

Legislation Text

File #: 2018-2283, **Version:** 1

Public Hearing: YES NO **Department:** Board of Commissioners - District 5

SUBJECT:

Commission District(s): All Commission Districts

An Ordinance to Amend the Code of DeKalb County, Georgia, prohibiting Binding Arbitration in all subcontracts on county projects, and for other purposes .

Information Contact: Mereda Davis Johnson

Phone Number: 404-371-2159

PURPOSE:

Binding arbitration clauses prevent small businesses from pursuing all legal avenues of relief in the courts and often result in unequal bargaining power being held by prime contractors when a dispute arises between a subcontractor and a prime contractor. The purpose of this ordinance is to amend the Code of DeKalb County, Georgia to prohibit binding arbitration in all subcontracts on dealing with county projects and for other purposes.

NEED/IMPACT:

Currently, subcontractors on County projects do not have equal footing with prime contractors when a dispute arises between a prime contractor and a subcontractor. This ordinance will help to ensure the fairness and integrity of the process when handling any disputes that may arise between the prime contractor and subcontractor. Describe why the item is needed. How will this item improve or sustain what your group currently does?

FISCAL IMPACT:

There is no cost to the County.

RECOMMENDATION:

The recommendation is for the Board of Commissioners to adopt the ordinance and authorize the chief executive officer to execute all necessary documents.