

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2015-111

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A PROJECT AGREEMENT WITH PATH FOUNDATION, INC., PROVIDING FOR THE FINANCIAL RESPONSIBILITIES OF EACH PARTY TO DEVELOP GREENWAY TRAILS IN AND AROUND CLAYTON COUNTY INTERNATIONAL PARK UNDER THE TERMS AND CONDITIONS SET FORTH IN THE MASTER AGREEMENT; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT AND TO PERFORM ALL OTHER ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Resolution No. 2013-197, Clayton County Board of Commissioners entered into a Master Agreement with PATH Foundation, Inc. (the "Organizer") dated November 14, 2013, which set forth the process for negotiating and executing future project agreements, to ultimately build a greenway trail network throughout Clayton County; and

WHEREAS, pursuant to Resolution No. 2014-185 and as part of Project P-1, the Clayton County Board of Commissioners entered into a Project Agreement dated as of August 12, 2014, to develop a field-run survey and Demonstration Trail 50% Design documents, which includes approximately two miles of multi-use pedestrian trail in and around Clayton County International Park and the Reid Stephens Property ("Phase P-1A"); and

WHEREAS, pursuant to Resolution No. 2014-243, the County entered into a Professional Services Agreement with the Organizer, dated August 7, 2014, to develop the remaining 50% and final design and engineering plans for approximately .5 miles of pedestrian trail for Project P-1 (“Phase P-1B”), and complete construction documentation, as well as entered into a second Project Agreement for Phase P-1B, dated as of October 9, 2014, to complete the design documents; and

WHEEREAS, the County wishes to enter into a new project agreement with the Organizer, providing for the financial responsibilities of each party to completely develop Project P-1, which includes Phases P-1A and P-1B and encompasses the development of 2.5 miles of greenway trail; and

WHEREAS, this newest project agreement references the Organizer’s estimate of funds required to complete the construction, including a 10 percent contingency, and will allow the final design documents to be put out to bid through the County’s Central Services Department for construction; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County, and the County will best be served by entering into a new project agreement with the Organizer for the above-stated purposes.

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

Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into a Project Agreement with PATH Foundation, Inc. (the “Agreement”) providing for the financial responsibilities of each party to develop Project P-1, which includes 2.5 miles of multi-use trails in and around Clayton County International Park. Approval and execution of the Agreement will allow the final design documents to be put out to bid

through the County's Central Services Department for construction. The Board of Commissioners hereby authorizes the Chairman to execute the Agreement and to perform all other acts necessary to accomplish the intent of this Resolution. The Agreement shall be in substantially the form attached hereto, subject to such minor changes, insertions or deletions as the Board of Commissioners may approve.

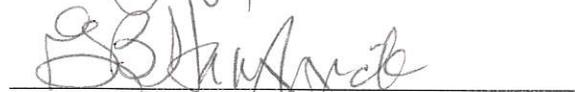
Section 2. This Resolution shall be immediately effective upon approval by the Board of Commissioners and is contingent upon complete satisfaction of all insurance requirements, if any, prior to any work being performed as provided by the Clayton County Risk Management Department.

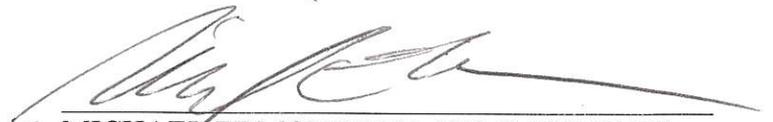
**{Signature Page Follows}**

SO RESOLVED, this the 5<sup>th</sup> of May, 2015.

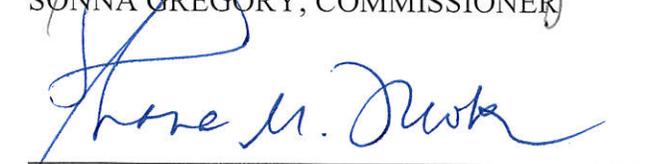
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
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ATTEST:

  
SANDRA T. DAVIS, CLERK