$1.30	\$15,306,613.58
4	Low Sulfur Gasoline Ethanol Tank Wagon Load	2,981,274 gal.	\$0.0619	\$0.0619	\$1.30	\$4,060,197.06	0.0995	\$0.100	\$1.30	\$4,172,292.96	N/B	\$0.150	\$1.30	\$4,322,847.30
<b>TOTAL</b>						<b>\$43,167,877.02</b>				<b>\$42,951,068.69</b>				<b>\$44,105,261.70</b>
Split Delivery Fee			\$45.00				\$65.00				\$60.00			
Pump Fee			\$50.00				\$70.00				\$50.00			
Short Load Fee			\$125.00				\$0.27/gallon				\$50.00			
Will Vendor Hold Pricing Firm? Renewal Option 1			Yes				6% Increase				Yes			
Will Vendor Hold Pricing Firm? Renewal Option 2			Yes				6% Increase				Yes			
Will Vendor Hold Pricing Firm? Renewal Option 3			Yes				6% Increase				Yes			
Will Vendor Hold Pricing Firm? Renewal Option 4			Yes				6% Increase				Yes			

			Indigo Energy Partners, LLC (OC)				James River Solutions (OS)				Mansfield Oil Company of Gainesville, Inc. (OC)			
ITEM #	DESCRIPTION	EST. ANNUAL QTY.	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL
1	Diesel Fuel, Ultra Low Sulfur, #2 Full Transport Load	15,799,062 gal.	\$0.0332	\$0.0037	\$1.22	\$19,799,384.50	-\$0.016	-\$0.016	\$1.22	\$19,022,070.65	\$0.0008	\$0.2008	\$1.22	\$19,287,494.89
2	Diesel Fuel, Ultra Low Sulfur, #2 Wagon Load	3,629,094 gal.	\$0.1200	\$0.0800	\$1.22	\$4,862,985.96	\$0.054	\$0.054	\$1.22	\$4,623,465.76	\$0.1046	\$0.3046	\$1.22	\$4,807,097.91
3	Low Sulfur Gasoline Ethanol Full Transport Load	11,686,222 gal.	-\$0.0220	-\$0.0166	\$1.30	\$14,934,991.72	-\$0.023	-\$0.023	\$1.30	\$14,923,305.49	-\$0.0012	\$0.1988	\$1.30	\$15,178,065.13
4	Low Sulfur Gasoline Ethanol Tank Wagon Load	2,981,274 gal.	\$0.0850	\$0.0850	\$1.30	\$4,129,064.49	\$0.054	\$0.054	\$1.30	\$4,036,645.00	\$0.1146	\$0.3146	\$1.30	\$4,217,310.20
<b>TOTAL</b>						<b>\$43,726,426.66</b>				<b>\$42,605,486.89</b>				<b>\$43,489,968.14</b>
Split Delivery Fee			\$75.00				\$40.00				\$60.00			
Pump Fee			\$100.00				\$40.00				\$100.00			
Short Load Fee			\$100.00				\$100.00				\$150.00			
Will Vendor Hold Pricing Firm? Renewal Option 1			+/- .0025 per gallon				Yes				+.0025 per gallon			
Will Vendor Hold Pricing Firm? Renewal Option 2			+/- .0025 per gallon				Yes				+.0025 per gallon			
Will Vendor Hold Pricing Firm? Renewal Option 3			+/- .0025 per gallon				Yes				+.0025 per gallon			
Will Vendor Hold Pricing Firm? Renewal Option 4			+/- .0025 per gallon				Yes				+.0025 per gallon			

BL113-20

Purchase of Gasoline and Diesel Fuel on an Annual Contract  
Department of Support Services

			PAPCO, Inc. (OS)				Petroleum Traders Corporation (OS)				Truman Arnold Companies DBA TAC Energy (OS)			
ITEM #	DESCRIPTION	EST. ANNUAL QTY.	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL	WEEKLY DISCOUNT/ MARK-UP	DAILY DISCOUNT/ MARK-UP	PRICE PER GALLON	ANNUAL TOTAL
1	Diesel Fuel, Ultra Low Sulfur, #2 Full Transport Load	15,799,062 gal.	\$0.0060	\$0.0010	\$1.22	\$19,369,650.01	-\$0.0044	-\$0.0069	\$1.22	\$19,205,339.77	-\$0.0104	\$0.0062	\$1.22	\$19,110,545.40
2	Diesel Fuel, Ultra Low Sulfur, #2 Wagon Load	3,629,094 gal.	\$0.1353	\$0.1303	\$1.22	\$4,918,511.10	\$0.0775	\$0.075	\$1.22	\$4,708,749.47	\$0.2500	\$0.2700	\$1.22	\$5,334,768.18
3	Low Sulfur Gasoline Ethanol Full Transport Load	11,686,222 gal.	-\$0.0088	-\$0.0138	\$1.30	\$15,089,249.85	-\$0.0097	-\$0.0122	\$1.30	\$15,078,732.25	-\$0.0202	-\$0.0046	\$1.30	\$14,956,026.92
4	Low Sulfur Gasoline Ethanol Tank Wagon Load	2,981,274 gal.	\$0.1244	\$0.1194	\$1.30	\$4,246,526.69	\$0.0775	\$0.075	\$1.30	\$4,106,704.94	\$0.2500	\$0.2700	\$1.30	\$4,620,974.70
<b>TOTAL</b>						<b>\$43,623,937.64</b>				<b>\$43,099,526.41</b>				<b>\$44,022,315.19</b>
<b>Split Delivery Fee</b>			<b>\$65.00</b>				<b>\$50.00</b>				<b>\$50.00</b>			
<b>Pump Fee</b>			<b>\$65.00</b>				<b>\$65.00</b>				<b>\$75.00</b>			
<b>Short Load Fee</b>			<b>\$100.00</b>				<b>\$150.00</b>				<b>\$200.00</b>			
<b>Will Vendor Hold Pricing Firm? Renewal Option 1</b>			<b>+ .0025 per gallon</b>				<b>+ .0025 per gallon</b>				<b>TBD</b>			
<b>Will Vendor Hold Pricing Firm? Renewal Option 2</b>			<b>+ .0025 per gallon</b>				<b>+ .0025 per gallon</b>				<b>TBD</b>			
<b>Will Vendor Hold Pricing Firm? Renewal Option 3</b>			<b>+ .0025 per gallon</b>				<b>+ .0025 per gallon</b>				<b>TBD</b>			
<b>Will Vendor Hold Pricing Firm? Renewal Option 4</b>			<b>+ .0025 per gallon</b>				<b>+ .0025 per gallon</b>				<b>TBD</b>			

**Recommended Vendors:**

**Primary**

James River Solutions  
Attn: Tracy Little  
10487 Lakeridge Parkway, Suite 100  
Ashland, VA 23005  
Phone: 804.767.8170  
Fax: 804.359.6307  
Email: bbailey@jrpenergy.com

**Secondary**

Colonial Oil Industries, Inc.  
Attn: James Mercer  
101 North Lathrop Avenue  
Savannah, GA 31415  
Phone: 800.944.3835  
Fax: 912.238.0340  
Email: coisales@colonialoil.com

**Tertiary**

Petroleum Traders Corporation  
Attn: Linda Stephens  
PO Box 2357  
Fort Wayne, IN 46801-2357  
Phone: 888.637.7661  
Fax: 260.203.3820  
Email: gnewton@petroleumtraders.com





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0123

Meeting Date: 2/16/2022

### Department

Real Estate and Asset Management

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of recommended proposals - Department of Real Estate and Asset Management, RFP#21RFP130182C-MH, General Landscaping & Lawn Care Services for Countywide Facilities in the total amount of \$1,300,000.00 with (A) ReIMAGE General Contractors, LLC (Atlanta, GA) in the amount of \$1,000,000.00, and (B) WorldScapes, LLC (Atlanta, GA) in the amount of \$300,000.00, to provide on-site landscape/ground maintenance and lawn care services for all 106 County-own sites to include the Fulton County Executive Airport - Charlie Brown Field. Effective upon execution of contracts through December 31, 2022, with two renewal options.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-374 and 102-375, all competitive sealed proposals shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

Yes

**Summary & Background** Request approval of proposal to provide on-site general landscaping and lawn care services for all 106 County-own sites to include Fulton County Airport for FY2022.

**Scope of Work:** These contracts provide on-site general landscaping and lawn care for 106 countywide facilities to include the Fulton County Executive Airport - Charlie Brown Field. The Scope of Work includes, but is not limited to, maintenance of ground covers, annuals, perennials, shrubs,

trees and irrigation systems. The maintenance shall include but not limited to application of fertilizers, herbicides, pesticides, watering, pruning, weeding, deadheading, replacement planting (as approved by the County), loose trash removal and disposal out of county facilities, leaf removal, irrigation repair and maintenance, tree removal and spring and fall clean up.

**General Landscaping & Lawn Care Included:**

- Spring/Fall Cleanup: April & November
- Turf Maintenance; Removing debris, seeding, aeration, vermicide
- Mowing of Properties: Turf shall be at a height of 2 to 2.5 inches
- Mulch: Mulch depth from two (2) inches to three (3) inches.
- Shrubs and Tree Plant Maintenance: Necessary prune, trim and cleaning
- Weed Control and Fertilization
  - a. Annual/Perennial/Shrub Beds
  - b. Paved Surfaces
  - c. Stone/Mulch Areas
- Design and installation of turf grass and other hardscape
- Reseeding
- Irrigation System Maintenance
- Monthly report (visual documentation-before and after photos)
- Quality Assurance/Control program
- Airport (additional reporting)

**Specific Responsibilities:**

**ReIMAGE General Contractors:** Provides comprehensive grounds and turf management program to include routine landscape maintenance, design and installation, arborist, and landscape architect services for all 106 County-own sites to include Fulton County Airport.

**WorldScapes, LLC:** Provides on-site maintenance to include vegetation control, grubbing, and upkeep for surplus and unused buildings, facilities, sites, vacant lots, control illegal dumping and removal of debris clean-up on all County-owned sites.

**Community Impact:** Enhance the professional appearance of the facilities and surrounding communities.

**Department Recommendation:** The Department of Real Estate and Asset Management recommends approval.

The spending authority in the total amount of \$1,300,000 is being requested to cover the costs for all labor, materials, irrigation maintenance, replacement planting, fertilizers, herbicides/pesticides, removal of debris and clean-up of all County-own site including Fulton County Airport for FY2022.

**Historical Expenditures:**

- FY2021: The County spent \$312,561.90

- FY2020: The County spent \$485,333.16
- FY2019: The County spent \$238,248.00
- FY2018: The County spent \$244,647.40
- FY2017: The County spent \$226,000.00

**Project Implications:** These contracts provide all of the necessary all labor, equipment, transportation and materials to provide general landscaping, maintenance and lawn care services for County-wide facilities.

**Community Issues/Concerns:** None that the Department is aware.

**Department Issues/Concerns:** If these contracts are not approved, this will affect the Department's ability to address the needs for full on-site lawn care maintenance services for 106 County-wide facilities and including Fulton County Airport.

**Contract Modification:** This is a new procurement.

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

**Total Contract Value:** \$1,300,000.00

(A)

**Contract Value:** \$1,000,000.00  
**Prime Vendor:** Relmage General Contractors, LLC  
**Prime Status:** African American Male Business Enterprise-Certified  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Prime Value:** \$640,000.00 or 64.00%

**Subcontractor:** YellowStone  
**Subcontractor Status:** Non-Minority  
**Location:** Smyrna, GA  
**County:** Cobb County  
**Contract Value:** \$160,000.00 or 16.00%

**Subcontractor:** Randall's Premier Landscaping, LLC  
**Subcontractor Status:** African American Male Business Enterprise-Non-Certified  
**Location:** Rex, GA  
**County:** Clayton County  
**Contract Value:** \$170,000.00 or 17.00%

**Subcontractor:** All-Turf  
**Subcontractor Status:** Non-Minority  
**Location:** Loganville, GA  
**County:** Gwinnett County  
**Contract Value:** \$30,000.00 or 3.00%

**Total Contract Value:** \$1,000,000.00 or 100.00%  
**Total M/FBE Value:** \$810,000.00 or 81.00%

**(B)**

**Contract Value:** \$300,000.00  
**Prime Vendor:** WorldScapes, LLC  
**Prime Status:** African American Male Business Enterprise-Non-Certified  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Prime Value:** \$165,000.00 or 55.00%

**Subcontractor:** Pro Turf  
**Subcontractor Status:** African American Male Business Enterprise-Non-Certified  
**Location:** Decatur, GA  
**County:** Dekalb County  
**Contract Value:** \$30,000.00 or 10.00%

**Subcontractor:** Trennis Thomas Lawn Care  
**Subcontractor Status:** African American Male Business Enterprise-Non-Certified  
**Location:** Bremen, GA  
**County:** Carroll County  
**Contract Value:** \$15,000.00 or 5.00%

**Subcontractor:** Grand Landscapes  
**Subcontractor Status:** African American Male Business Enterprise- Non-Certified  
**Location:** Covington, GA  
**County:** Newton County  
**Contract Value:** \$30,000.00 or 10.00%

**Subcontractor:** Here at Last Landscaping, LLC  
**Subcontractor Status:** African American Male Business Enterprise-Non-Certified  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Contract Value:** \$30,000.00 or 10.00%

**Subcontractor:** Rocker Care Services  
**Subcontractor Status:** African American Male Business Enterprise-Non-Certified  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Contract Value:** \$30,000.00 or 10.00%

**Total Contract Value:** \$300,000.00 or 100.00%  
**Total MFBE Value:** \$300,000.00 or 100.00%

**Grand Contract Value:** \$1,300,000.00 or 100.00%

**Grand MFBE Value:**        **\$1,110,000.00 or 85.38%**

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: Evaluation Committee Recommendation Letter

Exhibit 2: Contractor Performance Reports

**Contact Information** *(Type Name, Title, Agency and Phone)*

Joseph N. Davis, Director, Department of Real Estate and Asset Management, (404) 612-3772

**Contract Attached**

No

**Previous Contracts**

No

**Total Contract Value**

Original Approved Amount:	\$0.00
Previous Adjustments:	\$0.00
This Request:	\$1,300,000.00
TOTAL:	\$1,300,000.00

**Grant Information Summary**

Amount Requested:	<input type="checkbox"/> Cash
Match Required:	<input type="checkbox"/> In-Kind
Start Date:	<input type="checkbox"/> Approval to Award
End Date:	<input type="checkbox"/> Apply & Accept
Match Account \$:	

**Fiscal Impact / Funding Source**

**Funding Line 1:**

100-520-5222-1160: General, Real Estate and Asset Management, Professional Services-\$1,108,860

**Funding Line 2:**

200-540-5601-1160: Airport, Public Works, Professional Services- \$78,870

**Funding Line 3:**

201-540-5459-1160: Water &amp; Sewer Revenue, Public Works, Professional Services- \$56,135

**Funding Line 4:**

203-540-5453-1160: Water &amp; Sewer R &amp; E, Public Works, Professional Services- \$56,135

**Key Contract Terms****Start Date:** Effective upon  
execution of contract**End Date:** 12/31/2022**Cost Adjustment:** Click  
here to enter text.**Renewal/Extension Terms:** Two  
one-year renewal options**Overall Contractor Performance Rating:****Would you select/recommend this vendor again?**

Yes

**Report Period Start:**  
4/1/2022**Report Period End:**  
12/31/2022



## INTEROFFICE MEMORANDUM

**TO:** Felicia Strong-Whitaker, Director  
Department of Purchasing & Contract Compliance

**FROM:** Evaluation Committee Recommendation Letter

**DATE:** January 6, 2022

**PROJECT:** 21RFP130182C-MH, General Landscaping and Lawn Care

In accordance with the Purchasing Code, a duly appointed Evaluation Committee has reviewed the proposals submitted in response to the above-reference project on behalf of the Finance Department.

Three (3) qualified firms submitted proposals for evaluation and consideration for award of the Dental section of this project:

1. RelImage General Contractors, LLC
2. WorldScape, LLC
3. ED CASTRO LANDSCAPE, INC

After review, evaluation and consideration of all available information related to the requirements and evaluation criteria of the RFP, the Evaluation Committee has determined that the proposal submitted by **RelImage General Contractors LLC** with a total score of **86.17** and **WorldScape, LLC** with a total score of **62.57**, are the recommended vendor for the award of **21RFP130182C-MH, General Landscaping and Lawn Care**.

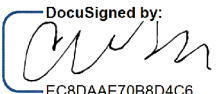
## Evaluation Committee Recommendation Letter

January 6, 2022

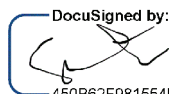
Page | 2

The Evaluation Committee members attest that each member scored each proposal independently in accordance with the evaluation criteria set forth in the Request for Proposal and that their individual score is a part of the final scores in the attached Evaluation Matrix.

### **SELECTION COMMITTEE MEMBERS:**

DocuSigned by:  
  
EC8DAAE70B8D4C6...  
Anthony Spencer    ags

DocuSigned by:  
  
7CF28CFBC3FB49A...  
Jonathan Gauthier    Assistant Airport Manager

DocuSigned by:  
  
450B62F981554D7...  
Shaista Begum    Senior engineer

## Evaluation Committee Recommendation Letter

January 6, 2022

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EVALUATION CRITERIA	WEIGHT	Relmage General Contractors, LLC	WorldScape , LLC	ED Castro Landscape, Inc.
Project Plan/Approach to Work	25	22.92	14.58	12.50
Qualification of Key Personnel	10	9.17	5.83	5.83
Relevant Project Experience/Past Performance	28	28	16.33	4.67
Availability of Key Personnel	10	10	5.83	5.83
Local Preference	5	5	0	0
Service Disabled Veterans Preference	2	0	0	0
Cost Proposal	20	11.08	20	14.11
<b>TOTAL SCORE:</b>	<b>100.00</b>	<b>86.17</b>	<b>62.57</b>	<b>42.94</b>

*\*To sum Total Score columns highlight the row and press F9*



## INTEROFFICE MEMORANDUM

**TO:** Felicia Strong-Whitaker, Director, Purchasing and Contract Compliance

**FROM:** Joseph Davis, Director, DREAM 

**DATE:** January 24, 2022

**SUBJECT:** Contractor's Performance Report – ReIMAGE General Contractors, LLC

---

The Contractor listed below to our knowledge has never provided any professional goods or services to Fulton County's Department of Real Estate and Asset Management:

**PROJECT:** General Landscaping and Lawn Care Services for Countywide Facilities

**PROJECT NO.:** 21RFP130182C-MH

**CONTRACTOR:** ReIMAGE General Contractors, LLC  
4355 Cobb Parkway  
Suite J-118  
Atlanta, GA 30339

**POC:** Ms. Monica K. Cainion

**PHONE:** (404) 382-7490

**EMAIL:** [ReIMAGEgeneralcontractors@gmail.com](mailto:ReIMAGEgeneralcontractors@gmail.com)

If you have any questions, please contact Harry Jordan at (404) 612-5933

JD/TD/AS/haj

C: Tim Dimond, Deputy Director, DREAM  
Anthony Spencer, Administrator, Fleet Manager-Solid Waste-Grounds, DREAM



## INTEROFFICE MEMORANDUM

**TO:** Felicia Strong-Whitaker, Director, Purchasing and Contract Compliance

**FROM:** Joseph Davis, Director, DREAM 

**DATE:** January 24, 2022

**SUBJECT:** Contractor's Performance Report – WorldScapes, LLC

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The Contractor listed below to our knowledge has never provided any professional goods or services to Fulton County's Department of Real Estate and Asset Management:

**PROJECT:** General Landscaping and Lawn Care Services for Countywide Facilities

**PROJECT NO.:** 21RFP130182C-MH

**CONTRACTOR:** WorldScapes, LLC  
PO Box 1164  
Atlanta, GA 30301

**POC:** Mr. Andre Mayfield

**PHONE:** (404) 399-3362

**EMAIL:** [andre@worldscapesllc.com](mailto:andre@worldscapesllc.com)

If you have any questions, please contact Harry Jordan at (404) 612-5933

JD/TD/AS/haj

C: Tim Dimond, Deputy Director, DREAM  
Anthony Spencer, Administrator, Fleet Manager-Solid Waste-Grounds, DREAM





# Fulton County Board of Commissioners

## Agenda Item Summary

**Agenda Item No.:** 22-0124

**Meeting Date:** 2/16/2022

### Department

Real Estate and Asset Management

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a recommended proposal - Department of Real Estate and Asset Management, RFP#21RFP131973C-MH, Bus and Shuttle Services in the amount of \$522,857.25 with MTI Limo and Shuttle Services, Inc. (College Park, GA), to provide bus and shuttle services for Fulton County employees and jurors. Effective dates: April 1, 2022 through December 31, 2022, with two renewal options.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-374 and 102-375, all competitive sealed proposals shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

Yes

**Summary & Background** Request approval of recommended proposal to provide Bus and Shuttle Services for Fulton County for FY2022.

**Scope of Work:** This contract provides transportation services primarily from Monday through Friday for Fulton County employees and jurors who park at the Brown, Yellow, Red and Silver lots to Fulton County Government Center located at 141 Pryor Street, Justice Center Tower located at 185 Central Avenue, Tax Assessor Office located at 135 Peachtree Street, Central Library located at 1 Margaret Mitchell Square NW, and the Fulton County Health Services building located at 10 Park Place.

The Scope of Work includes but not limited to:

1. Provide the County, on the 1st day of each month by COB, a status report on the total number of riders, total mileage driven, fuel consumption, and interruptions in service; and
2. Provide the County a Customer Survey Report on a quarterly basis. They are to provide the customer (County staff and jurors) the opportunity to rate the quality of service and expectations being provided (cleanliness, driving, schedule pick-ups, etc.); and
3. Assist the County and Transportation provider to maintain and enhance the performance standards set forth in the proposal.

**Community Impact:** The County employees and the Jurors downtown parking arrangements will be dramatically affected if this contract is not approved.

**Department Recommendation:** The Department of Real Estate and Asset Management recommends approval of proposal to provide bus and shuttle services for Fulton County employees and jurors for FY2022.

After reviewing three (3) qualified firms' proposals, the evaluation and consideration of all available information related to the requirements and evaluation criteria of the RFP #21RFP131973C-MH; and the Evaluation Committee has determined that the following proposal submitted by MTI Limo and Shuttle Services, Inc. is the recommended contractor:

1. MTI Limo and Shuttle Services, Inc. (94.51%)
2. A National Limousine Services, Inc. (72.82%)
3. B & K Transportation, LLC (50.40%)

The recommended professional firm has a current contract with Fulton County and have performed very well and highly competent as a Bus Contractor for the Department of Real Estate and Asset Management as stated in their performance reports.

The spending authority in the total amount of \$522,857.25 is being requested to cover the cost for bus and shuttle services for County employees and Jurors, and to provide bus services for special events on as-needed basis in support of County agencies, effective April 1, 2022 through December 31, 2022.

Historical Expenditures:

- FY2021: The County spent \$630,104.76
- FY2020: The County spent \$616,234.67
- FY2019: The County spent \$516,739.20
- FY2018: The County spent \$498,359.00

**Project Implications:** This contract provides bus and shuttle services to County employees and

jurors; and special transportation for other County agencies, as needed.

**Community Issues/Concerns:** None that the Department is aware.

**Department Issues/Concerns:** If this contract is not approved, the County will not have the abilities to provide bus and shuttle services for County employees and Jurors, nor will it be able to provide bus services for special events.

**Contract Modification** No, this is a new procurement.

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

**Contract Value:** \$522,857.25  
**Prime Vendor:** MTI Limousine and Shuttle Services  
**Prime Status:** African American Male Business Enterprise-Non-Certified  
**Location:** College Park, GA  
**County:** Fulton County  
**Prime Value:** \$522,857.25 or 100.00%

**Total Contract Value:** \$522,857.25 or 100.00%  
**Total M/FBE Value:** \$522,857.25 or 100.00%

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: Evaluation Committee Recommendation Letter  
Exhibit 2: Contractor Performance Report

**Contact Information** *(Type Name, Title, Agency and Phone)*

Joseph N. Davis, Director, Department of Real Estate and Asset Management, (404) 612-3772

**Contract Attached**

No

**Previous Contracts**

Yes

**Total Contract Value**

Original Approved Amount: \$0.00  
Previous Adjustments: \$0.00

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**Agenda Item No.:** 22-0124

**Meeting Date:** 2/16/2022

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This Request: \$522,857.25  
TOTAL: \$522,857.25

### Grant Information Summary

Amount Requested: ☐ Cash  
Match Required: ☐ In-Kind  
Start Date: ☐ Approval to Award  
End Date: ☐ Apply & Accept  
Match Account \$:

### Fiscal Impact / Funding Source

#### Funding Line 1:

100-520-5223-1160: General, Real Estate and Asset Management, Professional Services-\$522,857.25

Key Contract Terms	
Start Date: 4/1/2022	End Date: 12/31/2022
Cost Adjustment:	Renewal/Extension Terms: Two one-year renewal options

**Overall Contractor Performance Rating:** 4.0

**Would you select/recommend this vendor again?**

Yes

**Report Period Start:** 10/1/2021  
**Report Period End:** 12/31/2021



## INTEROFFICE MEMORANDUM

**TO:** Felicia Strong-Whitaker, Director  
Department of Purchasing & Contract Compliance

**FROM:** Evaluation Committee Recommendation Letter

**DATE:** January 7, 2022

**PROJECT:** 21RFP131973C-MH, Bus and Shuttle Services

In accordance with the Purchasing Code, a duly appointed Evaluation Committee has reviewed the proposals submitted in response to the above-reference project on behalf of the Finance Department.

Three (3) qualified firms submitted proposals for evaluation and consideration for award of the Dental section of this project:

1. MTI Limo and Shuttle Services, Inc.
2. A National Limousine Service, Inc.
3. B&K Transportation, LLC

After review, evaluation and consideration of all available information related to the requirements and evaluation criteria of the RFP, the Evaluation Committee has determined that the proposal submitted by MTI Limo and Shuttle Services, Inc with a total score of **94.51**, is the recommended vendor for the award of **21RFP131973C-MH, Bus and Shuttle Services**.

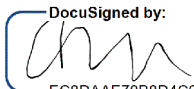
## Evaluation Committee Recommendation Letter


January 7, 2022

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The Evaluation Committee members attest that each member scored each proposal independently in accordance with the evaluation criteria set forth in the Request for Proposal and that their individual score is a part of the final scores in the attached Evaluation Matrix.

### **SELECTION COMMITTEE MEMBERS:**

DocuSigned by:  
  
EC8DAAE70B8D4C6...  
Anthony Spencer, ags

DocuSigned by:  
  
450B62F981554D7...  
Shaista Begum senior engineer

DocuSigned by:  
  
6567664D6384485...  
Barbara Burden Fleet Operations Manager

## Evaluation Committee Recommendation Letter

January 7, 2022

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EVALUATION CRITERIA	WEIGHT	MTI Limo and Shuttle Services, Inc.	A National Limousine Service, Inc.	B&K Transportation, LLC
Executive Summary/Project Plan/Approach to Work	20	20	13.33	8.33
Qualification of Key Personnel	10	9.17	5.83	5
Relevant Project Experience/Past Performance	23	23	15.33	13.42
Availability of Key Personnel	20	18.33	13.33	10
Local Preference	5	5	5	0
Service Disabled Veterans Preference	2	0	0	0
Cost Proposal	20	19.01	20	13.65
<b>TOTAL SCORE:</b>	<b>100.00</b>	<b>94.51</b>	<b>72.82</b>	<b>50.40</b>

*\*To sum Total Score columns highlight the row and press F9*



**DEPARTMENT OF PURCHASING &  
CONTRACT COMPLIANCE**

**CONTRACTORS PERFORMANCE REPORT**

**PROFESSIONAL SERVICES**

Report Period Start	Report Period End	Contract Period Start	Contract Period End
Purchaser Order Number		Purchase Order Date	
Department			
Bid Number		Service Commodity	
Contractor			
<b>Performance Rating</b>			
0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
2 = Satisfactory	Archives contract requirements 80% of the time. Generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.		
3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Quality of Goods/Services		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
	0		
	1		
	2		
	3		
	4		
2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/ Change – On Time Completion Per Contract)	
	0		
	1		
	2		
	3		
	4		

3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)
	0	
	1	
	2	
	3	
	4	
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – No Substitutions)
	0	
	1	
	2	
	3	
	4	
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)
	0	
	1	
	2	
	3	
	4	

Overall Performance Rating		Date	
Would you select/recommend this vendor again?			
Rating completed by:			
Department Head Name:			
Department Head Signature			

After completing the form:  
 Submit to Purchasing  
 Print a copy for your records  
 Save the form





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0125

Meeting Date: 2/16/2022

### Department

Real Estate and Asset Management

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a recommended proposal - Department of Real Estate and Asset Management, RFP#21RFP132087K-DB, Design/Build Services for the Fulton County Government Center Cooling Tower Repair and Retrofit, in the amount of \$1,677,706.00 with Mallory & Evans Service Company, Inc. (Scottdale, GA), to provide complete design and construction services for the retrofit of the counter flow ceramic cooling tower serving the chiller plant and emergency generators at the Fulton County Government Center Complex located at 141 Pryor Street, Atlanta, Georgia 30303. Effective upon issuance of Notice to Proceed for a period of 210 calendar days or until contract completion as determined by the County.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with the State of GA O.C.G.A. §36-91-20, Georgia Local Government Public Works Construction Law, all competitive sealed proposals (RFPs) for public works construction projects (CM at Risk, Construction Program Management, Design/Build Projects) costing \$100,000 or more shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

Yes

**Summary & Background** Request approval of recommended proposal to provide complete design and construction services for the Fulton County Government Center Cooling Tower Repair

and Retrofit.

**Scope of Work:** This contract is to provide all design and construction work necessary for a successful retrofit and repair of the cooling tower system for the Fulton County Government Center located at 141 Pryor Street, Atlanta, GA 30303. The cooling tower system is original to the construction of the Government Center in the 1980's and is beyond its useful life. Prolonged failure of the cooling tower will cause the building HVAC system to cease operation and prohibit the use of the building's emergency generators.

The Design-Build services shall consist of, but not limited to:

- Research
- Design Plan
- Develop Construction Documents
- Demolition
- Testing
- Repair
- Construction Services

The general scope of this RFP is to retrofit the interior piping and water distribution system of both cooling tower cells, drift eliminators, fan mounting plates and replace corroded inlet and outlet piping and isolation valves.

## **Background**

Cooling in the Government Center is required year-round, twenty-four (24) hours a day. In addition to the Fulton County administrative offices the Government Center houses the area's 911 Call Center and a Critical Data Center, which must receive emergency power in addition to life safety power. The two (2) existing emergency generators are entirely dependent on the cooling tower for heat rejection and operation through a piping distribution system that is separate from the chillers.

The original dual cell cooling tower is a counter flow type constructed of cast in place, below grade, concrete structure with a ceramic tile fill, steel pipe and cast metal spray tree distribution system, plastic drift eliminators, gearbox, motors and fans. The original components were designed and provided by Ceramic Cooling Tower, Inc. which was later acquired by Marley which is now part of SPX Cooling Technologies, Inc.

Interior piping and nozzle components for this Ceramic Cooling Tower are no longer available and must be retrofit with new nozzles and piping distribution to provide the same total capacity of the two cells as the original design.

The original spray tree and eliminator components are also no longer available. The tower must be retrofitted with a completely new internal distribution and drift eliminator system. The preferred replacement materials are polypropylene nozzles and distributor trees connected to PVC distribution pipes for all internal piping up to the side connectors for each cell. Nozzles shall be a

non-clogging type and should be on 3-foot centers. New drift eliminators should be modular thermoformed PVC material. Drift eliminator material shall not exceed a flame spread rating of 25 per ASTM E-84. The new distribution system, drift eliminators and supports shall be a design provided by an experienced cooling tower manufacturer familiar with this Ceramic Cooling Tower design.

**Community Impact:** This effort is necessary for the environmental health and comfort of the patrons and employees in this Government Center Complex.

**Department Recommendation:** The Department of Real Estate and Asset Management recommends approval of proposal to provide complete design and construction services for the retrofit of the counter flow ceramic cooling tower serving the chiller plant and emergency generators at the Fulton County Government Center Complex located at 141 Pryor Street, Atlanta, Georgia 30303.

After reviewing two (2) qualified firm proposals, the evaluation and consideration of all available information related to the requirements and evaluation criteria of the RFP #21RFP132087K-DB; and the Evaluation Committee has determined that the following proposal submitted by Mallory & Evans Service Company, Inc., with a total score of 76.09% is the recommended contractor to provide Design/Build Services for the Fulton County Government Center Cooling Tower Repair and Retrofit.

1. Mallory & Evans Service Company, Inc. (76.09%)
2. Daikin Applied Americas, Inc. (66.15%)

The recommended professional firm have previous contracts with Fulton County and has performed very well and highly competent as HVAC Contractor for the Department of Real Estate and Asset Management as stated in their performance report.

The Contractor will work in collaboration with the Department of Real Estate and Asset Management, Project Management Team and Design Team.

**Project Implications:** This contract provides all the necessary need of a full retrofit and design/build services to repair the cooling tower, which is the primary source of heat rejection for the HVAC systems provided by the central chilled water plant.

**Community Issues/Concerns:** None that the Department is aware of.

**Department Issues/Concerns:** If this contract is not approved, this will affect the Department's ability to address the needs to perform the full retrofit and design/build services to repair the cooling tower located in the Fulton County Government Center buildings.

**Contract Modification** No, this is a new procurement.

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

**Contract Value:** **\$1,677,706.00**

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**Prime Vendor:** Mallory & Evans Service Co.  
**Prime Status:** *Non-Minority*  
**Location:** Scottdale, GA  
**County:** Dekalb County  
**Prime Value:** \$771,762.77 or 46.00%

**Subcontractor:** B &D Concrete Cutting  
**Subcontractor Status:** Non-Minority  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Contract Value:** \$150,993.54 or 9.00%

**Subcontractor:** Heaton Erecting, Inc.  
**Subcontractor Status:** Non-Minority  
**Location:** Forest Park, GA  
**County:** Clayton County  
**Contract Value:** \$67,108.24 or 4.00%

**Subcontractor:** Staples Insulation, Inc.  
**Subcontractor Status:** Non-Minority  
**Location:** Covington, GA  
**County:** Newton County  
**Contract Value:** \$1,342.16 or 0.08%

**Subcontractor:** Composite Cooling Solutions  
**Subcontractor Status:** Non-Minority  
**Location:** Forth Worth, TX  
**County:** Tarrant County  
**Contract Value:** \$335,541.20 or 20.00%

**Subcontractor:** Sunbelt Rentals  
**Subcontractor Status:** Non-Minority  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Contract Value:** \$167.77 or 0.01%

**Subcontractor:** Portable Air & Power LLC  
**Subcontractor Status:** Non-Minority  
**Location:** Byron, GA  
**County:** Peach County  
**Contract Value:** \$50,331.18 or 3.00%

**Subcontractor:** Emery & Associates  
**Subcontractor Status:** Non-Minority  
**Location:** Atlanta, GA  
**County:** Fulton County

---

<b>Contract Value:</b>	<b>\$16,777.06 or 1.00%</b>
<b>Subcontractor:</b>	<b>Victory Electrical Services</b>
<b>Subcontractor Status:</b>	<b>Non-Minority</b>
<b>Location:</b>	<b>Carrollton, GA</b>
<b>County:</b>	<b>Carroll County</b>
<b>Contract Value:</b>	<b>\$233,368.90 or 13.91%</b>
<b>Subcontractor:</b>	<b>WSP USA Buildings, Inc.</b>
<b>Subcontractor Status:</b>	<b>Non-Minority</b>
<b>Location:</b>	<b>Atlanta, GA</b>
<b>County:</b>	<b>Fulton County</b>
<b>Contract Value:</b>	<b>\$50,331.18 or 3.00%</b>
<b>Total Contract Value:</b>	<b>\$1,677,706.00 or 100.00%</b>
<b>Total M/FBE Value:</b>	<b>\$-0-</b>

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: Evaluation Committee Recommendation Letter

Exhibit 2: Contractor Performance Report

**Contact Information** *(Type Name, Title, Agency and Phone)*

Joseph N. Davis, Director, Department of Real Estate and Asset Management, (404) 612-3772

**Contract Attached**

No

**Previous Contracts**

Yes

**Total Contract Value**

Original Approved Amount:	\$0.00
Previous Adjustments:	\$0.00
This Request:	\$1,677,706.00
TOTAL:	\$1,677,706.00

**Grant Information Summary**

Amount Requested:	<input type="checkbox"/>	Cash
Match Required:	<input type="checkbox"/>	In-Kind
Start Date:	<input type="checkbox"/>	Approval to Award

End Date:

☐ Apply & Accept

Match Account \$:

**Fiscal Impact / Funding Source****Funding Line 1:**

532-520-5200-K008: FCURA-2017, Real Estate and Asset Management, MEP Improve Justice-\$1,667,706.00

<b>Key Contract Terms</b>	
<b>Start Date:</b> Effective upon issuance of NTP	<b>End Date:</b> 210 calendar days or until contract completion
<b>Cost Adjustment:</b>	<b>Renewal/Extension Terms:</b>

**Overall Contractor Performance Rating:** 3.80**Would you select/recommend this vendor again?**

Yes

**Report Period Start:**

5/4/2020

**Report Period End:**

1/6/2022



## INTEROFFICE MEMORANDUM

**TO:** Felicia Strong-Whitaker, Chief Purchasing Agent  
Department of Purchasing & Contract Compliance

**FROM:** Evaluation Committee Recommendation Letter

**DATE:** January 24, 2022

**PROJECT:** #21RFP132087K-DB; DESIGN/BUILD SERVICES FOR THE FULTON COUNTY GOVERNMENT CENTER COOLING TOWER REPAIR AND RETROFIT

In accordance with the Purchasing Code, a duly appointed Evaluation Committee has reviewed the proposals submitted in response to the above-reference project on behalf of the Department of Real Estate and Asset Management.

Two (2) qualified joint-venture firms submitted proposals for evaluation and consideration for award of this project:

1. Mallory & Evans Service Company, Inc.
2. Daikin Applied Americas, Inc.

After review, evaluation and consideration of all available information related to the requirements and evaluation criteria of the RFP, the Evaluation Committee has determined that the proposal submitted by Mallory & Evans Service Company, Inc. with a total score of 76.08 is the recommended vendor for the award of #21RFP132087K-DB; Design/Build Services for the Fulton County Government Center Cooling Tower Repair and Retrofit.

## Evaluation Committee Recommendation Letter

January 24, 2022

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The Evaluation Committee members attest that each member scored each proposal independently in accordance with the evaluation criteria set forth in the Request for Proposal and that their individual score is a part of the final scores in the attached Evaluation Matrix.

### **SELECTION COMMITTEE MEMBERS:**

DocuSigned by:

*Bill Mason*

82E79B0EEFC5442...

Facilities Program Manager, Department of Real Estate and Asset Management

DocuSigned by:

*Michael Ross*

FB1212D25D014DC... S,

Administrator, Department of Real Estate and Asset Management

DocuSigned by:

*Dexter Dyer*

A1DD6896A01D49E... r,

Building Maintenance Manager, Department of Real Estate and Asset Management

## Evaluation Committee Recommendation Letter

January 24, 2022

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EVALUATION CRITERIA	WEIGHT	Daikin Applied Americas, Inc.	Mallory & Evans Service Co., Inc.
Executive Summary	2	1.33	1.67
Project Approach	37	24.42	27.83
Qualifications of Key Personnel	15	10.00	12.50
Relevant Project Experience	15	11.25	12.50
Availability of Key Personnel	2	1.33	1.67
Safety Qualifications	5	3.75	3.75
Employee Training	2	1.17	1.17
Local Preference	5	0	0
Service Disabled Veterans Preference	2	0	0
Cost Proposal	15	12.90	15.00
<b>TOTAL SCORE:</b>	<b>100.00</b>	<b>66.15</b>	<b>76.09</b>

*\*To sum Total Score columns highlight the row and press F9*



**DEPARTMENT OF PURCHASING &  
CONTRACT COMPLIANCE**

**CONTRACTORS PERFORMANCE REPORT**

**CONSTRUCTION SERVICES**

Report Period Start	Report Period End	Contract Period Start	Contract Period End
Purchaser Order Number		Purchase Order Date	
Department			
Bid Number		Service Commodity	
Contractor			
<b>Performance Rating</b>			
0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
2 = Satisfactory	Archives contract requirements 80% of the time. Generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.		
3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Project Development		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
	0		
	1		
	2		
	3		
	4		
2. Design		(Were Milestones Met Per Contract – Reliability - Responsiveness to Directions/Change – On Time Completion Per Contract - Liquidated Damages)	
	0		
	1		
	2		
	3		
	4		

3. Award - Proposal Development		(Timeless/Due Duties - Reasonable/Cooperative - Flexible/Motivated)
	0	
	1	
	2	
	3	
	4	
4. Constructions		(Mobilization Timely - Were Milestones Met - Met/Exceeded Specification - Within Budget Performance - Proper Invoicing - Quality of Work Responsive to Owner)
	0	
	1	
	2	
	3	
	4	
5. Contractors Key Personnel		(Credential/Experience Appropriate- Effective Supervision/Management - Available as Needed)
	0	
	1	
	2	
	3	
	4	

Overall Performance Rating		Date	
Would you select/recommend this vendor again?			
Rating completed by:			
Department Head Name:			
Department Head Signature			

After completing the form:  
 Submit to Purchasing  
 Print a copy for your records  
 Save the form





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0126

Meeting Date: 2/16/2022

### Department

Select Fulton

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to award a contract without competition - Select Fulton, 22EF1212022B, Community Navigator Pilot Program, in the amount not to exceed \$1,000,000.00, with the Greater South Fulton Chamber of Commerce, to provide small business technical assistance and counseling services to no less than 300 firms located in South Fulton. Effective dates: December 1, 2021 through December 31, 2023, in order to align with the grant award contract term.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-384, after conducting a good faith review, the Purchasing Department has determined there is only one source available for the required supply, service, or construction item, the request shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Infrastructure and Economic Development

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

Yes

### Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Select Fulton request approval to award contract without competition to the Greater South Fulton Chamber of Commerce (the "South Fulton Chamber"), to provide technical assistance and counseling services to firms located in South Fulton in accordance with the Small Business

Administration's Community Navigator Pilot Program. The South Fulton Chamber was the co-applicant identified when the County applied for and was approved for the SBA Community Navigator Pilot Program grant that will fund this project. As such, the South Fulton has been designated as the sole provider of the services based on being included in the grant application for this pilot program. The South Fulton Chamber agrees from the Award Amount, that no more than \$63,750.00 of the Award Amount may go towards personal services, \$12,500 in supplies, and \$158,750.00 in other expenses, and at least \$765,000.00 of the Award Amount shall go towards the provision of providing technical assistance to not less than 300 small businesses in south Fulton County by the end of the two-year funding cycle.

**Scope of Work:** The South Fulton Chamber will provide technical assistance and counseling services to firms located in South Fulton in accordance with the Small Business Administration's Community Navigator Pilot Program. This includes promoting SBA programs, products, and services to clients, as appropriate, including sharing contact information for clients who have indicated in writing they are interested in learning about other SBA programs and types of assistance; and using varied resources to mentor and train small business owners and managers in dealing with financial, marketing, and other operational and business opportunities and challenges. The South Fulton Chamber will assist these clients in developing feasibility studies, business plans, cash flows, financial statements, and similar business measurement and evaluation concepts and tools. The South Fulton Chamber must provide client counseling, mentoring and training assistance at no cost to its clients.

**Community Impact:** The goal of the program: Over 300 small businesses in South Fulton will receive one on one training and counseling.

**Department Recommendation:** Select Fulton recommends approval.

**Project Implications:** Over 300 small businesses in south Fulton will receive one on one training and counseling.

**Community Issues/Concerns:** None

**Department Issues/Concerns:** None

**Contract Modification:** This is a new request.

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

Not Applicable

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: ARPA SBA Grant Contract -Greater South Fulton Chamber of Commerce

Exhibit 2: Justification Request for Approval

**Contact Information** *(Type Name, Title, Agency and Phone)*

Samir Abdullahi, Deputy Director, Select Fulton, 404-612-8120

**Contract Attached**

No

**Previous Contracts**

No

**Total Contract Value**

Original Approved Amount:

Previous Adjustments:

This Request:

TOTAL:

**Grant Information Summary**

Amount Requested:

Match Required:

Start Date:

End Date:

Match Account \$:

- ☐ Cash
- ☐ In-Kind
- ☐ Approval to Award
- ☐ Apply & Accept

**Fiscal Impact / Funding Source****Funding Line 1:**

461-120-SBA1-1160: Grants, Economic Development, Professional Services

Key Contract Terms	
<b>Start Date:</b> 12/1/2021	<b>End Date:</b> 12/31/2023
<b>Cost Adjustment:</b>	<b>Renewal/Extension Terms:</b>

**Overall Contractor Performance Rating:**

**Would you select/recommend this vendor again?**

Choose an item.

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**Agenda Item No.:** 22-0126

**Meeting Date:** 2/16/2022

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**Report Period Start:**

**Report Period End:**

**Small Business Administration: Community Navigator Pilot Program  
Subrecipient Agreement between Fulton County, Georgia  
and Greater South Fulton Chamber of Commerce, Inc.**

This **SUBRECIPIENT AGREEMENT** (“Agreement”) is made by and between **Fulton County, Georgia**, a political subdivision of the State of Georgia (“Fulton County”), on behalf of its Department, Select Fulton (the “Department”), and the **Greater South Fulton Chamber of Commerce, Inc.** (“GSFCC” or “Subrecipient”), a nonprofit corporation organized under the laws of the State of Georgia (Fulton County and GSFCC/Subrecipient are collectively the “Parties”).

**WHEREAS**, a world-wide emergency has arisen with respect to a novel coronavirus known as SARS-CoV-2 (“COVID-19”), which has rapidly spread throughout the world and is now having an unprecedented adverse impact on the citizens and communities throughout Fulton County, Georgia, among others; and

**WHEREAS**, Fulton County, through Select Fulton, applied for and was awarded a \$1,000,000 grant through the United States Small Business Administration (“SBA”) to implement an initiative known as the SBA Community Navigator Pilot Program for Fiscal Years 2022 – 2024 (the “Program”); and

**WHEREAS**, the Program is expected to provide targeted outreach to small businesses in underserved communities with Fulton County’s goal of providing technical assistance to at least 300 small businesses in south Fulton County by the end of the two-year funding cycle; and

**WHEREAS**, the SBA grant was applied for by Fulton County with GSFCC specifically identified as a subrecipient of the grant upon award; and

**WHEREAS**, the GSFCC’s mission is to create synergy for business development and expansion by attracting, retaining and advancing the business interests of South Fulton; and

**WHEREAS**, GSFCC is willing to provide leadership, training, and assistance to small businesses within south Fulton County in furtherance of the Program; and

**WHEREAS**, Fulton County desires to engage Subrecipient to render certain services hereinafter described herein, which is to be wholly or partially financed by ARPA funding; and

**WHEREAS**, Subrecipient desires to render such services in connection with the Project as a subrecipient of the ARPA SBA grant allocation, in compliance of all obligations required from this designation; and

**WHEREAS**, the Board of Commissioners finds that allocating ARPA grant funding to Subrecipient will allow this entity to provide technical assistance to at least 300 small businesses in south Fulton County by the end of the two-year funding cycle (“Eligible Use”); and

**WHEREAS**, the Parties deem it to be in the best interest of both parties to enter into this Subrecipient Agreement under the terms, obligations and conditions expressed herein.

**NOW THEREFORE**, in consideration of the mutual benefits to both Parties, it is hereby agreed as follows:

## **ARTICLE I. PURPOSE AND RELATIONSHIP**

1. Purpose. This Agreement describes the way in which the Parties will use the ARPA grant funding allotment to provide technical assistance to at least 300 small businesses in south Fulton County by the end of the two-year funding cycle.

2. Independent Contractor. The relationship of Subrecipient to Fulton County is that of an independent contractor and not of an employee/employer. Neither this Agreement, nor any activities described herein, shall be construed as creating a partnership, joint venture, franchise, agency, or other such relationship, and neither Party shall have the right, power, or authority to obligate or bind the other party in any manner whatsoever, without the other party's prior written consent. It is expressly understood that any individual performing services under this Agreement on behalf of Subrecipient shall not be deemed to be an employee or independent contractor of Fulton County, and such individual shall not be entitled to tax withholding, workers' compensation, unemployment compensation or any employee benefits, statutory or otherwise, from Fulton County. Subrecipient agrees that it is solely responsible for the reporting and payment of income, Social Security and other employment taxes due to the proper taxing authorities with respect to such personnel. Subrecipient agrees to indemnify, defend and hold harmless Fulton County and its directors, officers, employees and agents from and against any and all costs, losses, damages, liabilities, expenses, demands and judgments, including court costs and attorney's fees, relating to the reporting and payment of income, Social Security and other employment taxes and the provision of employee benefits with respect to such individual performing services under this Agreement on behalf of Subrecipient. This provision shall survive the expiration or termination of this Agreement.

## **ARTICLE II. AWARD AND SCOPE OF SERVICES**

1. Term. This Agreement is effective from December 1, 2021 through November 30, 2023.

2. Award. ARPA SBA grant funding in the amount of **\$1,000,000.00** ("Award Amount") will be provided by Fulton County to Subrecipient to provide technical assistance as set forth in the Scope of Work to no less than 300 small businesses in south Fulton County by the end of the two-year funding cycle.

3. Disbursement. Fulton County will reimburse the Award Amount to Subrecipient after review and approval of invoices upon execution of this Agreement. All invoices submitted to verify services rendered are subject to review and approval by the Finance Department-Accounts Payable Division.

4. Scope of Services. Subrecipient will provide technical assistance to not less than 300 small businesses in south Fulton County by the end of the two-year funding cycle, for the purpose of the Eligible Use, in accordance with the scope of services described in Schedule 1

hereto (the “Scope of Services”). Subrecipient shall spend the Award Amount for the purposes described in Scope of Services, unless other direct changes are agreed to in writing in advance by Fulton County. In no event will Fulton County be obligated to provide any funding above the total amount of the Award Amount.

Subrecipient agrees from the Award Amount, no more than \$63,750.00 of the Award Amount may go towards personal services, \$12,500 in supplies, and \$158,750.00 in other expenses, and at least \$765,000.00 of the Award Amount shall go towards the provision of providing technical assistance to not less than 300 small businesses in south Fulton County by the end of the two-year funding cycle.

### **ARTICLE III. REPORTING**

1. Maintenance of Records. Subrecipient shall maintain a financial management system and financial records and shall administer funds received pursuant to this Agreement in accordance with all applicable federal and state requirements. Subrecipient shall adopt such additional financial management procedures as may from time to time be prescribed by Fulton County if required by applicable laws, regulations or guidelines from its federal and state government funding sources. Subrecipient shall maintain detailed, itemized documentation and records of all income received and expenses incurred pursuant to this Agreement.

Subrecipient must maintain all records, books, papers and other documents related to its performance of the Scope of Services for a period of five (5) years following the termination of this Agreement or such longer period as is necessary for the resolution of any litigation, claim, negotiation, audit or other inquiry involving this Agreement. Such records shall include the full name of individuals served with SBA ARPA grant funding and, where applicable, the date of birth, gender, race, and ethnicity of individual receiving assistance. Subrecipient shall make all records, books, papers and other documents that relate to this Agreement available at all reasonable times for inspection, review and audit by the authorized representatives of Fulton County and the federal government, if so requested.

During the term of this Agreement, the Parties shall comply will Federal and State laws and regulations regarding confidentiality of participant records and information.

2. Financial Reports. Subrecipient shall submit monthly reports of assistance to Fulton County small businesses through December 31, 2024 to the Department and Fulton County Board of Commissioners and shall assist Fulton County in preparing and submitting the reports set forth in Attachment A, Section 3, attached hereto.

3. Limitations on Expenditures. Subrecipient shall not be reimbursed or otherwise compensated from the Award Amount for any expenditures incurred or services provided prior to the Effective Date or following the earlier of the expiration or termination of this Agreement. Fulton County shall only reimburse Subrecipient from the Award Amount for documented expenditures incurred during the Contract Term that are: (i) reasonable and necessary to carry out the Scope of Services; (ii) documented by contracts or other evidence of liability consistent with established Fulton County and Subrecipient procedures; and (iii) incurred in accordance with all applicable requirements for the expenditure of funds payable under this Agreement.

Any item of expenditure by Subrecipient under the terms of this Agreement which is found by auditors, investigators, and other authorized representatives of Fulton County or the federal government to be improper, unallowable, in violation of federal or state law or the terms of this Agreement, or involving any fraudulent, deceptive, or misleading representations or activities of Subrecipient, shall become Subrecipient's liability, to be paid by Subrecipient from funds other than the Award Amount provided by Fulton County under this Agreement or any other agreements between Fulton County, and Subrecipient. This provision shall survive the expiration or termination of this Agreement.

4. Audited Financial Statements. If Subrecipient expends \$750,000 or more in federal awards during a fiscal year, Subrecipient acknowledges that it must comply with federal audit requirements, including the preparation of an audit by an independent certified public accountant. During the term of this Agreement, the Parties shall comply with Federal and State laws and regulations regarding confidentiality of participant records and information. If Subrecipient expends less than \$750,000 in federal awards in any fiscal year, it is exempt from federal audit requirements, but its records must be available for review by Fulton County and the federal government. Subrecipient shall provide Fulton County with a copy of Subrecipient's most recent audited financial statements, federal Single Audit report, if applicable, and management letter within thirty (30) days after execution of this Agreement and thereafter within nine (9) months following the end of Subrecipient's most recently ended fiscal year.

5. Survival. This Article shall survive the expiration or termination of this Agreement.

#### **ARTICLE IV. COOPERATION IN MONITORING AND EVALUATION.**

1. Fulton County Responsibilities. Fulton County shall monitor, evaluate and provide guidance and direction to Subrecipient in the conduct of the Scope of Services performed under this Agreement. Fulton County has the responsibility to determine whether Subrecipient has spent funds in accordance with applicable laws, regulations, including the federal audit requirements and agreements and shall monitor the activities of Subrecipient to ensure that Subrecipient has met such requirements. Fulton County may require Subrecipient to take corrective action if deficiencies are found. Methods to ensure compliance for federal awards made to the Subrecipient may include pre-award audits, monitoring during the Agreement and post-award audits.

2. Subrecipient Responsibilities. Subrecipient shall permit Fulton County to carry out monitoring and evaluation activities, including any performance measurement system required by applicable law, regulation, funding sources guidelines or by the terms and conditions of the applicable Notice of Prime Award, and Subrecipient agrees to ensure, to the greatest extent possible, the cooperation of its agents, employees and board members in such monitoring and evaluation efforts. This provision shall survive the expiration or termination of this Agreement.

Subrecipient shall cooperate fully with any reviews or audits of the activities under this Agreement by authorized representatives of Fulton County or the federal government and Subrecipient agrees to ensure to the extent possible the cooperation of its agents, employees and board members in any such reviews and audits. This provision shall survive the expiration or termination of this Agreement.

## **ARTICLE V. COMPLIANCE WITH GRANT AGREEMENT AND APPLICABLE LAWS.**

1. Compliance with Prime Award and Subaward. Subrecipient shall perform all activities funded by this Agreement in accordance with this Agreement, Schedule 1 and the applicable contract provisions for non-federal entity contracts under federal awards required under Appendix II to the Uniform Guidance.

2. Compliance with Applicable Laws. Subrecipient shall perform all activities funded by this Agreement in accordance with all applicable federal, state and local laws, including without limitation laws which regulate the use of funds allocated under ARPA. The term “federal, state and local laws” as used in this Agreement shall mean all applicable statutes, rules, regulations, executive orders, directives or other laws, including all laws as presently in effect and as may be amended or otherwise altered during the Term, as well as all such laws which may be enacted or otherwise become effective during the Term. The term “federal, state and local laws” shall include, without limitation, any regulation promulgated pursuant to ARPA and those provisions set forth in Attachment “A”, which is incorporated herein by reference.

By entering into this Agreement, Subrecipient represents and warrants that it is not in violation of any, and complies with all, federal laws and regulations applicable to subawardees of federal funds and maintains all required federal, state and local licenses, certifications, permits and accreditations, including the Uniform Guidance found in 2 C.F.R. 200.

## **ARTICLE VI. TERMINATION**

1. Any Party may terminate this Agreement by giving thirty (30) calendar days written notice to the other Party and such termination shall be effective upon the 30<sup>th</sup> day. Notice of termination shall be given to the appropriate Party at the address shown in Article VII of this Agreement. Upon termination of this Agreement, Subrecipient shall immediately return to Fulton County all unexpended Amount from the \$1,000,000.00 award allotment intend for distribution. This provision shall survive termination of the Agreement.

2. Anything contained herein to the contrary notwithstanding, Fulton County may terminate the Agreement effective immediately prior to expiration of the term where Subrecipient commits a material breach of the Agreement and fails to cure said breach within the time allotted by Fulton County.

3. Upon expiration of the term of this Agreement or termination of the Agreement, the Parties shall agree upon any outstanding present and future obligations and performance commitments to one another, and shall arrange for a proper accounting and work plan for any and all such obligations.

## **ARTICLE VII. NOTICES**

1. For purposes of this Agreement, any notices required to be sent to the Parties shall be hand delivered or mailed to the addresses provided below:

**To Fulton County:**

Select Fulton  
Suite \_\_\_\_\_  
137 Peachtree Street  
Atlanta, Georgia 30303

**Copy to:**

Office of the County Manager  
141 Pryor Street, Suite 10062  
Atlanta, Georgia 30303

Office of the County Attorney  
141 Pryor Street, Suite 4038  
Atlanta, Georgia 30303

**To Subrecipient:**

Greater South Fulton Chamber of Commerce  
c/o Dyan Matthews  
4405 Mall Boulevard  
Suite 120  
Union City, GA 30291

**ARTICLE VIII. GENERAL PROVISIONS**

1. If any part of this Agreement is found to be invalid or unenforceable, or is otherwise stricken, the rest of this Agreement shall remain in full force and effect.
2. This Agreement constitutes the entire agreement between the Parties. It supersedes any prior oral understandings between them with respect to the matters addressed herein.
3. This Agreement may be modified only by written agreement of the Parties, with such modification being subject to approval by the governing bodies of the Parties.
4. Waiver of any term or condition of this Agreement shall be effective in writing and shall not be construed as a waiver of any subsequent breach or waiver of the same term or condition, or a waiver of any subsequent breach or waiver of the same term or condition, or a waiver of any other term or condition of this Agreement. Nothing herein shall constitute or be considered a limitation upon or waiver of the Parties' rights under applicable law.
5. This Agreement shall inure to the benefits of and be binding upon the Parties hereto, their successors and assigns. This Agreement is not intended to create any rights interest, or benefits in third parties.
6. This Agreement shall be governed by the laws of the State of Georgia.

7. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed to be an original without the production of any other counterpart. Any signature delivered via facsimile or other electronic means shall be deemed an original signature hereto.

8. This Agreement is not intended to and shall not be construed to give any Third Party any interest or rights (including, without limitation, any Third Party beneficiary rights) with respect to or in connection with any agreement or provision contained herein or contemplated hereby, except as otherwise expressly provided for in this Agreement.

**IN WITNESS WHEREOF**, the Parties have set their hands and affixed their seals this, the \_\_\_\_ day of \_\_\_\_\_, 2022.

**FULTON COUNTY, GEORGIA**

**GREATER SOUTH FULTON  
CHAMBER OF COMMERCE, INC.**

Approved:

Approved:

\_\_\_\_\_  
Robert L. Pitts, Chairman  
Board of Commissioners

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

Attest:

Attest:

\_\_\_\_\_  
Tonya R. Grier, Clerk to the Commission

\_\_\_\_\_  
By: \_\_\_\_\_  
Title: \_\_\_\_\_

Approved as to Content:

\_\_\_\_\_  
Samir Abdullahi  
Deputy Direct, Select Fulton

Approved as to Form:

\_\_\_\_\_  
Y. Soo Jo, County Attorney

**Schedule I**  
**Scope of Services**

Under this Agreement Subrecipient will:

1. Comply with the requirements and authorities set forth below.
2. Conduct the project funded under this Award in accordance with Fulton County's approved Technical Proposal, and Budget. Subrecipient understands and agrees that any changes to these guiding documents must be submitted to SBA approval.
3. Cooperate with all programmatic and financial examinations and any accreditation or certification reviews conducted by SBA, its agents, or contractors. \
4. Assist Fulton County in the coordination with SBA and other Agency resource partners operating within project service area to maximize the effectiveness of efforts and avoid duplication of products and services.
5. Promote SBA programs, products, and services to clients, as appropriate, including sharing contact information for clients who have indicated in writing they are interested in learning about other SBA programs and types of assistance.
6. Maintain adequate, readily accessible facilities for assisting clients, including satellite locations where appropriate.
7. Extend all activities supported with project funds to all members of the general public on an equal basis.
8. Provide meaningful access to Project services for clients with limited English language proficiency and/or disabilities.
9. Maintain adequate staffing levels for the delivery of client services, including replacing key personnel no more than 90 days after they cease their involvement with the Project.
10. Participate in SBA surveys and studies regarding the effectiveness and outcomes of the program/Project, curriculum, types of assistance, service delivery methods, etc.
11. Submit and update information to USASpending.gov and other Federal databases, as required.
12. Use varied resources to mentor and train small business owners and managers in dealing with financial, marketing, and other operational and business opportunities and challenges. Subrecipient will assist these clients in developing feasibility studies, business plans, cash flows, financial statements, and similar business measurement and evaluation concepts and tools. Subrecipient must provide client counseling, mentoring and training assistance at no cost to its clients.
13. Ensure the funding is used in accordance with all applicable conditions, requirements, and restrictions.

14. Strictly adhere to current and any subsequent changes to the terms and conditions of the grant award addressed by the funding in Fulton County's Distribution Funding Agreement.
15. Assist Fulton County in the coordination with SBA to obtain prior approvals outlined in the terms and conditions such as use of SBA likenesses, changes to grant personnel and budget modifications.
16. Cooperate fully with Fulton County in the recovery of funds that are not used in accordance with the conditions, requirements, or restrictions applicable to funds awarded.
17. Meet the SBA's performance requirements and maintain adequate records.
18. Assist in the creation and follow regulations and policies.
19. Manage consortia agreements.
20. Formulate partnership goals and objectives.
21. Oversee operations of activities, programs, and its paid staff.
22. Assist Fulton County is hosting Fulton County's local, assigned SBA District Office to perform an annual site visit and provide general oversight
23. Assist Fulton County in creating and following a strategic Action Plan.

## ATTACHMENT “A”

The following Terms and Conditions are applicable to this Agreement:

1. Program Specific Term - Allowable Costs

This Award is subject to the requirements listed below. For further guidance regarding the cost principles applicable to this award see 2 C.F.R. Part 200, Subpart E.

A. Charging Costs to this Award

All costs charged to this Award are subject to audit and examination. Subrecipient is responsible for ensuring proper management and accounting of Project funds to avoid cost disallowances. All direct costs charged to this Award must be reasonable given the relevant market and industry area and the nature of the good or service involved. Direct costs claimed by the Subrecipient must also be allowable under the relevant cost principles and be clearly and specifically allocable, either in whole or in part, to the project funded by this Award. In addition, the Subrecipient is not permitted to charge costs associated with any of the following items or activities to this Award:

- Transactions with suspended or debarred entities;
- Construction or renovation of facilities or acquisition of real estate;
- Litigation, whether civil, criminal, or administrative;
- Providing matching contributions to any other Federal awards;
- Meals, lodging, per diem, or other subsistence expenses associated with local travel

(however, Project funds may be used to pay transportation expenses for local travel). Local travel is any travel conducted entirely within a 50-mile radius of the Fulton County’s address of record.

Pre-award costs are permitted for expenses incurred prior to the effective date of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award.

Travel: All travel conducted must follow GSA travel regulations and minimize travel and maximize virtual conferences when possible.

B. Fees: Subrecipient's counseling, mentoring and training will be provided at no cost. Counseling and mentoring include face-to-face, online and telephone sessions.

C. Important Priorities: The Community Navigator Pilot Program will explore, offer or expand services targeted toward markets to increase outreach and assistance to the following entrepreneurial audiences:

- o COVID-19 affected businesses where appropriate
- o Veterans/Military Entrepreneurs (including spouses)
- o Minority Entrepreneurs
- o Women Entrepreneurs
- o Rural Entrepreneurs
- o Socially and Economically Disadvantaged Small Businesses
- o Tribal Communities
- o LGBTQ Entrepreneurs
- o Micro Businesses
- o Persons with Disabilities

D. Outputs and Evaluations

- (1) Number of unique clients who receive assistance in the development of their
  - a. Loan application (PPP, EIDL, 7(a), 504, Microloan, Exporting, Other

- Loan)
  - b. Forgiveness applications or SVOG or RRF reports (post-funding reports)
  - c. Grant application (SVOG, RRF or other Federal, State, Local, or Private Sector Grants)
  - d. Other application (Contracting certifications or other business assistance program)
- (2) Dollar (millions)\_amount request of completed
  - a. Loan application (PPP, EIDL 7(a), 504, Microloans, Exporting, Other Loan)
  - b. Grant application (SVOG, RRF, other Federal, State, Local, or Private Sector Grants)
- (3) Dollar (millions) amount of approved
  - a. Loans (PPP, EIDL, 7(a), 504, Microloans, Exporting, Local Loans)
  - b. Grants (SVOG, RRF, other Federal, State, Local or Private Sector Grants)
- (4) Number of\_counseling hours to develop and submit
  - a. Loan application (PPP, EIDL, 7(a), 504, Microloan, Exporting, Local Loan)
  - b. Grant application (SVOG, RRF, other Federal, State, Local, or Private Sector Grants)
  - c. Other application (Contracting certifications or other business assistance program)
- (5) Number of counseling hours provided for:
  - a. Disaster preparedness/recovery
  - b. Credit counseling, financial literacy
  - c. Business technical assistance (operation, marketing, sales, management, etc.)
  - d. Contracting and procurement
  - e. Other business development technical assistance (exporting, industry specific technical assistance)
- (6) Number of training hours
- (7) Number of clients trained
- (8) Number of clients receiving approved loan or grant funding starting a business
- (9) Number of clients receiving approved loan or grant funding with their business in operation (business survival)
- (10) Number of jobs created or retained
- (11) Percent\_increase of revenue (gross sale dollars)

3. Legal Services: Subrecipient will not engage directly in the practice of law. This prohibition includes, but is not limited to, providing specific legal advice, representing an individual in litigation or any legal proceeding, or otherwise practicing law as defined by the state of Georgia. Those members of the Fulton County's or Subrecipient's staff who are qualified by experience and training to discuss legal issues may do so in a general way, but they must not engage in conduct that leads to the creation of any attorney-client relationship and must make appropriate disclaimers to that effect when providing such counseling and mentoring. Fulton County, through Subrecipient may offer courses on business law issues, provided that legal topics are presented by individuals qualified by experience and training to address such topics.

4. Protection of Client Information

Fulton County and Subrecipient are not permitted to disclose Client Information to any third party or share such information with other units of Fulton County not directly involved in the conduct of this project, except where:

- a. the Client consents in writing;
- b. a court orders such disclosure; or
- c. otherwise permissible under Privacy Act or Freedom of Information Act

5. Reporting Requirements

Subrecipient shall assist Fulton County in the submission of the reports identified below to the Grant Officer's Technical Representative ("GOTR"), identified below, in accordance with the schedule listed below. Reports will be submitted to the GOTR in an electronic file type(s) such as MS Word, PDF, MS Excel, etc. format via email address. Reports must be received by the GOTR no later than 30 days after the conclusion of the applicable reporting period. The final report, which must both cover that reporting period and also serve as the annual report addressing the entire

budget and project year, must be received by the GOTR no later than 90 days after the conclusion of the budget year. Subrecipient understands and agrees that the failure of Fulton County to submit timely or adequate reports permits the SBA to withhold funding until this deficiency is corrected.

A. The reporting periods for this Award are as follows:

First Year:

- 12/01/2021 – 2/28/2022 report due by 3/31/2022
- 3/01/2022 – 5/31/2022 report due by 6/30/2022
- 6/01/2022 – 8/31/2022 report due by 9/30/2022
- 9/01/2022 – 11/30/2022 report due by 12/31/2022

Second Year:

- 12/01/2022 – 2/28/2023 report due by 3/31/2023
- 3/01/2023 – 5/31/2023 report due by 6/30/2023
- 6/01/2023 – 8/31/2023 report due by 9/30/2023
- 9/01/2023 – 11/30/2023 report due by 12/31/2023

B. The GOTR is:

Nathaniel Bishop  
U.S. Small Business Administration Office of Entrepreneurship Education  
409 Third Street, S.W., 6th Floor Washington, D.C. 20416  
nvbishop@sba.gov

C. Performance Reports

Subrecipient shall assist Fulton County in preparing and submitting reports documenting the following:

1. All project accomplishments or deliverable for the reporting period, including a comparison between the Fulton County's actual accomplishments or deliverables and those required in Fulton County's accepted proposal.

2. Any lessons learned, best practices identified, notable success stories, and problems encountered, and steps taken to address those problems.

D. Financial Reports

Subrecipient shall assist Fulton County in preparing and submitting reports providing detailed information regarding its actual expenditures broken down by the same cost category line items identified in its approved budget. Subrecipient understands and agrees that Fulton County does have the discretion to transfer Project Funds between individual cost categories provided the cumulative result of all such transfers in a given budget period does not exceed 10 percent of Fulton County's total approved budget. Failure to adhere to the approved budget or obtain the necessary prior approval will result in denial of payment by SBA to Fulton County and the repayment of said funds by Subrecipient to Fulton County.

6. Project and Program Integrity

Subrecipient shall avoid engaging in any actions that may harm the integrity of this Project or this SBA program. In the event key project employees are determined to have engaged in conduct reflecting a material lack of business integrity or honesty, Subrecipient must immediately remove them from involvement in this project. In addition, the Subrecipient and its employees must avoid both organizational and individual conflicts of interest in accordance with the principles identified in 2 C.F.R. § 2701.112.

Subrecipient may not discharge, demote, or otherwise discriminate against any of the Subrecipient's employees, which includes volunteers, as a reprisal for their disclosing to an authorized person or body as described in 41 U.S.C. § 4712(a)(2) any information that the employee reasonably believes is evidence of one of more of the following: gross mismanagement of its grant; a gross waste of Federal funds; an abuse of authority relating to the Community

Navigator Pilot Program grant; a substantial and specific danger to public health or safety; and/or a violation of law, rule, or regulation related to its grant. Any of the Subrecipient's employees who believe they have been subjected to such a reprisal may submit a complaint to Fulton County and/or the SBA's Inspector General Hotline via the internet at [www.sba.gov/OIG/Hotline](http://www.sba.gov/OIG/Hotline), via telephone at 1-800-767-0385 (telephone), or via mail at Office of Inspector General, ATTN: Hotline, 409 3rd Street, S.W., Suite 7150, Washington, D.C. 20416. The Subrecipient shall inform its employees in writing of the rights and remedies discussed in this paragraph in the predominant native language of its workforce.

Subrecipient shall report all findings or determinations of sexual harassment, other forms of harassment, or sexual assault by key employees paid under this Award to Fulton County and also report if Subrecipient has placed such key employees on administrative leave or imposed any administrative action against them as a result of the findings or determinations.

Subrecipient cannot use Project Funds to pay salaries of employees or costs of consultants, contractors, or other service providers (e.g., accountants, lawyers, etc.) where such entities are currently suspended or debarred. In addition, the Subrecipient cannot use Project Funds to provide counseling services related to Federal contract, grant, or loan opportunities to individuals or firms that are currently under suspension or debarment by a Federal agency. Training may be provided on these three topics without regard to an individual's suspension or debarment status. Subrecipient is responsible for verifying that entities paid or (where applicable) assisted with Project Funds or Project Resources are not suspended or debarred. To determine if an individual or firm is suspended or debarred, Subrecipient may consult the System for Award Management (<https://www.sam.gov/>). Additionally, in cases involving counseling, the Subrecipient may require clients to certify they are not currently suspended or debarred prior to receiving assistance relating

to Federal contract, grant, or loan opportunities. For further guidance regarding suspension and debarment, see 2 C.F.R. Parts 180 and 2700.

7. Project Closeout

For general guidance regarding project closeout procedures, see 2 C.F.R. §§ 200.343 – 200.344.

At the end date of the Award (i.e., after the base period concludes and all available option periods have been exercised or declined and any no cost extension has expired, as applicable), this Project will cease and Subrecipient may not incur any new reimbursable expenses. Subrecipient understands and agrees that Fulton County must submit its final performance and financial reports and Fulton County's final requests for payment within 90 calendar days of the Project end date. Subrecipient further understands and agrees that if Fulton County does not submit its final payment requests within 90 days of the project end date, all remaining, undisbursed Federal funds will be de-obligated and will no longer be available to Fulton County or Subrecipient.

8. Applicable Law and Policy Requirements

Except for circumstances in which Federal law defers to State or local law – such as zoning matters, building and business permits, and recording requirements – this Award will be governed by and construed under Federal law. Specifically, this Award is subject to the following laws, regulations, and policies in addition to those enumerated in the SF 424B (Assurances: Non-Construction Programs) the Fulton County submitted as part of its approved application:

- a. 15 USC § 637(b)(1) (Small Business Act);
- b. 5 U.S.C. App. 1 (Inspector General Act of 1978);
- c. 15 U.S.C. § 78dd-1 et seq. (Foreign Corrupt Practices Act);
- d. 15 U.S.C. § 631 et seq. (Small Business Act);

- e. 22 U.S.C. § 7101 et seq. (Trafficking Victims Protection Act of 2000);
- f. 22 U.S.C. § 7207 (Prohibition on United States Assistance and Financing to Certain Foreign Nations);
- g. 31 U.S.C. § 6101 note (Digital Accountability and Transparency Act of 2014);
- h. 41 U.S.C. § 701 et seq. (Drug-Free Workplace Act of 1988), as implemented by 2 C.F.R. Part 182;
- i. 41 U.S.C. § 6306 (Prohibition on Members of Congress making contracts with the Federal Government);
- j. 42 U.S.C. § 12101 et seq. (Americans with Disabilities Act of 1990), as implemented by 28 C.F.R. Parts 35 and 36;
- k. 48 U.S.C. § 1469a (Waiver of Matching Fund Requirements for Awards to Insular Areas);
- l. 49 U.S.C. App. 1517 (Fly America Act);
- m. 2 C.F.R. Parts 180 and 2700 (Nonprocurement Debarment and Suspension);
- n. 13 C.F.R. Parts 112, 113, and 117 (Civil Rights Compliance);
- o. 13 C.F.R. Part 146 (Restrictions on Lobbying);
- p. 15 C.F.R. Parts 730-774 (Export Restrictions); and
- q. 22 C.F.R. Parts 120-130 (International Traffic in Arms).
- r. 31 C.F.R. Parts 500-598 (Foreign Assets Control);
- s. 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements);
- t. Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency);

u. Executive Order 13513 (Federal Leadership on Reducing Text Messaging While Driving); and

v. Executive Order 13788 (Buy American and Hire American).



## JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION

### SECTION A

**Department:** *Select Fulton, Department of Economic Development*

**Department Contact:** *Samir Abdullahi, Deputy Director, 404-612-8120, samir.abdullahi@fultoncountygga.gov*

**Description of Supplies/Services:** *technical assistance, programing, and compliance management under the Small Business Administration Community Navigator Pilot Program. The Greater South Fulton Chamber of Commerce.*

**Demonstration of Contractor's Unique Qualifications:**

*This sole source fits category H, this work is unique to the Greater South Fulton Chamber of Commerce as they were the co-applicant identified when applying for and approved for the SBA Community Navigator Pilot Program grant that will fund this project.*

*Greater South Fulton Chamber of Commerce will manage all technical assistance providers under the program, ensure the program design, administration and performance comply with the rules of the Small Business Administration Community Navigator Pilot Program.*

*Given this project is grant funded and was approved with Greater South Fulton Chamber of Commerce as the subrecipient, there are no other viable vendors that could be competitively procured.*

*If this item is not approved, we would have to return the \$1,000,0000.00 grant to the Small Business Administration.*

*See attached:*

- 1. Notice of Award*
- 2. MOU*
- 3. Technical Proposal for Community Navigator Pilot Program*
- 4. Budget for Community Navigator Pilot Program*

### SECTION B

#### MARKET SURVEY

**Results of Market Survey:** N/A

**Date Public Notice posted on website:** Friday, January 21, 2022

**Date Public Notice closed:** Wednesday, January 26, 2022

#### REVIEW OF OFFER(S)

**Were any offers received (Y/N):** No



**Number of offers received:** 0

**Respondents:** None

**Date Offers submitted to User Department for review:** N/A

**User Department review and recommendation:** Fulton County Department of the County Manager recommends approval of sole source vendor Greater South Fulton Chamber of Commerce.

**Purchasing Agent review and recommendation:** After review and consideration of all available information related to the requirement and criteria of the sole source advertisement 22EF1212022B as titled Community Navigator Pilot Program, the Department of Purchasing and Contract Compliance recommends proceeding with BOC approval request.

<b>U.S. Small Business Administration</b>				<b>NOTICE OF AWARD</b>																																									
<b>1. AUTHORIZATION</b> (Legislation/Regulation) American Rescue Plan Act, 2021 (Pub. L. No. 117-2, § 5004)				<b>2. Grant/Cooperative Agreement No.</b> SBAHQ22CNP0044																																									
<b>3. RECIPIENT:</b> (Name, Organizational Unit, Address) FULTON, COUNTY OF Attn: Stacy Jones 141 PRYOR STREET, S.W. STE. 10061  ATLANTA GA 303033444				<b>4. PROJECT PERIOD</b> (Mo./Day/Yr.) <b>From</b> 12/01/2021 <b>Through</b> 11/30/2023		<b>5. BUDGET PERIOD</b> (Mo./Day/Yr.) <b>From</b> 12/01/2021 <b>Through</b> 11/30/2023																																							
<b>8. TITLE OF PROJECT/PROGRAM</b> (limit to 53 spaces) The Community Navigator Pilot Program (CNPP)				<b>6. FEDERAL CATALOG NO.</b> 59.077		<b>7. ADMINISTRATIVE CODES</b> 2601001EZ02026																																							
				<b>9. AWARD AMOUNT</b> Amount of SBA Financial Assistance		\$1,000,000.00																																							
<b>10. DIRECTOR OF PROJECT</b> (Program or Center Director, Coordinator or Principal Investigator)  <b>NAME</b> Abdullahi Samir <div style="display: flex; justify-content: space-between;"> <span><b>Last</b></span> <span><b>First</b></span> <span><b>Initial</b></span> </div> <b>ADDRESS:</b> 141 Pryor Street Atlanta, GA 30303-3444				<b>11. RECOMMENDED FUTURE SUPPORT</b> (Subject to the availability of funds and satisfactory progress of the project)																																									
<b>12. Approved Budget</b> (Excludes SBA Direct Assistance) <input checked="" type="checkbox"/> SBA Funds Only <input type="checkbox"/> Total project costs including all other financial participation.				<b>13. Remarks</b> (Other Terms & Conditions Attached) <input type="checkbox"/> Yes <input type="checkbox"/> No Notice of Award remarks are located on page 3 of 3.																																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 20%;">Federal Share</th> <th style="width: 20%;">Non-Federal Share</th> </tr> </thead> <tbody> <tr><td>a. Personal Service_____</td><td style="text-align: right;">63,750.00</td><td style="text-align: right;">0.00</td></tr> <tr><td>b. Fringe Benefits_____</td><td style="text-align: right;">0.00</td><td style="text-align: right;">0.00</td></tr> <tr><td>c. Consultants_____</td><td style="text-align: right;">0.00</td><td style="text-align: right;">0.00</td></tr> <tr><td>d. Travel_____</td><td style="text-align: right;">0.00</td><td style="text-align: right;">0.00</td></tr> <tr><td>e. Equipment_____</td><td style="text-align: right;">0.00</td><td style="text-align: right;">0.00</td></tr> <tr><td>f. Supplies_____</td><td style="text-align: right;">12,500.00</td><td style="text-align: right;">0.00</td></tr> <tr><td>g. Contractual_____</td><td style="text-align: right;">765,000.00</td><td style="text-align: right;">0.00</td></tr> <tr><td>h. Other_____</td><td style="text-align: right;">158,750.00</td><td style="text-align: right;">0.00</td></tr> <tr><td><b>i. TOTAL DIRECT COSTS_____</b></td><td style="text-align: right;"><b>\$1,000,000.00</b></td><td style="text-align: right;"><b>\$0.00</b></td></tr> <tr><td><b>j. Indirect cost_____</b></td><td style="text-align: right;"><b>0.00</b></td><td style="text-align: right;"><b>0.00</b></td></tr> <tr><td><b>(Rate). % of S &amp; W/TADC</b></td><td></td><td></td></tr> <tr><td><b>k. OTHER APPL. COSTS_____</b></td><td style="text-align: right;"><b>0.00</b></td><td style="text-align: right;"><b>0.00</b></td></tr> <tr><td><b>l. TOTAL APPROVED BUDGET</b></td><td style="text-align: right;"><b>\$1,000,000.00</b></td><td style="text-align: right;"><b>\$0.00</b></td></tr> </tbody> </table>			Federal Share	Non-Federal Share	a. Personal Service_____	63,750.00	0.00	b. Fringe Benefits_____	0.00	0.00	c. Consultants_____	0.00	0.00	d. Travel_____	0.00	0.00	e. Equipment_____	0.00	0.00	f. Supplies_____	12,500.00	0.00	g. Contractual_____	765,000.00	0.00	h. Other_____	158,750.00	0.00	<b>i. TOTAL DIRECT COSTS_____</b>	<b>\$1,000,000.00</b>	<b>\$0.00</b>	<b>j. Indirect cost_____</b>	<b>0.00</b>	<b>0.00</b>	<b>(Rate). % of S &amp; W/TADC</b>			<b>k. OTHER APPL. COSTS_____</b>	<b>0.00</b>	<b>0.00</b>	<b>l. TOTAL APPROVED BUDGET</b>	<b>\$1,000,000.00</b>	<b>\$0.00</b>	<b>14. THIS AWARD IS SUBJECT TO THE FOLLOWING COST PRINCIPLES AND OMB UNIFORM ADMINISTRATIVE REQUIREMENTS :</b>  <input type="checkbox"/> 2 CFR Part 220 - Cost Principles for Educational Institutions <input checked="" type="checkbox"/> 2 CFR Part 225 - Cost Principles for State and Local Governments <input type="checkbox"/> 2 CFR Part 230 - Cost Principles for Non-Profit Organizations <input type="checkbox"/> FAR Subpart 31.2 - Principles for Determining Cost Applicable to Awards with For-Profit Organizations <input checked="" type="checkbox"/> 13 C.F.R. Part 143 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments <input type="checkbox"/> 2 CFR Part 215 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations. <input checked="" type="checkbox"/> OMB Circular - A - 133 - Audits of States, Local Governments, and other Non-Profit Orgs.	
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<b>16. CRS - EIN</b> 58-6001729				<b>17. COUNTY NAME</b> Fulton		<b>18. CONGRESSIONAL DISTRICT NO.</b> 05																																							
<b>19a. CITY CODE</b> 04000		<b>b. COUNTY CODE</b> 121		<b>c. STATE CODE</b> 13		<b>d. PROGRAM CODE</b> 20460																																							
<b>BUDGET CODE</b> 20a. 2022.120400DB.601001.2046		<b>DOCUMENT NO.</b> b. SBAHQ22CNP0044		<b>AMT. ACTION FIN. ASST.</b> c. \$1,000,000.00		<b>TYPE OF ORGANIZATION</b> d. County Government																																							
<b>21. AGENCY OFFICIAL</b> (Signature, Name and Title) Kapua Hatch				<b>22. DATE ISSUED</b> (Mo./Day/Yr.) 11/15/2021		<b>24. DATE</b> (Mo./Day/Yr.)																																							
<b>23. RECIPIENT OFFICIAL</b> (Signature, Name and Title)				<b>22. DATE ISSUED</b> (Mo./Day/Yr.)																																									

THIS AWARD IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING.

- A. The program legislation and / or regulation cited in block 1.
- B. This award notice including terms and conditions, if any, noted under block 13, Remarks.
- C. SBA Federal Assistance Regulations or Manual issuances in effect at the beginning date of the budget period.
- D. The applicable program announcement, if any.
- E. SBA Policy Guidelines in effect as of the beginning date of the budget period .
- F. SBA Administrative Regulations / Guidelines in effect as of the beginning date of the budget period.

In the event that there are any conflicting or otherwise inconsistent policies applicable to this award, the above order of precedence shall prevail. Acceptance of ALL terms and conditions is acknowledged by the Recipient's Signature in block 23.

## U.S. Small Business Administration

## NOTICE OF AWARD

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	<p>DUNS Number: 133894167+0000</p> <p>This Notice of Award is being issued as a new award. The Small Business Administration (SBA) approves pre-award costs. Pre-award costs are permitted for expenses incurred November 1, 2021 to the effective date located in box 4 and 5 of this notice of award. Such costs are allowable only to the extent that they would have been allowable if incurred after the date located in box 4. Program Specific Terms and Conditions, as well as SBA's Standard Terms and Conditions, are included in this document.</p> <p>Delivery: 11/16/2021</p> <p>Delivery Location Code: 601001</p> <p>Small Business Administration</p> <p>Immediate Office - ED</p> <p>409 3rd St., S.W.</p> <p>Washington DC 20416 USA</p> <p>Payment:</p> <p>COMMUNITY NAVIGATOR PILOT PROGRAM</p> <p>Denver Finance Center</p> <p>721 19th Str</p> <p>Denver CO 80202</p> <p>Accounting Info:</p> <p>2022.120400DB.601001.20460.4110.610001.6010001</p> <p>Period of Performance: 12/01/2021 to 11/30/2023</p>				
0001	<p>Community Navigator Pilot Program - Grant</p> <p>Obligated Amount: \$1,000,000.00</p> <p>The total amount of award: \$1,000,000.00. The obligation for this award is \$1,000,000.00.</p>				1,000,000.00



U.S. Small Business  
Administration

**SBA Award Program Specific Terms  
Community Navigator Pilot Program, FY 2022 - FY 2024**

**1. Program Specific Term - Acceptance of the Terms of an Award, Order of Precedence**

By drawing or otherwise obtaining funds from the Small Business Administration (SBA or Agency) under this Award, the Non-Federal Entity (NFE) acknowledges its acceptance of the terms and conditions of this Award, both Standard and Program Specific, and is obligated to perform in accordance with the requirements of the Award. These Program Specific Terms and Conditions supplement the Standard Terms and Conditions which apply to all SBA awards of financial assistance and establish the specific requirements and policies that apply to the Community Navigator Pilot Program. In the event of any conflict between the two sets of terms and conditions, the Standard Terms will govern in cases of Agencywide or governmentwide requirements or policies and the Program Specific Terms will control matters of programmatic requirements or policies.

**2. Program Specific Term - Points of Contact**

**a. Grants Management Officer (GMO)**

Name: Kapua Hatch  
Address: U.S. Small Business Administration  
Office of Entrepreneurial Development  
409 Third Street, S.W., 6<sup>th</sup> Floor  
Washington, D.C. 20416  
E-mail Address: Kapua.Hatch@sba.gov

**b. Grant Officer's Technical Representative (GOTR)**

Name: Nathaniel Bishop  
Address: U.S. Small Business Administration  
Office of Entrepreneurship Education  
409 Third Street, S.W., 6<sup>th</sup> Floor  
Washington, D.C. 20416  
E-mail Address: nvbishop@sba.gov

c. Community Navigator Pilot Program Point of Contact for Reporting Fraud, Waste, or Abuse

Name: Terrence Sutherland  
 Address: U.S. Small Business Administration  
 Office of Entrepreneurial Development  
 409 Third Street, S.W., 6<sup>th</sup> Floor  
 Washington, D.C. 20416  
 E-mail Address: terrence.sutherland@sba.gov

**3. Program Specific Term - Project and Budget Periods**

This Award will be made for a two-year project period not to exceed 24 (twenty-four) months, subject to the availability of appropriations.

**4. Program Specific Term - Award Expectations and Project Deliverables**

By drawing or otherwise obtaining funds from SBA under this award, the NFE acknowledges that it will perform the funded project in accordance with the terms of its accepted proposal and the funding announcement. Specifically, the NFE agrees to provide the following:

**NFE (Hub), the Recipient, acknowledges it will:**

- **“Hub” agrees to:**
  - Comply with the requirements and authorities set forth below.
  - Conduct the project funded under this Award in accordance with the NFE (Hub) approved Technical Proposal, and Budget. Changes to these guiding documents must be submitted to SBA approval.
  - Be responsive to SBA requests for information and communication. Changes to the NFE (Hub) organization’s contact information, including AOR or other designated representatives, must be reported promptly to SBA.
  - Promptly advise SBA of any difficulties the NFE (Hub) encounter or anticipate encountering that may affect the conduct of project.
  - Cooperate with all programmatic and financial examinations and any accreditation or certification reviews conducted by SBA, its agents, or contractors. The NFE (Hub) will promptly address and act upon all findings.
  - Coordinate with SBA and other Agency resource partners operating within project service area to maximize the effectiveness of efforts and avoid duplication of products and services.
  - Promote SBA programs, products, and services to clients, as appropriate, including sharing contact information for clients who have indicated in writing they are interested in learning about other SBA programs and types of assistance.

- Maintain adequate, readily accessible facilities for assisting clients, including satellite locations where appropriate.
- Extend all activities supported with project funds to all members of the general public on an equal basis.
- Provide meaningful access to project services for clients with limited English language proficiency and/or disabilities.
- Maintain adequate staffing levels for the delivery of client services, including replacing Key Personnel no more than 90 days after they cease their involvement with the project.
- Participate in SBA surveys and studies regarding the effectiveness and outcomes of the program/project, curriculum, types of assistance, service delivery methods, etc.
- Submit and update information to USASpending.gov and other Federal databases, as required.
- Use varied resources to mentor and train small business owners and managers in dealing with financial, marketing, and other operational and business opportunities and challenges. The NFE (Hub) will assist these clients in developing feasibility studies, business plans, cash flows, financial statements, and similar business measurement and evaluation concepts and tools. The NFE (Hub) must provide client counseling, mentoring and training assistance at no cost to its clients.
- Provide funding to “Spoke” in accordance with the Funding Distribution Agreement and Federal, state and local laws, in a timely manner.
- Monitor “Spoke” to ensure the funding is used in accordance with all applicable conditions, requirements, and restrictions.
- Provide information on current and any subsequent changes to the terms and conditions of the grant awards addressed by the funding in the Distribution Funding Agreement.
- Coordinate with SBA to obtain prior approvals outlined in the terms and conditions such as use of SBA likenesses, changes to grant personnel and budget modifications.
- Provide technical assistance and training as requested to assist “Spoke” in fulfilling its obligations under the Funding Distribution Agreement.
- Take action to recover funds that are not used in accordance with the conditions, requirements, or restrictions applicable to funds awarded.
- Meet the SBA’s performance requirements that is mentioned in the Reporting section and maintain adequate records.
- Creating and following regulations and policies.
- Managing consortia agreements.
- Formulating partnership goals and objectives.
- Overseeing operations of activities, programs, and paid staff.
- Hosting their local, assigned SBA District Office to perform an annual site visit and provide general oversight
- Creating and following a strategic Action Plan.

- **Outputs and Evaluation:**

1. Number of unique clients who **receive assistance** in the development of their
  - a. **Loan application** (PPP, EIDL, 7(a), 504, Microloan, Exporting, Other Loan)
  - b. **Forgiveness applications or SVOG or RRF reports** (post-funding reports)
  - c. **Grant application** (SVOG, RRF or other Federal, State, Local, or Private Sector Grants)
  - d. **Other application** (Contracting certifications or other business assistance program)
2. Dollar (millions) **amount request** of completed
  - a. **Loan application** (PPP, EIDL 7(a), 504, Microloans, Exporting, Other Loan)
  - b. **Grant application** (SVOG, RRF, other Federal, State, Local, or Private Sector Grants)
3. Dollar (millions) **amount of approved**
  - a. **Loans** (PPP, EIDL, 7(a), 504, Microloans, Exporting, Local Loans)
  - b. **Grants** (SVOG, RRF, other Federal, State, Local or Private Sector Grants)
4. Number of **counseling hours** to develop and submit
  - a. **Loan application** (PPP, EIDL, 7(a), 504, Microloan, Exporting, Local Loan)
  - b. **Grant application** (SVOG, RRF, other Federal, State, Local, or Private Sector Grants)
  - c. **Other application** (Contracting certifications or other business assistance program)
5. Number of **counseling hours** provided for:
  - a. Disaster preparedness/recovery
  - b. Credit counseling, financial literacy
  - c. Business technical assistance (operation, marketing, sales, management, etc.)
  - d. Contracting and procurement
  - e. Other business development technical assistance (exporting, industry specific technical assistance)
6. Number of training hours
7. Number of clients trained
8. Number of clients receiving approved loan or grant funding **starting a business**
9. Number of clients receiving approved loan or grant funding with their business **in operation (business survival)**

10. Number of **jobs created or retained**11. Percent **increase of revenue (gross sale dollars)**

- **Travel:** All travel conducted must follow GSA travel regulations and minimize travel and maximize virtual conferences when possible.
- **FASB Requirements:** The NFE (Hub) independent auditors will produce its audited financial statements in accordance with relevant FASB requirements.
- **Audited Financial Statements:** The NFE (Hub) will submit to SBA one complete copy of its audited financial report in volumes covering the NFE (Hub) in order to comply with OMB Financial Reporting regulations. This report will be prepared by a licensed, independent accountant within 150 days of the end of the Recipient's fiscal year period. It will meet FY2021 financial objectives and budgets.
- **Fees:** The NFE (Hub) counseling, mentoring and training will be provided at no cost. Counseling and mentoring include face-to-face, online and telephone sessions.
- **Important Priorities:** Community Navigator Pilot Program will explore, offer or expand services targeted toward markets to increase outreach and assistance to the following entrepreneurial audiences:
  - COVID-19 affected businesses where appropriate
  - Veterans/Military Entrepreneurs (including spouses)
  - Minority Entrepreneurs
  - Women Entrepreneurs
  - Rural Entrepreneurs
  - Socially and Economically Disadvantaged Small Businesses
  - Tribal Communities
  - LGBTQ Entrepreneurs
  - Micro Businesses
  - Persons with Disabilities
- **Legal Services:** The NFE (Hub) will not engage directly in the practice of law. This includes, but is not limited to, providing specific legal advice, representing an individual in litigation or any legal proceeding, or otherwise practicing law as defined by the state in which the Recipient is located. Those members of the Recipient's staff who are qualified by experience and training to discuss legal issues may do so in a general way, but they must not engage in conduct that leads to the creation of any attorney-client relationship and must make appropriate disclaimers to that effect when providing such counseling and mentoring. The NFE (Hub) may offer courses on business law issues, provided that legal topics are presented by individuals qualified by experience and training to address such topics.

## **5. Program Specific Term – Funding Distribution Agreement**

In accordance with the Funding Distribution Agreement and Federal, state and local laws the NFE (Hub) must provide funding to the “Spoke(s)” under this Award.

## **6. Program Specific Term - Allowable Costs**

This Award is subject to the requirements listed below. For further guidance regarding the cost principles applicable to this award see 2 C.F.R. Part 200, Subpart E.

Charging Costs to this Award

All costs charged to this Award are subject to audit and examination. The NFE (Hub) is responsible for ensuring proper management and accounting of Project funds to avoid cost disallowances. All direct costs charged to this Award must be reasonable given the relevant market and industry area and the nature of the good or service involved. Direct costs claimed by the NFE (Hub) must also be allowable under the relevant cost principles and be clearly and specifically allocable, either in whole or in part, to the project funded by this Award. In addition, the NFE (Hub) is not permitted to charge costs associated with any of the following items or activities to this Award:

- Transactions with suspended or debarred entities;
- Construction or renovation of facilities or acquisition of real estate;
- Litigation, whether civil, criminal, or administrative;
- Providing matching contributions to any other Federal awards;
- Meals, lodging, per diem, or other subsistence expenses associated with local travel (however, Project Funds may be used to pay transportation expenses for local travel). Local travel is any travel conducted entirely within a 50-mile radius of the NFE (Hub) address of record.

Pre-award costs are permitted for expenses incurred prior to the effective date of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award.

## **7. Program Specific Term - Protection of Client Information**

The NFE (Hub) is not permitted to disclose Client Information to any third party or share such information with other units of the NFE (Hub) organization not directly involved in the conduct of this project, except where:

- a. the Client consents in writing;
- b. a court orders such disclosure; or
- c. otherwise permissible under Privacy Act or Freedom of Information Act

## **10. Program Specific Term - Reporting Requirements**

The NFE (Hub) must submit the reports identified in Program Specific Terms 11 and 12 to the GOTR in accordance with the schedule listed below. Reports must be submitted to the GOTR in an electronic file type(s) such as MS Word, PDF, MS Excel, etc. format via email address. We will provide an additional Program Announcement to NFEs on other electronic upload options, such as our COMNAVs IT system, as they become available. Reports must be received by the GOTR no later than 30 days after the conclusion of the applicable reporting period. The final report, which must both cover that reporting period and also serve as the annual report addressing the entire budget and project year, must be received by the GOTR no later than 90 days after the conclusion of the budget year. If the NFE (Hub) fail to submit timely or adequate reports, SBA may withhold funding until this deficiency is corrected.

The reporting periods for this Award are as follows:

**First Year:**

- 12/01/2021 – 2/28/2022 report due by 3/31/2022
- 3/01/2022 – 5/31/2022 report due by 6/30/2022
- 6/01/2022 – 8/31/2022 report due by 9/30/2022
- 9/01/2022 – 11/30/2022 report due by 12/31/2022

**Second Year:**

- 12/01/2022 – 2/28/2023 report due by 3/31/2023
- 3/01/2023 – 5/31/2023 report due by 6/30/2023
- 6/01/2023 – 8/31/2023 report due by 9/30/2023
- 9/01/2023 – 11/30/2023 report due by 12/31/2023

## **11. Program Specific Term - Performance Reports**

In accordance with the schedule listed in Program Specific Term 10, the NFE (Hub) must submit its performance reports that details:

- a. All project accomplishments or deliverable for the reporting period, including a comparison between the NFE (Hub) actual accomplishments or deliverables and those required in Program Specific Term 4 and/or predicted in the NFE (Hub) accepted proposal. Where the NFE (Hub) failed to achieve the required or predicted accomplishments or deliverables, the NFE (Hub) must explain the reason(s) for that shortfall and describe how the NFE (Hub) will bring project performance back into compliance with Program Specific Term 4 and the NFE (Hub) accepted proposal;
- b. Any lessons learned, best practices identified, notable success stories, and problems encountered, and steps taken to address those problems.

During the pre-award period, SBA will contact awardees for a brief addendum to their technical proposal, which includes the following items:

- a. Fill out the forthcoming SMART goals workbook, which will ask you to confirm or update answers from your technical proposal.
- b. Fill out the forthcoming Financials workbook, which will aid the SBA office in processing payments.
- c. If the consortium receives other SBA or Federal funding, provide a brief statement ensuring that the program will not be duplicative and that there will be no commingling of funds

## **12. Program Specific Term - Financial Reports**

In accordance with the schedule listed in Program Specific Term 10, the NFE (Hub) must submit its financial reports using SF 425 (Federal Financial Report). The NFE (Hub) must also provide detailed information regarding its actual expenditures broken down by the same cost category line items identified in its approved budget. SBA will send out a Detailed Expenditures Workbook for this purpose. The NFE (Hub) does have the discretion to transfer Project Funds between individual cost categories provided the cumulative result of all such transfers in a given budget period does not exceed 10 percent of the NFE's (Hub's) total approved budget. Before making any transfers that would cumulatively result in the NFE (Hub) exceeding this 10 percent cap, the NFE (Hub) must obtain approval from SBA. Failure to adhere to the approved budget or obtain the necessary prior approval will result in denial of payment by SBA.

Additionally, the NFE (Hub) must attach a certification to each annual and final financial report that contains the following statement:

“By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information or the omission of any material fact, may subject me to criminal, civil, or administrative penalties for fraud, false statements, false claims, or otherwise (U.S. code title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).”

This certification statement must be signed by an official who is authorized to legally bind the NFE (Hub) organization.

## **13. Program Specific Term - Additional Data Submission Requirements**

In addition to the quarterly reports, the NFE (Hub) must also annually submit a copy of its most recent audited financial statement. The GOCR must receive the NFE (Hub) audited financial statement no later than 150 days after the conclusion of its fiscal year.

The NFE (Hub) will also be a full participant in OED's impact surveys and assessments through cooperation with SBA's contractor(s) – particularly the provision of client data. SBA reserves the

right to change requirements for the provision of this section and SBA's designed management information system.

#### **14. Program Specific Term - Project and Program Integrity**

The NFE (Hub) must avoid engaging in any actions that may harm the integrity of this project or this SBA program. In the event key project employees are determined to have engaged in conduct reflecting a material lack of business integrity or honesty, the NFE (Hub) must immediately remove them from involvement in this project. In addition, the NFE (Hub) and its employees must avoid both organizational and individual conflicts of interest in accordance with the principles identified in 2 C.F.R. § 2701.112.

The NFE (Hub) may not discharge, demote, or otherwise discriminate against any of the NFE (Hub) employees, which includes volunteers, as a reprisal for their disclosing to an authorized person or body as described in 41 U.S.C. § 4712(a)(2) any information that the employee reasonably believes is evidence of one of more of the following: gross mismanagement of its grant; a gross waste of Federal funds; an abuse of authority relating to the Community Navigator Pilot Program grant; a substantial and specific danger to public health or safety; and/or a violation of law, rule, or regulation related to its grant. Any of the NFE (Hub) employees who believe they have been subjected to such a reprisal may submit a complaint to SBA's Inspector General Hotline via the internet at [www.sba.gov/OIG/Hotline](http://www.sba.gov/OIG/Hotline), via telephone at 1-800-767-0385 (telephone), or via mail at Office of Inspector General, ATTN: Hotline, 409 3rd Street, S.W., Suite 7150, Washington, D.C. 20416. The NFE (Hub) must inform its employees in writing of the rights and remedies discussed in this paragraph in the predominant native language of its workforce.

The NFE (Hub) must report all findings or determinations of sexual harassment, other forms of harassment, or sexual assault by key employees paid under this Award and also report if the NFE (Hub) have placed such key employees on administrative leave or imposed any administrative action against them as a result of the findings or determinations.

The NFE (Hub) cannot use Project Funds to pay salaries of employees or costs of consultants, contractors, or other service providers (e.g., accountants, lawyers, etc.) where such entities are currently suspended or debarred. In addition, the NFE (Hub) cannot use Project Funds to provide counseling services related to Federal contract, grant, or loan opportunities to individuals or firms that are currently under suspension or debarment by a Federal agency. Training may be provided on these three topics without regard to an individual's suspension or debarment status. The NFE (Hub) are responsible for verifying that entities paid or (where applicable) assisted with Project Funds or Project Resources are not suspended or. To determine if an individual or firm is suspended or debarred, the NFE (Hub) may consult the System for Award Management (<https://www.sam.gov/>). Additionally, in cases involving counseling, the NFE (Hub) may require clients to certify they are not currently suspended or debarred prior to receiving assistance relating to Federal contract, grant, or loan opportunities. For further guidance regarding suspension and debarment, see 2 C.F.R. Parts 180 and 2700.

## **15. Program Specific Term - Project Closeout**

For general guidance regarding project closeout procedures, see 2 C.F.R. §§ 200.343 – 200.344.

At the end date of this Award (i.e., after the base period concludes and all available option periods have been exercised or declined and any no cost extension has expired, as applicable), this project will cease and the NFE (Hub) may not incur any new reimbursable expenses. The NFE (Hub) must submit its final performance and financial reports and the NFE (Hub) final requests for payment within 90 calendar days of the project end date. If the NFE (Hub) does not submit its final payment requests within 90 days of the project end date, all remaining, undisbursed Federal funds will be de-obligated and will no longer be available to the NFE (Hub). If the NFE (Hub) have received a follow-on award under this program it may request permission from SBA to carryover any unexpended Project Funds remaining under this Award to that follow-on award in accordance with Program Specific Term 26.

## **16. Program Specific Term - Applicable Law and Policy Requirements**

Except for circumstances in which Federal law defers to State or local law – such as zoning matters, building and business permits, and recording requirements – this Award will be governed by and construed under Federal law. Specifically, this Award is subject to the following laws, regulations, and policies in addition to those enumerated in the SF 424B (Assurances: Non-Construction Programs) the NFE (Hub) submitted as part of its approved application:

- a. 15 USC § 637(b)(1) (Small Business Act);
- b. 5 U.S.C. App. 1 (Inspector General Act of 1978);
- c. 15 U.S.C. § 78dd-1 et seq. (Foreign Corrupt Practices Act);
- d. 15 U.S.C. § 631 et seq. (Small Business Act);
- e. 22 U.S.C. § 7101 et seq. (Trafficking Victims Protection Act of 2000);
- f. 22 U.S.C. § 7207 (Prohibition on United States Assistance and Financing to Certain Foreign Nations);
- g. 31 U.S.C. § 6101 note (Digital Accountability and Transparency Act of 2014);
- h. 41 U.S.C. § 701 et seq. (Drug-Free Workplace Act of 1988), as implemented by 2 C.F.R. Part 182;
- i. 41 U.S.C. § 6306 (Prohibition on Members of Congress making contracts with the Federal Government);
- j. 42 U.S.C. § 12101 et seq. (Americans with Disabilities Act of 1990), as implemented by 28 C.F.R. Parts 35 and 36;
- k. 48 U.S.C. § 1469a (Waiver of Matching Fund Requirements for Awards to Insular Areas);
- l. 49 U.S.C. App. 1517 (Fly America Act);
- m. 2 C.F.R. Parts 180 and 2700 (Nonprocurement Debarment and Suspension);
- n. 13 C.F.R. Parts 112, 113, and 117 (Civil Rights Compliance);
- o. 13 C.F.R. Part 146 (Restrictions on Lobbying);
- p. 15 C.F.R. Parts 730-774 (Export Restrictions);
- q. 22 C.F.R. Parts 120-130 (International Traffic in Arms);

- r. 31 C.F.R. Parts 500-598 (Foreign Assets Control);
- s. 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements);
- t. Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency);
- u. Executive Order 13513 (Federal Leadership on Reducing Text Messaging While Driving); and
- v. Executive Order 13788 (Buy American and Hire American).

### **17. Program Specific Term - Dispute Resolution**

If a dispute arising from an SBA decision regarding a financial matter or the suspension, termination, or non-renewal of the NFE (Hub) Award occurs between the NFE (Hub) and SBA, The NFE (Hub) may appeal the matter to SBA's Grant Appeals Committee. To be considered timely, the NFE (Hub) appeal petition must be received by the Committee within 30 calendar days of the date of the decision giving rise to the dispute. The NFE (Hub) appeal petition must be mailed to the following:

Chairman, Grant Appeals Committee  
U.S. Small Business Administration  
Office of Grants Management  
5th Floor, 409 3rd Street, SW  
Washington, DC 20416.

The NFE (Hub) must also send copies of its appeal petition to the GMO and GOTR.

There is no prescribed format for the submission of an appeal petition. Formal briefs and other technical forms of pleading are not required, nor are the NFE (Hub) required to obtain legal representation. However, the NFE (Hub) appeal petition must be in writing and must be concise, factual, and logically arranged. In addition, the NFE (Hub) appeal petition must contain the following:

- a. NFE (Hub) organization's name and address;
- b. Identification of the relevant SBA program office and the Award number;
- c. A statement of the facts underlying the dispute and the basis for the appeal (i.e., a specific explanation as to why the NFE (Hub) believe SBA's decision was incorrect);
- d. Copies of any documents or other evidence supporting its position in the dispute;
- e. A request for the specific relief desired on appeal (e.g., reinstatement to the program, allowance of the claimed cost, etc.); and
- f. A statement as to whether an oral hearing is being requested, and if so, the reasons why such a hearing is necessary.

The Committee will first rule on a request for an oral hearing before proceeding to consider the merits of an appeal petition. Within 60 calendar days of receiving the NFE (Hub) appeal petition, the Committee will present its decision in writing to the NFE (Hub), the GMO, and the GOTR. The Committee's ruling will represent the final Agency decision on the subject of the dispute and will not be further appealable within SBA.

**18. Program Specific Term - Liability and Indemnification**

Any liability arising from the conduct of this project, except as it directly relates to SBA employees or facilities, is solely the NFE (Hub) responsibility. SBA will not indemnify the NFE (Hub) or its employees or officers. Furthermore, with the exception of insurance, no Project Funds may be used to cover costs related to liabilities arising under this Award. For further guidance regarding insurance costs, see 2 C.F.R. § 200.447.

SBA is not a party to any contracts, subgrants (where permitted), or other agreements between the NFE (Hub) organization and third parties. SBA will have no involvement in any disputes arising from such agreements. The NFE (Hub) are liable to SBA for any amounts paid from Project Funds to third parties which are subsequently determined to have been unallowable or otherwise improper.

**20. Program Specific Term - Indirect Costs**

Indirect cost is allowable under the Community Navigator Pilot Program, but it is capped at the 10% de minimis rate as described in 2 CFR 200.414. The recipient may use the 10% de minimis rate based on Modified Total Direct Cost (MTDC) as defined by 2 CFR Part 200.68.

**21. Program Specific Term - Matching Contributions**

The NFE (Hub) are not required to provide any matching support for this Award. However, if the proposal includes additional funding, the NFE (Hub) is required to meet the terms of their proposal and this will be reflected in the Notice of Award.

**22. Program Specific Term - Financial Stability and Risk Mitigation**

In accordance with 2 C.F.R. § 200.205, in order to continue being entrusted with public funds the NFE (Hub) organization must maintain a sufficient level of financial stability. Examples of failure to maintain sufficient financial stability include, but are not limited to, excessive and/or unresolved indebtedness (whether to the Federal government or other parties), repeated failure to make payroll, and/or operating at a deficit for an extended period of time. The NFE (Hub) lack of financial stability may lead SBA to take any or all of the following actions:

- a. Categorize the NFE (Hub) organization as a high-risk NFE and subject it to additional conditions;
- b. Suspend, terminate, or decline to renew this and any other Awards the NFE (Hub) receive from SBA; and
- c. Suspend or debar the NFE (Hub) from participating in the Federal procurement or non-procurement arenas in accordance with 2 C.F.R. Part 2700.

**23. Program Specific Term - Funds Management and Payment**

In accordance with 2 C.F.R. § 200.305(b)(6), SBA may withhold payments if the NFE (Hub) fail to comply with project objectives, Federal statutes, regulations, the terms and conditions of this Award, and/or the program requirements. Additionally, SBA reserves the right to offset any funds payable to the NFE (Hub) under this Award in order to collect debts or other financial claims the Agency may hold against the NFE (Hub) under this program or any other SBA program. In addition, if the NFE (Hub) fail to expend funds at a rate substantially in accordance with its accepted proposal, SBA may reduce the amount of this Award by deobligating funds from the NFE (Hub) project and transferring them to other NFEs conducting projects under this program.

To receive payment, the NFE (Hub) must provide SBA with its bank routing number and account information and submit a signed SF 270 (Request for Advance or Reimbursement) and a Detailed Expenditures Workbook identifying the actual/proposed use for all requested funds to the GOTR, who will review it before forwarding it to the GMO with a recommendation for payment. The GOTR and/or GMO may require the NFE (Hub) to provide additional information or documentation before payment is made. Any failure by the NFE (Hub) to properly complete and submit the required forms will cause substantial delay in processing its payment request.

Additionally, The NFE (Hub) must attach a certification to each payment request that contains the following statement:

“By signing this report, I certify to the best of my knowledge and belief that the report is true, complete and accurate and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information or the omission of any material fact, may subject me to criminal, civil, or administrative penalties for fraud, false statements, false claims, or otherwise (U.S. code title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).”

This certification statement must be signed by an official who is authorized to legally bind the NFE (Hub) organization.

The NFE (Hub) bear sole responsibility for providing adequate documentation or justification of all claimed costs and for submitting all payment requests in a timely manner. SBA will not process any payment request the NFE (Hub) submit more than 90 calendar days after the conclusion of the relevant Budget Period. The NFE (Hub) must retain copies of receipts, invoices, subcontracts, timesheets, evidence of the existence and valuation of matching contributions, and similar items providing documentary support of all claimed costs. All payments will be made based on the NFE (Hub) demonstrated, bona fide disbursement requirements, consistent with the approved budget and project deliverables.

The NFE (Hub) must deposit and maintain advances of Federal funds in interest-bearing, FDIC-insured accounts. The NFE (Hub) are encouraged to use banks that are at least 50 percent owned by women or minorities. For further guidance regarding interest earned on advances of Federal funds, see 2 C.F.R. § 200.305(b)(9).

#### **24. Program Specific Term – Funds from Multiple SBA Awards**

If the consortium holds any other current financial assistance awards from SBA, it must avoid commingling of funds and overlapping or double claiming of costs among those awards. The consortium must treat each project as separate and discrete with individual reporting, accounting, and audit trails.

The consortium must also send the relevant list of awards to the GOTR within the first 30 days after this NOA, including Grant award numbers and SBA Program Office.

#### **25. Program Specific Term – Special Supplemental Disaster Recovery Awards**

In accordance with § 7(b)(12) of the Small Business Act, SBA may provide special supplemental funding to the NFE (Hub) as necessary in order to provide additional technical assistance to spur disaster recovery and growth of small businesses located in an area for which the President has declared a major disaster area. Any such special supplemental funding awarded to the NFE (Hub) for this purpose must be accounted for separately and must be expended within two years.

#### **26. Program Specific Term – Project Website**

The NFE (Hub) must maintain a website, or a clearly defined subsection of an existing website, for the purpose of publicizing and conducting project activities. The project website must make reasonable accommodations for access by persons with disabilities and must feature the SBA logo and acknowledgement of support clause in a prominent location. In addition, project websites are subject to the project closeout requirements.

The NFE (Hub) may not use the project website to advertise, promote, or endorse alcoholic beverages, tobacco products, sexual products (including dating services and pornographic materials); illegal or controlled substances or materials; gambling or gaming products or services; or any other products, services, or materials which may be harmful to the image or reputation of this project, the Community Navigator Pilot Program, or SBA.

#### **27. Program Specific Term – Procurement of Goods and Services:**

The following additional rules apply to contracts involving \$10,000 or less:

- The NFE (Hub) does not need to submit copies of the proposed contracts to the GOTR for approval before executing them.
- The contracts are not required to be awarded via competition if the NFE (Hub) considers their prices to be reasonable.

The following additional rules apply to contracts involving between \$10,001 and \$250,000 in Project Funds:

- The NFE (Hub) does not need to submit copies of the proposed contracts to the GOTR for approval before executing them.
- The NFE (Hub) must obtain price quotes in writing from at least three qualified sources and inform SBA of these quotes in the corresponding payment requests/financial reports.
- If the NFE (Hub) does not choose to go with the lowest price quote, the NFE (Hub) must explain why.

The following additional rules apply to contracts involving more than \$250,000 in Project Funds:

- The NFE (Hub) must submit copies of the proposed contracts to the GOTR for approval before executing the contract.
- The contracts must be awarded via competition. Non-competitive contracting at this level is only allowed if the NFE (Hub) can demonstrate to SBA's satisfaction either: (i) there is only one possible source for a particular good or service or (ii) there is an emergency involving the risk of imminent damage to property or injury to people.

## **28. Program Specific Term – Program Prior Approval**

This section expands upon Section 8 “Prior Approval” of the Standard Terms and Conditions.

In addition to the standard items requiring prior approval, the following Program Specific terms shall be added:

1. For those NFEs (Hubs) that wish to host or offer conferences and/or events, SBA requires prior approval for such events, to ensure relevance with program goals.
2. Prior approval is required for any modifications to the consortium, such as adding or removing a Spoke.

## **29. Program Specific Term - Promotion of Consortium**

SBA reserves the right to promote the Consortium.

## **30. Program Specific Terms and Conditions: Advance and Financial Reporting**

The NFE (Hub) will receive funds via advance on a quarterly basis, unless identified as high risk by the program. Funds will be available up to the following amounts:

- Tier 1 awards, \$625,000.00
- Tier 2 awards, \$312,500.00
- Tier 3 awards, \$125,000.00

The final quarter will be paid as a reimbursement.

Monthly Financial Reporting – At the discretion of the Program Office, all non-federal entities may be required to submit monthly workbooks provided by SBA reporting their monthly funds.

Quarterly Financial Reporting – All non-federal entities are required to complete the federal cash transactions portion of the SF-425, lines 10 a through c for the program quarters, ending 2/28, 5/31,

8/31, and 11/30 through the life of the award. The quarterly financial reports are due 30 days following the reporting period.

All reports (monthly, quarterly, and final reports) must be submitted via email which will be provided by SBA.

As stated in Section 1 of the Program Specific Terms, this is a programmatic policy and overrides the standard payment structure outlined in the Standard Terms.

### **31. Program Specific Term - Definitions**

The following definitions apply to this program. For additional definitions relating to this Award, see the Standard Terms and Conditions, and the funding announcement:

Award – a conferral of Federal financial assistance to support a specific public project, whether in the form of a grant, cooperative agreement, or contract.

Client – an entity receiving technical assistance under this Award. A Client may be an existing small business concern, or an individual interested in owning and operating a small business concern.

Client Information – files and records concerning a Client, as well as any information that could be used to identify, contact, or locate a Client. Does not include statistics or similar data that is not attributed to a particular Client.

Consortium – the combined project group consisting of both Hub and Spokes.

Key Personnel – those individuals who play a crucial role in the conduct of a project. Examples include directors, managers, counselors, and instructors, but not support staff.

Project Funds – all funds covered by the project budget. Includes both Federal funds and matching contributions (cash and in-kind) dedicated to the project.

Project Resources – non-monetary items such as facilities, equipment, supplies, and staff time that are utilized to further project objectives and whose costs are supported (in whole or in part) with Project Funds.

Religious Organization – an entity that is organized for religious purposes and engages in activity consistent with, and in furtherance of, such purposes.

NFE (Hub) – the NFE (recipient organization) for this Award.

## **SBA Award Standard Terms**

### **1. Standard Term - Acceptance of the Terms of an Award**

By drawing or otherwise obtaining funds from the Small Business Administration (SBA), the non-federal entity acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the requirements of the award. If the non-federal entity cannot accept the terms, the non-federal entity should notify the Grants Management Officer (GMO) within thirty (30) days of receipt of this award notice. Once an award is accepted by a non-federal entity, the contents of the Notice of Award (NoA) are binding on the non-federal entity unless and until modified by a revised NoA signed by the GMO.

Certification Statement: By drawing down funds, the non-federal entity certifies that proper financial management controls and accounting systems, to include personnel policies and procedures, have been established to adequately administer federal awards and funds drawn down. Non-federal entities of Small Business Administration (SBA) grants or cooperative agreement awards must comply with all terms and conditions of their awards, including: (a) terms and conditions included in the SBA Grants Policy effective at the time of a new, non-competing continuation, or renewal award, including the requirements of OMB grants administration regulations; (b) requirements of the authorizing statutes and implementing regulations for the program under which the award is funded; (c) applicable requirements or limitations in appropriations acts; and (d) any requirements specific to the particular award specified in program policy and guidance, the Notice of Funding Opportunity (NOFO).

### **2. Standard Term - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for SBA Awards**

The NoA issued is subject to the administrative requirements, cost principles, and audit requirements that govern federal monies associated with this award, as applicable, in the Uniform Guidance 2 CFR Part 200.

([https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2tab\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2tab_02.tpl)).

Under the authority listed above, the U.S. Small Business Administration adopts the Office of Management and Budget (OMB) Guidance in 2 CFR part 200, except for 2CFR 200.74, 200.92, and 200.93. Thus, this part gives regulatory effect to the OMB guidance and supplements the guidance as needed for the Administration.

#### Federal Grants

On December 22, 2020, the United States District Court for the Northern District of California issued a preliminary injunction, enjoining Sections 4 and 5 of Executive Order 13950 “Combating Race and Sex Stereotyping.” So long as the December 22, 2020 preliminary injunction remains in force, the government shall not insist on, impose, or include—or instruct, require, facilitate, or permit any agency to insist on, impose, or include—conditions in any grant program requiring grant recipients or subaward recipients to certify that they will not use federal funds to promote any of the concepts set forth in

Section 5 of the Executive Order; and the government shall not enforce any such conditions imposed on recipients and subrecipients to the extent they have already been included in government grants or subawards. To the extent that you have included the Executive Order's provisions in subawards, please provide those subaward recipients with a copy of this notice.

- The Preliminary Injunction prohibits the Government from requiring grant or subaward recipients to certify that they will not use federal funds to promote any of the concepts set forth in Section 5 of the Executive Order. Therefore, until further notice, agencies must take all necessary steps to ensure that any new grants and notices of funding opportunities do not contain any provision that would require recipients to certify that they will not use federal funds to promote any of the concepts set forth in Section 5 of the Executive Order.
- For any existing grant that requires recipients to certify that they will not use federal funds to promote any of the concepts set forth in Section 5 of the Executive Order, agencies must not take any action to enforce those particular provisions. Accordingly, agencies must take all reasonable steps to ensure their workforces understand that during the time the preliminary injunction remains in force, they:
  1. shall not insist on, impose, or include—or instruct, require, facilitate, or permit any agency to insist on, impose, or include—conditions in any grant program requiring grant recipients or subaward recipients to certify that they will not use federal funds to promote any of the concepts set forth in Section 5 of the Executive Order; and
  2. shall not enforce any such conditions imposed on recipients and subrecipients to the extent those conditions have already been included in government grants or subawards.
- In addition, agencies shall take all reasonable steps to notify recipients and subrecipients who have already been awarded government grants or subawards subject to those conditions, such as by providing them with the following notice:

### **3. Standard Term - Award Expectations**

The eligibility and program requirements originally outlined in NOFO must continue to be adhered to as the funded project is implemented. Non-federal entities must comply with the performance goals, milestones, outcomes, and performance data collection and related policy and guidance. Additional terms and/or conditions may be applied to this award if outstanding financial or programmatic compliance issues are identified by SBA.

### **4. Standard Term - Flow down of requirements to sub- recipients**

The non-federal entity, as the awardee organization, is legally and financially responsible for all aspects of this award including funds provided to sub-recipients, in accordance with 2 CFR §§ 200.330 -200.332 Sub-recipient monitoring and management.

### **5. Standard Term - Future Funding**

If indicated in the NoA, recommended future support reflects TOTAL costs (direct plus indirect). Funding is subject to the availability of federal funds, and that matching funds, (if applicable), are verifiable, and progress of the award is documented and acceptable.

### **6. Standard Term - Non-Supplant**

Federal award funds must supplement, not replace (supplant) nonfederal funds. Applicants or award non-federal entities may be required to demonstrate and document that a reduction in non-federal resources occurred for reasons other than the receipt of expected receipt of federal funds.

## **7. Standard Term - Unallowable Costs**

Unless authorized under the Special Terms and Conditions, all costs incurred prior to the award issue date and costs not consistent with the funding opportunity and/or 2 CFR Part 200 are not allowable under this award.

## **8. Standard Term - Prior Approval**

SBA anticipates that the non-federal entity may need to modify the non-federal entity's award budget or other aspects of its approved application during performance to accomplish the award's programmatic objectives. In general, non-federal entities are allowed a certain degree of latitude to re-budget within and between budget categories (10% or less) to meet unanticipated needs and to make other types of post-award changes, provided that the changes still meet the statutory program requirements and the regulatory requirements under 2 CFR Part 200, as applicable.

Items that require prior approval (i.e. formal written approval) from the GMO, as indicated in either 2 CFR Part 200 or the SBA Grants Policy Statement, must be submitted in writing to the GMO within 45 days of grant expiration. Based on the nature, extent, and timing of the request, the SBA GMO may approve, deny, or request additional material to further document and evaluate your request. Only responses provided by the GMO are considered valid. If SBA approves the request, an amended Notice of Award (NoA) will be issued. Verbal authorization is not approval and is not binding on SBA. Non-federal entities that proceed on the basis of actions by unauthorized officials do so at their own risk, and SBA is not bound by such responses.

Prior approval is required for, but is not limited to: Changes in Key Personnel and Level of Effort, Budget Revisions (more than 10% or when requesting a new budget cost category), Changes in Scope, Carryover Requests (that fall outside the term for the Expanded Authority for Carryover), and No Cost Extensions.

SBA may confer a one-time extension of the expiration date of this Award for up to 12 additional months if You can demonstrate more time is necessary for the adequate completion of specific project objectives. A request for an extension must be in writing (with supporting justification) and must be received by the Grants Officer Technical Representative (GOTR) at least 45 calendar days prior to the scheduled expiration of this Award. SBA will not approve any extension request that:

- i. Is solely for the purpose of expending remaining funds;
- ii. Is for a project that previously received an extension;
- iii. Is more than 12 months in length;
- iv. Requires the commitment of additional Federal funds; or

- v. Involves any change in the objectives or scope of the project.

## **9. Standard Term - Administrative and National Policy Requirements**

Public policy requirements are requirements with a broader national purpose than that of the Federal sponsoring program or award that an applicant/non-federal entity must adhere to as a prerequisite to and/or condition of an award. Public policy requirements are established by statute, regulation, DOJ, and OMB memorandums, or Executive order. In some cases, they relate to general activities, such as preservation of the environment, while, in other cases they are integral to the purposes of the award-supported activities. An application funded with the release of federal funds through a grant award does not constitute or imply compliance with federal statute and regulations. Funded organizations are responsible for ensuring that their activities comply with all applicable federal regulation requirements.

## **10. Standard Term - Executive Pay**

The Consolidated Appropriations Act, 2020 (Pub. L.116-94) signed into law on December 20, 2019, restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. The Executive Level II salary per E.O. 13756, was increased to \$199,300 effective January 2021.

The law limits the salary amount that may be awarded and charged to SBA assistance agreements and cooperative agreements. Award funds may not be used to pay the salary of any individual at a rate in excess of Executive Level II. This amount reflects an individual's base salary exclusive of fringe and any income that an individual may be permitted to earn outside of the duties to the applicant organization. This salary limitation also applies to subawards/subcontracts under an SBA grant or cooperative agreement.

## **11. Standard Term - Non-federal Entity Responsibilities**

- a. Conduct the project funded under this Award in accordance with Your approved Technical Proposal, budget, and goals, milestones, timelines, or metrics. Changes to any of these guiding documents must be submitted to SBA for pre-approval in accordance with all SBA terms and conditions.
- b. Be responsive to SBA requests for information and communication. Changes to Your organization's contact information, including Your AOR or other designated representatives, must be reported promptly to SBA.
- c. Promptly advise SBA of any difficulties You encounter or anticipate encountering that may affect the conduct of Your project.
- d. Cooperate with all programmatic and financial examinations and any accreditation or certification reviews conducted by SBA, its agents, or contractors. You will promptly address and act upon all findings regarding Your project made as part of any such process.

- Provide full access to all activities supported with project funds to the general public without regard to their participation in any paid membership or subscription plan.
  - Maintain adequate staffing levels for the delivery of client services, including replacing Key Personnel no more than 60 days after they cease their involvement with the project.
  - Participate in SBA surveys and studies regarding the effectiveness and outcomes of the program/project, curriculum, types of assistance, service delivery methods, etc."
- e. Coordinate with SBA and other Agency resource partners operating within Your project service area to maximize the effectiveness of Your efforts and avoid duplication of products and services.
  - f. Promote SBA programs, products, and services to clients, as appropriate.
  - g. Maintain adequate, readily accessible facilities for assisting clients, including satellite locations where appropriate.
  - h. Provide at least 40 hours per week of availability to assist clients, including sufficient evening and weekend availability and on-line and telephone assistance, to meet the needs of Your service area and clientele. Although You may maintain multiple service locations, no more than two locations may count toward meeting the weekly service hours requirement.
  - i. Provide meaningful access to project services for clients with limited English language proficiency and/or disabilities.
  - j. Maintain adequate staffing levels for the delivery of client services, including replacing Key Personnel no more than 60 days after they cease their involvement with the project.
  - k. Participate in SBA surveys and studies regarding the effectiveness and outcomes of the program/project, curriculum, types of assistance, service delivery methods, etc.

## **12. Standard Term - SAM and UEI**

Requirements Awards are subject to requirements as set forth in 2 CFR 25.110 Central Contractor Registration (CCR) (NOW SAM) AND Unique Entity Identifier (UEI) Numbers. 2 CFR Part 25 - Appendix A4, System of Award Management (SAM) and Universal Identifier Requirements

### **A. Requirement for System of Award Management**

Unless you are exempted from this requirement under 2 CFR 25.110, you, as the non-federal entity, must maintain the currency of your information in the SAM, until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial

registration, and more frequently if required by changes in your information or another award term.

B. Requirement for unique entity identifier If you are authorized (reference project description) to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you, unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity, unless the entity has provided its unique entity identifier to you.

### **13. Standard Term - Federal Financial Accountability and Transparency Act (FFATA)**

Reporting Subawards and Executive Compensation, 2 CFR, Appendix A to Part 170

a. Reporting of first-tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. Where and when to report.
  - i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
  - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report.

You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
  - i. the total Federal funding authorized to date under this award is \$25,000 or more;
  - ii. in the preceding fiscal year, you received—
    - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial

assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the non-federal entity.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the non-federal entity award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:

i. Receives a subaward from you (the non-federal entity) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the non-federal entity's or subrecipient's preceding fiscal year and includes the following:

- i. Salary and bonus.
- ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives and are available generally to all salaried employees.
- iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- v. Above-market earnings on deferred compensation which is not tax-qualified.
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

#### **14. Standard Term - FAPIIS - Recipient Integrity and Performance**

Appendix XII to 2 CFR Part 200

##### **A. Reporting of Matters Related to Recipient Integrity and Performance**

###### **1. General Reporting Requirement**

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the non-federal entity during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings.

###### **2. Proceedings About Which You Must Report**

Submit the information required about each proceeding that:

- a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
- b. Reached its final disposition during the most recent five-year period; and
- c. If one of the following:

- (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;

(2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;

(3) An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or

(4) Any other criminal, civil, or administrative proceeding if:

(i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

(ii) It had a different disposition arrived at by consent or compromise with an acknowledgement of fault on your part; and

(iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

### 3. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

### 4. Reporting Frequency

Unless specified otherwise in the Special Terms and Conditions for Your award, the following reporting timelines apply:

During any period of time when you are subject to this requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent five-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

Financial Reporting – Non-Federal Entities are required to submit quarterly and annual financial reports (SF – 425). All SF - 425 are reported cumulatively.

Quarterly Reports – are due thirty (30) days following the reporting period. For example, if the quarter ends 3/31, the quarterly reports are due 5/1.

Annual Reports – The first reflects the initial 12-month period. For example, awards issued on 10/01, the report period ends on 9/30 the following year and is due on 10/31. *Subsequent annual reports should build upon the previous annual report.*

Program Progress Reporting – Program Progress Reports are due quarterly, thirty (30) days following the end of the reporting period. For example, if the quarter ends 3/31, the quarterly reports are due 5/1, unless otherwise stipulated in program special terms and conditions.

#### **15. Standard Term - Acknowledgement of SBA Support/Use of SBA's Logo/Publication Requirements.**

It is important that Your clients and the general public are aware of the [grant program name] Program and SBA's role in this project, as well as the taxpayer funded support the Agency is providing under this Award. Therefore, You must include the following acknowledgment of support statement on all materials produced in whole or in part with Project Funds:

"Funded [in part] through a Cooperative Agreement with the U.S. Small Business Administration."

For purposes of this requirement, the term "materials" includes, but is not limited to, press releases, brochures, pamphlets, handouts, reports, advertisements, books, curricula, websites, video or audio productions, and similar items regardless of the medium employed. The term "materials" does not include stationery or business cards and SBA's logo may not be used on such items.

Where You use Project Funds to produce materials featuring editorial content, You must use the following alternate acknowledgment of support statement (either independently or in conjunction with the SBA logo):

"Funded in part through a Cooperative Agreement with the U.S. Small Business Administration. All opinions, conclusions, and/or recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the SBA."

In addition, You must display signage featuring the SBA logo at all facilities that are open to the public and which are being used for project activities. Such signage must prominently feature the acknowledgment of support statement identified above.

Where used, the acknowledgment of support statement must be presented in a legible typeface, font size, and (where applicable) color contrast and must appear verbatim and may not be altered or replaced with substitute language. However, on materials with severe space constraints such as signs and banners, You may use "SBA" in the acknowledgment of support statement instead of "U.S. Small Business Administration."

You may elect to use SBA's logo on materials produced with Project Funds. You may contact the GMO in order to obtain a high-resolution copy of SBA's logo and a copy of SBA's Graphic and Use Guide. Where used, the SBA logo may be positioned in close proximity to Your organization's logo or may be placed in a prominent location elsewhere in the material. However, SBA's logo may not be placed in close proximity to any third party's logo, or used in such a way as may imply that a relationship exists between SBA and any third party (Note: Your organization's parent entity is not considered a third party). Additionally, in each instance where You use the SBA logo, You must also include the acknowledgment of support statement in reasonably close proximity to the logo.

Neither the SBA logo nor the acknowledgment of support statement may be used in connection with activities outside the scope of this Award. In particular, UNDER NO CIRCUMSTANCES may the SBA logo or acknowledgment of support statement appear on items used in conjunction with fundraising, lobbying, or the express or implied endorsement of any goods, service, entity, or individual. Additionally, You may not use the SBA logo on any social media sites or services without obtaining prior approval from SBA. For further guidance regarding the prior approval process, see Part III(A)(13) above.

#### **16. Standard Term - Acknowledgement of Federal Funding at Conferences and Meetings**

A conference is defined as a meeting, retreat, seminar, symposium, workshop or event whose primary purpose is the dissemination of technical information beyond the non- Federal entity and is necessary and reasonable for successful performance under the Federal award. Allowable conference costs paid by the non-Federal entity as a sponsor or host of the conference may include rental of facilities, speakers' fees, costs of meals and refreshments, local transportation, and other items incidental to such conferences unless further restricted by the terms and conditions of the Federal award. As needed, the costs of identifying, but not providing, locally available dependent-care resources are allowable. Conference hosts/sponsors must exercise discretion and judgment in ensuring that conference costs are appropriate, necessary and managed in a manner that minimizes costs to the Federal award.

#### **17. Standard Term - Mandatory Disclosures**

Consistent with 2 CFR 200.113, applicants and non-federal entity's must disclose in a timely manner, in writing to the SBA awarding agency with a copy to the SBA Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the SBA OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the awarding agency and to the SBA OIG and OGM at the following addresses:

US Small Business Administration  
Attention: Office of Grants Management  
409 3rd Street SW, Suite 5000  
Washington, DC 20416

AND

US Small Business Administration  
Office of Inspector General  
409 3rd Street SW, 5th Floor  
Washington, DC 20416

Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 remedies for noncompliance, including suspension or debarment.

### **18. Lobbying Restrictions**

Per 2 CFR §200.450, Recipients are subject to the restrictions on lobbying as set forth in 2 CFR part 200.

18 U.S.C. § 1913, No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his/her request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities.

Violations of this section shall constitute as a violation of 31 U.S.C. § 1352(a).

### **19. Drug-Free Workplace**

The Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.) requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. By signing the application, the AOR agrees that the Non-federal entity will provide a drug-free workplace and will comply with the requirement to notify NIH if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. Government wide requirements for Drug- Free Workplace for Financial Assistance are found in 2 CFR part 182; SBA implementing regulations are set forth in 2 CFR part 382.400. All non-federal entities of SBA grant funds must comply with the requirements in Subpart B (or Subpart C if the non-federal entity is an individual) of part 382.

### **20. Non- Transferability**

This Award may not be transferred or assigned (either in whole or in part) without prior written approval from SBA. Additionally, no interest in this Award may be conferred upon a third party and the Award may not be pledged as collateral or security.

### **21. Standard Term - Advancing Racial Equity and Support for Underserved Communities**

Executive Order: Advancing Racial Equity and Support for Underserved Communities through the Federal Governments (E.O. 13985 can be found at:

<https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government> )

**22. Standard Term - Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(G)), as amended, and 2 C.F.R. PART 175**

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the federal government, if the recipient or subrecipient engages in certain activities related to trafficking in persons. 2 C.F.R. § 175.15(b). See <http://www.gpo.gov/fdsys/pkg/CFR-2012-title2-vol1/pdf/CFR-2012-title2-vol1-sec175-15.pdf>.

**Award Term from 2 C.F.R. § 175.15(b): Trafficking in persons.**

**a. Provisions applicable to a recipient that is a private entity.**

1) You, as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not:

- a) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- b) Procure a commercial sex act during the period of time that the award is in effect; or
- c) Use forced labor in the performance of the award or subawards under the award.

2) We as the federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:

- a) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
- b) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either:
  - i. Associated with performance under this award; or
  - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 C.F.R. Part 180, "OMB Guidelines to Agencies on and Suspension (Non-procurement)."

**b. Provision applicable to a non-federal entity other than a private entity. We as the federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:**

1) Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or

2) Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either:

- a) Associated with performance under this award; or

b) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement),” as implemented by our agency at 2 CFR Part 1125.

c. Provisions applicable to any non-federal entity.

1) You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.

2) Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:

a) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)); and

b) Is in addition to all other remedies for noncompliance that are available to us under this award.

3) You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. Definitions. For purposes of this award term:

1) “Employee” means either:

- An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or

- Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

2) “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3) “Private entity”:

- Means any entity other than a state, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

- Includes:

A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

A for-profit organization.

4) "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

### **23. Standard Term - Accessibility Provisions**

Non-federal entities of federal financial assistance (FFA) from SBA must administer their programs in compliance with federal civil rights law. This means that non-federal entities of SBA funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age, and in some circumstances, sex and religion. This includes ensuring your programs are accessible to persons with limited English proficiency. SBA provides guidance to recipients of FFA on meeting their legal obligation to take reasonable steps to provide meaningful access to their programs by persons with limited English proficiency.

The SBA Office for Civil Rights also provides guidance on complying with civil rights laws enforced by SBA.

Recipients of SBA also have specific legal obligations for serving qualified individuals with disabilities. Please contact the SBA Office for Civil Rights for more information about obligations and prohibitions under federal civil rights laws at 1- 800-827-5722.

### **24. Standard Term - Accessibility of Facilities and Events**

In accordance with the Americans With Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and § 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), all facilities You use to provide services to the public in connection with this project must be accessible by persons with disabilities. In addition, all notices, promotional items, brochures, publications, and media announcements informing the public of events, programs, meetings, seminars, conferences and workshops conducted pursuant to this project must include the following accessibility/accommodations notice:

Reasonable accommodations for persons with disabilities will be made if requested at least two weeks in advance. Contact [insert contact information for the person who will make the arrangements]."

### **25. Standard Term - Data Collection and Performance Measurement:**

All non-federal entities are required to collect and report evaluation data to ensure the effectiveness and efficiency of its programs under the Government Performance and Results (GPRA) Modernization Act of 2010 (P.L. 102-62). Non-federal entities must comply with the performance goals, milestones, and expected outcomes as reflected in the Notice of Funding Opportunity (NOFO) and are required to submit data per reporting requirements.

Please contact your GOTR for additional submission information.

### **26. Standard Term - Procurement of Goods and Services:**

You may follow Your own procurement policies and procedures when contracting with Project Funds, but You must comply with the requirements of 2 C.F.R. §§ 200.317-200.326. Additionally, when using Project Funds to procure supplies and/or equipment, You are encouraged to purchase American-manufactured goods to the maximum extent practicable. American-manufactured goods

are those products for which the cost of their component parts that were mined, produced, or manufactured in the United States exceeds 50 percent of the total cost of all their components. For further guidance regarding what constitutes an American-manufactured good (also known as a domestic end product), see 48 C.F.R. Part 25.

## **27. Standard Term – Audits**

If You are not subject to the requirements of the Single Audit Act, You must prepare an annual financial statement. If Your organization has been categorized as a high-risk entity by SBA due to financial and/or performance issues, you will be required to obtain an audited annual financial statement at your own expense until such time as Your organization is removed from the high-risk category.

Non-federal entities are responsible for submitting their Single Audit Reports and the Data Collections Forms (SF-FAC) electronically to the to the Federal Audit Clearinghouse Visit disclaimer page (FAC) within 30 days after receipt or nine months after the FY's end of the audit period. The FAC operates on behalf of the OMB.

## **28. Standard Term – Recordkeeping**

You must maintain complete and accurate records and supporting documentation of sufficient detail to facilitate a thorough financial, programmatic, and/or legal compliance audit or examination of this project. You must make these records available to SBA, its agents, its Office of Inspector General, and/or Federal investigators on demand and provide them with unrestricted access to review and make copies of all products, materials, and data, including those prepared or stored electronically. At a minimum, the records You must maintain on this project include:

- i. The time and attendance of employees whose salaries are charged to this Award, with sufficient detail to substantiate the claimed percentage of work performed in support of this project.
- ii. Contact information for project clients and a log of the type and amount of assistance provided.
- iii. An inventory of equipment purchased, in whole or in part, with award funds. This inventory must comply with the requirements of 2 C.F.R. § 200.313.
- iv. Your ledgers and annual A-133 Audit Report. If You are not subject to the requirements of the Single Audit Act, You must have an annual audited financial statement. Unaudited financial statements are not an acceptable substitute.
- v. Copies of receipts, invoices, contracts, leases, and other supporting documentation for all expenses paid with Project Funds.
- vi. Copies of checks, receipts, letters of donation, and other supporting documentation for all matching contributions related to this Award.

vii. Copies of judicial and administrative decisions and compliance reviews (as applicable) and other supporting documentation demonstrating your adherence to the legal requirements listed in the SF-424B

Records may be kept in hard copy, electronic, or facsimile form and must be retained for no less than three years from the date the final project report is due. For further guidance regarding recordkeeping requirements, see 2 C.F.R. §§ 200.333 – 200.337.

#### Standard Term – Closeout Requirements

All Final Reports are due within one hundred and twenty (120) days after the expiration of the project period. The following reports are required.

- Final payment document (SF-270)
- Final Federal Financial Report (SF-425)
- Final Performance Report
- De-obligation Letter

### 29. Standard Term - Ad Hoc Submissions

Throughout the project period, SBA may determine that a grant requires submission of additional information beyond the standard deliverables. This information may include, but is not limited to, the following:

- Payroll
- Invoices
- Consultant Contract documentation
- Proof of project implementation

### 30. Standard Term - Submitting Responses to Conditions and Reporting Requirements

Unless otherwise identified in the special terms and conditions of award and post award requests, all responses to special terms and conditions of award and post award requests must be submitted to the Program Office and the Office of Grants Management (OGM).

### 31. Standard Term - FAIN/UEI

The Unique Entity Identifier (formerly DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A Unique Entity Identifier number may be obtained from the D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).

### 32. Standard Term – Whistleblower Protection

If you are a Federal employee, or employee of a contractor, subcontractor, or grantee submitting information to the SBA OIG regarding fraud waste or abuse in the SBA's programs or operations, you are probably a whistleblower. Please be aware, however that specific criteria apply to whistleblower protections afforded by law. For example, disclosures by current and former federal employees,

applicants for federal employment, and employees of a federal contractor, subcontractor, or grantee have special meaning and protections.

Federal law prohibits governmental personnel from retaliating against an employee who acts as a whistleblower by reporting suspected waste, fraud or abuse to the OIG. Under the Federal prohibited personnel practices, 5 U.S.C. §2302(b)(8), employees may not “take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment” because the person has disclosed information to an OIG which he or she reasonably believes is evidence of (1) a violation of any law, rule, or regulation, or (2) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, so long as the disclosure is not specifically prohibited by law or Executive Order.

#### Reporting Fraud

The OIG encourages all SBA employees and lenders to be on the lookout for fraud. If you suspect fraud, please report it to the OIG immediately by contacting the OIG Hotline at 1-800-767-0385 or [OIGHotline@sba.gov](mailto:OIGHotline@sba.gov)(link sends e-mail).

### **33. Standard Term – Restrictions on Certain Types of Clients**

You may not utilize project resources to provide counseling services to any concern that:

- is other than small;
- is based in a foreign country;
- is engaged in any activity that is illegal under federal, state, or local law or that can reasonably be determined to support or facilitate any activity that is illegal under federal, state, or local law;
- derives more than one-third of its gross annual revenue from legal gambling activities;
- presents live performances of a prurient sexual nature or derives more than a de-minimus amount of revenue from the sale of products or services of a prurient sexual nature;
- is not organized for profit (Exception: To the extent it does not negatively impact the goals or milestones established under this Award or detract from its core purpose, You may use project resources to counsel non-profit organizations that devote a significant portion of their activities to assisting entrepreneurs).

### **34. Standard Term – Governing Authority/Order of Precedence**

This Award is subject to the following requirements and representations, whether stated explicitly or incorporated by reference:

1. The statutes, regulations, and policy documents cited in Blocks 1 and 14 of the Notice of Award cover page and any other relevant, subsequently enacted laws.
2. Program Announcement No. [Number], [any existing policy documents You want them to follow (e.g., manuals, etc.)], and any subsequently issued SBA policy guidance.
3. Those terms and conditions set forth below.
4. Your accepted application for this Award, including all forms and assurances, and any subsequently approved additions or modifications.

In the event of a conflict between these requirements, the Order of Precedence listed above will determine which prevails. Unless explicitly stated otherwise, all deadlines discussed in this Notice of Award will be measured in terms of calendar days. By signing Block 23 of the Notice of Award cover page, You acknowledge Your acceptance of all these requirements.

## Definitions

The definitions listed below apply to all SBA Awards. Additional definitions relating to a particular SBA program may be found in the grant program regulations, Program Announcement, and/or Special Terms and Conditions.

- a. Award – a conferral of Federal financial assistance to support a specific public project, whether in the form of a grant, cooperative agreement, or contract.
- b. Client – an entity receiving technical assistance under this Award. A Client may be an existing small business concern, or an individual interested in owning and operating a small business concern.
- c. Client Information – files and records concerning a Client, as well as any information that could be used to identify, contact, or locate a Client. Does not include statistics or similar data that is not attributed to a particular Client.
- d. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A governmental organization, which is a state, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a nonfederal entity.
- e. Key Personnel – those individuals who play a crucial role in the conduct of a project. Examples include directors, managers, counselors, and instructors, but not support staff.
- f. Overmatch(ed) – a level of matching contributions that exceeds the amount required.
- g. Program Income – additional funds generated through the conduct of project activities. Includes, but is not limited to, income derived from service or event fees, sales of commodities, repayments of interest or principal on loans made with Project Funds, and usage or rental fees. Does not include interest earned on advances of Federal funds.
- h. Project Funds – all funds covered by the project budget. Includes both Federal funds and matching contributions (cash and in-kind) dedicated to the project.
- i. Subaward:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the non-federal entity award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

j. System of Award Management (SAM) means the federal repository into which an entity must provide information required for the conduct of business as a non-federal entity. Additional information about registration procedures may be found at the SAM Internet site (currently at: <http://www.sam.gov>).

k. Unique entity identifier (UEI) means the identifier required for SAM registration to uniquely identify business entities.

l. You – the non-federal entity organization (recipient) for the Award.

# **SBA Community Navigator**

## **South Fulton Small Business Program**

### **Memorandum of Understanding**

WHEREAS, **Select Fulton, the economic development and workforce initiative of Fulton County**, and the **South Fulton Chamber of Commerce (Chamber)** have come together to collaborate and to make an application for the **SBA Community Navigator** grant; and

WHEREAS, the partners listed below have agreed to enter into a collaborative agreement in which **Fulton County Government, under the direction of Select Fulton, as the “Hub”** will be the lead agency and named applicant and the other agencies will serve as partners **“Spokes”** in this application; and

WHEREAS, the partners herein desire to enter into a Memorandum of Understanding setting forth the services to be provided by the collaborative; and

WHEREAS, the application prepared and approved by the collaborative through its partners is to be submitted to grants.gov, SBA Community Navigator on or before **July 23, 2021**:

#### ***I) Description of Partner Agencies***

Fulton County Government oversees the most populated county in the state of Georgia. Select Fulton manages its economic development and workforce initiatives. Fulton County boasts fifteen diverse, vibrant cities that provide businesses with unique opportunities and access to the Southeast's best and most diverse workforce. For purposes of the South Fulton Small Business Program, the target delivery area is south of Atlanta and includes the cities of East Point, South Fulton, Hapeville, College Park, Union City, Fairburn, Palmetto and Chattahoochee Hills.

The South Fulton Chamber of Commerce facilitates advancing the interests of businesses in the South Fulton Region. Nearly 90% of the Chamber's members have less than 10 employees.

#### ***II) History of Relationship***

Fulton County Government, through the economic development department, and the South Fulton Chamber of Commerce have established a strong working relationship over the past 70 years by collaborating on business recruitment, retention, and expansion. The South Fulton Developers Day Tour is one of the partners' most successful initiatives.

#### ***III) Development of Application***

Select Fulton and the South Fulton Chamber of Commerce collaborated on the response to this opportunity. Micro businesses make up 90% of the Chamber's membership.

SBA Community Navigator  
South Fulton Small Business Program  
Memorandum of Understanding

#### ***IV) Roles and Responsibilities***

NOW, THEREFORE, it is hereby agreed by and between the partners as follows:

- 1) **Fulton County Government, under the direction of Select Fulton** will serve as the Hub, the lead entity, providing project management and administrative services.
- 2) The **South Fulton Chamber of Commerce** will serve as the lead Spoke and support Select Fulton by providing a leadership team, assist by co-managing the program, promote the opportunity to over 400 members and 3,000 businesses in South Fulton County, and provide administrative services.
- 3) **Platinum Financial Services** will serve as a Spoke support Select Fulton by providing accounting and tax services to small businesses in group and unique sessions.
- 4) **Georgia Certified Development Corporation** will serve as a Spoke and support Select Fulton by providing business planning and financial literacy such as writing a business plan, preparing cash flow projections and P&L statements, pivoting your business model due to COVID, etc. in group and unique sessions.
- 5) **Neo-Biz** will serve as a Spoke and support Select Fulton by providing grant writing services to small businesses in group and unique sessions.
- 6) **REAL Wellness, Inc.** will serve as a Spoke and support Select Fulton by providing consultations to small businesses on returning to the workplace, mental health, and weight concerns to small businesses in group sessions and unique sessions.
- 7) **David M. Walker, Esq.** will serve as a Spoke and support Select Fulton by providing legal consultations to small businesses about positioning their company to pitch to investors and negotiating the deal in group and unique sessions.
- 8) **Blaze Leadership** will serve as a Spoke and support Select Fulton by providing leadership training to small businesses in group and unique sessions.
- 9) **David M. Walker, Esq.** will serve as a Spoke and support Select Fulton by providing legal consultations to small businesses about the various legal structures in Georgia, common legal issues small businesses are facing due to COVID in group and unique sessions.
- 10) **Sky Promotions, LLC** will serve as a Spoke and support Select Fulton by providing marketing consultations to small businesses in a group and unique sessions.

#### ***V) Timeline***

The roles and responsibilities described above are contingent on **Select Fulton** receiving funds requested for the project described in the SBA Community Navigator Technical Assistance application.

SBA Community Navigator  
South Fulton Small Business Program  
Memorandum of Understanding

Responsibilities under this Memorandum of Understanding would coincide with the grant period, anticipated to be **09/15/2021** through **09/14/2023**.

**VI) Commitment to Partnership**

- 1) The collaboration service area includes South Fulton County and encompasses cities **south of Atlanta including South Fulton, East Point, Hapeville, College Park, Union City, Fairburn, Palmetto, and Chattahoochee Hills.**
- 2) The partners agree to collaborate and provide **technical assistance** to small businesses pursuant to the program narrative of the grant application attached to this agreement.
- 3) Compensation for [non-lead] partners' contribution to this project will be provided as outlined in the budget worksheet.
- 4) We, the undersigned consultants have read and agree with this MOU. Further, we have reviewed the proposed project and approve it.

DocuSigned by:  
By Samir Abdullahi  
77CE3372EBAB4C1...  
Select City, Union County Government  
Date 7/23/2021

DocuSigned by:  
By Keshava McGurn  
2A8242F4F9304AC...  
Platinum Financial Services  
Date 7/22/2021

DocuSigned by:  
By Kenneth Williams  
41DF503025A5447...  
Neo-Biz Solutions  
Date

DocuSigned by:  
By David Walker, Esq.  
9921234ADA2E458...  
David M. Walker, Esq.  
Date 7/22/2021

By \_\_\_\_\_  
Sky Promotions, LLC  
Date \_\_\_\_\_

DocuSigned by:  
By J. Dyan Matthews  
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Sol...er of Commerce  
Date \_\_\_\_\_

By \_\_\_\_\_  
7/22/2021  
Georgia Certified Development Corp  
Date \_\_\_\_\_

DocuSigned by:  
By Imore-Ruffino  
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RE...  
Date 7/22/2021

By \_\_\_\_\_  
Blaze Lead  
Date \_\_\_\_\_  
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cc: Agencies and Interested Parties

## **A. Project Narrative**

### **1.0 Project Description and Overview**

#### **1.1 Executive Summary**

##### **South Fulton Small Business Program**

Fulton County Government, through its economic and workforce development initiative Select Fulton, in partnership with the South Fulton Chamber of Commerce, undertakes this grant in recognition of the critical need for a multi-faceted solution to provide immediate technical assistance to ensure the retention, growth, and resilience of businesses located in this underserved area. An estimated 1,153, of the 3,045 small businesses in South Fulton County (SFC), have been negatively impacted by COVID-19.

Within the state of Georgia, SFC consists of eight cities located in Fulton County south of Atlanta, including South Fulton, College Park, East Point, Fairburn, Hapeville, Union City, Palmetto and Chattahoochee Hills, and the largest industrial corridor in the southeast.

Over the past 10 years, SFC has been one of the fastest-growing areas in the metro Atlanta region. However, this area has historically lagged in key economic indicators with median household incomes, education, unemployment, internet, computer, and broadband access below cities north of Atlanta and state and national averages. With per capita income for SFC more than \$16,000 below the County average. Despite being home to a portion of Hartsfield-Jackson Atlanta International Airport, Delta Air Lines, Chick-fil-A, Porsche North American Cars, large industrial users, and over 5,700 businesses.

The proposed assistance for the South Fulton Small Business Program will ensure the participants receive services that will assist them in recovering from the effects of the COVID-19 pandemic while also equipping them with the resources necessary to sustain a healthy business. Our goal is to reach 300 small businesses.

## **1.2 Mission and Experience**

Since its inception in 1973, the Fulton County Government has provided wide-ranging economic development services on behalf of the County, facilitating numerous economic development initiatives. To date, it has issued more than \$25 billion in bonds and helped well over 450 businesses and institutions build, renovate, expand, or relocate to the region.

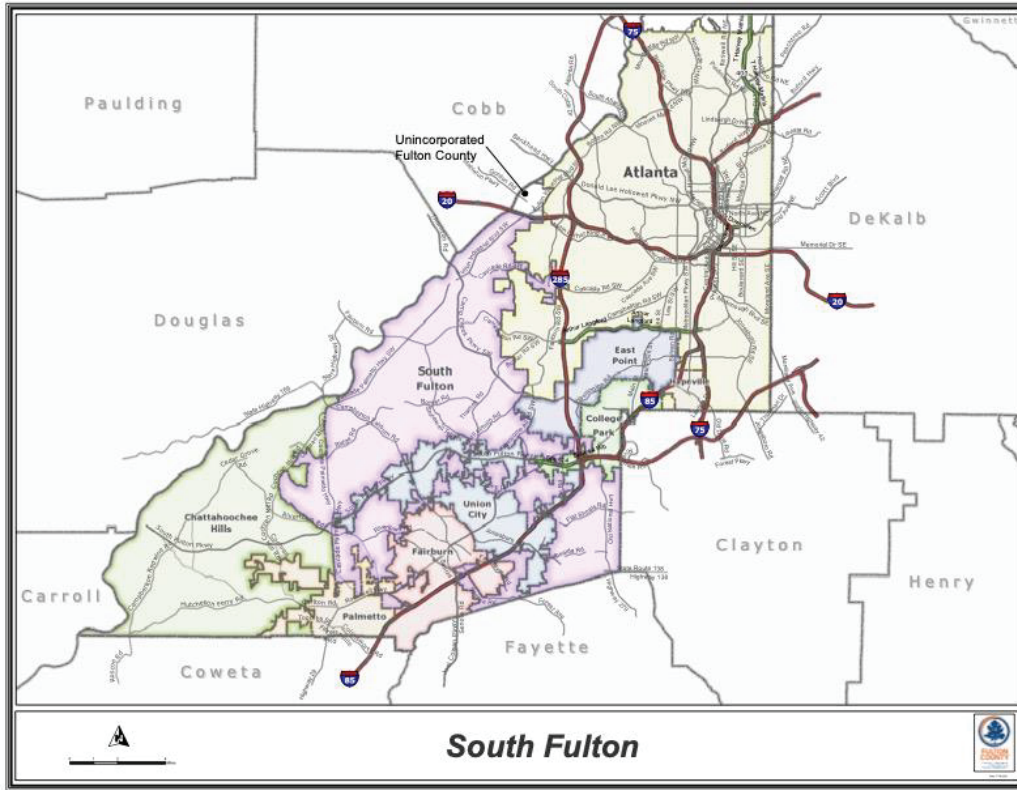
Fulton County Government, through its economic and workforce development initiative Select Fulton, formerly Department of Economic Development, is internationally recognized for its stellar leadership in providing business attraction, retention, and expansion services to businesses. Providing demographic information, bond and tax incentives, and workforce development solutions are numerous ways Select Fulton assists businesses. The organization recently launched the Fulton County Empowering Entrepreneurs Webinar Series along with SizeUp, a Fintech tool to help small businesses scale by providing high-quality business intelligence.

## **1.3 Approach**

Fulton County Government, through its economic and workforce development initiative Select Fulton, serves as the Hub for the South Fulton Small Business Program (SFSBP). Fulton County is the largest county in the state of Georgia. South Fulton County (SFC) consists of the cities of South Fulton, College Park, East Point, Fairburn, Hapeville, Union City, Palmetto and Chattahoochee Hills. Each jurisdiction will receive a proportionate share of businesses from their communities that may participate.

South Fulton County is one of the fastest-growing areas in the metro Atlanta region, as well as the largest industrial corridor in the southeast. SFC holds the most undeveloped land in the metro Atlanta area which makes it prime for continued growth.

The SFSBP's goal is to provide technical assistance to nearly 300 businesses in the South Fulton County service delivery area by the end of the two-year funding cycle. This technical assistance will be offered to businesses at no charge. Because companies are not investing financially, it is very important to recruit program participants that are committed to adhering to a rigorous schedule while operating their businesses.



Select Fulton will partner with the South Fulton Chamber of Commerce (Chamber). The Chamber has served the business community for over 73 years and has approximately 400 active members with more than 80% classified as micro businesses. This provides a strong pipeline of potential program participants. The Chamber will assist with program management and administrative support. This includes assisting with developing the programming, co-managing the Spokes, participating in the training, overseeing the marketing collaterals and reporting. As well as taking care of the primary day-to-day contact for the Spokes.

Local community and economic development professionals in South Fulton County and the state office of the SBA and SBDC have partnered on numerous successful initiatives with Select Fulton and the

Chamber to provide training opportunities for small businesses and spur growth in this underserved area. The approach to the SBA Community Navigator is to engage all local economic and community development partners, elected officials, Georgia SBA, Georgia Certified Development Corporation (an SBA lender), Small Business Development Center, business organizations, and media outlets in a collaborative effort to inform their respective constituents and audiences about the SFSBP.

The Spokes are strategic business partners primarily located in Fulton County. These businesses are recognized as experts in their respective industries. The Co-Private Investigators (PIs) are professionals that have worked with small businesses for over 20 years by providing strategic consulting services in various areas to help them scale. The Co-PIs have experience with startups to major corporations. All team members are highly revered in their professions and communities.

Community partners will disseminate a survey prepared by Select Fulton and the Chamber to assist in the selection of program participants. The survey will require the applicant to provide a 500-word essay regarding why they need the SFSBP and how their business was affected by COVID-19. Qualifiers may include proof of a business license, registered with the Secretary of State, have less than 20 employees, annual gross revenue under \$1 million, seeking specific needs such as business planning, accounting, finance, marketing, workforce development, etc.

Every program participant must commit to a structured 90-day session. Topics such as business planning, accounting, legal, and marketing will serve as core courses. Every attempt will be made to group businesses in classes with companies of a similar size and annual gross revenue to ensure Spokes are positioned to present to an audience in like stages of their companies.

The curriculum will be based upon 90-day sessions hosting a minimum of 25 businesses per session. More than one session may be held consecutively. For instance, there may be three groups of students from October through December.

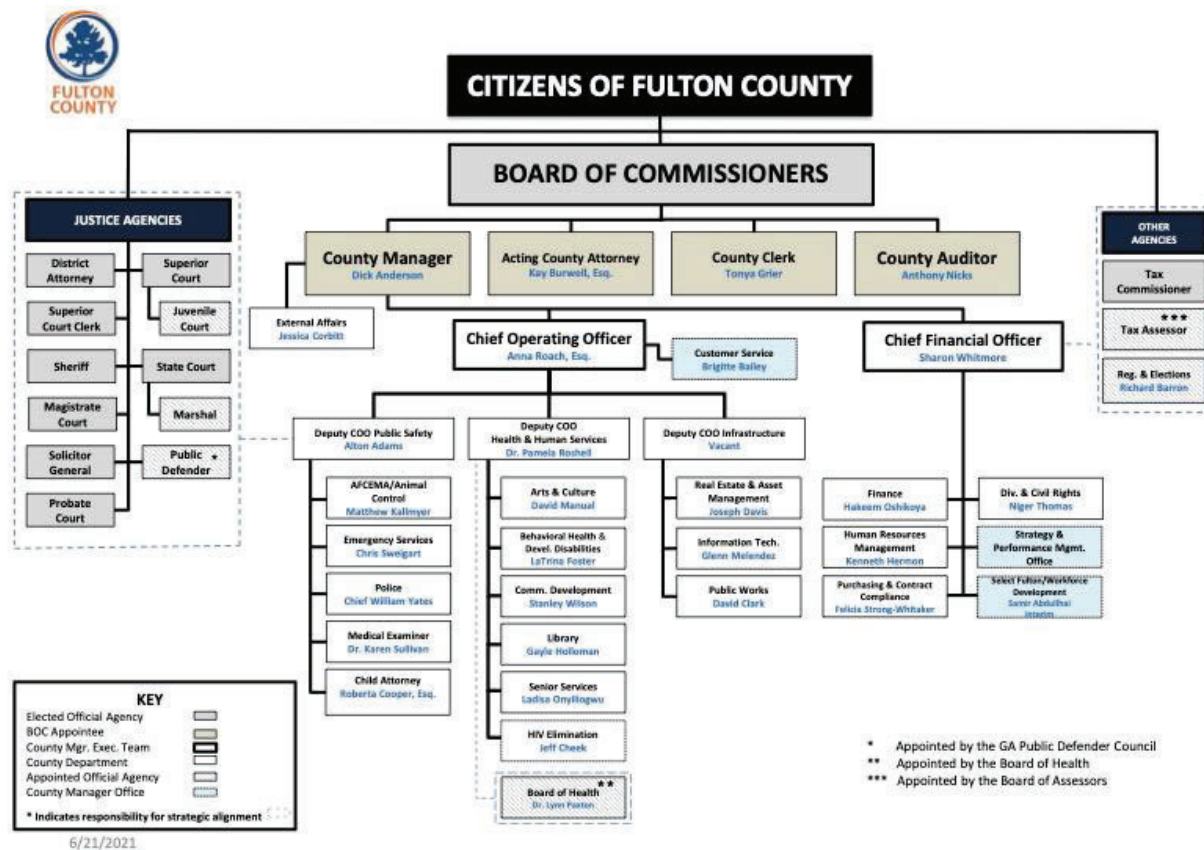
The SFSBP will use Salesforce as the Customer Relationship Manager tool to report the progress and updates of program participants. All Spokes organizations must receive mandatory Salesforce training for this project. Salesforce must be updated within 48 hours of each session.

Our goal is to ensure the classes are educational, engaging, interactive, and create opportunities for businesses to thrive. As each session ends, program participants will provide responses to a survey that will capture important feedback allowing the project team to provide adjustments to the program as needed.

Five participants per session will be selected to receive up to 10 hours of one-on-one professional services from the Spokes at no charge.

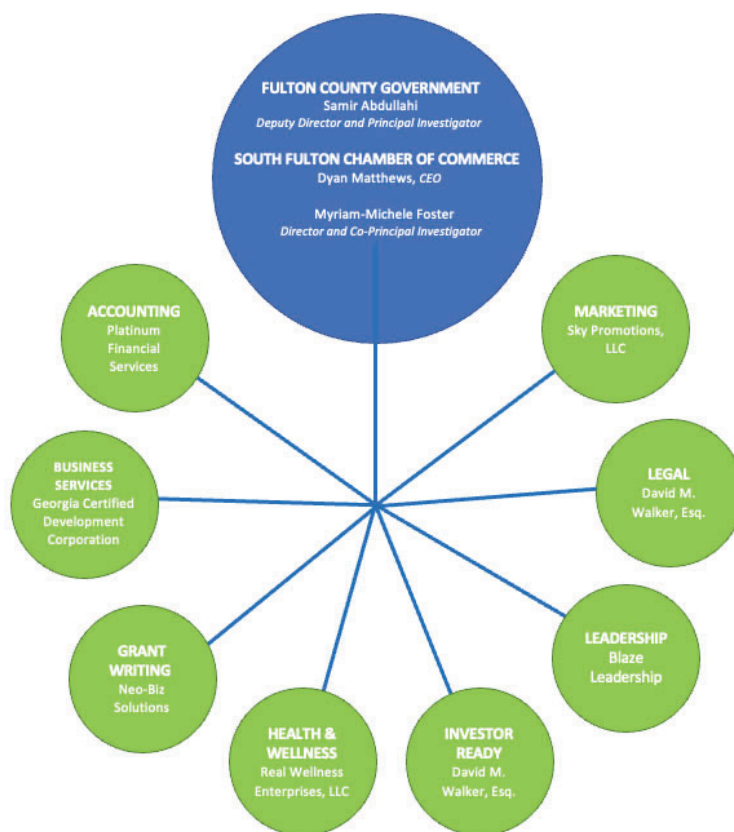
As the two-year program concludes, participants will be invited to a celebratory event.

## 1.4 Staffing and Organizational Structure



## SBA COMMUNITY NAVIGATOR

### SOUTH FULTON SMALL BUSINESS PROGRAM



#### Staffing:

1. Samir Abdullahi, Principal Investigator
2. Dyan Matthews, Director
3. Myriam – Michele Foster

Fulton County Governments', (FCG) South Fulton Small Business Program, (SFSBP) will be carried out, in part, by the South Fulton Chamber of Commerce. FCG, whose mission is to deliver efficient, high-impact service to every resident and visitor of Fulton County, to has been supporting the citizens of South Fulton since 1853. The South Fulton Chamber of Commerce has been serving its Fulton County residents since 1948 and more specifically, the city of South Fulton since its formation on May 1, 2017.

**Samir Abdullahi**

As the Principal Investigator, Samir Abdullahi (Mr. Abdullah) will ensure that the integrity of the SFSBP is beyond reproach. Mr. Abdullah will provide a clear procedure to the Director and Co-Director and require by-weekly status updates to confirm the SFSBP is progressing and provide alternate strategies if it is not.

**Dyan Matthews**

The mission of the South Fulton Chamber, (SFC) is to create synergy for business development and expansion by attracting, retaining, and advancing the business interests of South Fulton. As the leader of the SFC for 11 years, Ms. Matthews is well versed in supporting and reviving small businesses of all types, which make her an excellent fit for the Director position for the SFSBP.

**Myriam-Michele Foster**

Myriam-Michele Foster is a corporate executive with almost 20 years of experience in economic development and business and tax incremental planning. Ms. Foster has a wealth of experience combining expert strategic planning, business planning, and relationships building competencies with consistent success in developing and implementing projects, programs, and policies to reduce costs, increase efficiencies, and improve performance. Ms. Foster is a strong public speaker, presenter, and negotiator. She has a proven ability to mentor and develop small business owners with diverse backgrounds and experience levels. Ms. Foster's experience and expertise make her a great fit for the Co-Director of the SFSBP. The Co-Director is expected to carry out the day-to-day instructions, which involve a hands-on approach with the Spokes.

**2.0 Ecosystem Resources and Assets****2.1 Service Market**

The service delivery area for the South Fulton Small Business Program (SFSBP) is in Fulton County, the largest county in the state of Georgia, and home to the city of Atlanta, the state capitol.

South Fulton County (SFC) consists of eight cities located in Fulton County south of Atlanta, including South Fulton, College Park, East Point, Fairburn, Hapeville, Union City, Palmetto and Chattahoochee Hills. This area is home to more than 5,700 businesses and 3,000 micro businesses.

Corporate headquarters located in SFC include Chick-fil-A, Delta Air Lines, and Porsche North American Cars. Regional assets include Smucker's, ASOS, Sonoco, Porsche, SYSCO, UPS and Coca-Cola UNITED.

Select Fulton offers a workforce development office serving the needs of South Fulton County.

The Fulton County FIPS is 13 121.

## **2.2 Regional Factors**

COVID-19 has negatively impacted an estimated 1,153 small businesses in South Fulton County. The region SFSBP will focus on underserved and under-represented community through its community navigators will provide leadership, training, and assistance to 300 small businesses in the South Fulton County. The community navigators will have an action plan that has been provided by the SFSBP.

According to the survey done by Destination South Fulton Office of Economic Development, of the businesses responding to the survey, 62% reported that they had suspended all storefront operations. Over 31% of the businesses surveyed indicated their business would permanently close within the next five months. The survey was conducted April 13th through April 22, 2020. Over 63% of businesses completing the survey indicated reported a 50% or greater decrease in revenue due to COVID-19. 43% of respondents to the survey were minority and women owned companies. While the Destination South Fulton Office of Economic Development clearly illustrates the negative affect of COVID-19 on small business in the city of South Fulton, the reason why investment in South Fulton's small business

community will make sense is because the Fulton County Government has a powerful network of resource partners.

- South Fulton Chamber of Commerce
- Cities – South Fulton, East Point, Hapeville, College Park, Union City, Fairburn, Palmetto, Chattahoochee Hills
- Atlanta MBDA Business & Advanced Manufacturing centers
- Georgia Minority Supplier Development Council (Small Business Certification, Networking)
- Small Business Development Centers
- SCORE (get help from SCORE mentors nationwide)
- Small Business Administration (SBA)
- Greater Women's Business Council (Certification for Women's Business Enterprises)

The FCG Resource Partners have helped to identify the best community navigators to execute the training portion of the South Fulton Small Business Program. The community navigators or spokes were selected because of their business success and mastery of their respective industry's subject matter. Investing in the SFSBP will ensure the small businesses of South Fulton can access resources to aid in recovering from the damaged caused by the COVID-19 pandemic, while acquiring skills that will help them build a healthy business.

### **3.0 Partnerships**

Fulton County Government, through its economic and workforce development initiative Select Fulton, in partnership with the South Fulton Chamber of Commerce for the purpose of executing the South Fulton Small Business Program initiative.

The commitment to local enterprise is what drives the South Fulton Chamber of Commerce in Union City, GA, a business membership organization dedicated to promoting business development in East

Point, College Park, Hapeville, Union City, Fairburn, Palmetto, Chattahoochee Hills, The City of South Fulton, and Southwest Atlanta.

Economic development, business recruitment, retention, and business networking are the Chamber's primary goals. They host numerous exciting events all around the area, from local festivals to networking events, sparking economic development by attracting small businesses and tourism to South Fulton County.

The Chamber provides a useful forum for business networking and advertising. They work to connect the South Fulton area's small business owners and startups to provide new opportunities and avenues for growth, synergy and mutual prosperity.

The South Fulton Chambers' role in the South Fulton Small Business Program (SFSBP) is to manage the day-to-day deliverables of the Spokes according to the action plan provided by the SFSBP's Principal Investigator, Samir Abdullahi, Fulton County Governments' Deputy Director of Economic Development.

## **4.0 Measurable Goals & Feasibility**

### **Specific:**

The South Fulton Small Business Program, (SFSBP) will concentrate on the eight cities located in Fulton County south of Atlanta, including South Fulton, College Park, East Point, Fairburn, Hapeville, Union City, Palmetto and Chattahoochee Hills.

Destination South Fulton Office of Economic Development completed a survey called "The Impact of COVID-19 On City of South Fulton Businesses". After reviewing the finding of the survey, it was determined that the following modules will best meet the needs of the small businesses impacted by the COVID-19 pandemic:

- Legal

- Employment
- Taxes and Accounting
- Insurance
- Business Plan and Financial Literacy
- Space Needs
- Technical Training
- Marketing
- Access to Capital
- Supplier Diversity
- Government Contracting
- Buying - Selling a Business
- Mentoring
- Leadership
- Marketing/Planning

**Measurable:**

The SFSBP leadership will monitor:

1. The percentage of businesses enrolled in each 90-day session
2. The percentage of businesses completing each 90-day session
3. The percentage of SFSBP graduates that need to be entered into the Refresher Portal after the 90-day follow up.

**Attainable:**

The 90-day model was established because the SFSBP leadership did not want the needed training the program provides to remove the small business owners from their day-to-day operations. To ensure the

greatest number of small businesses are notified of the SFSBP existence, email and letters will be sent to the key personnel of each Resource Partner organization. The Resource Partners are listed below:

- South Fulton Chamber of Commerce
- Cities – South Fulton, East Point, Hapeville, College Park, Union City, Fairburn, Palmetto, Chattahoochee Hills
- Atlanta MBDA Business & Advanced Manufacturing centers
- Georgia Minority Supplier Development Council (Small Business Certification, Networking)
- Small Business Development Centers
- SCORE (get help from SCORE mentors nationwide)
- Small Business Administration (SBA)
- Greater Women's Business Council (Certification for Women's Business Enterprises)

Participating companies will be assessed and placed in the appropriate peer group. There will always be a virtual option for attending the classes.

It is the vision of Fulton County Government to be a positive, diverse community with a thriving economy, safe neighborhoods, healthy residents, and a rich quality of life that all people can enjoy. It is served by a County government that is recognized for being innovative, effective, efficient, and trustworthy and its mission is to deliver efficient, high-impact service to every resident and visitor of Fulton County. The impact of COVID-19 to the city of South Fulton's small businesses has significantly affected the mission and vision of the Fulton County Government in a negative manner. The introduction of the SFSBP to the city of South Fulton will aid a great deal in the recovery and prosperity of affected small businesses. A healthy small business community is a key component of a thriving community for all residents.

**Relevant:**

According to Destination South Fulton 61% of businesses responding to the survey indicated they have suspended storefront operations due to COVID-19. Over 65% of the responding businesses indicated a 50% or more reduction of revenue, with over 42% reporting a decrease in revenue of 75% or higher. 64% of businesses reported the possibility of permanent job loss if conditions remain the same. Over 30% of the businesses surveyed indicated their business was at risk of permanently closing within the next two months. 59% of responding businesses indicated they applied for federal assistance. 98% of businesses surveyed indicated they did not receive federal assistance

The SFSBP will positively impact these findings.

**Time-based:**

The sessions will be 90 days each. Two sessions will be run concurrently. At the end of the sessions, participants will be tested in respect that the modules taken. If participants are not proficient in their respective curriculum, they will be encouraged to enter the Refresher Portal.

**Stretch Goal:**

Through the testimonial of successful graduates, more small businesses will desire the continuation of the SFSBP, which will allow the Fulton County Government to further strengthen the South Fulton small business community, which will hopefully lead to a new standard of small business support in South Fulton.

## **B. Budget Narrative**

**Key Personnel**

Fulton County Governments', (FCG) South Fulton Small Business Program, (SFSBP) will be carried out, in part, by the South Fulton Chamber of Commerce. FCG, whose mission is to deliver efficient, high-impact service to every resident and visitor of Fulton County, to has been supporting the citizens of South

Fulton since 1853. The South Fulton Chamber of Commerce has been serving it Fulton County residents since 1948 and more specifically, the city of South Fulton since its formation on May 1, 2017.

*Samir Abdullahi, Principal Investigator (20% effort Year 1; 10% effort Year 2)*

Mr. Abdullahi has been working for the Fulton County Government for almost 5 years. He is known for being accurate and thorough in finding creative solutions. As the Principal Investigator, Samir Abdullahi (Mr. Abdullah) will ensure that the integrity of the SFSBP is beyond reproach. He will provide timely and quietly reporting and collection of data. He will also provide a clear procedure to the Director and Co-Director and require by-weekly status updates to confirm the SFSBP is progressing and provide alternate strategies if it is not.

*Other personnel:*

*To be hired, Project Coordinator.*

The project coordinator will be hired to administer and organize the project, ensuring it is running smoothly, on-time, and within budget.

### **Other Direct Costs**

#### **Vendor Contract Compliance:**

Has to do with the contract between small businesses and the vendors they will be working with.

#### **Pre & Post Surveys Evaluations:**

To effectively evaluate on a regular basis the progress of the program.

#### **Grants Management – Reporting:**

To oversee the process and methods small businesses take throughout all facets of the grant applications.

Website & Social Media Campaign:

Coordinated marketing effort that will reinforce the message.

Material & Supplies:

Needed to successfully operate the day-to-day operations.

Customer Management System (CRM):

The strategies, techniques, and tools used to organize the process using a CRM software.

Consortia/Subcontract Costs:

FCG will subcontract to South Fulton Chamber of Commerce to execute the Spoke component of the project.

**Key Personnel**

*Myriam-Michele Foster, Co-Principal Investigator/Co-Project Director.*

Ms. Foster has almost 20 years' experience in economic development and business and tax incremental planning. Ms. Foster has a wealth of experience combining expert strategic planning, business planning, and relationships building competencies with consistent success in developing and implementing projects, programs, and policies to reduce costs, increase efficiencies, and improve performance. Ms. Foster is a strong public speaker, presenter, and negotiator. She has a proven ability to mentor and develop small business owners with diverse backgrounds and experience levels. Ms. Foster's experience and expertise make her a great fit for the Co-Director of the SFSBP. The Co-Principle Director is expected to carry out the day-to-day instructions, which involve a hands-on approach with the Spokes, as well as providing timely and quietly reporting and collection of data.

*Y. Dyan Matthews, President.*

The mission of the South Fulton Chamber, (SFC) is to create synergy for business development and expansion by attracting, retaining, and advancing the business interests of South Fulton. As the leader of the SFC for 11 years, Ms. Matthews is well versed in supporting and reviving small businesses of all types, which make her an excellent fit for the Director position for the SFSBP.

The following Spokes will be responsible for engaging in direct outreach to underserved and under-represented communities, as well as those businesses affected by COVID-19. These community navigators will provide them with leadership, training, and assistance:

1. The South Fulton Chamber of Commerce will serve as the lead Spoke and support Select Fulton by providing a leadership team, assist by co-managing the program, promote the opportunity to over 400 members and 3,000 businesses in South Fulton County, and provide administrative services.
2. Accounting, Platinum Platinum Financial Services, will serve as a Spoke support Select Fulton by providing accounting and tax services to small businesses in group and unique sessions.
3. Business Services, Georgia Certified Development Corporation (GCDC), is one of the nation's largest and most active Certified Development Companies. They will serve as a Spoke and support Select Fulton by providing business planning and financial literacy such as writing a business plan, preparing cash flow projections and P&L statements, pivoting your business model due to COVID, etc. in group and unique sessions.
4. Grant Writing, Neo-Biz Solutions, will serve as a Spoke and support Select Fulton by providing grant writing services to small businesses in group and unique sessions. Neo-Biz Solutions is a business dedicated to providing clients with the resources necessary to seamlessly partake in the federal programs designed for their benefit.

5. Health & Wellness, REAL Wellness, Inc. will serve as a Spoke and support Select Fulton by providing consultations to small businesses on returning to the workplace, mental health, and weight concerns to small businesses in group sessions and unique sessions.
6. Investor Ready, David M. Walker, Esq. will serve as a Spoke and support Select Fulton by providing legal consultations to small businesses about positioning their company to pitch to investors and negotiating the deal in group and unique sessions.
7. Leadership, Blaze Leadership will serve as a Spoke and support Select Fulton by providing leadership training to small businesses in group and unique sessions.
8. Legal, David M. Walker, Esq. will serve as a Spoke and support Select Fulton by providing legal consultations to small businesses about the various legal structures in Georgia, common legal issues small businesses are facing due to COVID in group and unique sessions.
9. Marketing, Sky Promotions, LLC will serve as a Spoke and support Select Fulton by providing marketing consultations to small businesses in a group and unique sessions.

**Other Direct Costs:**

The following are direct costs related to South Fulton Chamber of Commerce to execute the Spokes module component of the project.

**Business Services Module:**

During the first phase some of the business services that will be provided are a simplified business plan with cash flow projections, profit and loss statements, and ratios; helping businesses determine and find insurance agents for their business and healthcare needs; and government contracting including PTAC (Assistance on Government Contracting and Procurement Procedures), federal contractor registration, and a System of Awards Management (SAM).

**Marketing Module:**

Marketing is possibly one of the most important concepts in business. Without it, customers can't find the business. Small businesses need to be able to understand key marketing concepts, methods, and strategies to get found. This module will help them identify and quantify market opportunities, develop marketing message, create brand loyalty, create a marketing assessment, and how to get found on social media.

#### Leadership Module:

A lot of ventures fail because they do not realize that it is all about the people and it begins with the small business owner's self-assessment. The areas for improvement, identified by the participant will be targeted, evaluated, and worked through with the goal of increasing or improving their leadership abilities through an ongoing cycle of practice, feedback and reflection.

#### Health & Wellness Module:

The health of a person is not only in their personal life but also their professional life. Many businesses don't realize that the pitfalls of their employee's health have to do as much with their mental and emotional well-being as their physical one. Therefore, cultivating a culture of wellness is crucial to the health of a person and to their productivity at work because health and wellness deals with every aspect of one's life. Their whole-body health and wellness is crucial towards having a healthy work life and personal life.

#### Accounting & Taxes Module:

Being able to understand business accounting and taxes can go a long way in keeping track of the business's finances. Knowing tax implications, what can be deducted, what legal structure to use, employment taxes with regards to an employee or independent contractor are all very important to know and understand.

#### Legal Services Module:

Finding the right lawyer and having a good understanding of business law for small business owners can go a long way in the proper setup of a small business. Business owners need to know how to select the correct legal structure, best state to incorporate in, what legal issues can affect their business, what legal considerations need to be considered for co-owners, when to file a patent and/or trademark, and how to franchise their business. In order to avoid liability and operate their business legally, they need to be able to understand the basics and have a small business lawyer for their particular industry.

#### Investor Ready Program Module:

Having access to capital is crucial for the start and growth of a business. Being able to know how and where to finance their business, what programs are out there like the SBA Loan Programs and Lender Match, what banks ask for when applying for a loan, when to use credit, how to apply for grants, other alternative financing, and COVID-19 related programs.

#### Grant Training Module:

There are many grant opportunities for small businesses. This module will help small businesses learn how to identify grants, apply for grants, match grants to business needs, and learn how to understand funding guidelines.

**YEAR ONE****Fulton County Government.**

	Project Role	Base Salary	Effort	Requested Salary	Fringe (25%)	Funds Requested
Samir	Principal Investigator	\$150,000.00	20.00%	\$30,000.00		\$30,000.00
TBN	Project Coord	\$75,000.00	20.00%	\$15,000.00		\$15,000.00
						\$0.00
<b>Personnel Costs</b>						<b>\$45,000.00</b>
Vendor Contract Compliance						\$5,000.00
Pre & Post Surveys_Evaluations						\$5,000.00
Graduation Celebration (Year 2)						\$0.00
Grants Management - Reporting						\$25,000.00
Website & Social Media Campaign						\$25,000.00
Material & Supplies						\$12,500.00
Customer Management System (CRM)						\$7,500.00
<b>Consortia/Subcontract</b>						<b>\$375,000.00</b>
<b>Subtotal Direct Costs</b>						<b>\$500,000.00</b>
<b>Indirect Costs</b>						<b>\$0.00</b>
<b>TOTAL DIRECT AND INDIRECT</b>						<b>\$500,000.00</b>

**SOUTH FULTON CHAMBER OF COMMERCE**

	Project Role	Base Salary	Effort	Requested Salary	Fringe (25%)	Funds Requested
Y. Dyan Matthews	President	\$150,000.00	33.33%	\$50,000.00		\$50,000.00
Myriam-Michele Foster	Co-PI/ Co-Director	\$150,000.00	66.67%	\$100,000.00		\$100,000.00
<b>Personnel</b>						<b>\$150,000.00</b>
Business Services Module						\$50,000.00
Marketing Module						\$25,000.00
Leadership Module						\$25,000.00
Health & Wellness Module						\$25,000.00
Accounting & Taxes Module						\$25,000.00
Legal Services Module						\$25,000.00
Investor Ready Program Module						\$25,000.00
Grant Training Module						\$25,000.00
<b>Direct Costs</b>						<b>\$375,000.00</b>
<b>Indirect Costs</b>						<b>\$0.00</b>
<b>Total Direct and Indirect</b>						<b>\$375,000.00</b>





# Fulton County Board of Commissioners

## Agenda Item Summary

Agenda Item No.: 22-0127

Meeting Date: 2/16/2022

### Department

Public Works

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution by the Fulton County Board of Commissioners authorizing the Imposition of a 0.40 percent Transportation Special Purpose Local Option Sales and Use Tax (T-SPLOST) on behalf of the City of Atlanta for transportation purposes; specifying the specific transportation purposes to be funded within the City of Atlanta; specifying the approximate costs of such transportation purposes; specifying the maximum period of time the tax may be imposed; specifying the list of projects and purposes qualifying as transportation purposes to be funded; requesting the Elections Superintendent to call for a ballot referendum to approve the imposition of such sales and use tax; approving the form of the ballot; and for other purposes.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Georgia Code Title 48. Revenue and Taxation (O.C.G.A. 48-8-269.22 through 48-8-269.36) provides the legal requirements for the establishment of a Transportation Special Purpose Local Option Sales and Use Tax (T-SPLOST).

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Infrastructure and Economic Development

### Commission Districts Affected

- All Districts ☐
- District 1 ☐
- District 2 ☐
- District 3 ☒
- District 4 ☒
- District 5 ☒
- District 6 ☒

### Is this a purchasing item?

No

**Summary & Background** *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

**Scope of Work:** The City of Atlanta City Council has adopted a Resolution (21-R3927) that would impose a 0.40 percent Transportation Special Purpose Local Option Sales and Use Tax (T-SPLOST) within the City to raise approximately \$350 million over a five-year period. The City has identified a list of projects that would be constructed if the TSPLOST referendum is approved by the voters of the City of Atlanta. The referendum is scheduled to be voted upon by the citizens of Atlanta on May 24, 2022 and if passed the collections would begin on October 1, 2022 and continue through September 30, 2027.

**Community Impact:** The citizens of Atlanta will have the option to voluntarily impose an additional 0.4% sales tax to be used to fund transportation improvements as part of the May 24, 2022 election cycle.

**Department Recommendation:** The Department of Public Works supports the approval of the Resolution.

**Project Implications:** If passed, the T-SPLOST referendum will allow the City of Atlanta to collected dedicated sales taxes for the purpose of constructing transportation improvements.

**Community Issues/Concerns:** No community issues or concerns have been raised to Public Works staff.

**Department Issues/Concerns:** Public Works has no issues or concerns with the Resolution.

1 A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS  
2 AUTHORIZING THE IMPOSITION OF A .40 PERCENT SALES AND USE TAX ON  
3 BEHALF OF THE CITY OF ATLANTA AS AUTHORIZED BY PART 3 OF ARTICLE 5a  
4 OF CHAPTER 8 OF TITLE 48 OF THE OFFICIAL CODE OF GEORGIA; SPECIFYING  
5 THE SPECIFIC TRANSPORTATION PURPOSES TO BE FUNDED; SPECIFYING THE  
6 APPROXIMATE COST OF SUCH TRANSPORTATION PURPOSES; SPECIFYING  
7 THE MAXIMUM PERIOD OF TIME FOR WHICH THE TAX MAY BE IMPOSED AND  
8 THE RATE THEREOF; SPECIFYING THE LIST OF PROJECTS AND PURPOSES  
9 QUALIFYING AS TRANSPORTATION PURPOSES TO BE FUNDED; REQUESTING  
10 THE ELECTION SUPERINTENDENT TO CALL FOR A BALLOT REFERENDUM TO  
11 APPROVE THE IMPOSITION OF SUCH SALES AND USE TAX; APPROVING THE  
12 FORM OF THE BALLOT TO BE USED IN SUCH AN ELECTION; AND FOR OTHER  
13 PURPOSES.  
14

15 **WHEREAS**, an Act of the General Assembly of the State of Georgia, designated  
16 Senate Bill 369 and made effective on April 26, 2016, added a new Part 3 to Article 5A of  
17 Chapter 8 of Title 48 of the Official Code of Georgia Annotated ("SB 369"), codified as  
18 O.C.G.A. Section 48-8-269.22 et seq.; and  
19

20 **WHEREAS**, SB 369 permits the City of Atlanta ("City"), as a metropolitan  
21 municipality special district, to impose a transportation special purpose local option sales  
22 and use tax ("TSPLOST") within the City, for a limited period of time, to fund transportation  
23 purposes; and  
24

25 **WHEREAS**, pursuant to SB 369, "transportation purposes" means and includes  
26 roads, bridges, public transit, rails, airports, buses, seaports, including without limitation  
27 road, street, and bridge purposes and all accompanying infrastructure and services  
28 necessary to provide access to these transportation facilities; and  
29

30 **WHEREAS**, road, street, and bridge purposes contained in paragraph (1) of  
31 subsection (b) of O.C.G.A. Section 48-8-121 include the acquisition of rights of way for  
32 roads, streets, bridges, sidewalks, and bicycle paths; construction of roads, streets,  
33 bridges, sidewalks, and bicycle paths; renovation and improvement of roads, streets,  
34 bridges, sidewalks, and bicycle paths, including resurfacing; relocation of utilities for  
35 roads, streets, bridges, sidewalks, and bicycle paths; improvement of surface-water  
36 drainage from roads, streets, bridges, sidewalks, and bicycle paths; and patching,  
37 leveling, milling, widening, shoulder preparation, culvert repair, and other repairs  
38 necessary for the preservation of roads, streets, bridges, sidewalks, and bicycle paths;  
39 and  
40

41 **WHEREAS**, the City has developed a list of transportation purposes to be funded  
42 by the proceeds of the TSPLOST; and  
43

44 **WHEREAS**, the Atlanta City Council (the "City Council") believes the most feasible  
45 plan for funding a portion of the City's transportation purposes is to impose a TSPLOST  
46 within the City pursuant to SB 369; and  
47

48 **WHEREAS**, Resolution 21-R-3927 was adopted by the City Council on December  
49 6, 2021 and approved per City Charter Section 2-403 on December 15, 2021, a copy of

1 which is attached hereto as “Exhibit A”, calling for the imposition of a .40 percent  
2 TSPLOST within the City to raise approximately \$350,000,000.00, which amount shall be  
3 the maximum amount of the net proceeds to be raised, and a referendum election  
4 thereon, pursuant to SB 369, for the sole purpose of funding the transportation purposes  
5 as defined in SB 369; and  
6

7 **WHEREAS**, Resolution 21-R-3927 attached hereto as “Exhibit A” includes a list of  
8 projects and purposes qualifying as transportation purposes proposed to be funded from  
9 the TSPLOST consistent with the statewide strategic transportation plan; and  
10

11 **WHEREAS**, the City has the ability to change the projects as deemed necessary;  
12 and  
13

14 **WHEREAS**, prior to the issuance of the call for the referendum required by  
15 O.C.G.A. Section 48-8-269.24, the City is required to submit a list of transportation  
16 purposes and the question of whether the tax should be approved to the governing  
17 authority of Fulton County; and  
18

19 **WHEREAS**, the City forwarded a copy of Resolution 21-R-3927 to the Board of  
20 Commissioners of Fulton County (the “Board of Commissioners”) pursuant to SB 369;  
21 and  
22

23 **WHEREAS**, O.C.G.A. Section 48-8-269.23(b)(1) provides that “the governing  
24 authority of the county [i.e., the Fulton County Board of Commissioners], unless there is  
25 a vote against the resolution by a majority plus one of the members of such governing  
26 authority of the county, shall sign a resolution offered for such purpose and shall notify  
27 the county election superintendent by forwarding to the superintendent a copy of such  
28 resolution calling for the imposition of the tax and for the proposal to be presented to the  
29 qualified voters in the metropolitan municipality special district at the next scheduled  
30 election.”  
31

32 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of  
33 Commissioners hereby approves the imposition of a TSPLOST within the City and a  
34 referendum election thereon, pursuant to SB 369 for the sole purpose of funding the  
35 transportation purposes as defined in SB 369 and pursuant to O.C.G.A. Section 48-8-  
36 121(b)(1), and all accompanying infrastructure and services necessary to provide access  
37 to such transportation facilities.  
38

39 **BE IT FURTHER RESOLVED**, that pursuant to SB 369 the Board of  
40 Commissioners hereby directs the Clerk to the Commission of the Fulton County Board  
41 of Commissioners to deliver a certified copy of this Resolution to the Fulton County Board  
42 of Elections and Registration (the “election superintendent”), and instructs the election  
43 superintendent to call for the imposition of the TSPLOST and for the proposal to be  
44 presented to the qualified voters at the regular and established precincts in the City on  
45 the 24th day of May 2022.  
46

47 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby approves  
48 the list of the projects and purposes qualifying as transportation purposes proposed to be  
49 funded from the TSPLOST, including an expenditure of at least thirty percent (30%) of

1 the estimated revenue from the TSPLOST on projects consistent with the state wide  
2 strategic transportation plan, as defined in paragraph (6) of subsection (a) of O.C.G.A.  
3 Section 32-2-22, attached hereto as a part of "Exhibit A".  
4

5 **BE IT FURTHER RESOLVED**, that, if approved by the election referendum, the  
6 proposed TSPLOST shall be imposed at a rate of 0.4 percent for a period of time not to  
7 exceed five years, beginning no earlier than on the first day of the next succeeding  
8 calendar quarter that begins more than eighty (80) days after the date of the election at  
9 which the TSPLOST was approved by the voters and continuing for five years or until  
10 such time the TSPLOST has raised revenues sufficient to provide the City the net  
11 proceeds equal to or greater than the Maximum Amount of Three Hundred Fifty Million  
12 Dollars and Zero Cents (\$350,000,000.00), whichever comes first.  
13

14 **BE IT FURTHER RESOLVED**, that the ballot question submitted for the  
15 determination of the imposition of the proposed TSPLOST to the qualified voters within  
16 the City shall be as set forth in Resolution 21-R-3927, as adopted and approved by City,  
17 and in accordance with SB 369, and substantially similar to "Exhibit B" attached hereto  
18 and incorporated by reference.  
19

20 **BE IT FURTHER RESOLVED**, that pursuant to O.C.G.A. Section 48-8-269.24 (b)  
21 the election superintendent shall issue the call and conduct the election in the manner  
22 authorized by general law and shall canvass the returns, declare the result of the election,  
23 and certify the result to the Secretary of State and to the commissioner.  
24

25 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its  
26 adoption, and that all resolutions and parts of resolutions in conflict with this Resolution  
27 are hereby repealed to the extent of the conflict.  
28

29 **SO PASSED AND ADOPTED**, this 16<sup>th</sup> day of February 2022.  
30

31 FULTON COUNTY BOARD OF  
32 COMMISSIONERS  
33

34 **BY:**  
35

36  
37 \_\_\_\_\_  
38 Robert L. Pitts, Chairman  
39

40 **ATTEST:**  
41

42  
43 \_\_\_\_\_  
44 Tonya Grier,  
45 Clerk to the Commission  
46  
47  
48  
49

1  
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9

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Y. Soo Jo  
County Attorney



CITY COUNCIL  
ATLANTA, GEORGIA

EXHIBIT A

21-R-3927

**A RESOLUTION BY COUNCILMEMBER CARLA SMITH AMENDED BY TRANSPORTATION (#3) AND FINANCE/EXECUTIVE COMMITTEES AND SUBSTITUTED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”), TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.(FAVORABLE AS AMENDED BY TRANSPORTATION COMMITTEE 12/1/21)**

WHEREAS, an Act of the General Assembly of the State of Georgia, designated Senate Bill 369 and made effective on April 26, 2016, added a new Part 3 to Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (“SB 369”); and

WHEREAS, SB 369 allows the City of Atlanta (“City”), as a metropolitan municipality special district, to impose a transportation special purpose local option sales and use tax (“TSPLOST”) within the City, for a limited period of time, to fund transportation purposes; and

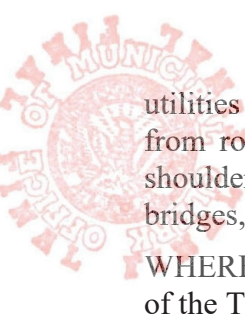
WHEREAS, under SB 369, “transportation purposes” means and includes roads, bridges, public transit, rails, airports, buses, seaports, including without limitation road, street, and bridge purposes pursuant to paragraph (1) of subsection (b) of Section 48-8-121 of the Official Code of Georgia Annotated (“O.C.G.A”), and all accompanying infrastructure and services necessary to provide access to these transportation facilities; and

WHEREAS, pursuant to Resolution 16-R-3712, adopted by the Atlanta City Council on July 18, 2016 and approved by the Mayor on the same day, the City approved a TSPLOST and a referendum election thereon, pursuant to Part 3 of Article SA of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, for the sole purpose of funding the transportation purposes as defined in SB 369; and

WHEREAS, Resolution 16-R-3712 provided for a list of projects and purposes qualifying as transportation purposes proposed to be funded from the TSPLOST consistent with the statewide strategic transportation plan; and

WHEREAS, the citizens of Atlanta voted in favor of the TSPLOST during the November 8, 2016 election; and

WHEREAS, the road, street, and bridge purposes contained in paragraph (1) of subsection (b) of O.C.G.A. § 48-8-121 include acquisition of rights of way for roads, streets, bridges, sidewalks, and bicycle paths; construction of roads, streets, bridges, sidewalks, and bicycle paths; renovation and improvement of roads, streets, bridges, sidewalks, and bicycle paths, including resurfacing; relocation of



utilities for roads, streets, bridges, sidewalks, and bicycle paths; improvement of surface-water drainage from roads, streets, bridges, sidewalks, and bicycle paths; and patching, leveling, milling, widening, shoulder preparation, culvert repair, and other repairs necessary for the preservation of roads, streets, bridges, sidewalks, and bicycle paths; and

WHEREAS, the City shall finalize a list of specific transportation purposes to be funded by the proceeds of the TSPLOST, which list shall be submitted by supplemental resolution to this Resolution; and

WHEREAS, the City has the ability to change the projects as deemed necessary; and

WHEREAS, the City Council of the City believes the most feasible plan for funding a portion of the City's transportation purposes is to impose a TSPLOST pursuant to Part 3 of Article 5A of Chapter 8 of Title 48 of the O.C.G.A. and

WHEREAS, Part 3 of Article 5A of Chapter 8 of Title 48 of the O.C.G.A. requires the City to submit a list of transportation purposes and the question of whether the tax should be approved to the governing authority of Fulton County; and

WHEREAS, it is in the best interests of the City to submit a list of transportation purposes and the question of whether the TSPLOST should be approved to the Fulton County Board of Commissioners.

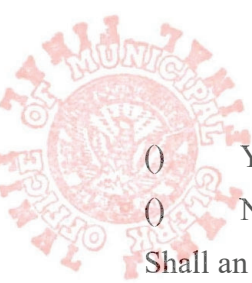
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

ATLANTA, GEORGIA, to call for the imposition, by the Fulton County Board of Commissioners, of a transportation special purpose local option sales and use tax ("TSPLOST") and a referendum election thereon, pursuant to Part 3 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated ("O.C.G.A."), for the sole purpose of funding the transportation purposes as defined in SB 369.

BE IT FURTHER RESOLVED, that a list of the projects and purposes qualifying as transportation purposes proposed to be funded from the TSPLOST, including an expenditure of at least thirty percent (30%) of the estimated revenue from the TSPLOST on projects consistent with the state wide strategic transportation plan, as defined in paragraph (6) of subsection (a) of O.C.G.A Section 32-2-22, which is attached as Exhibit A, shall be transmitted to the Fulton County Commission for its approval.

BE IT FURTHER RESOLVED, that, if the Fulton County Board of Commissioners approves the list of transportation projects and purposes, the Fulton County Board of Commissioners shall follow the procedure described in SB 369 to notify the Fulton County Board of Registration and Elections to call for the imposition of the TSPLOST and for the proposal to be presented to the qualified voters within the City at the next scheduled election.

BE IT FURTHER RESOLVED, that the ballot submitting the question of the imposition of the TSPLOST to the voters within the City shall have written or printed thereon the following:



☐ YES

☐ NO

Shall an additional 0.4 percent sales tax be collected in the City of Atlanta for 5 years for the purpose of transportation improvements and congestion reduction?

BE IT FURTHER RESOLVED, that the City Council of the City of Atlanta hereby directs the Fulton County Board of Registration and Elections to call and conduct the election, to canvass the returns, declare the result of the election, and certify the results to the Secretary of State and to the State Revenue Commissioner, as provided by SB 369.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby ordered and directed to furnish the Fulton County Board of Registration and Elections with a duly certified copy of this resolution in order that the Fulton County Board of Registration and Elections may take such action as provided by SB 369.

BE IT FURTHER RESOLVED, that the proposed TSPLOST shall be imposed at a rate of 0.4 percent and the maximum amount of net proceeds to be collected from the proposed TSPLOST is Three Hundred Fifty Million Dollars and Zero Cents (\$350,000,000.00) ("Maximum Amount").

BE IT FURTHER RESOLVED, that the proposed TSPLOST shall commence on the first day of the next succeeding calendar quarter that begins more than eighty (80) days after the date of the election at which the TSPLOST was approved by the voters and continue for up to five (5) years thereafter, or until such time the TSPLOST has raised revenues sufficient to provide the City the net proceeds equal to or greater than the Maximum Amount, whichever comes first.

BE IT FURTHER RESOLVED, that following the expiration of the proposed TSPLOST, the City may re-impose a TSPLOST in the same manner as provided in Part 3 of Article 5A of Chapter 8 of Title 48 of the O.C.G.A.

BE IT FURTHER RESOLVED that any revisions or alterations to this project list, and any additional revenue received from sales tax, must come to City Council for authorization and dispersal.

BE IT FINALLY RESOLVED, that any resolutions in conflict with this resolution are hereby waived to the extent of the conflict only.

A true copy,

Foris Webb III  
Municipal Clerk

ADOPTED *as amended* by the Atlanta City Council  
APPROVED per City Charter Section 2-403

DEC 06, 2021  
DEC 15, 2021



EXHIBIT A

City of Atlanta - 2022 TSPLOST - Project List

## City of Atlanta – 2022 TSPLOST – Project List

**\$350,000,000**

Project Name	CD	Cost
Safer Streets (Detail Below)	Citywide	90,569,338
Sidewalks - New Sidewalk Installs on Major Streets (Detail Below)	Citywide	61,011,529
Sidewalks - Sidewalk Repair on Major Streets	Citywide	41,667,195
Sidewalks - State Route Sidewalk & Paths (Hollowell, Memorial, Moreland, Northside Parkway, Roswell and others)	Citywide	8,750,000
Overhead	Citywide	39,000,000
Inflation Escalation Costs	Citywide	31,500,000
State of Georgia 1% Costs	Citywide	3,150,000
Bridge Maintenance, Repair and Replacement	Citywide	18,000,000
Bridges - Cheshire Bridge Emergency Repair	Citywide	7,000,000
Strategic Traffic Calming (Speed Humps, Cushions, etc)	Citywide	10,350,001
Traffic Signals	Citywide	10,000,000
Mount Paran Resurfacing & Safety Improvements	8	3,500,000
Bus Shelters & Bus Rider Experience Improvements	Citywide	3,400,000
Northside Paving (Muscogee, Tall Pines, Laurel, Laurel Forest)	8	3,250,000
Trolley Trail Beltline Connection, Spurs & Extension	5	2,851,937
Contribution to PATH SW Beltline Connector Trail	11	1,000,000
Proctor Creek Greenway Segment 4	9	4,500,000
Peachtree Creek Greenway	6, 7	6,000,000
North Highland Repaving and Safety Improvements	6	4,500,000

### Detail on Safe Streets Projects

Project Name	Length	AVG PCI	Low PCI	SEM Score	Estimated Cost (\$M)	Project Name	Length	AVG PCI	Low PCI	SEM Score	Estimated Cost (\$M)
Cleveland Ave Pedestrian & Safety Improvements	3	83	53	1.0	2.0	Ralph McGill / Ivan Allen Safe Street & Protected Bike Lanes	2.4	40	22	0.6	8.0
Lee Street Trail (Southside Bike Project) & Safety Improvements	2.7	-	-	0.9	5.0	Lenox Road Safe Street & Multipurpose Path	0.3	49	20	0.4	6.0
McDaniels Safe Street & Protected Bike Lanes	1.75	57	27	0.9	4.8	Midtown Safe Street Corridor (Extension of 10th Street Protected Bike Lane / Peachtree Pl Low Stress Bikeway)	1	-	-	0.4	2.0
Lowery Safe Street & Protected Bike Lanes	3	54	26	0.9	6.9	South Boulevard Safe Street & Protected Bike Lane	2.1	48	25	0.4	1.8
RDA-Georgia Safe Street & Protected Bike Lanes	2.3	68	27	0.9	8.0	Monroe Safe Street	2	42	29	0.4	4.0
Peachtree Safe Street	2.6	53	30	0.9	9.7	15th Street Safe Street Corridor from Arts Center MARTA Station to Piedmont Park	0.6	50	35	0	1.9
Pryor & Central Safe Street & Protected Bike Lanes	3.7	43	27	0.9	10.3	Euclid Ave Safe Street & Little 5 Points Streetscape	0.6	50	24	-0.2	3.0
Westlake MARTA Station Safe Intersection Project at MLK & West Lake	0.25	51	32	0.9	0.8	Sidney Marcus Safe Street & PATH 400 Link to Lindbergh MARTA Station	0.4	37	20	-0.2	3.4
Courtland Dedicated Bus Lanes & Courtland / Piedmont Protected Bike Lanes near Georgia State University & Safety Improvements	2	57	40	0.7	5.0	Central Park Place Safe Street & Protected Bike Lanes	0.8	58	31	-0.3	2.0
Whitehall Safe Street & Protected Bike Lanes	1.1	49	29	0.6	2.0	Marietta Blvd Rebuild Local Match & Safety Improvements	3	53	37	-0.3	4.0
						Total					
											90.6

## Detail on Sidewalk Installs on Major Streets

Rank	Corridor	SEM Score of Most Needed Segment	Total Corridor Cost
1	WEST LAKE AVE	1.85	265,385
2	CLEVELAND AVE	1.75	1,553,190
3	PRYOR	1.50	843,322
4	BOULDER PARK DR	1.48	827,231
5	FAIRBURN RD	1.46	2,358,394
6	HIGHTOWER RD	1.42	273,233
7	LINKWOOD RD	1.28	1,870,043
8	BROWNS MILL RD	1.17	10,279,739
9	CAMPBELLTON RD	1.17	3,980,366
10	DELOWE DR	1.17	1,145,431
11	BOONE/COLLIER DR	1.07	4,186,033
12	SYLVAN RD	1.03	821,179
13	HOLLYWOOD RD	1.01	48,325
14	MARIETTA BLVD	1.00	1,915,782
15	MARTIN LUTHER KING JR	0.98	746,815
16	HARWELL RD	0.89	450,501
17	MCDANIEL ST	0.88	606,924

New Sidewalk Installs: 51 Corridors, 30 Miles, \$61M Investment

Rank	Corridor	SEM Score of Most Needed Segment	Total Corridor Cost
18	MOUNT ZION RD	0.85	3,019,364
19	MOUNT GILEAD RD	0.85	2,578,432
20	HANK AARON DR SW	0.83	338,072
21	BARGE RD	0.83	1,473,571
22	FULTON INDUSTRIAL B	0.72	8,667
23	LAKEWOOD AVE	0.72	1,196,414
24	CENTRAL AVE	0.70	714,155
25	PANTHER TRL	0.66	829,320
26	OAKLAND DR	0.43	188,115
27	HARBIN ROAD	N/A	1,796,568
28	UNIVERSITY AVE	0.41	172,860
29	DONNELLY AVE	0.41	313,944
30	CHILDRESS DR	0.38	819,411
31	FORREST HILLS DR	0.38	212,177
32	LENOX RD	0.35	1,043,955
33	SANDTOWN RD	0.31	570,923
34	BEECHER	0.27	2,792,231

Rank	Corridor	SEM Score of Most Needed Segment	Total Corridor Cost
35	HALL ST	0.24	244,751
36	PACES FERRY RD	0.21	233,428
37	HOWELL MILL RD	0.20	810,717
38	CHESHIRE BRIDGE RD	0.18	46,649
39	2ND AVE	0.15	118,615
40	RICHLAND RD	0.05	189,325
41	NORTH AVE	0.04	59,097
42	NORTH SIDE SIDEWAL	N/A	3,873,527
43	ELLSWORTH INDUSTRI	N/A	530,303
44	MOORES MILL RD	(0.14)	390,713
45	CONSTITUTION RD	(0.19)	603,932
46	14TH ST	(0.28)	107,066
47	EUCLID AVE	(0.32)	449,877
48	CHATTAAHOOCHEE AVE	(0.41)	1,920,599
49	OAKDALE RD	(0.52)	139,906
50	RALPH MCGILL BLVD	(0.55)	45,409
51	17TH ST	(0.78)	1,007,543



CITY COUNCIL  
ATLANTA, GEORGIA

21-R-3927

SPONSOR SIGNATURES

  
Carla Smith, Councilmember, District 1



**CITY COUNCIL  
ATLANTA, GEORGIA**

21-R-3927

**A RESOLUTION BY COUNCILMEMBER CARLA SMITH AMENDED BY TRANSPORTATION (#3) AND FINANCE/EXECUTIVE COMMITTEES AND SUBSTITUTED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”), TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.(FAVORABLE AS AMENDED BY TRANSPORTATION COMMITTEE 12/1/21)**

**Workflow List:**

Atlanta City Council	Completed	09/20/2021 1:00 PM
Transportation Committee	Completed	09/29/2021 9:30 AM
Atlanta City Council	Completed	10/04/2021 1:00 PM
Finance/Executive Committee	Completed	09/29/2021 1:30 PM
Atlanta City Council	Completed	10/04/2021 1:00 PM
Transportation Committee	Completed	10/13/2021 9:30 AM
Atlanta City Council	Completed	10/18/2021 1:00 PM
Finance/Executive Committee	Completed	10/13/2021 1:30 PM
Atlanta City Council	Completed	10/18/2021 1:00 PM
Finance/Executive Committee	Completed	10/27/2021 1:30 PM
Transportation Committee	Completed	10/27/2021 9:30 AM
Atlanta City Council	Completed	11/01/2021 1:00 PM
Transportation Committee	Completed	11/10/2021 9:30 AM
Atlanta City Council	Completed	11/15/2021 1:00 PM
Finance/Executive Committee	Completed	11/10/2021 1:30 PM
Transportation Committee	Completed	12/01/2021 9:30 AM
Atlanta City Council	Completed	12/06/2021 1:00 PM
Finance/Executive Committee	Completed	12/01/2021 1:30 PM

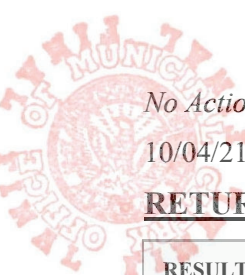
**HISTORY:**

09/20/21                                      Atlanta City Council                                      REFERRED WITHOUT OBJECTION

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 9/29/2021 9:30 AM</b>
09/29/21	Transportation Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE [UNANIMOUS]</b>	<b>Next: 10/4/2021 1:00 PM</b>
<b>MOVER:</b>	Andre Dickens, Chair	
<b>SECONDER:</b>	Marci Collier Overstreet, District 11	
<b>AYES:</b>	Dickens, Westmoreland, Ide, Matzigkeit, Overstreet	
<b>ABSENT:</b>	Amir R Farokhi, Antonio Brown	

09/29/21                                      Finance/Executive Committee



*No Action Required. This item is being held in Public Safety and Legal Administration Committee.*

10/04/21

Atlanta City Council

RETURNED AS HELD

**RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2021 9:30 AM</b>
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10/13/21 Transportation Committee

10/13/21 Finance/Executive Committee

*No Action Required. This item is being held in Transportation Committee.*

10/18/21

Atlanta City Council

RETURNED AS HELD

**RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2021 9:30 AM</b>
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10/27/21 Transportation Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/1/2021 1:00 PM</b>
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10/27/21 Finance/Executive Committee

*No Action Required. This item is being held in Transportation Committee.*

11/01/21

Atlanta City Council

RETURNED AS HELD

**RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/10/2021 9:30 AM</b>
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11/10/21 Transportation Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/15/2021 1:00 PM</b>
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11/10/21 Finance/Executive Committee

*No Action Required. This item is being held in Transportation Committee*

11/15/21

Atlanta City Council

RETURNED AS HELD

**RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2021 9:30 AM</b>
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12/01/21 Transportation Committee

FAVORABLE AS AMENDED

<b>RESULT:</b>	<b>FAVORABLE AS AMENDED [UNANIMOUS]</b>	<b>Next: 12/6/2021 1:00 PM</b>
<b>MOVER:</b>	Marci Collier Overstreet, District 11	
<b>SECONDER:</b>	Matt Westmoreland, Post 2 At Large	
<b>AYES:</b>	Matt Westmoreland, Amir R Farokhi, Jennifer N. Ide, Marci Collier Overstreet	
<b>ABSENT:</b>	Andre Dickens, Antonio Brown, J. P. Matzigkeit	

12/01/21 Finance/Executive Committee

FAVORABLE AS AMENDED



<b>RESULT:</b>	<b>FAVORABLE AS AMENDED [5 TO 0]</b>
<b>MOVER:</b>	Jennifer N. Ide, Chair, District 6
<b>SECONDER:</b>	Matt Westmoreland, Post 2 At Large
<b>AYES:</b>	Ide, Westmoreland, Archibong, Matzigkeit, Sheperd
<b>ABSTAIN:</b>	Howard Shook
<b>ABSENT:</b>	Andre Dickens

12/06/2021  
AMENDED

Atlanta City Council

ADOPTED SUBSTITUTE AS

<b>RESULT:</b>	<b>ADOPTED SUBSTITUTE AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Jennifer N. Ide, Councilmember, District 6
<b>SECONDER:</b>	Howard Shook, Councilmember, District 7
<b>AYES:</b>	Bond, Westmoreland, Dickens, Smith, Farokhi, Brown, Winslow, Archibong, Ide, Shook, Matzigkeit, Hillis, Boone, Overstreet, Sheperd

A RESOLUTION BY COUNCILMEMBER CARLA SMITH AMENDED BY TRANSPORTATION (#3) AND FINANCE/EXECUTIVE COMMITTEES AND SUBSTITUTED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”), TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.

VOTE RECORD - RESOLUTION 21-R-3927						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE AS AMENDED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> ADOPTED SUBSTITUTE <input checked="" type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> ADVERSED IN COMMITTEE <input type="checkbox"/> QUADRENNIALY TERMINATED <input type="checkbox"/> FORWARDED W/NO RECOMMENDATION <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/CONDITION						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO BROWN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JENNIFER N. IDE	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. P. MATZIGKEIT	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L. BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JOYCE M SHEPERD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



<div><div><input type="checkbox"/> FAVORABLE/AMND/CONDITION</div><div><input type="checkbox"/> RETURNED AS HELD</div><div><input type="checkbox"/> FAVORABLE/SUB/CONDITION</div><div><input type="checkbox"/> FAVORABLE ON CONDITION</div><div><input checked="" type="checkbox"/> ACCEPTED</div><div><input type="checkbox"/> AMENDED SUBSTITUTE</div><div><input type="checkbox"/> ROUTED TO COW</div><div><input type="checkbox"/> SUSTAINED</div><div><input type="checkbox"/> OVERRIDDEN</div><div><input type="checkbox"/> NOT ACCEPTED BY COMMITTEE</div><div><input type="checkbox"/> SUSTAINED WITHOUT OBJECTION</div><div><input type="checkbox"/> TABLED W/O OBJECTION</div><div><input type="checkbox"/> HELD IN COW</div><div><input type="checkbox"/> POSTPONED</div><div><input type="checkbox"/> RETAINED AS HELD</div><div><input type="checkbox"/> REFER TO ZRB AND ZC W/O OBJECTION</div><div><input type="checkbox"/> AUTOMATICALLY TERMINATED (FILED)</div></div>	
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[Unanimous]

## **EXHIBIT B**

### **Referendum**

**Shall an additional .40 percent sales tax be collected in the City of Atlanta for five years for the purpose of transportation improvements and congestion reduction?**

\_\_\_\_\_ **Yes**

\_\_\_\_\_ **No**





# Fulton County Board of Commissioners

## Agenda Item Summary

**Agenda Item No.:** 22-0128

**Meeting Date:** 2/16/2022

### Department

Police

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of an alcohol beverage license application submitted by Shoe Crazy Wine LLC., for the wholesale of wine located at 3800 Wendell Drive Suite 406, Atlanta, Ga. 30336.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Final approval by the Board of Commissioners is required by the Fulton County Alcoholic Beverage License Ordinance, Section 6-201 (a) (c)

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Justice and Safety

### Commission Districts Affected

- All Districts ☐
- District 1 ☒
- District 2 ☒
- District 3 ☒
- District 4 ☒
- District 5 ☒
- District 6 ☒

### Is this a purchasing item?

No

### Summary & Background

The Police Department recommends approval for this alcohol beverage license application.

Shoe Crazy Wine LLC whose owner Ms. Gwen Hurt (Licensee) has made application to the Board of Commissioners for the wholesale of wine at the business located at 3800 Wendell Drive. Suite 406, Atlanta, Georgia. 30336.

The public hearing was conducted on February 2<sup>nd</sup>, 2021, and no objections were heard. Compliance reviews were conducted and approved by the following departments: Police, Fire, Zoning, Code Enforcement and the Board of Education's Transportation Department. The County Attorney's Office has reviewed the application package and has determined it complies with the Fulton County Alcoholic Beverage License Ordinance.

**Department Recommendation:** The Police Department recommends approval for this alcohol beverage license application

**Project Implications:** There are no Project Implications

**Community Issues/Concerns:** There are no Community issues and concerns

**Department Issues/Concerns:** There are no Community issues and concerns





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0096

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion and request approval of a Resolution approving updates to Fulton County's Sustainability Plan and Goals for the purpose of accelerating the path towards increased sustainability by 2030 in Fulton County; and for other purposes. **(Pitts/Morris/Hall) (HELD ON 2/2/22)**

1 **A RESOLUTION APPROVING UPDATES TO FULTON COUNTY’S SUSTAINABILITY**  
2 **PLAN AND GOALS FOR THE PURPOSE OF ACCELERATING THE PATH TOWARDS**  
3 **INCREASED SUSTAINABILITY BY 2030 IN FULTON COUNTY; AND FOR OTHER**  
4 **PURPOSES.**

5 **WHEREAS**, Fulton County recognizes that a healthy and sustainable environment  
6 is important to its citizens, its economy, and our future; and

7 **WHEREAS**, on June 5, 2019, as Agenda Item #19-0449, the Fulton County Board  
8 of Commissioners approved the *Fulton County 2019-2025 Sustainability Plan* (the  
9 “Sustainability Plan”), which evidenced a commitment by Fulton County to obtain  
10 sustainability by identifying the most salient internal and external challenges or  
11 opportunities and to provide solutions that connect to Fulton County’s Strategic Plan; and

12 **WHEREAS**, the Sustainability Plan sets targeted goals for the reduction of energy  
13 and water consumption, improvement of air quality, and empowerment of employees and  
14 residents with education on issues related to environmental sustainability; and

15 **WHEREAS**, the approved Sustainability Plan includes the development of  
16 streamlined objectives that will allow Fulton County to leverage in-house policies that  
17 enhance service levels, citizen well-being, sustainability, economic development, and  
18 technology strategies by 2025; and

19 **WHEREAS**, the Sustainability Plan focuses on and sets goals for climate change  
20 mitigation; social equity and smart transit; high-performance County infrastructure;  
21 education, outreach, and green jobs training and placement; fostering partnership for the  
22 implementation of the Sustainability Plan; and budgetary appropriation for implementation  
23 of the Sustainability Plan; and

**WHEREAS**, Fulton County staff has continued to review the Sustainability Plan and has updated the goals for Fulton County through 2030, as set is forth in the “Fulton County Sustainability Goals Updates,” attached hereto and incorporated by reference as Exhibit “A;” and

**WHEREAS**, pursuant to Fulton County Code § 1-117, the Board of Commissioners has exclusive jurisdiction and control over “making such rules and regulations for the support of the poor of the county, and for the promotion of health, as are not inconsistent with law; [and] . . . exercise such other powers as are granted by law, or are indispensable to their jurisdiction over county matters and county finances”; and

**WHEREAS**, the Board of Commissioners has reviewed the updates to the Sustainability Plan and finds that adopting the new sustainability goals and targets and approving the updated Sustainability Plan is in the best interest of the citizens of Fulton County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of Fulton County does hereby approve and adopt the updates to the Sustainability Plan, attached hereto and incorporated by reference as Exhibit “A.”

**BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its adoption, and that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

**SO PASSED AND ADOPTED**, this \_\_\_\_ day of ~~February~~January 2022.

**FULTON COUNTY BOARD OF**

**COMMISSIONERS**

**SPONSORED BY:**

\_\_\_\_\_  
Robb L. Pitts, Chairman

**ATTEST:**

\_\_\_\_\_  
Tonya R. Grier  
Clerk to the Commission

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Y. Soo Jo  
County Attorney

P:\CALegislation\BOC\Resolutions\2022 Resolutions\Pitts\1.19.22 Resolution to Approve Update to County Sustainability Plan  
through 2030(3).docx

## EXHIBIT A

### Fulton County Sustainability Plan Goals Updates

# Fulton County Sustainability Plan Goals Updates

1. Priority Area 1: Sustainability is Climate Change Mitigation
  - a. Current Goal: improve energy efficiency of FC facilities
    - i. Current Target: 20% reduction of energy usage by 2025
      1. **Goal / Target Update:**
        - a. ***Reduce buildings energy usage by 50% by 2030 through the assessment of facilities and implementation of cost-effective energy conservation measures, utilizing budgetary appropriations, grants, and alternative financing mechanisms such as Energy Savings Performance Contracting.***
  - b. Current Goal: Develop renewable energy pilot study project
    - i. Current Target: install project by 2020
      1. **Goal / Target Update:**
        - a. ***Offset 25% of electricity demand and carbon dioxide emissions by 2030 through the implementation of a solar energy program to finance or own solar installations at a capacity of up to 27 megawatts at suitable facilities and assets, and the purchase of verified green power certificates and renewable energy certificates.***
2. Priority Area 2: Sustainability is Social Equity and Smart Transit
  - a. Current Goal: Transportation, air quality, and green spaces: reduction of overall vehicle emissions by FC Government vehicles
    - i. Current Target: transition 20 percent of fleet mileage to hybrid or other alternative fuel technology by 2025
      1. **Goal / Target Update:**
        - a. ***Transition 25% or all light-duty administrative vehicles to electric vehicles and plug-in hybrid electric vehicles by 2030 utilizing lease and purchase models and install Electric Vehicle Supply Equipment (e.g., charging stations) (min. Level II or DCFC) at all viable facilities for public and employee use, and encourage municipalities to expand public and private EV charging infrastructure.***
    - ii. Current Target: increase the percentage of employees who are regularly using sustainable commute options to 20 percent by 2025 using employee surveys to measure the percentage increase.
      1. **Goal / Target Update:**
        - a. ***Increase the percentage of employees who are commuting to work via sustainable and alternative modes such as not driving alone, taking transit, walking / biking, carpooling, and***

***teleworking by 50% by 2030, and provide additional incentives and rewards for sustainable and alternative commuting.***

- iii. Current Target: encourage the use of current and upcoming alternative transportation methods including carpooling, MARTA, bus rapid transit, light rail, cycling, and walking to get commuters through the last mile of their destination.

- 1. **Goal / Target Update:**

- a. ***Partner with municipalities to encourage the improvement of last mile connectivity and commuting options through transportation funding investments (T-SPLOST, TIP, etc.).***
    - b. ***Develop partnership to offer an employee and community bikeshare and carshare (EV) program with ownership incentives.***

- b. Current Goal: promote and educate Fulton County residents on local farming programs and community gardening and promote food self-sufficiency and food security for Fulton County residents through local partnerships and educational programs.

- i. Current Target: number of active programs and partnerships related to sustainable food practices, and establish affordable, healthy food options within five miles of every resident. Target sources include community gardens, farmers' markets, or mini organic markets at major transit stops.

- 1. **Goal / Target Update:**

- a. ***Establish affordable, healthy food options within five miles of every resident - community gardens, farmers' markets, or mini organic markets at major transit stops in alignment with the sustainable food and urban agriculture resolution (#21-0779).***

- 3. **Priority Area 3: Sustainability in High-Performance County Buildings**

- a. Current Goal: reduce or divert waste from county facilities sent to landfill, identify composting, natural cleaners, providing eco-friendly options, material reuse, etc., and mitigate the use of polystyrene and plastic bag/plastic straws by vendors at county facilities, parks, and related events.

- i. Current Target: 20% waste diversion by 2025, composting pilot and single-use plastics resolution / policy.

- 1. **Goal / Target Update:**

- a. ***50% waste diversion rate by 2030 through the implementation of additional recycling supplies and education, composting / food donation program for high-priority facilities with food service (Govt. Center, Justice Center, multipurpose sr. centers, annexes) to divert or donate all food waste, policy to divert and reuse 95% of construction and demolition waste from major renovations and new construction projects, and a sustainable purchasing policy such that 100% of office, custodial and hospitality supplies are sustainable and environmentally responsible by 2030.***

- b. Current Goal: create a water efficiency management system to reduce overall municipal potable water use and sewer needs.

- i. Current Target: reduce water consumption 20% by 2025.
  - 1. **Goal / Target Update:**
    - a. ***Reduce water consumption by 30% by 2030 through cost-effective water conservation measures via Water-Smart initiatives, use of EPA WaterSense labeled products, irrigation monitoring and controls, and low-impact landscaping for all facilities utilizing green infrastructure, xeriscaping, rainwater reuse and green building standards.***
- 4. Priority Area 4: Sustainability is Education, Outreach and Green Jobs Training
  - a. Current Goal: collaborate with Workforce Development to train county staff in sustainable programs through other organizations and support sustainable development programs to continue attracting a talented workforce to Fulton County.
    - i. Current Target: number of county employees and residents that become certified as Green Professionals as established during yearly job performance evaluations and number of residents that become certified as Green Professionals per year.
    - 1. **Goal / Target Update:**
      - a. ***Establish a green workforce development training and job placement program available to all residents and county employees in partnership with WorkSource Fulton, prioritizing trainings and funding resources for un/under employed and low-moderate income residents. Train at least 100 people per year and place at least 75% in living wage industry related jobs by 2030.***
- 5. Priority Area 5: Sustainability is Fostering Partnerships for Plan Implementation
  - a. Current Goal: foster partnerships between organizations within Fulton County Government promoting sustainable homes, workplaces, and communities. The new Green Team will drive sustainability through county departmental leadership
    - i. Current Target: number of internal Fulton County sustainability projects / programs initiated and maintained
    - 1. **Goal / Target Update: *create a Fulton County Sustainability Committee consisting of representatives from all municipalities, Board of Commissioners, county departmental leadership and FCCCE / community. Reconstitute and reinvigorate the internal county "Green Team" with leadership from all relevant departments***
- 6. Priority Area 6: Sustainability is Budgetary Appropriation for Plan
  - a. Current Goal: Fulton County Green Purchasing is using purchasing power in the most cost-effective, fair, and environmentally benign way; creating a healthier workplace. Green Purchasing includes implementing a sustainability requirement in the county's request for proposal templates as well as the standardization of environmentally friendly products across all departments.
    - i. Current Target: transition at least 80% of all office and custodial supplies purchased and used annually to "eco-friendly" products, and 100 percent recycled copier paper and 30 percent post-consumer content for all paper products.

1. **Goal / Target Update:**
  - a. *Annual budgetary appropriation to the Sustainability Division in the Department of Real Estate and Asset Management and other applicable departments and divisions, and establishment of a green revolving loan fund to increase capacity, resources and funding for projects and initiatives to make progress on the Sustainability Plan goals and targets.*



FULTON COUNTY GOVERNMENT  
ENERGY & SUSTAINABILITY



## SUSTAINABILITY PLAN UPDATES

ALEX TRACHTENBERG  
ENERGY & SUSTAINABILITY MANAGER  
FEBRUARY 2, 2022



## WHY UPDATE?

- Requested by Chairman Pitts
  - Demonstrate leadership and commitment
  - Increase impact
  - Encourage county municipalities
- Better alignment with Federal Administration and local govt. peers, and opportunities afforded by the Infrastructure Investment and Jobs Act (IIJA)
- Improve / clarify goals with more specific metrics, indicators and strategies
- Progress achievements – ability to build upon efforts and go deeper to increase impact



## PRIORITY AREA 1 – GOALS, TARGETS AND UPDATES

- Sustainability is Climate Change Mitigation
  - Goal / Target: improve energy efficiency of FC facilities, 20% reduction of energy usage by 2025
    - Update: reduce buildings energy usage by 50% by 2030
  - Goal / Target: develop renewable energy pilot project and install project by 2020 (achieved)
    - Update: offset 25% of electricity demand and carbon dioxide emissions by 2030
- Strategies and Initiatives
  - Energy Savings Performance Contract
  - GA Power Commercial Energy Efficiency Program
  - Solar Energy Procurement Agreement
  - Resilience Hubs



## PRIORITY AREA 2 – GOALS, TARGETS AND UPDATES

- Sustainability is Social Equity and Smart Transit
  - Goal: transportation, air quality, and green spaces: reduction of overall vehicle emissions by FC Government vehicles
    - Target: transition 20 percent of fleet mileage to hybrid or other alternative fuel technology by 2025
      - **Update: transition 25% or all light-duty administrative vehicles to electric vehicles and plug-in hybrid electric vehicles by 2030**
  - Target: increase the percentage of employees who are regularly using sustainable commute options to 20 percent by 2025 using employee surveys to measure the percentage increase
    - **Update: increase the percentage of employees who are commuting to work via sustainable and alternative modes such as not driving alone, taking transit, walking / biking, carpooling and teleworking by 50% by 2030**
  - Target: encourage the use of current and upcoming alternative transportation methods including carpooling, MARTA, bus rapid transit, light rail, cycling, and walking to get commuters through the last mile of their destination
    - **Update: partner with municipalities to encourage the improvement of last mile connectivity and commuting options**



## PRIORITY AREA 2 – GOALS, TARGETS AND UPDATES CONT.

- Sustainability is Social Equity and Smart Transit
  - Goal: promote and educate Fulton County residents on local farming programs and community gardening and promote food self-sufficiency and food security for Fulton County residents through local partnerships and educational programs
    - Target: number of active programs and partnerships related to sustainable food practices, and establish affordable, healthy food options within five miles of every resident. Target sources include community gardens, farmers' markets, or mini organic markets at major transit stops
    - **Update: establish affordable, healthy food options within five miles of every resident - community gardens, farmers' markets, or mini organic markets at major transit stops in alignment with the sustainable food and urban agriculture resolution (#21-0779)**



## PRIORITY AREA 2 – STRATEGIES AND INITIATIVES

- Electric and hybrid vehicle lease and/or purchase via statewide contract
- Electric vehicle supply equipment (charging stations) / GA Power Make Ready Program / IIJA
- Sustainable commuting incentives and rewards program
- Transportation funding investments (T-SPLOST, TIP, etc.)
- Partnership to offer an employee and community bikeshare and carshare (EV) program
- Community gardens, farmers' markets, and market stands at county facilities and partner locations (MARTA stations)



## PRIORITY AREA 3 – GOALS, TARGETS AND UPDATES

- Sustainability is High-Performance County Buildings
  - Goal: reduce or divert waste from county facilities sent to landfill, identify composting, natural cleaners, providing eco-friendly options, material reuse, etc., and mitigate the use of polystyrene and plastic bag/plastic straws by vendors at county facilities, parks, and related events
    - Target: 20% waste diversion by 2025, composting pilot and single-use plastics resolution / policy
    - **Update: 50% waste diversion rate by 2030, divert and reuse 95% of construction and demolition waste, and 100% of office, custodial and hospitality supplies are sustainable and environmentally responsible by 2030**
  - Goal: create a water efficiency management system to reduce overall municipal potable water use and sewer needs
    - Target: reduce water consumption 20% by 2025
    - **Update: reduce water consumption by 30% by 2030**



## PRIORITY AREA 3 – STRATEGIES AND INITIATIVES

- Sustainable Purchasing Policy / Environmentally Preferable Purchasing Policy
- Recycling supplies and education
- Composting service / food donation program
- EPA WaterSense labeled products
- Resilience Hubs
- Low-impact landscaping, green infrastructure, rainwater harvesting and green building standards
- City of Atlanta Diverted Water Meter Program



## PRIORITY AREA 4 – GOALS, TARGETS AND UPDATES

- Sustainability is Education, Outreach and Green Jobs Training
  - Goal: collaborate with Workforce Development to train county staff in sustainable programs through other organizations and support sustainable development programs to continue attracting a talented workforce to Fulton County
    - Target: number of county employees and residents that become certified as Green Professionals as established during yearly job performance evaluations and number of residents that become certified as Green Professionals per year
    - **Update: establish a green workforce development training and job placement program. Train at least 100 people per year and place at least 75% in living wage industry related jobs by 2030**
  - Strategies and Initiatives
    - Partnership with WorkSource Fulton and training providers
    - Resilience Hubs



## PRIORITY AREA 5 – GOALS, TARGETS AND UPDATES

- Sustainability is Fostering Partnerships for Plan Implementation
  - Goal: foster partnerships between organizations within Fulton County Government promoting sustainable homes, workplaces and communities. The new Green Team will drive sustainability through county departmental leadership
    - Target: number of internal Fulton County sustainability projects / programs initiated and maintained
    - **Update: create a Fulton County Sustainability Committee consisting of representatives from all municipalities, Board of Commissioners, county departmental leadership and FCCCE / community. Reconstitute and reinvigorate the internal county "Green Team" with leadership from all relevant departments**



## PRIORITY AREA 6 – GOALS, TARGETS AND UPDATES

- Sustainability is Budgetary Appropriation for Plan
  - Goal: Fulton County green purchasing is using purchasing power in the most cost-effective, fair, and environmentally benign way; creating a healthier workplace. Green Purchasing includes implementing a sustainability requirement in the county's request for proposal templates as well as the standardization of environmentally friendly products across all departments
    - Target: transition at least 80% of all office and custodial supplies purchased and used annually to "eco-friendly" products, and 100 percent recycled copier paper and 30 percent post-consumer content for all paper products, products purchased with recycled content from suppliers within 500 miles of Atlanta, and sustainability grant and rebate applications submitted / awarded
    - **Update: annual budgetary appropriation to the Sustainability Division in DREAM and other applicable departments and divisions**
  - Strategies and Initiatives
    - Green Revolving Loan Fund
    - IJA





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0097

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution by the Board of Commissioners of Fulton County to provide initial fiscal resources to fund the Fulton Technology and Energy Enhancement Authority; and for other purposes. **(Abdur-Rahman) (HELD ON 2/2/22)**

1 **RESOLUTION BY THE BOARD OF COMMISSIONERS OF FULTON COUNTY TO**  
2 **PROVIDE INITIAL FISCAL RESOURCES TO FUND THE FULTON TECHNOLOGY**  
3 **AND ENERGY ENHANCEMENT AUTHORITY, AND FOR OTHER PURPOSES.**  
4

5 **WHEREAS**, the Fulton Technology and Energy Enhancement Authority (FTEEA)  
6 was established by House Bill 762 in the 2021 Georgia General Assembly session and  
7 signed into law by Governor Brian Kemp; and  
8

9 **WHEREAS**, the FTEEA founding board members appointed represent Fulton  
10 County, the Metropolitan Atlanta Regional Transit Authority (MARTA), the Atlanta  
11 Regional Commission (ARC), and the Georgia Institute of Technology, with the chairman  
12 of the Board of Commissioners representing the interest of the Board and the County  
13 thereon; and  
14

15 **WHEREAS**, the Board of Commissioners recognizes and supports the mission of  
16 FTEEA to address root causes of poverty in Fulton County, by bridging the digital and  
17 energy divides, and to address various issues that impede improvements in struggling  
18 neighborhoods; and  
19

20 **WHEREAS**, FTEEA will put Fulton County on the map as a national leader in public  
21 sustainable infrastructure, by identifying, targeting, and alleviating the specific elements  
22 relating to the underdevelopment of technological resources and energy burdens which  
23 are causing poverty, increased unemployment rates, and statistics comparable to failing  
24 school rates and underdevelopment in Fulton County's pockets of poverty; and  
25

26 **WHEREAS**, the State of Georgia acknowledged the need of such authority as  
27 FTEEA in the authorizing legislation, *to wit*: "The General Assembly finds that while the  
28 Fulton County is a world-renowned center of technological innovation, pockets exist  
29 throughout the county where technological and energy resources are extremely lacking.  
30 These deficiencies hinder the development or redevelopment of these pockets and lock  
31 the residents of these pockets into poverty by denying them the opportunity for prosperity  
32 and great wealth like other areas of the county," and  
33

34 **WHEREAS** the purpose of the Fulton Technology and Energy Enhancement  
35 Authority is to decrease energy burden in communities with low socio-economic  
36 demographics; increase wealth in communities with high energy burden; and provide  
37 technology and renewable energy workforce development with public-private  
38 partnerships; and  
39

40 **WHEREAS** the median income of said communities is below the national poverty  
41 line; the K-12 public schools in the said communities have D and F ratings based on the  
42 Georgia Board of Education ratings; the cycle of suppression of said communities needs  
43 to stop by providing resources from FTEEA; and  
44

**WHEREAS** the Fulton Technology and Energy Enhancement Authority requires seed funding to establish its initial infrastructure and operations to help the said communities and the people who reside therein, in Fulton County.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners authorizes the allocation of an amount not to exceed \$125,000 for the purposes of aiding and assisting the Fulton Technology and Energy Enhancement Authority in implementing its mission, goals, and objectives as outlined in House Bill 762 from the 2021 session of the Georgia General Assembly: and

**BE IT ALSO RESOLVED**, that the Board of Commissioners directs the County Attorney, the County Manager, and the Chief Financial Officer to confer upon each other and determine the source of funds of which the allocation is to come from and that any such allocation and distribution be legal and compliant under all laws of the State of Georgia and policies and regulations of Fulton County Government; and

**BE IT FURTHER RESOLVED**, that County Manager shall appoint a County staff member to serve as a liaison between the FTEEA and Fulton County and the Board of Commissioners to maintain open lines of communication with updated information on the Authority's progress and work; and

**BE IT FINALLY RESOLVED** that this Resolution shall become effective upon its adoption, and that all resolutions and parts of resolutions in conflict with this Resolution, are hereby repealed to the extent of the conflict.

**PASSED AND ADOPTED** by the Board of Commissioners of Fulton County, Georgia, this            day of January, 2021.

FULTON COUNTY BOARD OF  
COMMISSIONERS

**SPONSORED BY:**

Khadijah Abdur-Rahman, Commissioner  
District 6

**ATTEST:**

1 Tonya R. Grier, Clerk to the Commission

2

3 **APPROVED AS TO FORM:**

4

5

6 

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Soo Jo, County Attorney

7





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0129

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution pursuant to O.C.G.A. ss 15-18-19 (e) (6), 15-6-27(h) and 15-6-28 to approve salary supplements for State paid staff in the office of the District Attorney and State paid staff employed by the Chief Superior Court Judge. **(Hall)**

1     **RESOLUTION PURSUANT TO O.C.G.A. §§ 15-18-19(e)(6), 15-6-27(h) AND 15-6-28**  
2     **TO APPROVE SALARY SUPPLEMENTS FOR STATE PAID STAFF IN THE OFFICE**  
3     **OF THE DISTRICT ATTORNEY AND STATE PAID STAFF EMPLOYED BY THE**  
4     **CHIEF SUPERIOR COURT JUDGE.**  
5

6             **WHEREAS**, O.C.G.A. § 15-18-14 authorizes the District Attorney for the Atlanta  
7     Judicial Circuit to appoint assistant district attorneys whose salaries are paid by the State  
8     and controlled by the State salary schedule and/or rules; and

9             **WHEREAS**, O.C.G.A. § 15-18-14.1 authorizes the District Attorney to appoint  
10    investigators whose salaries are paid by the State and controlled by the State salary  
11    schedule and/or rules; and

12            **WHEREAS**, O.C.G.A. § 15-18-14.2 authorizes the District Attorney to appoint  
13    other personnel whose salaries are paid by the State and controlled by the State salary  
14    schedule and/or rules; and

15            **WHEREAS**, O.C.G.A. § 15-6-28 authorizes the Chief Superior Court Judge to  
16    employ either a law assistant or court administrator whose salary is paid by the State and  
17    controlled by the State salary schedule and/or rules; and

18            **WHEREAS**, the Board of Commissioners of Fulton County, the governing authority  
19    for the county comprising the whole of the Atlanta Judicial Circuit, has been authorized to  
20    supplement the State salaries of assistant district attorneys, investigators and other  
21    personnel employed by the District Attorney pursuant to O.C.G.A. § 15-18-19(e)(6), and  
22    law assistants and court administrators employed by the Chief Superior Court Judge  
23    pursuant to O.C.G.A. § 15-6-27(h); and

24            **WHEREAS**, effective January 1, 2016, pursuant to O.C.G.A. § 15-18-10.1, any  
25    supplement by Fulton County for assistant district attorneys, investigators and other  
26    personnel paid by the State shall not exceed \$50,000; and

27            **WHEREAS**, there is no statutory cap on the amount of the supplement for State-  
28    paid law assistants and court administrators; and

29            **WHEREAS**, on January 6, 2021, the Board of Commissioners, via Resolution No.  
30    21-0024, authorized supplements for only State-paid assistant district attorneys, but not  
31    other State-paid personnel of the District Attorney; and

1           **WHEREAS**, on February 6, 2018, the Board of Commissioners, via Agenda Item  
2 No. 18-0079, authorized a supplement for a court administrator position for the Superior  
3 Court in the amount of \$21,203.

4           **WHEREAS**, the Board of Commissioners recognize that State-paid personnel  
5 employed in the District Attorney's Office and the Superior Court are necessary and  
6 contribute to the success of the justice system in the Atlanta Judicial Circuit; and

7           **WHEREAS**, the salaries paid by the State are not as competitive as the salaries  
8 offered by Fulton County for similar County-funded positions; and

9           **WHEREAS**, the Board of Commissioners believes that providing a supplement  
10 funded by Fulton County as allowed by law for those State-paid positions would help  
11 attract and retain staff in the Office of the District Attorney and the Superior Court; and

12           **WHEREAS**, allowing county supplements for State-paid positions in the District  
13 Attorney's Office and the Superior Court to be processed pursuant to this Resolution in  
14 lieu of making individualized requests to the Board of Commissioners promotes efficiency  
15 in government.

16           **NOW, THEREFORE, BE IT RESOLVED** that Fulton County may, at the request  
17 of the District Attorney of the Atlanta Judicial Circuit, supplement the salaries of  
18 individuals in State-paid positions, not to exceed the amount allowed by law.

19           **BE IT FURTHER RESOLVED** that any salary supplements for the District  
20 Attorney's State-paid positions that are \$50,000 or more shall not be increased further  
21 absent a higher amount allowed by law.

22           **BE IT FURTHER RESOLVED** that Fulton County may, at the request of the Chief  
23 Superior Court Judge of the Atlanta Judicial Circuit, supplement the salary of the  
24 individual in the State-paid law assistant position or court administrator position.

25           **BE IT FURTHER RESOLVED** that any salary supplement authorized by this  
26 Resolution shall be contingent on the availability of funds within the applicable budget.

27           **BE IF FURTHER RESOLVED** that this Resolution shall be retroactive to January  
28 1, 2021.

29           **BE IT FINALLY RESOLVED** that all resolutions and parts of resolutions in conflict  
30 with this Resolution are hereby repealed to the extent of the conflict.

31           **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**FULTON COUNTY  
BOARD OF COMMISSIONERS**

**Sponsored by:**

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Natalie Hall  
Commissioner, District 4

**ATTEST:**

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Tonya R. Grier  
Clerk to the Commission

**APPROVED AS TO FORM:**

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Y. Soo Jo  
County Attorney

P:\CALegislation\District Attorney\02.04.22 Resolution\_DA and SupCt staff supplement.docx





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0130

**Meeting Date:** 2/16/2022

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### Department

External Affairs

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Presentation of 2022 Legislative Agenda.

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Request Approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

### Commission Districts Affected

All Districts ☒

District 1 ☐

District 2 ☐

District 3 ☐

District 4 ☐

District 5 ☐

District 6 ☐

### Is this a purchasing item?

No

### Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

### Scope of Work:

### Community Impact:

**Department Recommendation:** Recommend Approval.

### Project Implications:

### Community Issues/Concerns:

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**Agenda Item No.:** 22-0130

**Meeting Date:** 2/16/2022

---

**Department Issues/Concerns:**





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0131

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

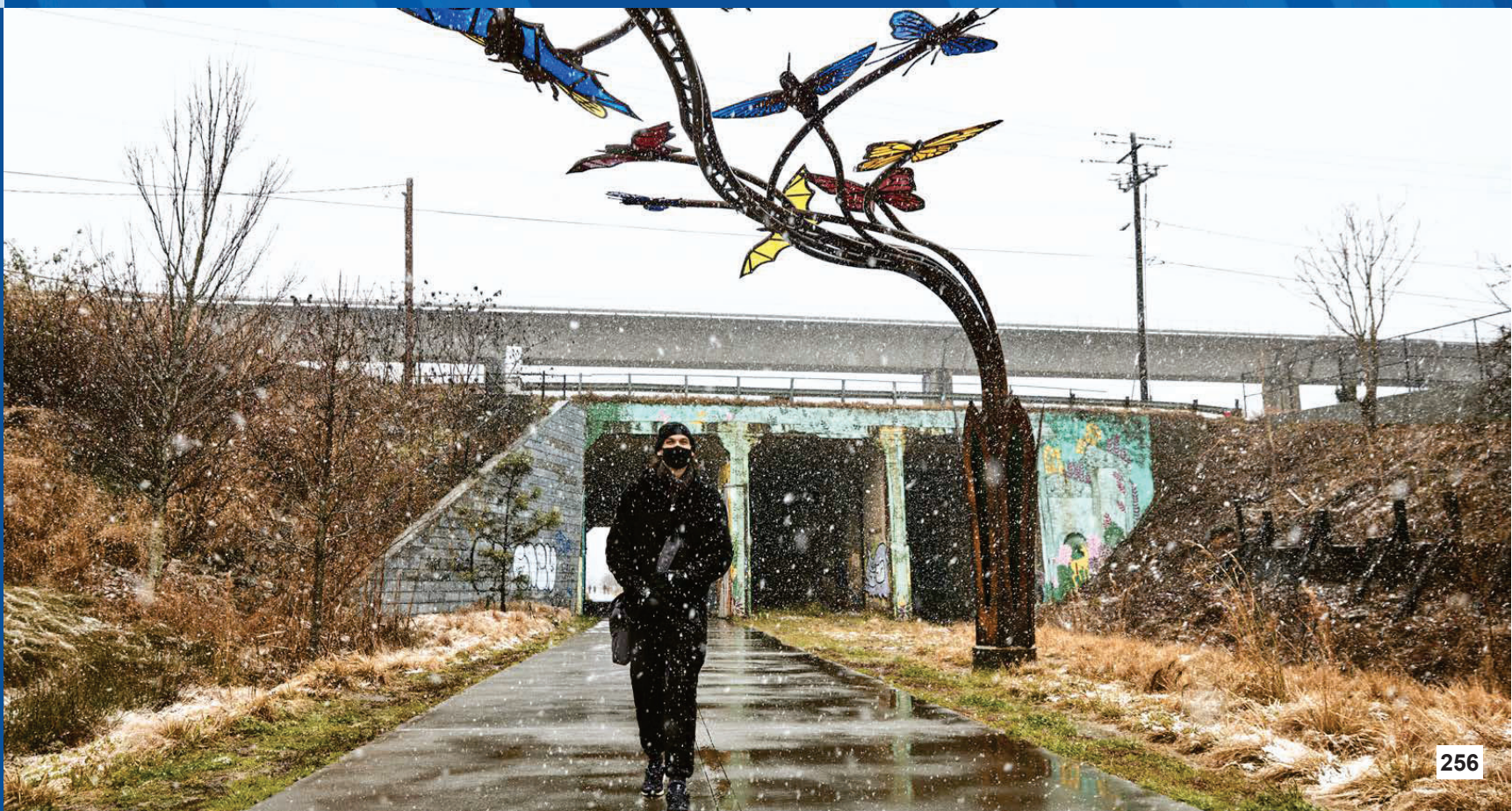
Discussion: Atlanta BeltLine, Inc. February 9, 2022 CEO Report **(Morris)**



# CEO REPORT

Atlanta  
BeltLine, Inc.  
Board of  
Directors  
Meeting

February 9, 2022





# MOMENT OF SILENCE

Jeffery A. Parker,  
CEO of MARTA





# ATLANTA BELTLINE VISION





# AFFORDABLE HOUSING

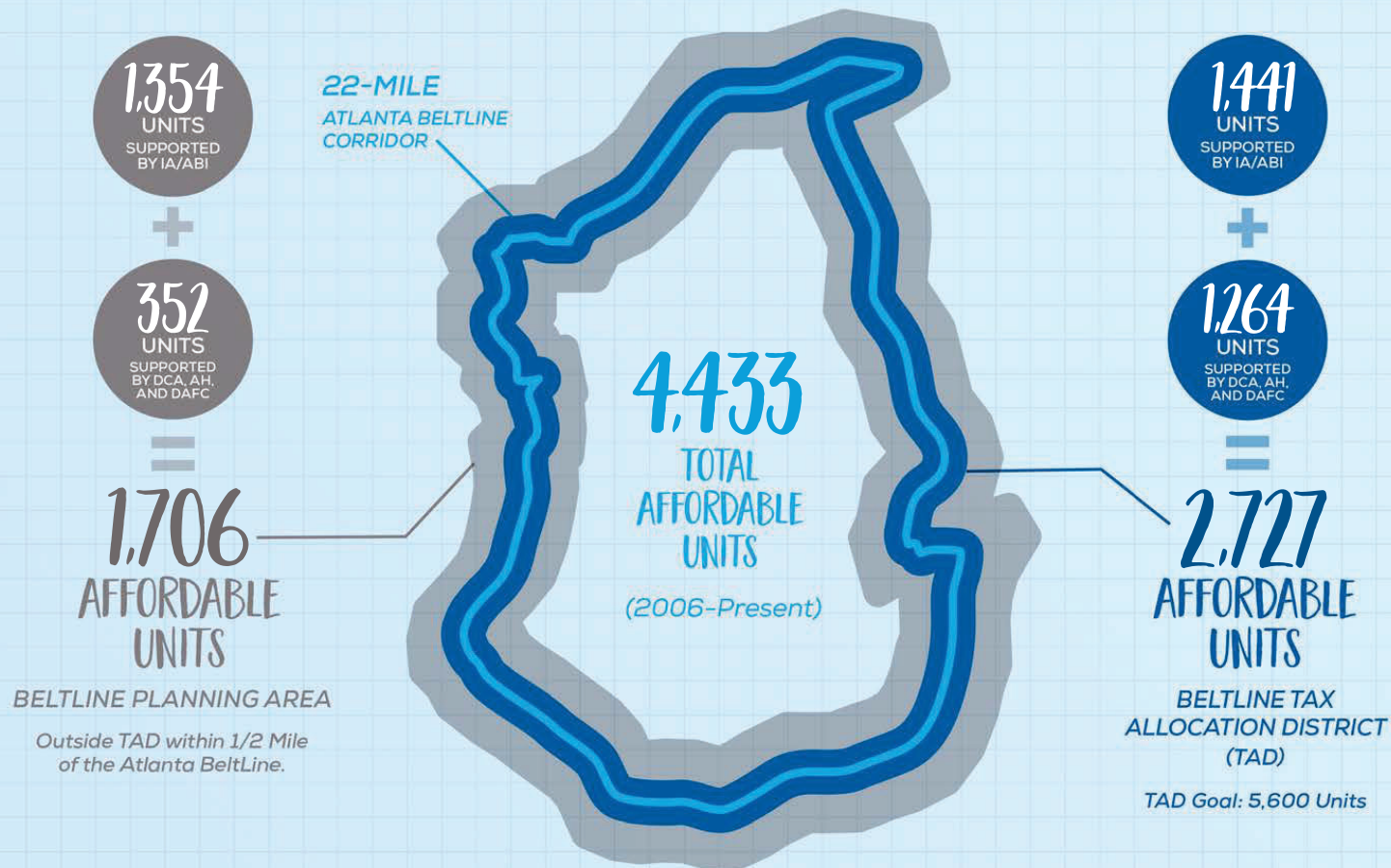
## AFFORDABLE UNITS CREATED/PRESERVED

TAD and Planning Area boundaries are represented here for illustrative purposes only.

For precise boundary lines, please visit:  
[beltline.org/map](http://beltline.org/map)

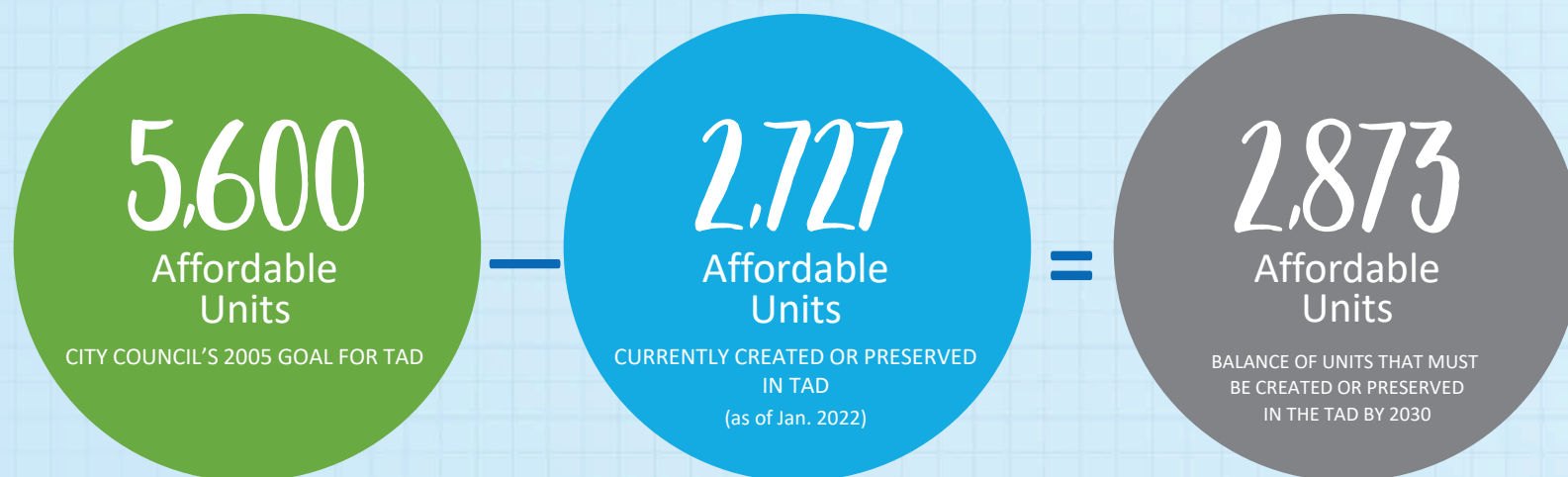
### CHART LEGEND >>

ABI	Atlanta BeltLine
AH	Atlanta Housing
DAFC	Development Authority of Fulton County
DCA	Department of Community Affairs
IA	Invest Atlanta





# HOUSING AFFORDABILITY: TAD SCORECARD





# AFFORDABLE HOUSING CREATED/PRESERVED

## Atlanta BeltLine Affordable Housing Locations: 4,433 Total Units

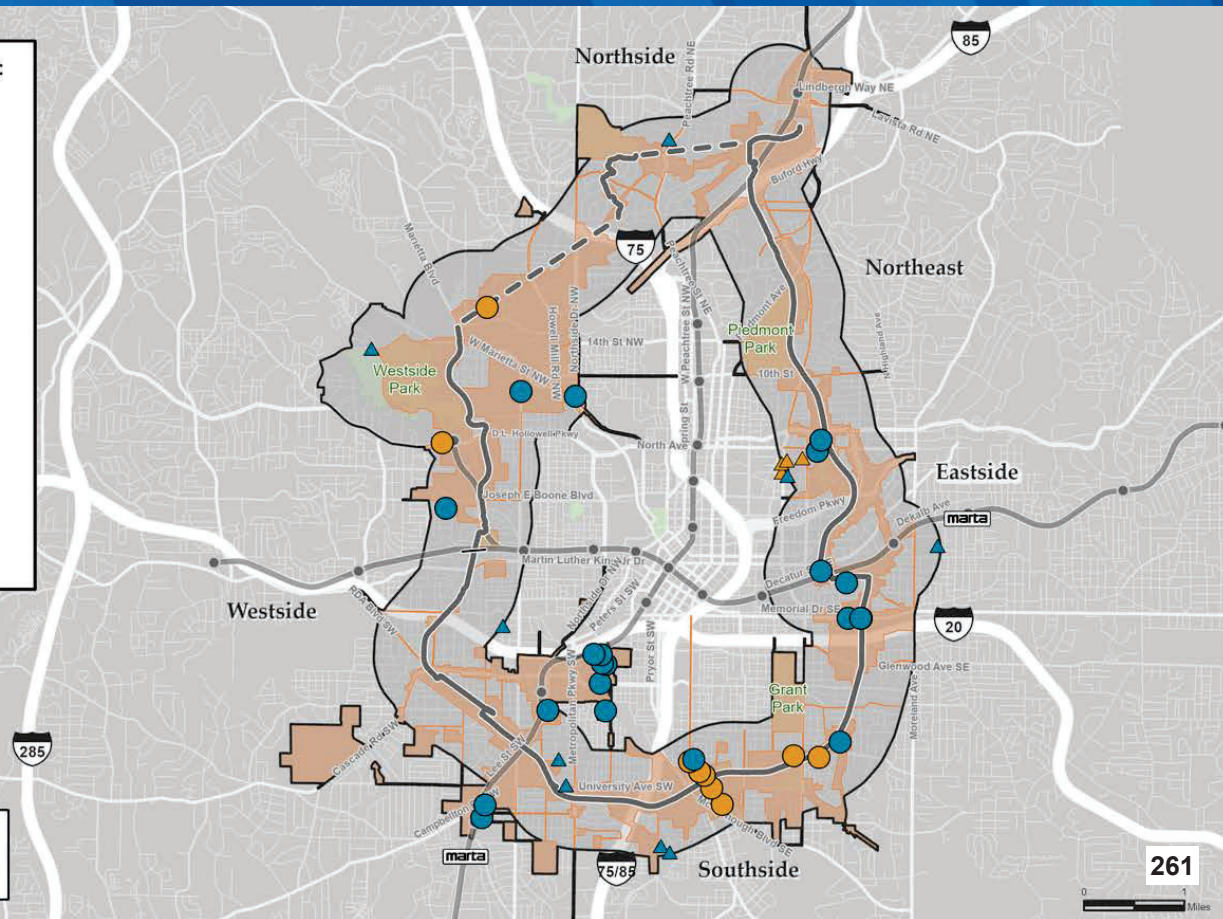
	In TAD	In BPA
Completed		
Under Construction		
<b>Total Units</b>	<b>2,727</b>	<b>1,706</b>

- Atlanta BeltLine Trail Corridor
- Atlanta BeltLine Tax Allocation District (TAD)
- Atlanta BeltLine Planning Area (BPA)

### Total affordable units includes:

- Developments supported by partners including IA, DCA, AH, COA and DAFC
- Single family units created/preserved
- 640 units attributable the City of Atlanta Inclusionary Zoning Program (In TAD: 443, In BPA: 197)

Atlanta BeltLine Affordable Housing  
Updated: February 2022





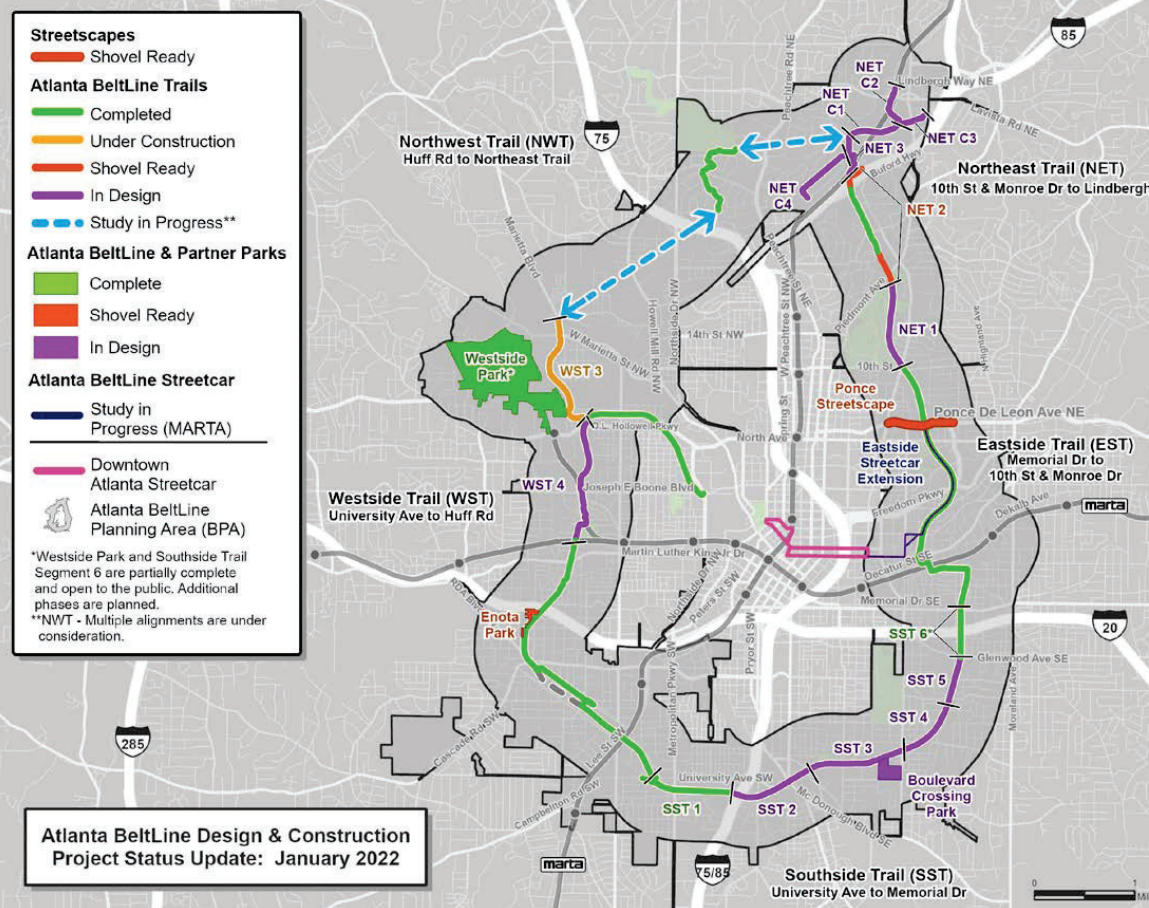
# TRAIL UPDATES

Northeast Trail

Northwest Trail

Westside Trail

Southside Trail





# ECONOMIC DEVELOPMENT

ABI's Business Façade pARTnership Grant now in its second. The year's cohort includes three local businesses receiving façade improvement assistance from local artists.

1. Business: CreateATL (Beam Imagination, LLC)

Artist Partner: Tina Hofer Medico

2. Business: Pegleg Studio, LLC

Artist Partner: Lance Darden

3. Business: Carver Market

Artist Partner: George Baker

Each business received a grant of \$40,000 to assist in completing the façade upgrade. Our Economic Development team will explore ways to scale the program to meet growing.





# QUESTIONS?







# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0132

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion: Update of activities of the City of Atlanta and Fulton County Recreation Authority (AFCRA). **(Arrington)**

**The City of Atlanta and Fulton County Recreation Authority ("AFCRA")  
Board of Directors Meeting  
1 State Farm Drive, Atlanta, Georgia 30303**

**July 6, 2021  
8:30 a.m.**

After providing proper public notice, the City of Atlanta and Fulton County Recreation Authority ("AFCRA") held a Board of Directors Meeting on Tuesday, July 6, 2021, at 1 State Farm Drive, Atlanta, Georgia 30303

**Board Members:**

*Present:*

Chairperson, William K Whitner, Esq.  
Vice Chairperson, Michael Green  
Treasurer, Commissioner Bob Ellis  
Secretary, Ronald W. Sims, II  
Commissioner Marvin Arrington, Jr. Esq.  
Michelle Falconer  
Cathy Hampton, Esq.  
Commissioner Robb Pitts  
E. Carl Touchstone, Esq.

*Absent:* None

*Quorum Present:* Yes

**Authority Representatives:**

Kerry Stewart, Executive Director  
Vivienne Kerr, Executive Assistant  
Derrick Cannon, AFCRA Bookkeeper  
Alvin Kendall, Esq., The Kendall Law Firm, Consultant for AFCRA  
Douglass Selby, Esq., Hunton Andrews Kurth LLP, AFCRA Legal Counsel  
Yeshake Yilma, Hunton Andrews Kurth LLP

**Guests:**

Matt Blakely, Fulton County Communications Director

**Proceedings:**

Chairperson Whitner called the meeting to order at 8:44 a.m.

**Minutes:**

Ms. Hampton made a motion to approve the May 10, 2021, meeting minutes as written. Mr. Sims second the motion. NO Abstentions. Motion CARRIED.

**Executive Director's Report**

Mayor's Youth Scholarship Program 2021

Mr. Stewart presented the sponsorship package for the 2021 Mayor's Cup Golf Tournament to be held on August 16, 2021 at the East Lake Golf Club. The program has been in place for 16 years, and proceeds from the tournament go to the mayor's youth scholarship program which provides funds to support Atlanta Public School student's post-secondary college expenses.

Mr. Pitts asked how much money has been raised, scholarships awarded and if the program serves Fulton County. Mr. Stewart replied that over \$500,000.00 has been raised, over 3,200 have benefited from the scholarship. Currently, the funds are awarded to Atlanta Public School students and Fulton County students if they have a recommendation from a City of Atlanta employee or lives in the city limits.

Mr. Sims made a motion to approve the 2021 Mayor's Youth Scholarship award in the amount of \$20,000.00. Mr. Touchstone second the motion. No abstentions. Motion CARRIED.

**Grounds, Facilities and Security Committee Report**

John A. White Park Golf Course and First Tee Update

Mr. Sims gave an update on the operations at the golf course. JAW has submitted a sustainability plan that includes the removal of 300-400 trees. The Grounds committee was not in favor of the removal of that volume of trees and subjected approval based on the Arborists recommendations. The park's Executive Director, Mr. Marvin Hightower, confirmed that only 10% of the trees would be removed. Mr. Sims further explained that it has been several years since matters of this nature have been addressed at the park. JAW will replace the grass and add artificial teeing ground to the back of the practice driving range.

The Grounds Committee moved for approval of the Phase I and Phase II of the plan in the amount of \$323,000.00. Ms. Falconer second the motion. No Abstentions. Motion CARRIED.

Community Learning Center

Mr. Stewart presented renderings for the learning center. He will update the board with new developments on the progression of the project.

**State Farm Arena**Capital Improvement Request

Mr. Stewart presented the Atlanta Hawks capital request. He had The Walters Consulting Group review and make its recommendations. The funds in the capital improvement accounts total \$4.4 million dollars, but the items presented total \$7.9 million dollars. The Hawks plan to cover the difference.

Mr. Stewart recommends approval of time sensitive items that involve employee and fan experience.

Mr. Kendall added that historically the improvements are completed over a two-to-three-year period and asks if the items were going to be completed now or 2 to 3 years from today. Mr. Selby added that in the past, the team has been asked to provide a long-range plan of two to five years.

Chairperson Whitner spoke with Mr. Steve Koonin, Chief Executive Officer, Atlanta Hawks, who forecasts a lot of capital improvements needed post renovation. There are maintenance items that need to be addressed.

For the sake of time, Mr. Stewart asked The Walters Consulting Group for a bullet point report to present at today's meeting and provide a full report to include photos of the capital items, later.

Chairperson Whitner recommends Mr. Stewart work along with Mr. Kendall to determine an authorized amount of what needs improvement.

Mr. Arrington made a motion to approve the Atlanta Hawks capital request up to \$4.4 million dollars based on Mr. Stewart, Mr. Kendall and The Walters Consulting Group's list of items that should be included. Mr. Touchstone second the motion. No Abstentions. Motion CARRIED.

Statement of Gross Revenues

Mr. Stewart presented the Atlanta Hawks' 12-month gross revenue report for the period ended March 31, 2021. The ratio is right at the 1.5X threshold. An amount lower than this would create a shortfall trigger, in which case, the team would need to provide a letter of credit or cash to cover the shortfall. The June 30, 2021 year-end audited report will provide updated financial data.

He further explained that there will be an increase in events over the next two years that will help boost revenue to levels before the COVID-19 pandemic.

**Fanplex**Renovation/Repurpose

Mr. Stewart discussed plans of renovation to the facility to make way for affordable housing and community space for area residents. He will need to research ownership of some of the lots surrounding the facility.

Mr. Pitts asked if the rationale is to develop or sell the property. Mr. Kendall added that a developer would have to be sought if plans to move forward with renovation occur. He also mentioned that Georgia State University has the First Right of Refusal should AFCRA decide to sell Fanplex.

Mr. Stewart stated that AFCRA would enter into an agreement with a developer for a long-term lease of the facility.

Chairperson Whitner asked that Mr. Selby's office follow-up on the legalities of development of the property. In the meantime, Mr. Stewart will continue to explore development possibilities.

**AFCRA Parking Lots and Land**UniverSoul Circus

The Grounds Committee approved UniverSoul Circus' use of the gray lot as follows:

- Rehearsals January 3 – January 25
- Shows January 26 - March 13
- Strike March 14 to March 16

Reef Technology Proposal to use the Satellite Lot for food Delivery Services and Access to Fanplex for use of the Restroom

The Grounds Committee moved to approve Reef Technology the use of the Satellite lot provided they find other means of bathroom services. Mr. Arrington proposes they rent the entire facility. The motion was not seconded. No Abstentions. Motion FAILED.

Media Lot Use

Due to the Atlanta Fair operations, Mr. Stewart offered Marvel Productions use of the Media lot to continue with COVID-19 testing. Georgia State University ("GSU") has submitted dates that it would like to use the lot in late fall and will present a conflict. Mr. Stewart noted that an agreement has not been entered into with GSU

Mr. Pitts was asked by a state representative Margaret Kaiser, if the lot could be used by Zoo Atlanta to park busses gratis. Mr. Kendall explained that the lot was offered to them on a rental basis, and they declined. Ms. Falconer suggests they all submit an offer for consideration.

Mr. Ellis is opposed to not allowing GSU use of the lot, but that AFCRA make accommodations.

Mr. Kendall recommends Mr. Stewart devise a plan that would allow both Marvel Productions and GSU use of the lot during Fall/Winter 2021.

**Grant Park Parking Assets**Quarterly Operations Review

Mr. Stewart gave a brief overview of operations and revenue generated at the park.

Increase in Number of Security Guards

Due to the volume of incidents, the Grounds Committee moved to allow the addition of two security guards and an added shift. Ms. Falconer second the motion. No Abstentions. Motion CARRIED.

### **Community Recreation Special Project Committee("CRSP") Report**

#### **Donation Requests**

The CRSP moved for approval of the following requests:

1. Atlanta Bicycle Coalition – The purchase of 70 adult and child bikes at \$30,500.00. Mr. Ellis second the motion. No Abstentions. Motion CARRIED.
2. Quick Silver Track Club – Purchase of new uniforms and equipment at \$25,000.00. Ms. Falconer second the motion. No Abstentions. Motion CARRIED.
3. Swim South Aquatics – Purchase of scoreboard clocks at \$14,000.00. Ms. Falconer second the motion. No Abstentions. Motion CARRIED.
4. Cascade Youth Organization (CYO) – Registration Fees at \$15,000.00. Mr. Arrington second the motion. No Abstentions. Motion CARRIED.
5. Mentoring Viable Prospects (MVP) – 15<sup>th</sup> annual baseball tournament scholarships at \$15,000.00. Ms. Falconer second the motion. No Abstentions. Motion CARRIED.

Ms. Falconer and Mr. Pitts suggest better advertisement of fund availability for community recreation projects.

### **Adjournment**

There being no further business, the meeting adjourned at 10:15 a.m.

Certified by: \_\_\_\_\_//s//\_\_\_\_\_  
Ronald W. Sims, II, Secretary





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0133

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion: Safety and security of Fulton County employees, staff and officers; the process of allocation and approval of resources for protection thereof. **(Abdur-Rahman)**





# Fulton County Board of Commissioners

## Agenda Item Summary

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**Agenda Item No.:** 22-0134

**Meeting Date:** 2/16/2022

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**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion: IT Roadmap Update **(Hall)**