



Administrative Services Committee Commission Chamber- 7/11/2017- 1:15 PM
Meeting

ADMINISTRATIVE SERVICES

1. Discuss locating a permanent James Brown memorabilia display in the gate area of Augusta Regional Airport. This would include relocating the display currently housed in the main entrance to the airport to the gate area. **(Commissioner M. Williams & Mayor Davis)**  [Attachments](#)
2. Motion to designate the corridor between 8th Street and 9th Street from Laney Walker Blvd to Reynolds St as the James Brown Heritage Trail. **(Commissioner M. Williams & Mayor Davis)**  [Attachments](#)
3. Motion to amend phase II James Brown Blvd sidewalk project to include painted record images of the Godfather of Soul's greatest hits. Painted record images would be located on both sides of the street along James Brown Blvd. **(Commissioner M. Williams & Mayor Davis)**  [Attachments](#)
4. Receive project update on Riverwalk paint and cleanup efforts from Central Services, Parks and Recreation and Administrator. **(Mayor Davis)**  [Attachments](#)
5. Discuss parking proposal for Municipal Bldg employees and visitors. **(Mayor Davis)**  [Attachments](#)
6. Provide status update on Augusta implementation of What Works Cities agreement. **(Mayor Davis)**  [Attachments](#)
7. Approve request for five (5) Assistant District Attorney (ADA's) positions.  [Attachments](#)
8. Discuss appointing a subcommittee to develop an appropriate evaluation tool for the Administrator. **(Requested by Commissioner Dennis Williams)**  [Attachments](#)

9. Motion to approve the minutes of the Administrative Services Committee held on June 13, 2017.  [Attachments](#)
10. Approve New Position in the Juvenile Court (Administrative Assistant II, Salary Grade 43).  [Attachments](#)
11. Motion to **approve** requiring all Augusta, GA employees to sign a statement of acknowledgement concerning Augusta, GA Rules and Regulations on the destruction, theft, or unauthorized use or removal of Augusta, GA property. **(Requested by Commissioner Sean Frantom)**  [Attachments](#)
12. Motion to approve amendment to Augusta, Georgia Procurement Code to include the adoption of Public-Private Partnership (P3) “Unsolicited Proposals”.  [Attachments](#)

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**Administrative Services Committee Meeting
7/11/2017 1:15 PM
James Brown Memorabilia**

Department:

Presenter: Commissioner M. Williams & Mayor Davis

Caption: Discuss locating a permanent James Brown memorabilia display in the gate area of Augusta Regional Airport. This would include relocating the display currently housed in the main entrance to the airport to the gate area. **(Commissioner M. Williams & Mayor Davis)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

Lena Bonner

From: Mayor Hardie Davis, Jr.
Sent: Thursday, July 06, 2017 3:23 AM
To: Lena Bonner
Cc: Marcus Campbell; Jessica Buffkin; Tonia Gibbons; Commissioner Marion Williams
Subject: Agenda Items for July 11

Ms. Bonner:

Good morning. Please add the following items to the agenda for next weeks' committee meetings as noted below.

Administrative Services

1. Discuss locating a permanent James Brown memorabilia display in the gate area of Augusta Regional Airport. This would include relocating the display currently housed in the main entrance to the airport to the gate area. **(Commissioner M. Williams & Mayor Davis)**
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5. Discuss parking proposal for Municipal Bldg employees and visitors. **(Mayor Davis)**
6. Provide status update on Augusta implementation of What Works Cities agreement. **(Mayor Davis)**

Thank you,

Mayor Davis

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Item # 1



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
James Brown Heritage Trail**

Department:

Presenter: Commissioner M. Williams & Mayor Davis

Caption: Motion to designate the corridor between 8th Street and 9th Street from Laney Walker Blvd to Reynolds St as the James Brown Heritage Trail. **(Commissioner M. Williams & Mayor Davis)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

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Item # 2



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
Amend Phase II James Brown Blvd.**

Department:

Presenter: Commissioner M. Williams & Mayor Davis)

Caption: Motion to amend phase II James Brown Blvd sidewalk project to include painted record images of the Godfather of Soul's greatest hits. Painted record images would be located on both sides of the street along James Brown Blvd. **(Commissioner M. Williams & Mayor Davis)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

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Item # 3



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
Update Riverwalk Cleanup**

Department:

Presenter: (Mayor Davis)

Caption: Receive project update on Riverwalk paint and cleanup efforts from Central Services, Parks and Recreation and Administrator.
(Mayor Davis)

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

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Item # 4



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
Municipal Bldg. Parking Proposal**

Department:

Presenter: (Mayor Davis)

Caption: Discuss parking proposal for Municipal Bldg employees and visitors. **(Mayor Davis)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

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Accounts:**

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Item # 5



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
What Works Cities Agreement**

Department:

Presenter: (Mayor Davis)

Caption: Provide status update on Augusta implementation of What Works Cities agreement. **(Mayor Davis)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

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in the Following
Accounts:**

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Item # 6



Administrative Services Committee Meeting
7/11/2017 1:15 PM
District Attorney's Office - Request for Personnel

Department: District Attorney

Presenter: Natalie S. Paine

Caption: Approve request for five (5) Assistant District Attorney (ADA's) positions.

Background: Two events in 2011 significantly increased court demands on the District Attorney's Office. First, on April 1st, our judge count increased from five to six, to seven on October 1st to eight on April 1, 2012. Second was the opening of the Judicial Center which increased courtrooms from two to eight. Our attorney staffing have maintained the same level, i.e. 22 ADA's, since 2012. Three additions in 2013, 2014 and 2015 are attributable to Juvenile Court, Accountability Court and Juvenile Court, respectively. In 2008, our ADA population totaled 20.

Analysis: With Judge David Roper's retirement in January 2017 and his appointed successor former District Attorney Ashley Wright, his three-county caseload was redistributed among the other seven judges which increased their case counts exponentially. As a result, the two ADA's assigned to the Roper Team were reassigned to other teams; the third team member was DA Wright. Continually adding to each judge's case count is due to Judge Wright's exclusion from the assignment/rotation of criminal cases until September 2017. Court appearances have dramatically increased in the past five years. Expansion of Accountability Courts from one to three, i.e. Drug Court, Veteran's Court and Mental Health Court. With Burke County building a new courthouse and Columbia County expanding theirs, additional courtrooms are included in construction. Of 25 ADA's, 15 have less than three years of experience as a prosecutor.

Financial Impact: With a base salary of \$53,674.00, benefits would increase this amount to \$69,134.00 x 5 for a total of \$345,670.00. As circuit-wide positions, Burke and Columbia Counties are accountable for their customary percentages of 6.7% at \$23,160 and 35.66% at \$123,266, respectively to Richmond County's 57.64% at \$199,244.

annually.

Alternatives: No alternatives realistically exist.

Recommendation: Approve these five ADA positions for six months of funding in 2017 as well as their inclusion in the District Attorney's Office yearly budgets thereafter.

Funds are Available in the Following Accounts: Approximately \$50,000 has been identified from the District Attorney's Office 2017 Budget. The balance would need to come from another funding source. forwarded for discussion - dbw

REVIEWED AND APPROVED BY:

Clerk of Commission



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
Evaluation tool for Administrator**

Department:

Presenter:

Caption: Discuss appointing a subcommittee to develop an appropriate evaluation tool for the Administrator. **(Requested by Commissioner Dennis Williams)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
Minutes**

Department: Clerk of Commission

Presenter:

Caption: Motion to approve the minutes of the Administrative Services Committee held on June 13, 2017.

Background:

Analysis:

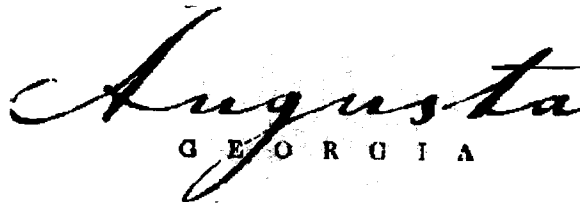
Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



Administrative Services Committee Meeting Commission Chamber - 6/13/2017

ATTENDANCE:

Present: Hons. M. Williams, Chairman; Jefferson, Vice Chairman; Davis and D. Williams, members.

Absent: Hon. Hardie Davis, Jr., Mayor.

ADMINISTRATIVE SERVICES

1. Presentation by Dr. William T. Bass regarding a Gift for Augusta.

**Item
Action:
Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information. Motion Passes 4-0.	Commissioner Mary Davis	Commissioner Andrew Jefferson	Passes

2. Discuss evaluation tool for Administrator Janice Jackson. (Requested by Commissioner Sean Frantom)

**Item
Action:
Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information. Motion Passes 4-0.	Commissioner Dennis Williams	Commissioner Andrew Jefferson	Passes

3. Motion to approve the minutes of the Administrative Services Committee held on May 30, 2017.

**Item
Action:
Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner Dennis Williams	Commissioner Andrew Jefferson	Passes

4. Motion to **approve** revised Rocky Creek Enterprise Zone Ordinance.

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

5. Discuss/update from the Administrator regarding the investigation relative to city-owned equipment used by city employees on private property in Lincoln County. **(Requested by Commissioner Marion Williams)**

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information. Motion Passes 4-0.	Commissioner Dennis Williams	Commissioner Mary Davis	Passes

www.augustaga.gov



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
New Position**

Department:	Juvenile Court
Presenter:	Patti Strength
Caption:	Approve New Position in the Juvenile Court (Administrative Assistant II, Salary Grade 43).
Background:	Judge Heath was appointed as Juvenile Court Judge October 2016. The person selected to fill this position will work as Judge Heath's Assistant. He / She will prepare the Judges Court Calendar; Court Orders as required; as well as Office Correspondence for Judge Heath.
Analysis:	No additional funding required for this position. Will be using funding from approved budget.
Financial Impact:	The need for the Administrative Assistant II will be reporting to Judge Heath and will be a Salary Grade 43 at \$32,019.00,plus benefits.
Alternatives:	Not to Approve New Position
Recommendation:	Approve New Position as Indicated
Funds are Available in the Following Accounts:	Transfer Funds from 101-02-2110 / 5224111 (building rental) to 101-02-2110 / 5111110 (salaries and wages)

REVIEWED AND APPROVED BY:



Administrative Services Committee Meeting
7/11/2017 1:15 PM
Statement of Disclosure

Department:

Presenter: Commissioner Sean Frantom

Caption: Motion to **approve** requiring all Augusta, GA employees to sign a statement of acknowledgement concerning Augusta, GA Rules and Regulations on the destruction, theft, or unauthorized use or removal of Augusta, GA property. **(Requested by Commissioner Sean Frantom)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
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Accounts:**

REVIEWED AND APPROVED BY:

**STATEMENT OF ACKNOWLEDGMENT
OF THE AUGUSTA, GEORGIA PROPERTY RULES AND REGULATIONS**

Augusta, Georgia Rules and Regulations prohibit all employees from the intentional destruction, theft, or unauthorized use or removal of Augusta, Georgia property or assets for personal use. (See PPPM, Table I, Recommended Guidelines for Disciplinary Actions, EV-12). Augusta, Georgia Rules and Regulations also prohibit the intentional destruction, theft or unauthorized removal, possession, or use of Augusta, Georgia property, tools, or equipment without consent. (See PPPM, Table I, Recommended Guidelines for Disciplinary Actions, EV-13). The violation of said rules and regulations shall result in discipline in accordance with the Augusta, Georgia Rules and Regulations, which may range from a written reprimand to termination. However, appropriate discipline under the Augusta, Georgia Rules and Regulations shall not preclude Augusta, Georgia from pursuing criminal charges and civil remedies against an employee for these violations.

By signing below, you are acknowledging understanding of these policies and their disciplinary action as provided by Augusta, Georgia Rules and Regulations and return to the Human Resources Department for inclusion in your personnel file within thirty (30) days of receipt.

(Printed Name & Employee I.D. No.)

(Signature)

(Department)

(Date)



**Administrative Services Committee Meeting
7/11/2017 1:15 PM
Unsolicited Proposals**

Department: Procurement

Presenter: Geri Sams

Caption: Motion to approve amendment to Augusta, Georgia Procurement Code to include the adoption of Public-Private Partnership (P3) "Unsolicited Proposals".

Background: Georgia Governor Nathan Deal signed into law new public-private partnership (P3) legislation, the Partnership for Public Facilities and Infrastructure Act (SB 59) (the Act) on May 5, 2015. The Act allows state and local government entities to collaborate with private entities on "qualifying projects," broadly meaning any project deemed to meet a public purpose or public need and satisfying those requirements set forth under the Act. On July 2016 the State of Georgia through ACCG release a Model template that local government could opt to follow. At Commission regular meeting held on Tuesday, February 21, 2017 approved authorization request for the Procurement and Law Departments to review and update the Procurement Code to incorporate recent changes in State Law regarding partnership for Partnership for Public Facilities and Infrastructure Act (SB 59). Attached is an ORDINANCE TO AMEND THE AUGUSTA, GOERGIA CODE TITLE ONE CHAPTER TEN ARTICLE SEVEN SECTION 1-10-66 GUIDELINES; SECTION 1-10-67 TIME PERIOD FOR RECEIVING UNSOLICITED PROPOSALS AND FORMAT FOR SUBMISSIONS; SECTION 1-10-68 PROCEDURES FOR THE FINANCIAL REVIEW AND ANALYSIS OF AN UNSOLICITED PROPOSAL; SECTION 1-10-69 CRITERIAL FOR IDENTIFYING AND APPOINTING ADVISORS; SECTION 1-10-70 CRITERIA FOR DETERMINING FEES; SECTION 1-10-71 PROCEDURES FOR DETERMINING RELEASE OF INFORMATION CONTAINED IN UNSOLICITED PROPOSALS; SECTION 1-10-72 REQUEST FOR PROPOSALS; SECTION 1-10-73 PROCEDURES FOR POSTING AND PUBLISHING NOTICE OF THE OPPORTUNITY TO OFFER COMPETING PROPOSALS; SECTION 1-10-74 PROCEDURES FOR PROCESSING, REVIEW AND CONSIDERATION OF

COMPETING PROPOSALS; SECTION 1-10-75 TERMS AND DEFINITIONS; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE AND FOR THE OTHER PURPOSES PROVIDED HEREIN. REQUIRE TWO READINGS.

Analysis: All power of authority granted under the Act to public entities is in addition to and supplemental to, and not in substitution for, the powers conferred by any other general, special, or local law. Remember, the Act does not apply to all procurement projects. For instance, state or local government entities that proceed with procurement pursuant to competitive sealed bidding or any other traditional purchasing options available under existing law are not required to comply with this Act.

Financial Impact: None Currently

Alternatives: N/A - State Statue

Recommendation: Approval of the Ordinance

**Funds are Available
in the Following
Accounts:** N/A

REVIEWED AND APPROVED BY:

**Finance.
Law.
Administrator.
Clerk of Commission**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE AUGUSTA, GEORGIA CODE TITLE ONE CHAPTER TEN ARTICLE SEVEN SECTION 1-10-66 GUIDELINES; SECTION 1-10-67 TIME PERIOD FOR RECEIVING UNSOLICITED PROPOSALS AND FORMAT FOR SUBMISSIONS; SECTION 1-10-68 PROCEDURES FOR THE FINANCIAL REVIEW AND ANALYSIS OF AN UNSOLICITED PROPOSAL; SECTION 1-10-69 CRITERIA FOR IDENTIFYING AND APPOINTING ADVISORS; SECTION 1-10-70 CRITERIA FOR DETERMINING FEES; SECTION 1-10-71 PROCEDURES FOR DETERMINING RELEASE OF INFORMATION CONTAINED IN UNSOLICITED PROPOSALS; SECTION 1-10-72 REQUEST FOR PROPOSALS; SECTION 1-10-73 PROCEDURES FOR POSTING AND PUBLISHING NOTICE OF THE OPPORTUNITY TO OFFER COMPETING PROPOSALS; SECTION 1-10-74 PROCEDURES FOR PROCESSING, REVIEW AND CONSIDERATION OF COMPETING PROPOSALS; SECTION 1-10-75 TERMS AND DEFINITIONS; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE AND FOR THE OTHER PURPOSES PROVIDED HEREIN.

WHEREAS, effective May 5, 2015, the State legislature enacted the Public-Private Facilities and Infrastructure Act of 2015 (the “PPFIA”) (OCGA §36-91-110 et seq.) which provides a process for local governments to partner with private entities for the development of a wide range of projects for public use if the public entity determines there is a need for such projects and that private involvement may provide such projects to the public in a timely or cost-effective fashion; and

WHEREAS, Augusta, Georgia does not currently have a mechanism to fully evaluate unsolicited qualifying projects; and

WHEREAS, Augusta, Georgia desires to update and amend its Code to ensure compliance with OCGA §36-91-110 et seq. and other applicable state and Federal laws.

THE AUGUSTA, GEORGIA COMMISSION ordains as follows:

SECTION 1. AUGUSTA, GA. CODE Chapter 10 Table of Contents as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking the Table of Contents in its entirety and inserting in lieu thereof new Table of Contents, as set forth in “Exhibit A” hereto.

SECTION 2. AUGUSTA, GA. CODE Sections 1-10-66 thru 1-10-75 Reserved as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking these sections in their entirety and inserting in lieu thereof new Code Sections 1-10-66 thru 1-10-75, as set forth in “Exhibit B” hereto.

SECTION 3. This ordinance shall become effective on its adoption in accordance with applicable laws.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this _____ day of March 2017.

Hardie Davis, Jr.
As its Mayor

Attest:

Lena J. Bonner, Clerk of Commission
Seal:

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on_____, 2017 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle.

Date: _____

First Reading _____

Second Reading _____

EXHIBIT AStrike:TABLE OF CONTENTSPAGES 1 THROUGH 4Chapter 10Article 1 General Provisions and DefinitionsSec. 1-10-1. Purpose.Sec. 1-10-2. Application of this chapter.Sec. 1-10-3. Supplementary laws.Sec. 1-10-4. Good faith provision.Sec. 1-10-5. Public access to procurement information.Sec. 1-10-6. Preference for local suppliers, professional services and contractors.Sec. 1-10-7. Value analysis.Sec. 1-10-8. Compliance with state and federal requirement.Sec. 1-10-9. Definitions generally.Article 2 Sec. 1-10-10 through Sec. 1-10-22. Reserved.Article 3 Office of the Procurement DirectorSec. 1-10-23. Authority and responsibility of procurement director.Sec. 1-10-24. Centralization of procurement function.Sec. 1-10-25. Contract administration.Sec. 1-10-26. Unauthorized contracts.Sec. 1-10-27. Conflicts of interests.Sec. 1-10-28. Gratuities and kickbacks.Sec. 1-10-29. Contingent Fees.Sec. 1-10-30. Penalties.Sec. 1-10-31. Reporting of anti-competitive practices to state.Article 4 Product SpecificationsSec. 1-10-32. Purpose.Sec. 1-10-33. Types of specifications.Sec. 1-10-34. Maximum practicable competition.Sec. 1-10-35. Qualified products list.Sec. 1-10-36. Background information on vendors.Sec. 1-10-37. Product references in specifications.Sec. 1-10-38. Responsibility for specifications.Sec. 1-10-39. Inspection of purchases.Article 5 Requirements for Bidding or Proposing on Augusta, Georgia ContractsSec. 1-10-40. Responsibility of bidders and proposers.Sec. 1-10-41. Cost or pricing data.Sec. 1-10-42. Cost or price analysis.

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ARTICLE 7 PUBLIC-PRIVATE FACILITIES AND INFRASTRUCTURE ACT OF 2015 (THE “PPEIA”)

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Sec. 1-10-67 Time Period for Receiving Unsolicited Proposals and Format for Submissions.

Sec. 1-10-68 Procedures for the Financial Review and Analysis of an Unsolicited Proposal.

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Sec. 1-10-129 Local small business opportunities program participation.

Sec. 1-10-130 Exceptions – federally funded projects.

Sec. 1-10-131 Citizen’s Small Business Advisory Board.

Sec. 1-10-132 through Sec. 1-10-999. Reserved.

EXHIBIT B**Strike:****Article 7****Sec. 1-10-66 thru 1-10-75. Reserved.****Replace With:****ARTICLE 7****Sec. 1-10-66. GUIDELINES.**

The Public-Private Facilities and Infrastructure Act of 2015 (the “PPFIA”) (OCGA §36-91-110 et seq.) provides a process for local governments to partner with private entities for the development of a wide range of projects for public use if the public entities determine there is a need for such projects and that private involvement may provide such projects to the public in a timely or cost-effective fashion.

In order for a project to come under the PPFIA, it must meet the definition of a “qualifying project.” A “qualifying project” is defined broadly under the PPFIA. Specifically, the PPFIA defines a “qualifying project” as any project selected in response to a request for a local government or submitted by a private entity as an unsolicited proposal in accordance with the PPFIA and subsequently reviewed and approved by a local government, within its sole discretion, as meeting a public purpose or public need; provided, however, qualifying projects do not include projects involving generation of electric energy for sale, communications services, cable and video services and water reservoir projects.

The following guidelines have been adopted by the governing body of Augusta, Georgia (the “Local Government”) to govern the process for receiving, reviewing and approving unsolicited proposals for qualifying projects. Augusta, Georgia shall not consider any unsolicited proposal that has not been evaluated pursuant to Article 7 of the AUGUSTA, GA CODE.

In the event of any conflict between these guidelines and the PPFIA, the terms of the PPFIA shall control.

SEC. 1-10-67. TIME PERIOD FOR RECEIVING UNSOLICITED PROPOSALS AND FORMAT FOR SUBMISSIONS.

1. Time Period. Unsolicited proposals for qualifying projects will be received by the Augusta, Georgia. Proposals shall be received by 3:00 PM Monday thru Friday beginning on the first business day of JANUARY and ending on the last business day of March of each year. Such unsolicited proposals shall be in writing and shall be delivered to:

The Director of Procurement
Augusta Procurement Department
UNSOLICITED PROPOSAL
535 Telfair Street - Room 605

Augusta, Georgia 30901

All questions must be submitted in writing by fax to (706) 821-2811 or by email to unsolicitedproposals@augustaga.gov to the office of the Procurement Department. No Unsolicited Proposals will be accepted by fax, all must be received by mail or hand delivered.

- (1) Format for Submissions. Unsolicited proposals shall contain, at a minimum, the following information: (a) a project description, (b) a project feasibility statement, (c) a proposed project schedule, (d) a project financing plan, (e) a business case statement that shall include a basic description of any direct and indirect benefits that the private entity can provide in delivering the project, including relevant cost, quality, methodology, and process for identifying the project and time frame data, (f) a description of any anticipated public support or opposition, (g) qualifications and experience (h) names and addresses of persons who may be contacted and (i) any additional information as the local government may reasonably request to comply with the requirements of the PPFIA. Proposals should be prepared simply and economically, providing a concise description of the proposer's capabilities to complete the proposed qualifying project and the benefits to be derived from the project by the local government. Such proposals may also include any additional pertinent information as determined by the proposer.

Only proposals complying with the requirements of these guidelines and the PPFIA that contain sufficient information for a meaningful evaluation and that are provided in an appropriate format shall be considered by Augusta, Georgia for further review. If any information necessary to make a meaningful evaluation is missing, Augusta, Georgia may request such information from the proposer. Unsolicited proposals are subject to the Open Records Act.

The format and information to be included in any unsolicited proposal are as follows:

- (a) PROJECT DESCRIPTION
- (i) Provide a description of the project, including the location of the project, the conceptual design of such facility, or facilities, and a conceptual plan for the provision of services or technological infrastructure.
 - (ii) Identify and fully describe the scope of work to be performed by the proposer with enough detail to allow an analysis by Augusta, Georgia.
 - (iii) Identify and fully describe any work to be performed by Augusta.
 - (iv) Identify any anticipated adverse social, economic, and environmental impacts of the project.
 - (v) Identify the projected positive social, economic, and environmental impacts of the project.

- (vi) State assumptions related to ownership, legal liability, law enforcement, and operation of the project and the existence of any restrictions on Augusta's use of the project.

(b) PROJECT FEASIBILITY STATEMENT

- (i) A feasibility statement that includes:
 - (A) The method by which the private entity proposes to secure any necessary property interests required for the project;
 - (B) A list of all permits and approvals required for the project from local, state, or federal agencies; and
 - (C) A list of public utility facilities, if any, that will be crossed by the project and a statement of the plans of the private entity to accommodate such crossings;
- (ii) Provide a list of any contingencies that must occur for the project to be successful.
- (iii) Provide a list of any other assumptions relied on for the project to be successful.
- (iv) Provide information relative to ongoing maintenance and operational costs after the project is completed.

(c) PROJECT SCHEDULE

- (i) A schedule for initiation, construction, and completion of the project to include the proposed major responsibilities and timeline for activities to be performed by both the local government and private entity.
- (ii) A schedule for obtaining all federal, state, and local permits and approvals required for the project.
- (iii) Identify the proposed schedule for strategies or actions to mitigate known impacts of the project.
- (iv) Provide information relative to phased or partial openings of the proposed project prior to completion of the entire work.

(d) PROJECT FINANCING PLAN

- (i) A financial plan setting forth the private entity's general plans for financing the project, including the sources of the private entity's funds and identification of any dedicated revenue source or proposed debt or equity investment on behalf of the private entity; and description of user fees, lease payments and other service payments over the term of the proposed comprehensive agreement (as defined in the PPFIA); and a methodology and circumstances for changes to such user fees, lease payments and other service payments over time.
- (ii) Provide a preliminary estimate and estimating methodology of the cost of the work by phase, segment, or both.
- (iii) Submit a plan for the development, financing, and operation of the project showing the anticipated schedule on which funds will be required containing enough detail to allow an analysis by the local government of the financial feasibility of the proposed project. Describe the anticipated costs of and proposed sources and uses for such funds including any anticipated debt service costs. The operational plan should include appropriate staffing levels and associated costs. Include supporting due diligence studies, analyses, or reports. Identify the sources of the private entity's funds and identification of any dedicated revenue source or proposed debt or equity investment on behalf of the private entity.
- (iv) Provide a list and discussion of assumptions underlying all major elements of the plan. Assumptions should include all significant fees associated with financing given the recommended financing approach. In addition, complete disclosure of interest rate assumptions should be included. Any ongoing operational fees, if applicable, should also be disclosed as well as any assumptions with regard to increases in such fees.
- (v) Identify any local, state, or federal resources that the proposer contemplates requesting for the project. Describe the total commitment, if any, expected from governmental sources and the timing of any anticipated commitment. Such disclosure should include any direct or indirect guarantees or pledges of the local government's credit or revenue.
- (vi) Identify the amounts and the terms and conditions for any revenue sources.
- (vii) Describe a proposed allocation of risk and liability for work completed beyond the agreement's completion date, and assurances for timely completion of the project.

- (viii) Identify any aspect of the project that could disqualify the project from obtaining tax-exempt financing.

The unsolicited proposal may include financing options, including the imposition of user fees, lease payments or other service payments. Such financing arrangements may include the issuance of debt instruments, equity or other securities or obligations. Depending on Augusta's authority and the circumstances of each transaction, financing options might also include the use of special purpose entities, sale and lease back transactions, enhanced use leasing, development agreements, conduit financing and other methods allowed by law. Notwithstanding the foregoing, Augusta, Georgia shall not loan money to a private entity in order to finance all or a portion of the qualifying project. Also, a multiyear lease entered into by Augusta which is not terminable at the end of each fiscal year during the term of the lease shall be considered a debt of the local government which enters into such lease, and such lease shall apply against the debt limitations of the local government.

(e) BUSINESS CASE STATEMENT

- (i) A business case statement that shall include a basic description of any direct or indirect benefits that the private entity can provide in delivering the project, including relevant cost, quality, methodology, and process for identifying the project and time frame data.
- (ii) Identify who will benefit from the project, how they will benefit, and how the project will benefit the overall community, region, or state. Project benefits to be considered are those occurring during the construction, renovation, expansion or improvement phase and during the life cycle of the project.
- (iii) Identify any anticipated public support or opposition, as well as any anticipated government support or opposition, for the project.
- (iv) Explain the strategy and plans that will be carried out to involve and inform the general public, business community, and governmental agencies in areas affected by the project.
- (v) Specify the strategies or actions to mitigate known impacts of the project.
- (vi) Describe the anticipated significant benefits to the community, region or state, including anticipated benefits to the economic condition of Augusta and whether the project is critical to attracting or maintaining competitive industries and businesses to Augusta or the surrounding region.

- (vii) Describe compatibility with the local comprehensive plan, local infrastructure development plans, the capital improvements budget, or other government spending plan.
- (viii) Provide relevant proposer cost, quality, methodology, and process for identifying the project and time frame data.
- (f) CONTACTS
 - (i) The names and addresses of the persons who may be contacted for further information concerning the unsolicited proposal.
 - (ii) Identify the legal structure of the firm or consortium of firms making the proposal. Identify the organizational structure for the project, the management approach and how each partner and major subcontractor in the structure fits into the overall team.
 - (iii) Describe the experience of the firm or consortium of firms making the proposal and the key principals involved in the proposed project including experience with projects of comparable size and complexity. Describe the length of time in business, business experience, public sector experience and other engagements of the firm or consortium of firms. Include the identity of any firms that will provide design, construction and completion guarantees and warranties, and a description of such guarantees and warranties.
 - (iv) Provide the names, addresses, and telephone numbers of persons within the firm or consortium of firms who may be contacted for further information.
 - (v) Provide a current or most recently audited financial statement of the firm or firms and each partner with an equity interest of twenty percent or greater for project proposals over \$20 Million.
 - (vi) Identify any persons known to the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to any State of Georgia and/or Augusta, Georgia conflict of interest laws.

SEC. 1-10-68 PROCEDURES FOR THE FINANCIAL REVIEW AND ANALYSIS OF AN UNSOLICITED PROPOSAL.

- (1) Upon receipt of an unsolicited proposal, Augusta shall:

- (a) Send the proposer an acknowledgement of receipt of the unsolicited proposal and provide that Augusta, Georgia will conduct a review of that proposal and either (i) reject the unsolicited proposal or (ii) accept the unsolicited proposal and seek competing bids for the proposed project as required pursuant to the Guidelines and the PPFIA;
 - (b) Establish a new committee or select an existing committee (the “Evaluation Committee”) to review the unsolicited proposal. If a new committee is established, it should be composed of no less than three (3) individuals with diverse skill sets to adequately review the proposal;
 - (c) Decide whether it will engage independent advisors, as provided in Sec. 1-10-69 below, to assist (and not be a member of) the Evaluation Committee in its review of the unsolicited proposal, which may include an attorney, financial advisor, architectural and/or engineering consultant or other advisers or consultants; and
 - (d) Provide the proposer with the proposed Local Government fee, estimate to be paid by the proposer, to cover the costs of processing, reviewing and evaluating the unsolicited proposal, as calculated in Sec. 1-10-70 below.
- (2) The Evaluation Committee, together with any independent advisors, shall perform the following financial review and analysis of the unsolicited proposal:
- (a) A cost-benefit analysis;
 - (b) Evaluation of the public need for or benefit derived from the qualifying project;
 - (c) Evaluation of the estimated cost of the qualifying project for reasonableness in relation to similar facilities;
 - (d) Evaluation of the source of funding for the project;
 - (e) Consideration of plans to ensure timely development or operation;
 - (f) Evaluation of risk sharing, including cost or completion guarantees, added value, or debt or equity investments by the private entity; and
 - (g) Consideration of any increase in funding, dedicated revenue source, or other economic benefit that would not otherwise be available.

After reviewing the proposal, the Evaluation Committee shall make a recommendation to the governing body of Augusta, Georgia to reject or accept the unsolicited proposal.

NOTE: Discussions between Augusta, Georgia and the proposer about the need for infrastructure improvements shall not limit the ability of Augusta to later determine to use standard procurement procedures to meet its infrastructure needs. Augusta, Georgia retains the right to reject any proposal at any time prior to the execution of an interim or comprehensive agreement.

SEC. 1-10-69 CRITERIA FOR IDENTIFYING AND APPOINTING INDEPENDENT ADVISORS.

Unsolicited proposals which have technical, complex or specialized information may require additional support from one or more third-party independent advisors to assist in their evaluation and review. Independent advisors may include attorneys, financial advisors, engineering consultants or other advisers or consultants as determined by the Local Government, in its sole discretion, to be reasonably required to review any unsolicited proposal. Independent advisors shall have no affiliation with the private entity submitting an unsolicited proposal.

SEC. 1-10-70 CRITERIA FOR DETERMINING FEES.

A private entity assumes all risk in submission of an unsolicited proposal, and a Local Government shall not incur any obligation to reimburse a private entity for any costs, damages, or loss of intellectual property incurred by a private entity in the creation, development, or submission of a proposal or unsolicited proposal for a qualifying project.

Augusta, Georgia shall charge and retain an initial proposal-processing fee equal to \$100 to be paid by the proposer prior to the review of an unsolicited proposal.

In addition, the Local Government may charge and retain a reasonable fee to cover the costs of reviewing and evaluating an unsolicited proposal. If it is determined by the Local Government that one or more independent advisors shall be engaged to assist the Evaluation Committee in its review of the unsolicited proposal, as provided in AUGUSTA, GA CODE Sec. 1-10-69 above, the fees of all such independent advisors shall be paid by the proposer. The estimated fees of the Local Government and such independent advisors shall be provided to the proposer for approval prior to the engagement of such advisors to review the proposal or the review and evaluation of an unsolicited proposal.

SEC. 1-10-71 PROCEDURES FOR DETERMINING RELEASE OF INFORMATION IN UNSOLICITED PROPOSAL.

Augusta, Georgia, in its sole discretion, may use any portion of an unsolicited proposal in preparing a request for proposal as described in AUGUSTA, GA CODE Sec. 1-10-72 below.

SEC. 1-10-72 REQUEST FOR PROPOSALS.

Within (60) days of receipt of a recommendation from the Evaluation Committee as provided in AUGUSTA, GA CODE Sec. 1-10-68 above, the governing board of Augusta, Georgia shall decide whether to approve or reject such unsolicited proposal. If Augusta approves the unsolicited

proposal, it shall seek competing proposals for the qualifying project, by issuing a request for proposal due in not less than 120 days.

The request for proposal shall include the criteria for selecting among competing proposals as provided in AUGUSTA, GA CODE Sec. 1-10-74 below.

During evaluation, Augusta, Georgia may seek written clarification from any proposer regarding the contents of the proposer's response. A request for written clarification may be made when a proposer's response contains conflicting information or is so ambiguous that it is possible for a reasonable person to attribute different meanings to the ambiguous portion of the proposer's response. A request for written clarification may not be used to negotiate (i.e., request the supplier to revise or improve the proposer's response). Written clarifications received from the supplier will become part of that proposer's response.

SEC. 1-10-73 PROCEDURES FOR POSTING AND PUBLISHING NOTICE OF THE OPPORTUNITY TO OFFER COMPETING PROPOSALS.

Notices for requests for proposals for qualifying projects shall be posted conspicuously in the Local Government's office and shall be advertised in the legal organ of the county and by electronic means on an Internet website of the Local Government or an Internet website identified by the governmental entity which may include the Georgia Procurement Registry as provided by OCGA §50-5-69. Such notices shall be posted by the Local Government in a consistent manner with other notices posted for public works bidding.

Notices for requests for proposals that are advertised in the legal organ shall be advertised a minimum of two times, with the first advertisement occurring at least ninety days prior to the deadline for receipt of competing proposals. The second advertisement shall follow no earlier than six weeks from the first advertisement.

Notices for requests for proposals that are advertised solely on the Internet shall be posted continuously at least ninety days prior to the deadline for receipt of competing proposals. Inadvertent or unintentional loss of Internet service during the advertisement period shall not require the contract award or bid or proposal opening to be delayed.

Sec. 1-10-74 PROCEDURES FOR PROCESSING, REVIEW AND CONSIDERATION OF COMPETING PROPOSALS.

After the deadline for the receipt of competing proposals, the Local Government shall reconvene the evaluation committee to review, evaluate and score the responses.

The criteria to be used in the evaluation of competing proposals for a qualifying project shall be determined by the evaluation committee of the Local Government prior to submitting a request for proposal for such qualifying project. The evaluation committee of Augusta, Georgia shall establish a scoring matrix for review of responses to a request for proposal. The scoring matrix can be weighted in any fair manner to adequately assess the critical elements of a proposal, with the most

likely highest weighted categories being (a) project financing and (b) qualifications and experience.

There are several factors that Augusta, Georgia may use when evaluating and selecting an unsolicited proposal, including, but not limited to, the following:

- (1) QUALIFICATIONS AND EXPERIENCE – Factors to be considered to determine whether the proposer possesses the requisite qualifications and experience include:
 - (a) Experience with similar projects;
 - (b) Demonstration of ability to perform work;
 - (c) Leadership structure;
 - (d) Project Manager’s experience;
 - (e) Management approach
 - (f) Financial condition; and
 - (g) Project ownership.
- (2) PROJECT CHARACTERISTICS – Factors to be considered in determining the project characteristics include:
 - (a) Project definition;
 - (b) Proposed project schedule;
 - (c) Operation of the project;
 - (d) Technology; technical feasibility;
 - (e) Conformity to laws, regulations, and standards;
 - (f) Environmental impacts;
 - (g) Condemnation impacts;
 - (h) State and local permits; and
 - (i) Maintenance of the project.
- (3) PROJECT FINANCING – Factors to be considered in determining whether the proposed project financing allows adequate access to the necessary capital to finance the project include:
 - (a) Cost and cost benefit to Augusta, Georgia;
 - (b) Financing and the impact on the debt burden of Augusta, Georgia or appropriating body;
 - (c) Financial plan, including the degree to which the proposer has conducted due diligence investigation and analysis of the proposed financial plan and the results of any such inquiries or studies;
 - (d) Opportunity costs assessment;
 - (e) Estimated cost;
 - (f) Life-cycle cost analysis;

- (g) The identity, credit history, past performance of any third party that will provide financing for the project and the nature and timing of their commitment, as applicable; and
- (h) Such other items as Augusta, Georgia deems appropriate.

In the event that any project is financed through the issuance of obligations that are deemed to be tax-supported debt of Augusta, Georgia, or if financing such a project may impact Augusta, Georgia's debt rating or financial position, Augusta, Georgia may select its own finance team, source, and financing vehicle.

- (4) PROJECT BENEFIT AND COMPATIBILITY – Factors to be considered in determining the proposed project's compatibility with the appropriate local or regional comprehensive or development plans include:
 - (a) Community benefits;
 - (b) Community support or opposition, or both;
 - (c) Public involvement strategy;
 - (d) Compatibility with existing and planned facilities; and
 - (e) Compatibility with local, regional, and state economic development efforts.
- (5) OTHER FACTORS – Other factors that may be considered by Augusta, Georgia in the evaluation and selection of competing proposals include:
 - (a) The proposed cost of the qualifying project;
 - (b) The general reputation, industry experience, and financial capacity of the private entity;
 - (c) The proposed design of the qualifying project;
 - (d) The eligibility of the project for accelerated documentation, review, and selection;
 - (e) Local citizen and government comments;
 - (f) Benefits to the public, including financial and nonfinancial;
 - (g) The private entity's compliance with a local small business enterprise participation plan or good faith effort to comply with the goals of such plan;
 - (h) The private entity's plans to employ local contractors and residents;
 - (i) The recommendation of a committee of representatives of members of the local government and the appropriating body which may be established to provide advisory oversight for the project; and
 - (j) Other criteria that the local government deems appropriate.

Sec. 1-10-75 DEFINITIONS:

For the purpose of Article 7, the following definitions shall apply. With the exception of specifically defined terms set forth herein, all words shall have their ordinary and usual meanings. In the event of conflict, the specific definition set out herein shall presumptively, but not conclusively prevail over the ordinary and usual meanings.

ADVISOR - The Unsolicited Proposals Advisory Committee may contract with external party on a range of issues including commercial, technical and other issues.

ADVISORY COMMITTEE – The Procurement Director shall select the members of the Advisory Committee consisting of not less than three members, all of whom shall be employees of Augusta, Georgia. Designees of the Administrator, Procurement, Finance and Engineering Departments and/or designees from other departments may be included depending on the scope of the proposal. The Advisory Committee will assist in the evaluation process.

ASSESSMENT CRITERIA - Criteria upon which the Unsolicited Proposal will be assessed as determined by the Unsolicited Proposals Advisory Committee on a case-by-case basis.

COMPREHENSIVE AGREEMENT - The written agreement between the private entity and Augusta, Georgia required pursuant to the Public-Private Facilities and Infrastructure Act of 2015 (“PPFIA”).

DETAILED SUBMISSION - A more detailed submission following approval at the Concept PHASE 1.

DEVELOP OR DEVELOPMENT - To plan, design, develop, finance, lease, acquire, install, construct, operate, maintain or expand.

ECONOMIC APPRAISAL - A systematic means of analyzing all the costs and benefits of various ways in which a project objective can be met. It shows:

- Whether the benefits of a project exceed its costs;
- Which option has the highest net benefit; and
- Which option is the most cost effective, where benefits are equivalent.

The preferred approach for a Government project for an economic appraisal is Cost-Benefit-Analysis (“CBA”) and whole of life cost estimates.

EVALUATION COMMITTEE - A committee of representatives established to oversee and assess an Unsolicited Proposal. Also referred to as Unsolicited Proposals Evaluation Committee in PHASE 2.

FINANCIAL REVIEW – The Evaluation Committee, together with any independent advisors, shall perform a financial review and analysis of the unsolicited proposal as referred in Phase 2.

GOVERNMENT – Augusta, Georgia

INDEPENDENT ADVISOR - An individual with diverse skill sets to adequately review the proposal; decide whether it will engage independent advisors, to assist (and not be a member of) the Evaluation Committee in its review of the unsolicited proposal, which may include an attorney, financial advisor, architectural and/or engineering consultant or other advisers or consultants; and Provide the proposer with the proposed Local Government fee to cover the costs of processing, reviewing and evaluating the unsolicited proposal.

INTELLECTUAL PROPERTY (“IP”) - Inventions, original designs and practical applications of good ideas protected by law through copyright, patents, registered designs, circuit layout rights and trademarks, also trade secrets, proprietary know-how and other confidential information protected against unlawful disclosure by common law and through additional contractual obligations such as Confidential Agreements.

INTERIM AGREEMENT - An agreement between a private entity and a responsible public entity that provides for phasing of the development or operation, or both, of a qualifying project. Such phases may include, but are not limited to, design, planning, engineering, environmental analysis and mitigation, financial and revenue analysis, or any other phase of the project that constitutes activity on any part of the qualifying project.

LETTER OF INTEREST (“LOI”) - Cover letter attached to the initial submission made by the Proposer to initiate the Phased Process for Unsolicited Proposals.

LOCAL GOVERNMENT - Any county, municipality, consolidated government, or board of education. For purposes of this Article, Augusta, Georgia Consolidated Government.

PHASE PROCESS - Augusta, Georgia’s six-phase process of validating, evaluating and awarding projects that are initiated by Unsolicited Proposals.

PROPOSER - Any person or organization that submits the Unsolicited Proposal except for Augusta, Georgia’s agencies and departments.

PRIVATE ENTITY - Any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other business entity.

QUALIFYING PROJECT - Any project selected in response to a request for a local government or submitted by a private entity as an unsolicited proposal in accordance with the PPFIA and subsequently reviewed and approved by a local government, that has a public purpose or public need, as determined by the local government. A “qualifying project” shall not include and shall have no application to any project involving:

- (1) The generation of electric energy for sale pursuant to Chapter 3 of Title 46 of the Official Code of Georgia Annotated;
- (2) Communications services pursuant to Articles 4 and 7 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated;

(3) Cable and video services pursuant to Chapter 76 of title 36 of the Official Code of Georgia Annotated; or

(4) Water reservoir projects as defined in paragraph (10) of OCGA §12-5-471, which shall be governed by Article 4 of Chapter 91 of Title 36 of the Official Code of Georgia Annotated.

REVENUE - All revenues, income, earnings, user fees, lease payments, or other service payments arising out of or in connection with supporting the development or operation of a qualifying project.

UNSOLICITED PROPOSAL - A written proposal for a qualifying project that is received by a local government and is not in response to any request for proposal for a qualifying project issued by a local government.

STATE - The State of Georgia.

TRANSACTION PHASE - Transaction Phase may involve, subject to the delivery model, procurement phase followed by contract negotiations and execution. Note, public, community and stakeholder consultations may occur during the Transaction Phase.

UNSOLICITED PROPOSAL - A written proposal for a qualifying project that is received by a local government and is not in response to any request for proposal for a qualifying project issued by a local government.