

Legislation Details (With Text)

File #: 2018-2283 **Version:** 1 **Name:**
Type: Ordinance **Status:** Action
File created: 6/19/2018 **In control:** OPS-County Operations Committee
On agenda: 7/24/2018 **Final action:**
Title: 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 .

Indexes:

Attachments: 1. Ordinance - Arbitration

Date	Ver.	Action By	Action	Result
7/24/2018	1	Board of Commissioners	approved	Pass
7/10/2018	1	OPS-County Operations Committee	recommended for approval.	Pass
7/10/2018	1	Board of Commissioners	deferred 2 weeks	Pass
6/26/2018	1	OPS-County Operations Committee	recommended for deferral	Pass
6/26/2018	1	Board of Commissioners	deferred 2 weeks	Pass
6/19/2018	1	Committee of the Whole		

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 .

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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.