



Administrative Services Committee Meeting Committee Room- 1/12/2009- 1:00 PM

ADMINISTRATIVE SERVICES

1. An Ordinance to amend the Augusta-Richmond County Local Small Business Opportunity Program (LSBOP) Ordinance, enacted in March 2008, so as to further clarify the intent and facilitate implementation of said ordinance; to amend the Augusta-Richmond County Code of Ordinances Title 1, Article 7, Sections 1-10-61(B)(2), 1-10-61(B)(15), Section 1-10-65(A)(2), Section 1-10-65(A)(5), Section 1-10-65(A)(6), Section 1-10-65(A)(6)(A); to repeal conflicting ordinances; and for other purposes. ☐ [Attachments](#)
2. Protest Discussion – A request by Todd Stewart, Vice President of Stewart-Corbitt to protest the decision of deeming their bid proposal as Non-Compliant in reference to re-bid item #08-167A Fire Administration Building for the Augusta Fire Department. ☐ [Attachments](#)
3. An Ordinance to amend the Augusta, Ga. Code Title One, Sections 1-4-112 and 1-4-114 thru 1-4-130 relating to the Human Relations Commission; to repeal all Code sections and Ordinances and parts of Code Sections and Ordinances in conflict herewith; to provide an effective date and for other purposes. ☐ [Attachments](#)
4. Approve the Renewal of Temporary Employment Service Contract. ☐ [Attachments](#)
5. Approve the reclassification of the vacant Human Resources Coordinator position to a Compensation Analyst and develop and administer a comprehensive compensation program for the employees of Augusta. ☐ [Attachments](#)

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Administrative Services Committee Meeting
1/12/2009 1:00 PM
Amendments to the Local Small Business Opportunities Ordinance

Department:	Disadvantaged Business Enterprise (DBE)
Caption:	An Ordinance to amend the Augusta-Richmond County Local Small Business Opportunity Program (LSBOP) Ordinance, enacted in March 2008, so as to further clarify the intent and facilitate implementation of said ordinance; to amend the Augusta-Richmond County Code of Ordinances Title 1, Article 7, Sections 1-10-61(B)(2), 1-10-61(B)(15), Section 1-10-65(A)(2), Section 1-10-65(A)(5), Section 1-10-65(A)(6), Section 1-10-65(A)(6)(A); to repeal conflicting ordinances; and for other purposes.
Background:	Augusta-Richmond County enacted its LSBOP Ordinance in March 2008 to attract and facilitate the inclusion of small businesses located within Augusta-Richmond County in all aspects of the County's procurement processes. This ordinance is race and gender-neutral in its scope and application. The current ordinance seeks to make further refinements and clarifications to the LSBOP Ordinance to enhance efficiency in the procurement process.
Analysis:	This ordinance amends selected sections within the LSBOP Ordinance to revise definitions for increased clarity and consistency, to clarify and streamline requirements of the bid process as it relates to local small businesses, and to make certain documents available electronically to reduce the volume of paper generated in the procurement process.
Financial Impact:	None
Alternatives:	Inaction, which could result in confusion among bidders.
Recommendation:	Discuss and approve the amendments to the Local Small Business Opportunities Program Ordinance.
Funds are Available in the Following Accounts:	Not applicable.

REVIEWED AND APPROVED BY:

Finance.
Law.

Cover Memo

Item # 1

AN ORDINANCE TO AMEND THE AUGUSTA-RICHMOND COUNTY LOCAL SMALL BUSINESS OPPORTUNITY PROGRAM ORDINANCE SO AS TO FURTHER CLARIFY THE INTENT AND IMPLEMENTATION OF SAID ORDINANCE; TO AMEND AUGUSTA-RICHMOND COUNTY CODE OF ORDINANCES TITLE 1, ARTICLE 7, SECTIONS 1-10-61(b)(2), 1-1061(b)(15), SECTION 1-10-65(A)(2), SECTION 1-10-65(A)(5), SECTION 1-10-65(A)(6), SECTION 1-10-65(A)(6)(A); TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, it is the policy of Augusta-Richmond County that all necessary and reasonable steps shall be taken to ensure that local small business enterprises have the maximum opportunity to compete for and participate in all contracts and subcontracts funded by or through Augusta-Richmond County government; and

WHEREAS, to implement that policy the Augusta-Richmond County Commission enacted the Augusta-Richmond County Local Small Business Opportunities Program ("LSBOP") Ordinance which became effective on March 3, 2008; and

WHEREAS, the LSBOP Ordinance is intended to promote opportunities for registered Local Small Business to participate in Augusta-Richmond County's contracting and procurement activities; and

WHEREAS, through the implementation of the ordinance several administrative changes have been noted which would enhance the ability of those Local Small Businesses to avail themselves of the program, while increasing efficiency for departments administering various aspects of the ordinance.

THE AUGUSTA-RICHMOND COUNTY COMMISSION DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE: That Title 1, Article 7, of the Code of Ordinances be amended by deleted the existing language of Sub-Section 1-10-61(b)(2)(Definitions), which currently reads as follows:

Certified Local Small Business – any business entity certified by the DBE Coordinator, providing goods or services, which has its principal office and place of doing business in Augusta-Richmond County; with gross annual receipts being less than \$500,000; and whose owners meet the personal net worth threshold, all as defined herein. The term Local Small Business shall also include a manufacturer with seventy-five (75) employees or less or wholesaler with fifty (50) employees or less without regard to gross revenues.

and inserting in lieu thereof the following as a new Sub-Section 1-10-61(b)(15) which shall read as follows:

Registered Local Small Business – any business entity registered by the DBE Coordinator, providing goods or services, which has its principal office and place of doing business in Augusta-Richmond County; with gross annual receipts being less than \$500,000; and whose owners meet the personal net worth threshold, all as defined herein. The term Local Small Business shall also include a manufacturer with seventy-five (75) employees or less or wholesaler with fifty (50) employees or less without regard to gross revenues.

SECTION TWO: That Title 1, Article 7 of the Code of Ordinances be amended by deleting the existing language of Sub-Section 1-10-65(A)(2) (Local Small Business Opportunities Program Participation) which currently reads as follows:

With the bid, each bidder will be required to state if it intends to subcontract any part of the work. Prior to award of contract where the apparent low bidder indicated plans to subcontract, the bidder shall be required to provide documentation of Good Faith Efforts to engage LSB's as subcontractors or suppliers, the names of LSB's and other subcontractors to whom it intends to award subcontracts, the dollar value of the subcontracts, and the scope of the work to be performed.

and inserting the following new language in lieu thereof:

Each bidder shall be required to provide documentation of Good Faith Efforts to engage LSB's as subcontractors or suppliers, the names of LSB's and other subcontractors to whom it intends to award subcontracts, the dollar value of the subcontracts, and the scope of the work to be performed, recorded on the form(s) provided or made available as part of the bid package. If there are no sub-contracting opportunities, bidder shall so indicated on the appropriate form.

SECTION THREE: That Title 1, Article 7, of the Code of Ordinances be amended by deleted the existing language of Sub-Section 1-10-65(A)(5) (Local Small Business Opportunities Program Participation), which currently reads as follows:

Within thirty (30) days of the adoption of this Ordinance, the Procurement Department will include a copy of this ordinance in each bid or proposal.

and inserting the following new language in lieu thereof:

Within thirty (30) days of the adoption of this Ordinance, the Procurement Department will include a copy of this ordinance in each bid or proposal or shall publish and make available an internet link at which the LSBOP Ordinance and related forms may be found on the official website of Augusta-Richmond County.

SECTION FOUR: That Title 1, Article 7 of the Code of Ordinances be amended by deleting the existing language of Sub- Section 1-10-65(A)(6) (Local Small Business Opportunities Program Participation), which currently reads as follows:

All bid documents shall require bidders or proponents to submit with their bid in a separate sealed envelope the following:

and inserting the following new language in lieu thereof:

All bid documents shall require bidders or proponents to submit with their bid the following written documents, statements or forms, which shall be substantially similar to those attached to this ordinance as Exhibit "A," and as shall be made available by the Procurement Department.

SECTION FIVE: That Title 1, Article 7 of the Code of Ordinances be amended by deleted the existing language of Sub-Section 1-10-65(A)(6)(a)(Local Small Business Opportunities Program Participation), which currently reads as follows:

Non-Discrimination Statement which shall affirm the bidder's: (i) adherence to the policies of Augusta-Richmond County relating to equal opportunity in contracting; (ii) agreement to undertake certain measures as provided in this policy to ensure maximum practicable participation of local small businesses; and (iii) agreement not to engage in discriminatory conduct of any type against LSB's.

and inserting the following new language in lieu thereof:

Non-Discrimination Statement which shall affirm the bidder's: (i) adherence to the policies of Augusta-Richmond County relating to equal opportunity in contracting; (ii) agreement to undertake certain measures as provided in this

policy to ensure maximum practicable participation of local small businesses;
and (iii) agreement not to engage in discriminatory conduct of any type.

SECTION SIX: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

The foregoing Ordinance is hereby adopted by the Augusta-Richmond County Commission this _____ day of _____, 200__.

David S. Copenhaver
Mayor

ATTEST:

Clerk

First Reading:

Second Reading:

Exhibit “A”

to

Ordinance No.

7035

**Local Small Business
Opportunity Program
(LSBOP)**

Bid Package Forms

AUGUSTA-RICHMOND COUNTY LOCAL SMALL BUSINESS OPPORTUNITY PROGRAM

LSB SUBCONTRACTOR / SUPPLIER UTILIZATION PLAN

Attention Bidder/Proponent: List all ARC Registered Local Small Business subcontractors/suppliers, including lower tiers, to be used in the Project.

Name of Subcontractor/Supplier	Company Name, Address and Phone Number	Scope of Work to be Performed	ARC Business License? Yes or No	ARC LSBOP Registration No. and Expiration Date	Dollar (\$) Value of Work	Percentage of Total Bid Amount

Company Name _____ Project Name: _____ Contract #: _____

Signature: _____ Date: _____

*This form **MUST** be signed, dated and submitted with bid package*
Even if there are no subcontracting opportunities, this form must be completed by writing "N/A."
Questions: Contact Ms. Yvonne Gentry – Office: (706) 821-2406 or Fax: (706) 821-4228

AUGUSTA-RICHMOND COUNTY LOCAL SMALL BUSINESS OPPORTUNITY PROGRAM
GOOD FAITH EFFORTS
SUBCONTRACTOR & SUPPLIER CONTACT FORM

Attention Bidder/Proponent: List all subcontractors or suppliers that were contacted regarding this project. (Use additional sheets as necessary.)

Name of Subcontractor/Supplier	Subcontractor/Supplier Name, Address and Phone Number	Augusta-Richmond Co. Business License? (Yes or No)	Scope of Work Solicited	Local Small Business?	ARC LSBOP Registration No.	Results of Contact

Bidder/Proponent's _____ **Project Name:** _____ **Bid #:** _____

Signature: _____ **Date:** _____

*This form **MUST** be signed, dated and submitted with bid package*
Even if there are no subcontracting opportunities, this form must be completed by writing "N/A."
Questions: Contact Ms. Yvonne Gentry – Office: (706) 821-2406 or Fax: (706) 821-4228

AUGUSTA-RICHMOND COUNTY - LOCAL SMALL BUSINESS OPPORTUNITY PROGRAM **MONTHLY SUBCONTRACTOR/SUPPLIER UTILIZATION REPORT**

List all subcontractors/suppliers, including lower tiers, to be used on this project.

PROJECT NAME _____ PROJECT NO. _____ BASE BID \$ _____
 REPORT PERIOD FROM _____ TO _____, 20____ PROPOSED LSB UTILIZATION _____ %

NAME OF SUB-CONTRACTOR/ SUPPLIER	COMPANY NAME, ADDRESS, AND PHONE #	CONTRACT AMOUNT	TYPE OF WORK PERFORMED	LSB BUSINESS YES/NO	AMOUNT EARNED THIS PERIOD	AMOUNT EARNED TO DATE	PERCENTAGE OF TOTAL BID AMOUNT
TOTALS							

CONTRACTOR: _____ AUTHORIZED SIGNATURE _____ Total LSB% _____
 PAY REQUEST NO. _____ PERCENTAGE OF TOTAL CONTRACT COMPLETED TO DATE _____ % DATE _____

This form is to be submitted MONTHLY by the successful vendor only –after the bid is awarded.
 Questions: Contact Ms. Yvonne Gentry – Office: (706) 821-2406 or Fax: (706) 821-4228



Administrative Services Committee Meeting
1/12/2009 1:00 PM
Bid Protest

Department: Procurement

Caption: Protest Discussion – A request by Todd Stewart, Vice President of Stewart-Corbitt to protest the decision of deeming their bid proposal as Non-Compliant in reference to re-bid item #08-167A Fire Administration Building for the Augusta Fire Department.

Background: On Wednesday, November 18, 2008 at 3:00 p.m., the Procurement Department opened all bids received on re-bid item 08-167A. The department received five responses. Two of the responses were received as compliant and the figures were read publically. Two vendors submitted packages which were deemed as non compliant and one vendor submitted a no bid response. The figures that were listed on the responses from the two non compliant vendors were not ready publically. Stewart-Corbitt General Construction was one of the vendors deemed as non-compliant. The reason for deeming the company as non-compliant was due to the fact that six required documents were not properly notarized. Five of the documents which consisted of the Statement of Non-Discrimination, Contractors Affidavit, Non-Collusion Affidavit of bidder/Offer, Sub-Contractor Affidavit (Georgia Drywall, Inc.), and the Non-Collusion Affidavit of Subcontractor (Georgia Drywall, Inc.) were notarized but not dated. The sixth document the Contractor's Qualification Statement was not notarized. Due to the lack of the dates and notary seal on the required documents listed above, the submittal was deemed as noncompliant.

Analysis: The bid documents were reviewed by the department for completeness. The bid package received from Stewart-Corbitt was reviewed and deemed as non-compliant due to the fact that the Notary did not date the forms that he notarized and the vendor failed to have one of the required documents notarized. The Georgia State statute §46-17-8.1 references notary's signature and dates and states that a notarized document is required to be dated.

Financial Impact:

Alternatives: Waiver his non-compliant status as a technicality and accept the bid which would be the lowest.

Recommendation: Deem the bid submittal from Stewart-Corbitt as non-compliant and award the bid to the second lowest bidder which was responsive and included all properly executed documents.

Cover Memo

**the Following
Accounts:**

REVIEWED AND APPROVED BY:

Finance.

Law.

Administrator.

Clerk of Commission



Procurement Department

Mrs. Geri Sams, Director

November 20, 2008

FAXED/MAILED

BLECCS, Inc., dba Stewart Corbitt, General Construction
Attn: J. Bryan Corbitt and J. Todd Stewart
P.O. Box 1256
Thomson, GA 30824

Ref: Re-Bid Item: 08-167A Fire Administration Building
For the City of Augusta
Re-Bid Opening Date: Wednesday, November 19, 2008 @ 3:00 p.m.

Dear Messrs. Corbitt and Stewart:

Thank you for your submittal in response to the above referenced Re-Bid Item. After reviewing your package it was noted that the following documents are not properly notarized:

1. Statement of Non-Discrimination, i.e., not dated
2. Contractor Affidavit and Agreement, i.e., not dated
3. Non-Collusion Affidavit of Bidder/Offeror, i.e., not dated
4. Sub-Contractor Affidavit (Georgia Drywall, Inc.), i.e., not dated
5. Non-Collusion Affidavit of Subcontractor (Georgia Drywall, Inc.), i.e., not dated
6. Contractor's Qualification Statement (page 6) (not notarized)

§ 45-17-8.1. Signature and date provides the following:

(a) Except as otherwise provided in this Code section, in documenting a notarial act, a notary public shall sign on the notarial certification, by hand in ink, only and exactly the name indicated on the notary's commission and shall record on the notarial certification the exact date of the notarial act.

(b) The requirement of subsection (a) of this Code section for recording of the date of the notarial act shall not apply to an attestation of deeds or any other instruments pertaining to real property.

(c) No document executed prior to July 1, 1986, which would otherwise be eligible for recording in the real property records maintained by any clerk of superior court or constitute record notice or actual notice of any matter to any person shall be ineligible for recording or fail to constitute such notice because of noncompliance with the present or any prior requirements of this Code section.

We have included a copy of your submittals for your review. In accordance to the Bid specifications and the Augusta-Richmond County Code, your company's submittal was deemed as non-compliant. I wish to call your attention to the following paragraph included in all invitation to bids which we have included below to address omissions of this nature.

"Bidders will please note that the number of copies requested; all supporting documents including financial statements and references and such other attachments that may be required by the bid invitation are material conditions of the bid. Any package found incomplete or submitted late shall be rejected by the Procurement

Room 605 - 530 Greene Street, Augusta Georgia 30911
(706) 821-2422 - Fax (706) 821-2811

www.augustaga.gov

Register at www.demandstar.com/supplier for automatic bid notification

Item # 2

Office. Any bidder allegedly contending that he/she has been improperly disqualified from bidding due to an incomplete bid submission shall have the right to appeal to the appropriate committee of the Augusta commission. Please mark BID number on the outside of the envelope."

I further wish to call your attention to ARTICLE 6, Sec. 1-10-43 (b) and ARTICLE 9, 1-10-67 (b) of our Augusta Richmond County Code as it relates to handling claims:

ARTICLE 6 PROCUREMENT SOURCE SELECTION METHODS AND CONTRACT AWARDS
Sec. 1-10-43. Sealed bids selection method.

(a) *Conditions for use.* All contracts of Augusta-Richmond County shall be awarded by competitive sealed bidding except as otherwise provided elsewhere in this article (see section 1-10-45-Sealed Proposals; 1-10-46-Professional Services; 1-10-47-Quotations; 1-10-49-Sole Source Procurement; and 1-10-50-Emergency Procurements, of this chapter).

(b) *Invitation for bids and specifications.* An invitation for bids shall be issued by the Procurement Office and shall include specifications prepared in accordance with Article 4 (Product Specifications), and all contractual terms and conditions, applicable to the procurement. All specific requirements contained in the invitation to bid including, but not limited to, the number of copies needed, the timing of the submission, the required financial data, and any other requirements designated by the Procurement Department are considered material conditions of the bid which are not waiveable or modifiable by the Procurement Director. All requests to waive or modify any such material condition shall be submitted through the Procurement Director to the appropriate committee of the Augusta-Richmond County Commission for approval by the Augusta-Richmond County Commission.

ARTICLE 9 APPEALS AND REMEDIES Sec. 1-10-67. Procurement protests.

(a) *Right to protest.* Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to Augusta-Richmond County. Protestors shall seek resolution of their complaints initially with the Procurement Director. All protests must be submitted in writing to the Procurement Director.

(b) *Protests concerning invitations to bid.* A protest with respect to an invitation for bids or request for proposals shall be submitted in writing prior to the opening of bids or the closing date of proposals. If not done by that time, the complaint or protest is lost.

(c) *Stay of procurement during protests.* In the event of a timely protest under subsection (b) of this Section, the Procurement Director shall not proceed further with the solicitation or award of the contract until all administrative remedies have been exhausted or until the Augusta-Richmond County Administrator or Commission makes a determination on the record that the award of the contract without delay is necessary to protect the interests of Augusta-Richmond County. (Ord. No. 6939, § 16, 1-2-07)

We would like to thank you for your interest in doing business with the City of Augusta and look forward to your company participating in future bids. Please do not hesitate to contact us at (706) 821-2422 at any time when you have a concern and are preparing for a future bid submission.

Sincerely,

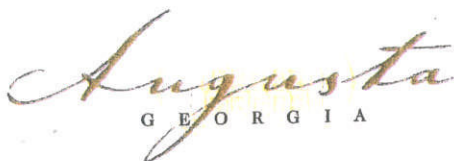


Geri A. Sams, Director
Procurement Department

GAS/sp

Attachments

cc: Tameka Allen, Interim Deputy Administrator
Howard Willis, Fire Department



STATEMENT OF NON-DISCRIMINATION

The undersigned understands that it is the policy of Augusta-Richmond County to promote full and equal business opportunity for all persons doing business with Augusta-Richmond County. The undersigned covenants that we have not discriminated, on the basis of race, religion, gender, national origin or ethnicity, with regard to prime contracting, subcontracting or partnering opportunities.

The undersigned covenants and agrees to make good faith efforts to ensure maximum practicable participation of local small businesses on the bid or contract awarded by Augusta-Richmond County. The undersigned further covenants that we have completed truthfully and fully the required forms regarding good faith efforts and local small business subcontractor/supplier utilization.

The undersigned further covenants and agrees not to engage in discriminatory conduct of any type against local small businesses, in conformity with Augusta-Richmond County's Local Small Business Opportunity Program. Set forth below is the signature of an officer of the bidding/contracting entity with the authority to bind the entity.

The undersigned acknowledge and warrant that this Company has been made aware of understands and agrees to take affirmative action to provide such companies with the maximum practicable opportunities to do business with this Company;

That this promise of non-discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption;

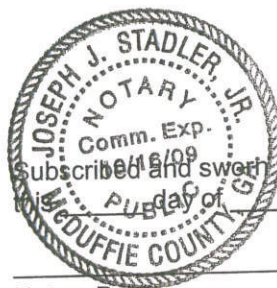
That the promises of non-discrimination as made and set forth herein shall be and are hereby deemed to be made as part of and incorporated by reference into any contract or portion thereof which this Company may hereafter obtain and;

That the failure of this Company to satisfactorily discharge any of the promises of nondiscrimination as made and set forth herein shall constitute a material breach of contract entitling the City of Augusta to declare the contract in default and to exercise any and all applicable rights remedies including but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and or forfeiture of compensation due and owing on a contract.

Signature of Attesting Party

Title of Attesting Party

Notary Signature



Subscribed and sworn to before me
this _____ day of _____, 20__.

Notary Public

SEAL

My commission expires: _____

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with Augusta Richmond County Board of Commissioners has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with Augusta Richmond County Board of Commissioners, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the Augusta Richmond County Board of Commissioners at the time the subcontractor(s) is retained to perform such service.

E-Verify * User Identification Number

STEWART - CORBIT GEN. CONT.
Company Name

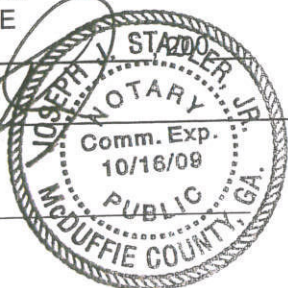
[Signature]
BY: Authorized Officer or Agent
(Contractor Signature)

PRESIDENT
Title of Authorized Officer or Agent of Contractor

J. BRYAN CORBITT
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
DAY OF

[Signature]
Notary Public
My Commission Expires:

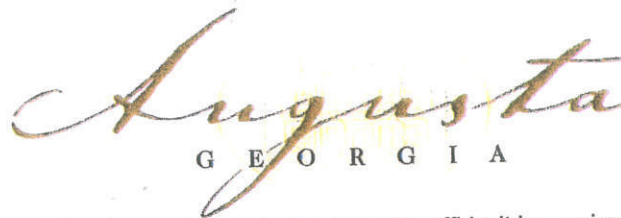


Please Check One
500 or More _____ 100 or more _____ 100 or less ☒
Number of Employees

Date: 11/19/08

- ✓ Vendor with **100 employees or more** – must have an E-Verify * User Identification Number
- ✓ Vendor with **less than 100 employees** – check 100 or less box, fill out the form and return with your submittal. (Georgia Law requires you to have an E-Verify*User Identification Number on or after July 1, 2009.)

MUST BE RETURNED WITH YOUR SUBMITTAL



In accordance with the Laws of Georgia, the following affidavit is required by all vendors

NON-COLLUSION AFFIDAVIT OF BIDDER/OFFEROR

I, STEWART CORBITT G.C. certify that this bid or proposal is made without prior understanding, agreement or connection with any corporation, firm or person submitting a bid for the same work, labor or service to be done or the supplies, materials or equipment to be furnished and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences and civil damages awards. I agree to abide by all conditions of this bid or proposal and certify that I am authorized to sign this bid or proposal for the bidder.

Affiant further states that pursuant to O.C.G.A. Section 36-91-21 (d) and (e), STEWART CORBITT GEN. CONT. has not, by itself or with others, directly or indirectly, prevented or attempted to prevent competition in such bidding or proposals by any means whatsoever. Affiant further states that (s)he has not prevented or endeavored to prevent anyone from making a bid or offer on the project by any means whatever, nor has Affiant caused or induced another to withdraw a bid or offer for the work.

Affiant further states that the said offer of 1,095,000.00 is bona fide, and that no one has gone to any supplier and attempted to get such person or company to furnish the materials to the bidder only, or if furnished to any other bidder, that the material shall be at a higher price.

STEWART CORBITT GEN. CONT.
(COMPANY NAME)

[Signature]
(PRESIDENT/VICE PRESIDENT/OFFICER)

Sworn to and subscribed before me this _____ day of _____, 200__.

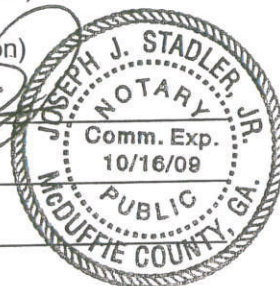
(SECRETARY/ASSISTANT SECRETARY)

(Affix corporate seal here, if a corporation)

Notary Public: _____

County: _____

Commission Expires: _____



SEAL

Failure to properly execute the above affidavit must be considered grounds for rejecting vendor submittal

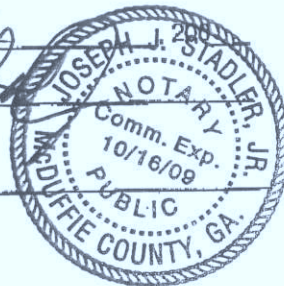
SUBCONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services under a contract with STEWART CURBITT on behalf of Augusta Richmond County Board of Commissioners has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O. C. G. A 13-10-91.

E-Verify * User Identification Number

GEORGIA DAYWELL INC

Company Name

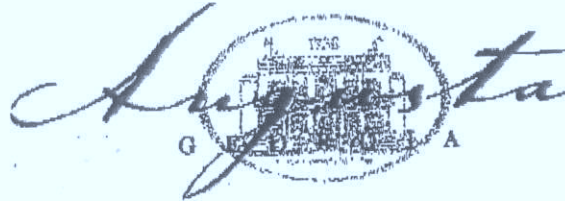
BY [Signature]
Authorized Officer or Agent
(Contractor Signature)President
Title of Authorized Officer or Agent of ContractorMATTHEW B STERNER
Printed Name of Authorized Officer or AgentSUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
DAY OF[Signature]
Notary Public
My Commission Expires:

Please Check One

500 or More ☐ 100 or more ☐ 100 or less ☐
Number of EmployeesDate: 11/19/08

- ✓ Vendor with 100 employees or more – must have an E-Verify * User Identification Number
- ✓ Vendor with less than 100 employees – check 100 or less box, fill out the form and return with your submittal. (Georgia Law requires you to have an E-Verify* User Identification Number on or after July 1, 2009.)

MUST BE RETURNED WITH YOUR SUBMITTAL



In accordance with the Laws of Georgia, the following affidavit is required by all vendors

NON-COLLUSION AFFIDAVIT OF SUBCONTRACTOR

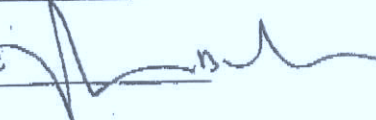
I, MATTHEW B STERNER certify that this bid or proposal is made without prior understanding, agreement or connection with any corporation, firm or person submitting a bid for the same work, labor or service to be done or the supplies, materials or equipment to be furnished and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences and civil damages awards. I agree to abide by all conditions of this bid or proposal and certify that I am authorized to sign this bid or proposal for the bidder.

Affiant further states that pursuant to O.C.G.A. Section 36-91-21 (d) and (e).

MATTHEW B STERNER has not, by itself or with others, directly or indirectly, prevented or attempted to prevent competition in such bidding or proposals by any means whatsoever. Affiant further states that (s)he has not prevented or endeavored to prevent anyone from making a bid or offer on the project by any means whatever, nor has Affiant caused or induced another to withdraw a bid or offer for the work.

Affiant further states that the said offer of GEORGIA DRYWALL INC is bona fide, and that no one has gone to any supplier and attempted to get such person or company to furnish the materials to the bidder only, or if furnished to any other bidder, that the material shall be at a higher price.

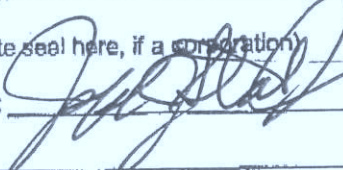
GEORGIA DRYWALL INC
(COMPANY NAME)

MATTHEW B STERNER  PRESIDENT
(PRESIDENT/VICE PRESIDENT)

Sworn to and subscribed before me this _____ day of _____, 200__.

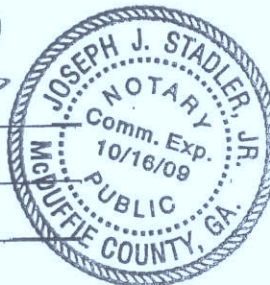
(SECRETARY/ASSISTANT SECRETARY)

(Affix corporate seal here, if a corporation)

Notary Public: 

County: _____

Commission Expires: _____



SEAL

Failure to properly execute the above affidavit must be considered grounds for rejecting vendor submittals

6. SIGNATURE

6.1 Dated at this 19th day of November

Name of Organization: STEWART-CORBITT GEN. CONT.

By: Todd Stewart JH

Title: VP/Sec

6.2

I, being
duly sworn deposes and says that the information provided herein is true and sufficiently complete so as not to be
misleading.

Subscribed and sworn before me this

19

day of November

Notary Public:

My Commission Expires:



CAUTION: You should sign an original AIA document which has this caution printed in red.
An original assures that changes will not be obscured as may occur when documents are reproduced.

November 25, 2008

FAXED/MAILED

City of Augusta
Procurement Department
Mrs. Geri A. Sams
Procurement Director
Room 605
530 Greene Street
Augusta, GA 30901

REF: Re-Bid Item: 08-167A Fire Administration Building
For the City of Augusta
Re-Bid Opening Date: Wednesday, November 19, 2008 @ 3:00p.m.

Dear Mrs. Sams,

Our Bid for the above referenced project was deemed "Non-Compliant" for reason of improperly notarized documents. The documents that are in question were indeed notarized but the notary did not write in the date when notarized. We feel that this issue is a minor technicality. It states in the bid documents that minor technicalities can be waived by the owner. Therefore, it is our decision to protest the decision on Non-Compliance.

If you have and questions concerning this matter, please contact me.

Sincerely,



Todd Stewart
Vice President

Cc: Mr. Fred Russell, Administrator
City of Augusta, Administrator's Office

2 DEC '08 AM 11:15



West's Code of Georgia Annotated [Currentness](#)
Title 45. Public Officers and Employees
Chapter 17. Notaries Public ([Refs & Annos](#))
■ Article 1. General Provisions

§ 45-17-8. Authority

(a) Notaries public shall have authority to:

- (1) Witness or attest signature or execution of deeds and other written instruments;
- (2) Take acknowledgments;
- (3) Administer oaths and affirmations in all matters incidental to their duties as commercial officers and all other oaths and affirmations which are not by law required to be administered by a particular officer;
- (4) Witness affidavits upon oath or affirmation;
- (5) Take verifications upon oath or affirmation;
- (6) Make certified copies, provided that the document presented for copying is an original document and is neither a public record nor a publicly recorded document certified copies of which are available from an official source other than a notary and provided that the document was photocopied under supervision of the notary; and
- (7) Perform such other acts as they are authorized to perform by other laws of this state.

(b) No notary shall be obligated to perform a notarial act if he feels such act is:

- (1) For a transaction which the notary knows or suspects is illegal, false, or deceptive;
- (2) For a person who is being coerced;
- (3) For a person whose demeanor causes compelling doubts about whether the person knows the consequences of the transaction requiring the notarial act; or
- (4) In situations which impugn and compromise the notary's impartiality, as specified in subsection (c) of this Code section.

(c) A notary shall be disqualified from performing a notarial act in the following situations which impugn and compromise the notary's impartiality:

- (1) When the notary is a signer of the document which is to be notarized; or
- (2) When the notary is a party to the document or transaction for which the notarial act is required.
- (d) A notary public shall not execute a notarial certificate containing a statement known by the notary to be false nor perform any action with an intent to deceive or defraud.
- (e) In performing any notarial act, a notary public shall confirm the identity of the document signer, oath taker, or affirmant based on personal knowledge or on satisfactory evidence.

(f) The signature of a notary public documenting a notarial act shall not be evidence to show that such notary public had knowledge of the contents of the document so signed, other than those specific contents which constitute the signature, execution, acknowledgment, oath, affirmation, affidavit, verification, or other act which the signature of that notary public documents, nor is a certification by a notary public that a document is a certified or true copy of an original document evidence to show that such notary public had knowledge of the contents of the document so certified.

§ 45-17-8.1. Signature and date

(a) Except as otherwise provided in this Code section, in documenting a notarial act, a notary public shall sign on the notarial certification, by hand in ink, only and exactly the name indicated on the notary's commission and shall record on the notarial certification the exact date of the notarial act.

(b) The requirement of subsection (a) of this Code section for recording of the date of the notarial act shall not apply to an attestation of deeds or any other instruments pertaining to real property.

(c) No document executed prior to July 1, 1986, which would otherwise be eligible for recording in the real property records maintained by any clerk of superior court or constitute record notice or actual notice of any matter to any person shall be ineligible for recording or fail to constitute such notice because of noncompliance with the present or any prior requirements of this Code section.

§ 45-17-8.2. Prohibited acts

(a) A notary shall not make claims to have or imply he or she has powers, qualifications, rights, or privileges that the office of notary does not authorize, including the powers to counsel on immigration matters and to give legal advice.

(b) A notary who is not an attorney licensed to practice law in this state who advertises the person's services as a notary public in English or any other language, by radio, television, signs, pamphlets, newspapers, other written communication, or in any other manner, shall post or otherwise include with the advertisement the notice set forth in this subsection in English and in every other language used for the advertisement. The notice shall be of a conspicuous size, if in writing, and shall state: "I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF GEORGIA, AND I MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE." If the advertisement is made by radio or television, the statement may be modified but must include substantially the same message.

(c) A notary who is not an attorney licensed to practice law in this state is prohibited from representing or advertising that the notary is a "legal consultant" or an expert on legal matters.

(d) A notary who is not an attorney licensed to practice law in this state is prohibited from rendering any service that constitutes the unauthorized practice of law.

(e) A notary required to comply with the provisions of subsection (b) of this Code section shall prominently post at the notary public's place of business a schedule of fees established by law which a notary may charge. The fee schedule shall be written in English and in any non-English language in which the notary services were solicited and shall contain the notice required in subsection (b) of this Code section, unless the notice is otherwise prominently posted at the notary public's place of business.

(f) The Attorney General or prosecuting attorney may seek injunctive relief against any notary public who violates the provisions of this Code section. Nothing in this Code section diminishes the authority of the State Bar of Georgia.

(g) A violation of subsection (c) or (d) of this Code section constitutes a deceptive trade practice under [Code Section 10-1-427](#) in addition to any other penalties provided by law.

§ 45-17-9. Where notarial acts may be exercised

Notarial acts may be exercised in any county in the state.



Administrative Services Committee Meeting

1/12/2009 1:00 PM

ORDINANCE TO AMEND THE AUGUSTA, GA CODE TITLE ONE, SECTIONS 1-4-112 AND 1-4-114 THRU 1-4-130 RELATING TO THE HUMAN RELATIONS COMMISSION

Department:	Administrator
Caption:	An Ordinance to amend the Augusta, Ga. Code Title One, Sections 1-4-112 and 1-4-114 thru 1-4-130 relating to the Human Relations Commission; to repeal all Code sections and Ordinances and parts of Code Sections and Ordinances in conflict herewith; to provide an effective date and for other purposes.
Background:	The Augusta-Richmond County budget approved for 2009 reduced the funding available for the Human Relations Commission. This Code amendment updates and amends the Code to bring the Human Relations Commission into compliance with these changes.
Analysis:	The proposed Code amendments incorporate the budget cuts mandated by the 2009 budget while enabling the Human Relations Commission to continue to serve Augusta-Richmond County in an advisory capacity.
Financial Impact:	The proposed Code amendments will bring the Human Relations Commission into compliance with the 2009 budget.
Alternatives:	Alternatives include eliminating the Human Relations Commission in its entirety or re-evaluating 2009 funding for the Human Relations Commission.
Recommendation:	Approve these Code amendments.
Funds are Available in the Following Accounts:	N/A.

REVIEWED AND APPROVED BY:

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

Cover Memo

Item # 3

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE AUGUSTA, GA CODE TITLE ONE SECTIONS 1-4-112 AND 1-4-114 THRU 1-4-130 RELATING TO THE HUMAN RELATIONS COMMISSION; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Augusta-Richmond County desires to update and amend the Code as related to the Human Relations Commission, to modify the Code to reflect changes required by the 2009 budget;

THE AUGUSTA-RICHMOND COUNTY COMMISSION, ordains as follows:

SECTION 1. AUGUSTA, GA CODE Sections 1-4-112 and 1-4-114 thru 1-4-130 as set forth in the AUGUSTA, GA CODE, re-adopted July 10, 2007, is hereby amended by striking each of these sections in their entirety and inserting in lieu thereof new Code Sections 1-4-112 and 1-4-114 thru 1-4-130, restated as set forth in "Exhibit A" hereto.

SECTION 2. This ordinance shall become effective upon its adoption in accordance with applicable laws.

SECTION 3. All ordinances or parts of ordinances and Human Relations Commission Policies and Procedures in conflict herewith are hereby repealed.

Adopted this _____ day of January, 2009.

David S. Copenhaver
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-Richmond County Commission on _____, 2009 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 A

~~Sec. 1-4-112. Terms of Office.~~

~~Members of the HRC appointed by Commissioners shall serve four year terms beginning April 1st of the calendar year in which his or her appointing Commissioner began his or her four year term on January 1st. Members appointed by the Augusta-Richmond County Legislative Delegation shall serve four year terms beginning April 1st of the calendar year following even numbered years that are not evenly divisible by 4. In the event of a vacancy, a successor may be appointed to serve during the unexpired term. Except as provided in this paragraph, a member of the HRC may not be removed from office prior to the expiration of his or her term except for cause as set forth in § 1-4-4 of the Code. The provisions of Code § 1-4-2(b) and § 1-4-3 shall govern removal actions. The unexcused absence of any member of the HRC from three (3) consecutive regular meetings, or absences from more than four (4) meetings during any twelve month period, shall constitute cause for removal of a member of the HRC. Per Code § 1-4-1.1, the members of HRC shall determine whether an excuse for an absence is adequate. The HRC may recommend removal of any member failing to meet attendance requirements.~~

Sec. 1-4-112. Terms of Office.

Members of the HRC appointed by Commissioners shall serve terms beginning April 1st of the calendar year in which his or her appointing Commissioner began his or her term on January 1st. The term length of Commission appointed Members shall be the same term length as his or her appointing Commissioner's term length. Members appointed by the Augusta-Richmond County Legislative Delegation shall serve four-year terms beginning April 1st of the calendar year following even-numbered years that are not evenly divisible by four (4). In the event of a vacancy, a successor may be appointed to serve during the unexpired term. Except as provided in this paragraph, a member of the HRC may not be removed from office prior to the expiration of his or her term except for cause as set forth in § 1-4-4 of the AUGUSTA, GA CODE. The provisions of Code § 1-4-2(b) and § 1-4-3 shall govern removal actions. The unexcused absence of any member of the HRC from three (3) consecutive regular meetings, or absences from more than four (4) meetings during any twelve (12) month period, shall constitute cause for removal of a member of the HRC. In accordance with AUGUSTA, GA CODE § 1-4-1.1, the members of HRC shall determine, by majority vote, whether an excuse for an absence is adequate. The HRC may recommend removal of any member failing to meet attendance requirements.

~~Sec. 1-4-114. Compensation.~~

~~Members of the HRC shall serve without compensation. Members may be reimbursed for reasonable personal expenses incurred in the performance of their duties. Request for approval of reasonable personal expenses shall be submitted in writing. Approved requests for reimbursement shall be required before disbursement of reimbursement proceeds, in accordance with applicable policies of Augusta-Richmond County and Code § 1-4-120 below.~~

Sec. 1-4-114. Compensation.

Members of the HRC shall serve without compensation. Subject to budget conditions, and at the discretion of the Augusta-Richmond County Administrator, HRC members may be reimbursed for reasonable personal expenses incurred in the performance of their duties. Request for approval of reasonable personal expenses shall be submitted in writing to the Administrator. Approved requests for reimbursement shall be required before any reimbursement proceeds are paid.

~~Sec. 1-4-115. Executive director and staff: director's duties.~~

~~The HRC shall employ an Executive Director qualified to provide leadership concerning human relations among diverse members of this community. The Director shall serve at the pleasure of the HRC, subject to the authority of the Commission. The termination of the Director, or the employment of a new Director, shall require the concurrence of the Commission. The Director shall coordinate the activities of the HRC and its staff. Subject to approval of the HRC and within the budget of the HRC, the Director may employ necessary staff. The compensation of the Director and other staff shall be as provided in the budget after such positions have been classified and a salary grade established by the Augusta-Richmond County Personnel Board with the approval of the Commission. The HRC shall perform an annual review of the Director's performance and submit an annual written report to the Administrator of Augusta-Richmond County on or before March 31st. It shall be the Duty of the Director, with the assistance of his staff, to:~~

- ~~(a) Receive, initiate, investigate, decide and pass upon complaints alleging unlawful conduct and other discrimination in employment or public accommodations because of race, religion, color, sex, national origin, handicap or age;~~
- ~~(b) Develop such policies and procedures for its own use in hearing and determining such complaints consistent with due process; and~~

- ~~(e) Issue rulings determinations to remedy any situation found to violate this article and prevent its recurrence, to include, but not limited to, the restoration of the complainant's rightful place at his/her employer as if the violation of this article had not occurred.~~

Sec. 1-4-115. Role and function.

The HRC shall serve as an advisory board and may, in an advisory capacity:

- (a) Promote amicable relationships among diverse groups of individuals and organizations through non-discriminatory and equal treatment of others; assist in improving the equality of opportunity for employment and advancement in Augusta-Richmond County;
- (b) Educate the community through conferences, forums and other methods with respect to human relations and unlawful practices;
- (c) Invite and enlist the cooperation of ethnic, racial and religious groups and community organizations in carrying on its role and function in the establishment and maintenance of education programs consistent with this article.
- (d) Recommend methods of eliminating unlawful employment practices; recommend to the Commission such additional ordinances and/or changes to existing ordinances that will aid in the carrying out of the purposes of this article; recommend such legislative action as HRC may deem appropriate.
- (e) Cooperate with the Mayor, Commission, other Augusta-Richmond County agencies, state and federal agencies as appropriate in effectuating the purposes and the objectives of the HRC to promote better human relations.

Sec. 1-4-116. Duties and powers.

~~It shall be the duty of the HRC to:~~

- ~~(a) Promote amicable relationships among diverse groups of individuals and organizations through non-discriminatory and equal treatment of others; investigate allegations of unlawful and discriminatory practices; attempt to act as conciliator in controversies involving human relations; issue remedies for violations of this article and prevent recurrence; conduct such investigations, studies and surveys and conduct such public hearings as are~~

~~necessary for the performance of the duties of HRC; conduct such public hearings as are necessary for the performance of the duties of HRC; assist in improving the equality of opportunity for employment and advancement in Augusta-Richmond County government;~~

- ~~(b) Educate the community through conferences, forums and other methods with respect to human relations and unlawful practices;~~
- ~~(c) Coordinate activities among individuals and organizations concerned with these relationships;~~
- ~~(d) Investigate, receive and endeavor to remove inequalities in housing, recreation, education, employment, law enforcement and other matters;~~
- ~~(e) Recommend methods of eliminating unlawful employment practices; recommend to the Commission such additional ordinances and/or changes to existing ordinances as will aid in the carrying out the purpose of this article; recommend such legislative action as HRC may deem appropriate; and~~
- ~~(f) Adopt, promulgate, amend or rescind suitable rules and procedures to carry out the provisions of this article.~~

Sec. 1-4-116. Unlawful employment practices.

- (a) It shall be an unlawful employment practice for an employer of fifteen (15) or more employees:
 - (1) To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual, with respect to his or her compensation, benefits, terms, conditions or privileges of employment because of such individual's race, color, religion, sex, national origin, age or disability;
 - (2) To limit, segregate or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities because of race, color, religion, sex, national origin, age or disability.
- (b) It shall be an unlawful employment practice for an employment agency to discriminate against any individual because of his/her race, religion, color, national origin, age, sex or disability in receiving, classifying, disposing or otherwise acting upon applications for its services or in referring an applicant or applicants to an employer or employers covered by this article.

- (c) It shall be an unlawful employment practice for a labor organization with fifteen (15) or more members to exclude or to expel from its membership any individual or to discriminate in any way against any of its members or against any employer or any individual employee of an employer because of the race, religion, color, national origin, sex, age or disability of any individual.
- (d) Exemptions from the jurisdiction of this ordinance: This article shall not apply to religious corporations, religious associations, religious educational institutions or religious societies with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporations, associations, educational institutions or societies of its activities. This article shall not apply to those individuals and organizations otherwise exempted from the provisions of this Article by law.
- (e) Age limitations: The prohibitions in this article in reference to age shall be limited to individuals who are at least forty (40) years of age.

~~Sec. 1-4-117. Unlawful employment practices.~~

- (a) ~~It shall be an unlawful employment practice for an employer of fifteen (15) or more employees:~~
 - (1) ~~To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual, with respect to his or her compensation, benefits, terms, conditions or privileges of employment because of such individual's race, color, religion, sex, national origin, age or handicap;~~
 - (2) ~~To limit, segregate or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities because of race, color, religion, sex, national origin, age or handicap.~~
- (b) ~~It shall be an unlawful employment practice for an employment agency to discriminate against any individual because of his/her race, religion, color, national origin, age, sex or handicap in receiving, classifying, disposing or otherwise acting upon applications for its services or in referring an applicant or applicants to an employer or employers covered by this article.~~
- (c) ~~It shall be unlawful employment practice for a labor organization with fifteen (15) or more members to exclude or to expel from its membership~~

~~any individual or to discriminate in any way against any of its members or against any employer or any individual employee of an employer because of the race, religion, color, national origin, sex, age or handicap of any individual.~~

Sec. 1-4-117. Meetings.

The Human Relations Commission shall regularly meet on the fourth Wednesday of each month at 3:30 p.m. in the Augusta-Richmond County Commission Chambers on the eighth floor of the Augusta-Richmond County Municipal Building, 530 Greene Street, Augusta, Georgia 30911 and may set the time, place and frequency of any special meetings to effectuate the purpose of this article. All such meetings, both regular and special, shall be open to the public and be conducted consistent with the Georgia Open Meetings and Open Records statutes.

Sec. 1-4-118. Procedures for investigation/hearing of complaints.

~~Detailed procedures are set forth in the HRC Policy Manual and are incorporated by reference herein. A copy of the policy can be obtained at the offices of Augusta-Richmond County. The following is a summary outline of the procedures:~~

- ~~(a) Any person or persons alleging an unlawful practice prohibited by this article must file a written complaint with the HRC Director, or one of his designated representatives, no later than one hundred eighty (180) days after the alleged unlawful practice occurred.~~
- ~~(b) Upon receipt of a complaint, the HRC Director shall serve a copy of the complaint on the respondent within ten (10) days of receipt thereof and shall initiate an investigation of the complaint.~~
- ~~(c) In conducting an investigation of a complaint filed under this article, the HRC Director, or his designated representatives, shall have access at any reasonable time to premises, records, documents, individuals and other evidence or possible sources of evidence relevant to the complaint and shall have the right to examine, record, photograph and copy such materials and take and record the testimony or statements of such person as are reasonably necessary for the furtherance of the investigation; however, the HRC Director, and/or designated representatives, must first comply with the provisions of the Fourth Amendment relating to unreasonable searches and seizures. Failure of any party to cooperate in the reasonable investigative efforts shall be noted in the official report of investigation.~~

- ~~(d) If the HRC Director determines after such investigation that there is reasonable cause to believe the charge is true, he shall endeavor to eliminate any such alleged unlawful practice by informal and voluntary methods of conference, conciliation and persuasion. During such informal endeavors, he may seek from the respondent such relief as may be appropriate, which may include, but is not limited to, reinstatement or hiring of employees, with or without back pay, or any other equitable relief.~~
- ~~(e) All investigations, conferences and negotiations for conciliation pursuant to this article shall be confidential. Further, at no time shall the results of any conciliation be made public without the expressed written consent of the parties involved.~~
- ~~(f) If within ten (10) days after the HRC Director has determined that conciliation efforts have failed, he shall so notify the parties in writing; and the respondent may request a hearing before the HRC within ten (10) days of the receipt of such notice. If the HRC Director determines that the complaint as alleged is not true, he shall dismiss the complaint and notify the parties in writing of such determination. Within ten (10) days of receipt of such notice of dismissal, the complainant may request a hearing before the HRC. A request for a hearing shall be granted expeditiously. No hearing may be had from a finding and determination of a lack of jurisdiction. At such hearing to be conducted by a quorum of the HRC, the HRC may affirm or set aside the findings as set forth in subsection (d) above, in whole or in part.~~
- ~~(g) If the HRC determines after a hearing that any respondent has committed an unlawful act prohibited by this article, and the respondent refuses to comply with an order of the HRC within sixty (60) days after notification of such final disposition, or if the respondent fails to request a hearing before the HRC within ten (10) days after receipt of notice of failure of conciliation, the HRC may institute a civil court action in the appropriate court for violation of any provision of this article or failure to comply with an order of the HRC.~~

Sec. 1-4-118. Quorum.

A quorum shall consist of a majority of the total members on the HRC. For purposes of calculating a quorum, vacant seats shall not be considered.

Sec. 1-4-119. Office space and facilities.

~~The HRC is authorized to secure adequate office space for its Director and staff, subject to the approval of the Augusta-Richmond County Commission.~~

Sec. 1-4-119. Reserved.

~~Sec. 1-4-120. HRC budget and financial matters.~~

~~The HRC Director shall submit an annual proposed budget to the HRC subject to and consistent with the budget process of Augusta-Richmond County. After approval by the HRC, the proposed budget shall be submitted to the Administrator of the Augusta-Richmond County Commission for timely approval. The budget shall contain all revenues, regardless of source, and expenditures. The HRC shall be authorized to contract with state and federal agencies. The HRC may apply for grants subject to the approval of the Commission. All expenditures of the HRC shall be limited to those specified in the budget or expenditures authorized through any received grants.~~

Sec. 1-4-120. Reserved.

~~Sec. 1-4-121. Inspection and audit of financial records.~~

~~The financial records of the HRC shall be maintained by the Commission at its offices and may be audited annually by a qualified external auditor, in the discretion of the Commission.~~

Sec. 1-4-121. Reserved.

~~Sec. 1-4-122. Meetings.~~

~~The Human Relations Commission regularly meets on the fourth Wednesday of each month at 3:30 o'clock p.m. in the Lee Beard Augusta-Richmond County Commission Chambers on the eighth floor, Augusta-Richmond County Municipal Building, 530 Greene Street, Augusta, Georgia 30911 and may set the time, place and frequency of any special meetings to effectuate the purpose of this article. All such meetings, both regular and special, shall be open to the public and be conducted consistent with the Georgia Open Meetings and Open Records statutes.~~

Sec. 1-4-122. Reserved.

~~Sec. 1-4-123. Quorum.~~

~~Six (6) members of the HRC shall constitute a quorum for the transaction of business.~~

Sec. 1-4-123. Reserved.

~~Sec. 1-4-124. Rules, bylaws and policy manuals.~~

~~The HRC shall adopt such rules as it shall deem expedient for the conduct of its business. HRC employees shall perform their duties in accordance with the Policy Manual adopted by the HRC. HRC employees are employed by Augusta-Richmond County and are also subject to the Personnel Policies and Procedures applicable to Augusta-Richmond County employees.~~

Sec. 1-4-124. Reserved.

~~Sec. 1-4-125. Reports.~~

~~Not more than 30 days next following the ending of a calendar quarter, the HRC Director shall submit a written report to the HRC summarizing the primary activities of the HRC employees. Such reports shall be made at least quarterly, along with such other reports as the Director may elect in his discretion to submit. Copies of all reports shall be submitted to the Mayor, Administrator and Commission.~~

Sec. 1-4-125. Reserved.

~~Sec. 1-4-126. Exemptions from the jurisdiction of the ordinance.~~

~~This article shall not apply to religious corporations, religious associations, religious educational institutions or religious societies with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporations, associations, educational institutions or societies of its activities. This article shall not apply to those individuals and organizations otherwise exempted from the provisions of this Article by law.~~

Sec. 1-4-126. Reserved.

~~Sec. 1-4-127. Remedies/appeals.~~

~~The HRC may institute a civil action in the appropriate court for violation of any provision of § 1-4-117 of this article or failure to comply with an order of the HRC. The parties to the action would be entitled to a trial de novo.~~

Sec. 1-4-127. Reserved.

Sec. 1-4-128. Cooperation.

~~The HRC shall invite and enlist the cooperation of ethnic, racial and religious groups and community organizations in carrying on its work and act as a coordinating agency among them and such other groups in the establishment and maintenance of education programs with a view to bringing about better intergroup and racial relationships necessary or desirable to carry out specific programs designed to lessen the tensions or improve understanding. The HRC shall also cooperate with the Mayor, Commission, other Augusta-Richmond County agencies, state and federal agencies, citizens or citizens' organizations, the ARC Board of Education and parochial and private schools as appropriate in effectuating the purposes and the objectives of the HRC to promote better human relations.~~

Sec. 1-4-128. Reserved.

Sec. 1-4-129. Legal services.

~~Legal representation of the Human Relations Commission, the Executive Director, and the officers and employees of the Human Relations Commission in the course of their employment exclusively in civil actions, including without limitation the rendering of advice and review of contracts and other materials, shall be provided by the Augusta-Richmond County attorney or his designee. Legal representation by counsel other than the Augusta-Richmond County attorney or his designee shall require Commission approval.~~

Sec. 1-4-129. Reserved.

Sec. 1-4-130. Age limitations.

~~The prohibitions in this article in reference to age shall be limited to individuals who are at least forty (40) years of age.~~

Sec. 1-4-130. Reserved.



**Administrative Services Committee Meeting
1/12/2009 1:00 PM
Temporary Employment Service Contract**

Department: Human Resources

Caption: Approve the Renewal of Temporary Employment Service Contract.

Background: The Augusta government currently has a contractual agreement with Augusta Staffing Temporary Service. The City will retain the right to continue service after the initial term of three (3) years without re-bidding contract provided selected Temporary Employment service provider comply in full with the condition of this request.

Analysis: March 06, 2008. The City of Augusta, proposed a RFP for temporary services, this RFP was submitted to the Procurement Department, during this time period and has satisfactorily completed all selection criteria as stated by the Procurement policy governing this process.

Financial Impact: Based on usage by Department

Alternatives: 1. Do not approve Contract 2. Approve Contract

Recommendation: Approve The City of Augusta Temporary Service Contract.

Funds are Available in the Following Accounts:

REVIEWED AND APPROVED BY:

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



Administrative Services Committee Meeting
1/12/2009 1:00 PM
Upgrade HR Coordinator to Compensation Analyst

Department:	Human Resources
Caption:	Approve the reclassification of the vacant Human Resources Coordinator position to a Compensation Analyst and develop and administer a comprehensive compensation program for the employees of Augusta.
Background:	Compensation and benefits administration is a key regulatory function of any Human Resources Department. Primary responsibilities include: Legal Compliance, e.g. the Fair Labor Standards Act (FLSA), Americans with Disabilities Act (ADA), Equal Pay Act, Title VII Civil Rights Act, Georgia Dept of Labor statutes, etc; determination of Exempt/Non-exempt status; job analysis and maintenance of accurate job descriptions; internal and external pay equity, pay studies, position control, and organization charts.
Analysis:	There are several major compensation related projects and programs that have been on hold for a significant period of time that require immediate attention: 1. Job description audit of all positions (to assure compliance with the latest changes to the FLSA) 2. Audit of exempt/non-exempt status for all employees (compliance with Wage and Hour legal requirements) 3. Job analysis and update of Knowledge Skills and Abilities (KSAs) and qualification requirements for all classifications and grades (to meet needs of the new automated NEOGOV job applicant tracking system) 4. Identification of physical and environmental requirements for all positions (requirements to insure ADA compliance) 5. Development of a new Career Ladder (CL) system to recognize employees who gain high level competencies and certifications in their occupation (requested by dept directors to attract and retain highly qualified employees) Currently, the Human Resources Department is severely under staffed in this area. In order to bring Augusta's Human Resources Department up to the necessary level to provide the services required by Augusta's workforce, the current (vacant) HR Coordinator position needs to be upgraded to a Compensation Analyst. This will allow the HR dept to recruit a qualified analyst to provide the professional expertise necessary to meet the current and future needs of the City, develop a CL system and ensure legal and regulatory compliance. Augusta's Human Resources Department ((1) attached organization chart)) does not currently have a trained and qualified employee to perform this important function. The position upgrade from a grade 44 to a grade 51 would cost approx \$15,000. The revised organization chart, which includes the compensation analyst position, is at attachment (2).
Financial Impact:	Approximate cost \$15-20K. Since this function would provide organization wide benefit, the cost could be offset by the projected \$87,463.15 savings which would be realized in the Engineering Dept's reorganization. Item # 5

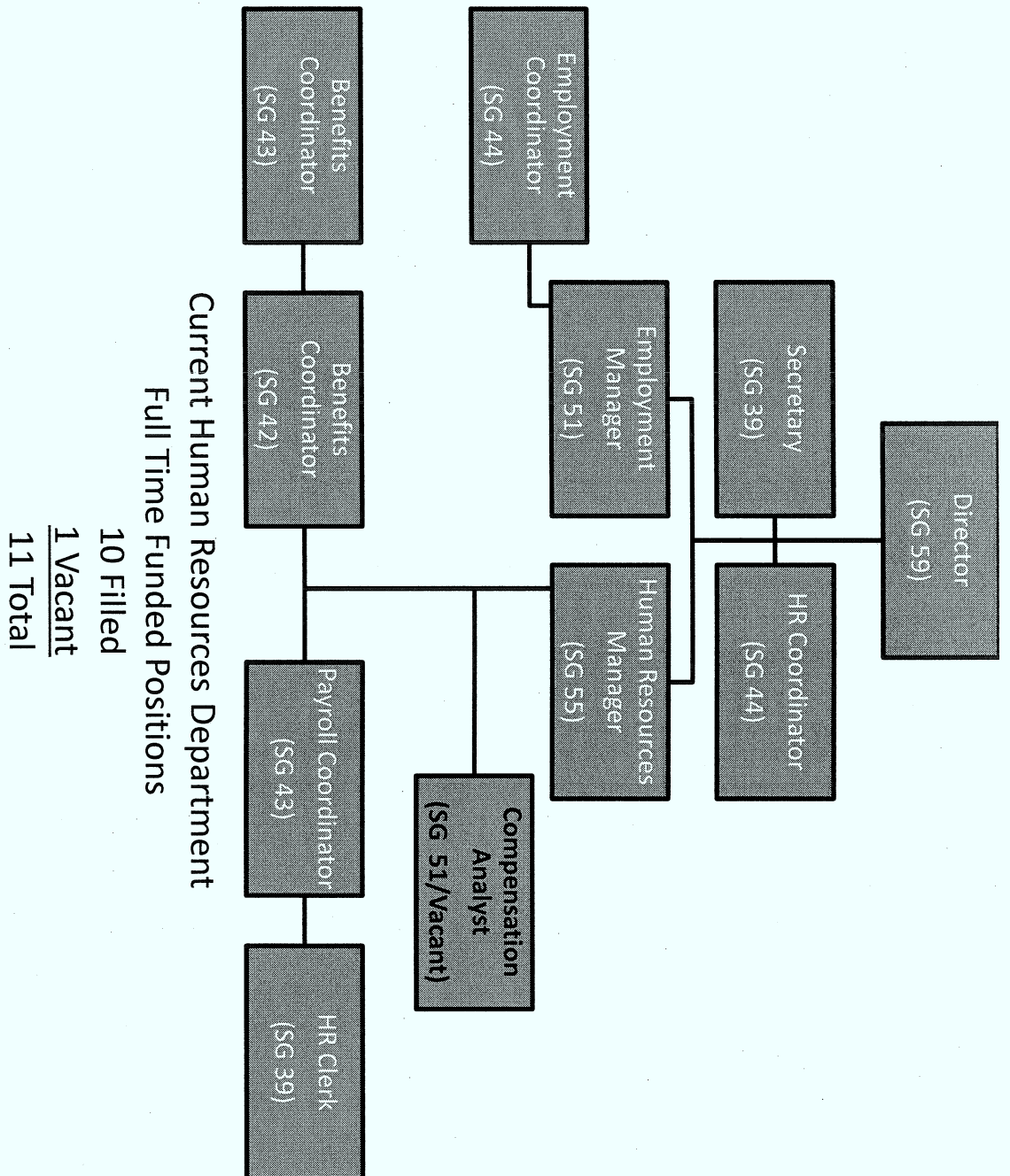
Alternatives: Do not approve reclassifying the vacant Human Resources Coordinator position to a Compensation Analyst and develop an RFP for an outside contractor to administrator the program. Estimated cost would be \$50-100K per year.

Recommendation: Approve reclassification and funding of the vacant Human Resources Coordinator position to a Compensation Analyst in order to develop and maintain a comprehensive and legally compliant compensation program for Augusta-Richmond County.

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

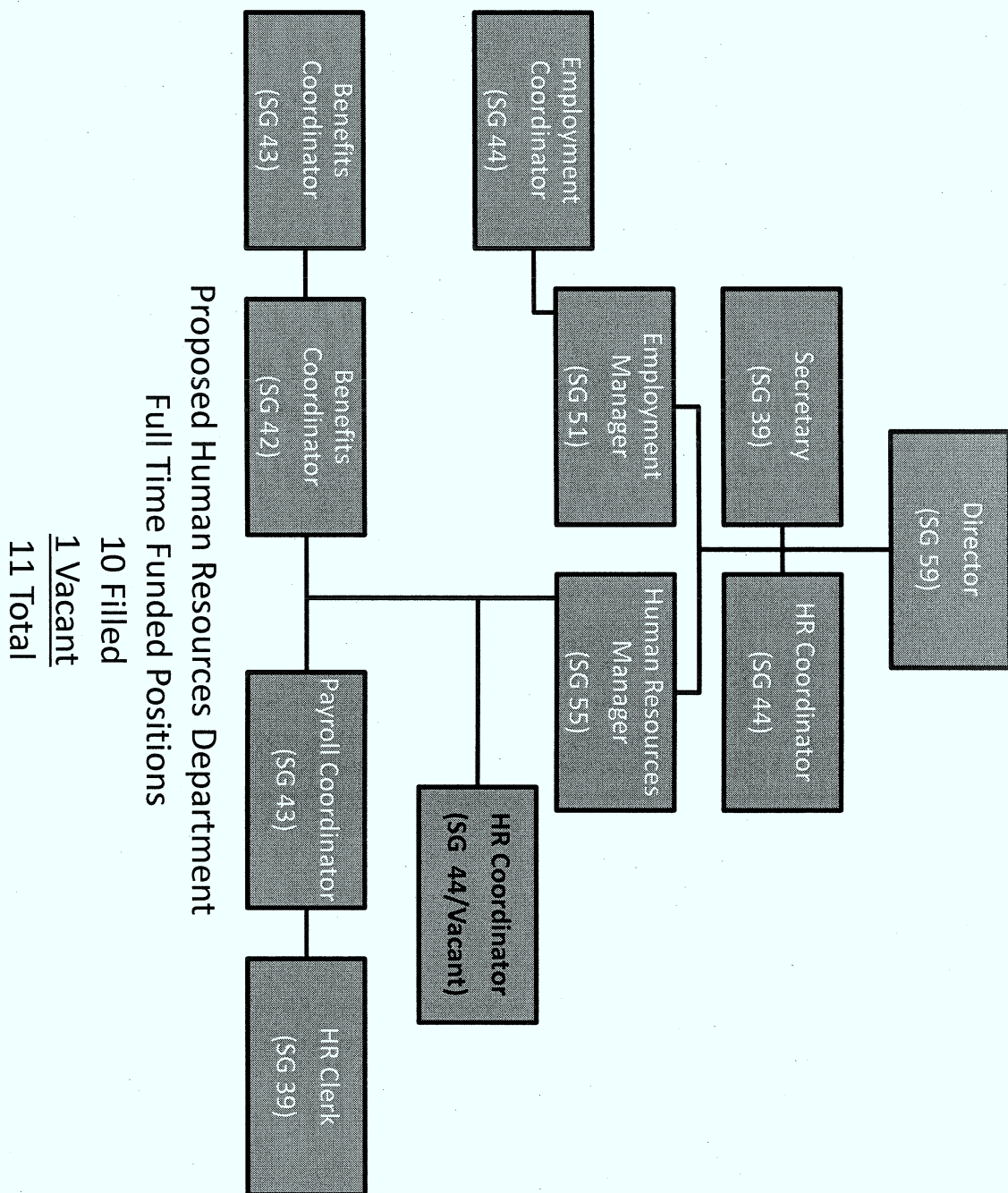
REVIEWED AND APPROVED BY:

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



Attachment 1

1/5/2009



Attachment 2

1/5/2009

Augusta-Richmond County

Job Description

Approved Title: Compensation Analyst
Title: Compensation Analyst
Department: Human Resources
Reports to: Human Resources Manager

Job Code:
Overtime: Exempt
Date Prepared: December 30, 2008
Job Grade: 51

GENERAL SUMMARY: Assists in the development, implementation and administration of compensation programs. the guidelines of federal and state laws, FLSA, ADA, Title VII, Equal Pay Act and the Augusta-Richmond County Commission-Council Policy and Procedure Manual. Reports to the Human Resources Manager and works with co-workers, the Administrator, employees, employee organizations, attorneys, the media and the public to provide administrative support.

PRINCIPAL DUTIES AND RESPONSIBILITIES

1. Writes and evaluates job descriptions and determines job grades.
2. Develop and administer compensation program.
3. Conducts and participates in compensation surveys.
4. Assists in administering the performance appraisal and salary administration programs.
5. Audits job evaluations for accuracy and validity.

REQUIREMENTS

Education: BA/BS in Human Resource Management or a related occupational field of study.

Experience: 2+ years work related experience in Compensation Administration

Knowledge/Skills/Abilities:

- Considerable knowledge of principles and practices of compensation program administration in a Public or Private Sector Human Resources Department.
- Familiarity with the concepts of job classification systems.
- Mastery of interpreting relevant federal and state laws and local ordinances governing compensation administration such as FLSA, ADA, Title VII and the Equal Pay Act.
- Expertise in computerized operations and record-keeping systems.
- Good communication skills, both oral and written.
- Demonstrated ability to work independently.

Other:

- Travel from office to other locations required on an occasional basis.

PHYSICAL DEMANDS

Sitting at desk with intermittent walking, standing, and stooping. Work is performed in an office environment

DISCLAIMER

The preceding job description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities, and qualifications required of employees to this job.

REVIEW/APPROVALS

Human Resources

Date

Line or Staff Management

Date