

House Bill 506

By: Representatives Taylor of the 79th, Glanton of the 75th, Beskin of the 54th, Hanson of the 80th, and Gardner of the 57th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965,"
2 approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, so as to provide for a vote by
3 the Board for an award of certain contracts involving concessions; to provide for a
4 competitive process for the award of contracts for concessions and the sale, lease, or other
5 disposition of real property owned by the Authority; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved
10 March 10, 1965 (Ga. L. 1965, p. 2243), as amended, is amended by revising subsection (i)
11 of Section 6 as follows:

12 "(i) Notwithstanding any other provisions of this Act, the following actions by the Board
13 shall require the affirmative vote of one more than a majority of the total voting
14 membership of the Board as it may exist at the time:

15 (1) The issuance and sale of revenue bonds as contemplated in Section 10 or equipment
16 trust certificates as contemplated in Section 11.

17 (2) The purchase or lease of any privately owned system of transportation of passengers
18 for hire in its entirety, or any substantial part thereof, as contemplated in Section 8(c)
19 or 8(d). Prior to the purchase or lease of any such privately owned system a public
20 hearing pertaining thereto shall have been held and notice of such public hearing shall
21 have been advertised as provided in Section 9(c) hereof. Provided that no sum shall be
22 paid for such privately owned system of transportation in excess of the fair market value
23 thereof determined by a minimum of two appraisers and approved by a majority of the
24 local governments participating in the financing of such purchase.

25 (3) The award of any contract involving \$200,000.00 or more for construction,
26 alterations, supplies, concessions, equipment, repairs, maintenance or services. Any

27 contract involving \$200,000.00 or more shall be awarded through a competitive bidding
 28 process as described in Section 14 of this Act. The Board by appropriate resolution may
 29 delegate to the general manager the general or specific authority to enter into contracts
 30 involving less than \$200,000.00 if such contracts are entered into in accordance with
 31 Section 14 of this Act.

32 (4) ~~The grant of any concession as contemplated in Section 14(f):~~

33 ~~(5) The award of any contract for the management of any Authority-owned property or~~
 34 ~~facility as contemplated in Section 14(h)."~~

35 SECTION 2.

36 Such Act is further amended by revising subsections (f) and (g) of Section 14 as follows:

37 "(f) All concessions granted by the Authority for the sale of products or the rendition of
 38 services for a consideration on Authority property shall be awarded only pursuant to
 39 ~~written specifications after~~ a competitive bidding process ~~and to the highest responsible~~
 40 ~~bidder~~ in a manner similar to that required in subsection (b) or subsection (m).

41 (g) Contracts for the sale, lease or other disposition of real property owned by the
 42 Authority shall be awarded only ~~after~~ pursuant to a competitive bidding ~~and to the highest~~
 43 ~~responsible bidder~~ process in a manner similar to that required in subsection (b) or
 44 subsection (m), provided that such competitive ~~bidding procedures~~ process may be waived,
 45 but only if the Board determines that the negotiation of a sale, lease, exchange or other
 46 disposition of real property owned or to be acquired by the Authority is necessary to
 47 facilitate either of the following: (i) the location of an Authority transportation project
 48 within real property owned by another; or (ii) the passage of the public between an
 49 Authority transportation project and the property of another."

50 SECTION 3.

51 All laws and parts of laws in conflict with this Act are repealed.