

A RESOLUTION BY

~~FINANCE/EXECUTIVE~~
TRANSPORTATION COMMITTEE

03-*R*-2124

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE CHANGE ORDER NO. 2 FOR FC-7176-99, TECHNICAL SUPPORT CAMPUS, WITH ACI/EGM, A JOINT VENTURE BETWEEN AVIATION CONSTRUCTORS, INC. AND EBONY GLASS AND MIRROR, ON BEHALF OF THE CITY AND ITS DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED ONE MILLION THIRTY SEVEN THOUSAND TWO HUNDRED TWENTY THREE DOLLARS (\$1,037,223.00), TO BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBER 2H21 573001 R21001.

WHEREAS, the City of Atlanta (the "City") entered into a Contract, FC-7176-99, Technical Support Campus, on behalf of the Department of Aviation at Hartsfield-Jackson Atlanta International Airport, dated October 20, 2000; and

WHEREAS, during the prosecution of the work, ACI/EGM alleged numerous claims against the City requesting additional compensation for owner caused delays, escalation of labor and material costs associated with the delays, rock removal, and design changes; and

WHEREAS, ACI/EGM and the City were unable to reach agreement on a final compensation for the claims during negotiations in July 2003 and the City withdrew it's offer; and

WHEREAS, ACI/EGM filed a Civil Action in Fulton County Superior Court against the City seeking compensation for the alleged claims; and

WHEREAS, the Council of the City of Atlanta did approve one prior Change Order to this Contract that initially addressed other ACI/EGM claims related to new Storm Water Regulations: [i] Change Order No. 1 in the amount of \$556,250; and

WHEREAS, construction of the FC-7176-99, Technical Support Campus project was completed on April 22, 2002 and accepted by the City; and

WHEREAS, to close out the project, all outstanding issues and claims must be resolved between the City and ACI/EGM; and

WHEREAS, to this end, the Hartsfield-Jackson Development Program Project Officer has conducted a series of meetings and negotiations with ACI/EGM and ACI that have resulted in a settlement of all issues and claims between the City and ACI/EGM and between the City and ACI; and

WHEREAS, the Aviation General Manager, the Chief Procurement Officer, and the City Attorney believe it is desirable and in the best interest of the City to document this settlement with ACI/EGM in the form of a Change Order No. 2 for FC-7176-99, Technical Support Campus, in the amount of \$1,037,223.00 to be executed between the City and ACI/EGM.

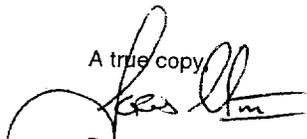
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and is hereby authorized to execute Change Order No. 2 with ACI/EGM, a Joint Venture between Aviation Constructors Inc and Ebony Glass and Mirror, on behalf of the City and its Department of Aviation, for a total not to exceed amount of \$1,037,223.00.

BE IT FURTHER RESOLVED, that Change Order No. 2 shall be charged to and paid for from Fund, Account, and Center Number: 2H21 573001 R21001.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer of the Department of Procurement be and is hereby directed to prepare Change Order No. 2 for execution by the Mayor, to be approved by the City Attorney as to form.

BE IT FINALLY RESOLVED, that Change Order No. 2 shall not become binding on the City and the City shall incur no liability under it until it has been executed by ACI/EGM and the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to ACI/EGM.

A true copy



Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

December 1, 2003
December 9, 2003



CITY OF ATLANTA

Office of the Chief of Staff
Greg Pridgeon
55 Trinity Avenue, SW
Atlanta, GA 30335-0300

MEMORANDUM

TO: Hazel Jacobs
Chief Policy Analyst

FROM: Greg Pridgeon
Chief of Staff

DATE: November 14, 2003

Please be advised that additional back up documentations will be forthcoming from the administration on these resolutions.

Thanks

RCS# 5190
12/01/03
5:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT: 1698,1851,1852,1881,
1309,2087,1719,1845,2164,
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

			12-01-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1875	42. 03-R-1830	81. 03-R-2030	122. 03-R-2071
2. 03-O-1876	43. 03-R-1849	82. 03-R-2031	123. 03-R-2072
3. 03-O-1965	44. 03-R-2120	83. 03-R-2032	124. 03-R-2073
4. 03-O-2153	45. 03-R-2121	84. 03-R-2033	125. 03-R-2074
5. 03-O-1376	46. 03-R-2122	85. 03-R-2034	126. 03-R-2075
6. 03-O-1963	47. 03-R-2125	86. 03-R-2035	127. 03-R-2076
7. 03-O-1841	48. 03-R-2160	87. 03-R-2036	128. 03-R-2077
8. 03-O-1377	49. 03-R-2000	88. 03-R-2037	129. 03-R-2078
9. 03-O-1837	50. 03-R-2001	89. 03-R-2038	130. 03-R-2079
10. 03-O-1880	51. 03-R-2002	90. 03-R-2039	131. 03-R-2080
11. 03-O-1896	52. 03-R-2003	91. 03-R-2040	132. 03-R-2081
12. 03-O-1897	53. 03-R-2126	92. 03-R-2041	133. 03-R-2082
13. 03-O-1898	54. 03-R-2127	93. 03-R-2042	134. 03-R-2083
14. 03-O-1888	Items Adversed on consent	94. 03-R-2043	135. 03-R-2084
15. 03-O-2108	55. 03-R-2004	95. 03-R-2044	136. 03-R-2085
16. 03-O-2142	56. 03-R-2005	96. 03-R-2045	137. 03-R-2086
17. 03-O-2143	57. 03-R-2006	97. 03-R-2046	138. 03-R-2087
18. 03-O-2144	58. 03-R-2007	98. 03-R-2047	139. 03-R-2088
19. 03-O-1899	59. 03-R-2008	99. 03-R-2048	140. 03-R-2089
20. 03-O-2146	60. 03-R-2009	100. 03-R-2049	141. 03-R-2090
21. 03-R-2110	61. 03-R-2010	101. 03-R-2050	142. 03-R-2091
22. 03-R-2111	62. 03-R-2011	102. 03-R-2051	143. 03-R-2128
23. 03-R-2112	63. 03-R-2012	103. 03-R-2052	144. 03-R-2129
24. 03-R-2113	64. 03-R-2013	104. 03-R-2053	145. 03-R-2130
25. 03-R-2114	65. 03-R-2014	105. 03-R-2054	146. 03-R-2131
26. 03-R-2115	66. 03-R-2015	106. 03-R-2055	147. 03-R-2132
27. 03-R-2116	67. 03-R-2016	107. 03-R-2056	148. 03-R-2133
28. 03-R-2139	68. 03-R-2017	108. 03-R-2057	
29. 03-R-2140	69. 03-R-2018	109. 03-R-2058	
30. 03-R-2154	70. 03-R-2019	110. 03-R-2059	
31. 03-R-2166	71. 03-R-2020	111. 03-R-2060	
32. 03-R-2117	72. 03-R-2021	112. 03-R-2061	
33. 03-R-2158	73. 03-R-2022	113. 03-R-2062	
34. 03-R-2156	74. 03-R-2023	114. 03-R-2063	
35. 03-R-2165	75. 03-R-2024	115. 03-R-2064	
36. 03-R-2118	76. 03-R-2025	116. 03-R-2065	
37. 03-R-2119	77. 03-R-2026	117. 03-R-2066	
38. 03-R-2124	78. 03-R-2027	118. 03-R-2067	
39. 03-R-2150	79. 03-R-2028	119. 03-R-2068	
40. 03-R-2152	80. 03-R-2029	120. 03-R-2069	
41. 03-R-2159		121. 03-R-2070	

03-¹²-2124
 (Do Not Write Above This Line)

A RESOLUTION BY
~~TRANSFORMATION~~ COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE CHANGE ORDER NO. 2 FOR FC-7176-99, TECHNICAL SUPPORT CAMPUS, WITH ACI/EGM, A JOINT VENTURE BETWEEN AVIATION CONSTRUCTORS INC AND EBONY GLASS AND MIRROR, ON BEHALF OF THE CITY AND ITS DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED ONE MILLION THIRTY SEVEN THOUSAND TWO HUNDRED TWENTY THREE DOLLARS (\$1,037,223.00), TO BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBER 2H21 573001 R21001.

ADOPTED BY

DEC 01 2003

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred
 Referred To:
 Date Referred
 Referred To:
 Date Referred
 Referred To:
 Referred To:

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

F.I.D. Committee
 Date 11-28-03
 Chair
 Action (see rev. side)
 Fav, Adv, Hold (see rev. side)
 Other
 Members

Refer To
 Committee
 Date
 Chair
 Action (see rev. side)
 Fav, Adv, Hold (see rev. side)
 Other
 Members

Committee
 Date
 Chair
 Action (see rev. side)
 Fav, Adv, Hold (see rev. side)
 Other
 Members

Refer To
 Committee
 Date
 Chair
 Action (see rev. side)
 Fav, Adv, Hold (see rev. side)
 Other
 Members

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
 Consent
 V Vote
 RC Vote

CERTIFIED

DEC 01 2003

ATLANTA CITY COUNCIL PRESIDENT
 Robert W. Landers

DEC 01 2003

MAYOR'S ACTION

APPROVED

DEC 09 2003

MAYOR