

**RESOLUTION
OF THE MEMBERS OF THE
MCPHERSON IMPLEMENTING LOCAL REDEVELOPMENT AUTHORITY**

**CONCERNING APPROVAL OF THE PROCUREMENT OF A FIBER-TO-PREMISES
NETWORK PROVIDER FOR PROJECT "FORT MAC FIBERNET" AND OTHER
OFFICIAL ACTIONS**

A meeting of the Members (the "Members of the Authority") of the McPherson Implementing Local Redevelopment Authority (the "Authority") was held on the 16th day of June, 2016, at which meeting a quorum was present and voting throughout. Upon motion duly made and seconded, the following resolutions were adopted by the Members of the Authority at such meeting: For all purposes hereof, this resolution, as a whole, shall be referred to as the "Resolution."

WHEREAS, the senior staff of the Authority seeks authorization to issue a Request for Proposals for an Open Access Carrier to implement a fiber-to-the-premise network that will (a) provide enhanced broadband connectivity to all premises within the Fort McPherson campus and (b) serve as a pilot for a number of neighboring communities.

WHEREAS, the overarching goal of the Authority is to leverage fiber connectivity to help stimulate economic development while improving the community's socio-economic condition.

WHEREAS, the project has a total budget of up to \$800,000, which is expected to be funded in part by a grant from The Atlanta Development Authority ("Invest Atlanta"), in an amount not to exceed \$400,000, with the balance funded by the selected fiber-to-premises network/telecommunications provider (the "FTTP Provider").

WHEREAS, after substantial discussion, and upon the recommendation of the senior staff of the Authority, the Members of the Authority have determined that it is in the best interest of the Authority to approve the issuance of a Request for Proposal for a FTTP Provider to undertake Fort Mac FiberNet.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director, is hereby authorized and empowered, for and on behalf of the Authority, to: (i) issue (or cause the issuance of) a Request for Proposals for a FTTP Provider to undertake Fort Mac FiberNet (subject, however, to the Award Pricing Criteria (as set forth herein below)); and (ii) undertake, or cause the undertaking, of any and all acts and things that he deems, in the exercise of his discretion, necessary, desirable, or appropriate in connection with implementation of the purposes and intent of this Resolution. Notwithstanding anything herein to the contrary, the senior staff shall be required to seek the final approval of the Members of the Authority to the final terms of the contract or other agreement with the selected FTTP Provider (the "Fiber Network Agreement"), prior to the execution and delivery of same by the Authority.

FURTHER RESOLVED, that notwithstanding the foregoing, (a) the Fiber Network Agreement shall include a contract sum which is equal to or less than the \$800,000 budget such that the full contract sum is funded, in part, by a grant from Invest Atlanta, in an amount not to exceed \$400,000, with the balance funded by the selected FTTP Provider (the "Award Pricing Criteria"), and (b) the Executive Director and senior staff of the Authority are authorized to develop any and all other selection criteria which will be set forth in the Request for Proposals or otherwise used in the procurement authorized by this Resolution.

FURTHER RESOLVED, that all acts and doings of the officers, employees, attorneys or agents of the Authority whether done before, on or after the date of adoption of this Resolution, including the actions taken by such parties relating to the matters contemplated in this Resolution, and which are in furtherance of the performance of the matters contemplated herein shall be, and the same hereby are, in all respects approved, ratified and confirmed.


FURTHER RESOLVED, that if any one or more of the provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining agreements and provisions and shall in no way effect the validity of any of the other agreements and provisions hereof.

FURTHER RESOLVED, that this Resolution shall take effect immediately upon its adoption by the Members of the Authority, any provisions of any previous resolutions in conflict with the provisions herein are hereby superseded or repealed (as and to the extent of any such conflict), and any procurement policy of the Authority, to the extent inconsistent herewith, is hereby waived as and to the extent of any such inconsistency.

FURTHER RESOLVED, that the Secretary of the Authority is hereby directed to file a copy of this Resolution with the minutes of the proceedings of the Authority.

Adopted and approved this 16th day of June, 2016.

**MCPHERSON IMPLEMENTING LOCAL
REDEVELOPMENT AUTHORITY**

By:  _____
Chair

(SEAL)

ATTEST

By:  _____
Secretary

[SIGNATURE PAGE TO FTTP PROVIDER PROCUREMENT RESOLUTION]

CERTIFICATE SECRETARY

The undersigned Secretary of the MCPHERSON IMPLEMENTING LOCAL REDEVELOPMENT AUTHORITY (the "Authority") DOES HEREBY CERTIFY (i) that the foregoing pages of typewritten matter constitute a true and correct copy of the Resolution of the Authority (the "Resolution") adopted on the 16th day of June, 2016 by the Members of the Authority in Regular Session, as part of a meeting duly called and held, at which a quorum was present and acting throughout, and (ii) that the original of the Resolution appears of record in the Minute Book of the Authority, which is in my custody and control and will be made available for public inspection.

Given under my hand and the corporate seal of the Authority, this 16th day of June, 2016.


Secretary