

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2008 - 52

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO AGREEMENTS WITH GEORGIA POWER, AT&T AND COMCAST PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH UTILITIES WILL BE RELOCATED IN CONNECTION WITH A LOCAL GOVERNMENT PROJECT (LGP) AGREEMENT BETWEEN THE COUNTY AND THE DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENTS AND OTHERWISE TO PERFORM ALL OTHER ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED UNDER THE TERMS OF THE LGP AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the County has approved the ATMS Enhancement Implementation Project (the "Project") through a Local Government Project Agreement ("LPGA") that was executed on December 1, 2003 between Clayton County and the Department of Transportation State of Georgia ("GDOT"); and

WHEREAS, the Project is funded 100% by the Georgia Regional Transportation Authority (GRTA) Bond Program, with a cost breakdown of \$2,000,000.00 for engineering costs and \$4,350,000.00 for the construction costs associated with the Project; and

WHEREAS, one of the County's responsibilities of the LPGA is the relocation of any utilities or facilities in conflict with the Project, of which Georgia Power, AT&T and Comcast are companies that would be affected by the Project; and

WHEREAS, all the utility charges in conjunction with the Project are 100% reimbursable from GDOT as a portion of the construction funding, and all utility contracts and agreements must be executed before GDOT will certify utilities for the Project; and

WHEREAS, the County desires to enter into an agreement with Georgia Power at an estimated cost of \$208,139.00 for make ready engineering for fiber optics placement; with AT&T at an estimate of \$281,539.18 for make ready field engineering and construction on approximately 950 pole project; and with Comcast at an estimate of \$15,807.20 for labor and materials to reposition existing facilities for placement of a traffic fiber; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into agreements with Georgia Power, AT&T and Comcast to achieve the results contemplated therein.

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

Section 1. The Board of Commissioners hereby authorizes the County to enter into an Agreement with Georgia Power providing for the terms and conditions under which make ready engineering will be provided at an estimated cost of \$208,139.00 for fiber optics placement; an Agreement with AT&T under which make ready field engineering and construction will be provided at an estimate of \$281,539.18 on approximately 950 poles in the County; and an Agreement with Comcast under which labor and materials will be provided at an estimate of \$15,807.20 to reposition existing facilities for placement of a traffic fiber, all in connection with the ATMS Enhancement Implementation Project (the "Project"). These funds are 100% reimbursable from the Department of Transportation State of Georgia. The Board of Commissioners hereby authorizes the Chairman to execute these Agreements and to perform all other acts necessary to accomplish the intent of this Resolution. Further, the Board of

Commissioners hereby authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the Local Government Project Agreement that was executed on December 1, 2003 between Clayton County and the Department of Transportation State of Georgia. The Agreements with Georgia Power, AT&T and Comcast shall be subject to such minor changes, insertions or deletions as the Chairman of the Board of Commissioners may approve.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 18th day of March, 2008.

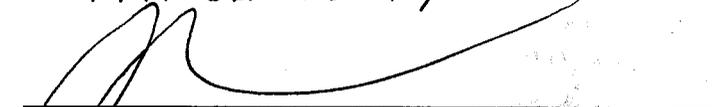
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