

CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE

07-0-0718

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, FOR A PERIOD OF SIXTY DAYS TO OBTAIN CONTINUED SERVICES FROM GINARC CONSTRUCTION, INC., FOR FC-3005007899, EAST WESLEY ROAD STREETScape PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, WITH NO ADDITIONAL FUNDING REQUIRED; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an agreement with Ginarc Construction, Inc., for FC-3005007899, East Wesley Road Streetscape Project, on behalf of the Department of Public Works, in an amount not to exceed One Million Three Hundred Thirty-eight Thousand Eight Hundred Ninety-five Dollars and Twenty-nine cents (\$1,338,895.29); and

WHEREAS, the base term of the contract was for a period of one (1) year with no renewal options, being effective from April 25, 2006 to April 24, 2007; and

WHEREAS, the Chief Procurement Officer issued a 90-day extension, to begin at the expiration of the base term, thereby extending the expiration date to July 23, 2007; and

WHEREAS, a few project modifications and a late start date require an additional sixty (60) day time extension beyond the administrative 90-day extension, with the effective dates being July 24, 2007 to September 21, 2007; and

WHEREAS, Ginarc Construction, Inc., has performed the contracted services satisfactorily and have agreed to continue to provide additional services for the East Wesley Streetscape Traffic Calming Project under such an extended contractual relationship; and

WHEREAS, the Commissioner of the Department of Public Works has recommended the additional 60-day time extension as contemplated by this Ordinance.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:**

**SECTION 1:** The City is authorized to continue its relationship with Ginarc Construction, Inc., for an additional sixty (60) days, effective July 24, 2007 to September 21, 2007, under the same terms and conditions governing the parties under the original contract, so as to ensure the continued provision of the vital services provided by Ginarc Construction, Inc.

**SECTION 2:** The Chief Financial Officer is authorized to remit or accept payment, as appropriate, for the goods and services identified in Section One of this ordinance.

**SECTION 3:** The Mayor is authorized, on behalf of the City, to take any other and further action and to execute, acknowledge, accept and/or deliver any other and further instruments, documents and assurances as deemed desirable and appropriate to consummate the temporary transactions authorized by this Ordinance and to effectuate the terms, purposes and intent of this Ordinance.

**SECTION 4:** All ordinances in conflict are waived for this instance only.



## CITY OF ATLANTA

55 TRINITY AVE., SW, ATLANTA, GEORGIA 30303-0324  
SUITE 4700, CITY HALL - SOUTH  
(404) 330-6240  
FAX (404) 658-7552  
email: publicworks@atlanta.gov

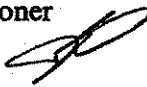
SHIRLEY FRANKLIN  
MAYOR

DEPARTMENT OF PUBLIC WORKS

David E. Scott, P.E.  
Commissioner

### MEMORANDUM FOR: REQUEST FOR CHANGE OR MODIFICATION

**TO:** Adam L. Smith, Chief Procurement Officer  
Department of Procurement

**FROM:** David E. Scott, P.E, Commissioner  
Department of Public Works 

**SUB:** REQUEST FOR CONTRACT CHANGE, AMENDMENT OR MODIFICATION TO:  
FC - 3005007899- East Wesley Road Streetscape/Traffic Calming

**Contractor(s):** Ginarc Construction, Inc.

**DATE:** March 5, 2007

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### NARRATIVE

Pursuant to Sections 2-1102, 2-1103, 2-1206, and 2-1292, of the City of Atlanta Procurement Code and Article 33- Changes and Extra Work of the General Conditions for the Contract, The Department of Public Works (DPW) on behalf of the Quality of Life Bond Program (QOL) request an extension of the Following Contract:

#### **A. Description of Proposed Change (s) / Amendment (s) / Modification (s)**

A time extension once for 150 days on or before the date of expiration under the contract is proposed for good and sufficient cause to formal Contract – 3006007899.

- Expiration date of the original contract term: April <sup>23</sup>25, 2007,
- Term and Duration of proposed extension: 150 Days

#### **B. Need for Proposed Change (s)**

To allow for the completion of work not completed due to late start of contract after Notice to Proceed (NTP) was issued.

**C. Adjustment of Contract time**

This original Contract expires April 25, 2007. An extension to the contract is hereby requested to extend the contract to the maximum date of September 25, 2007.

If additional information is needed, please feel free to contact Soraya Belgrave at Ext. 6002.

DES/sb

**Attachments:**

1. Ninety (90) day extension request

cc: Greg Holder, Department of Public Works  
Michele Wynn, Department of Public Works  
Staci Wilbon, Department of Procurement  
Soraya Belgrave, Department of Public Works / File



**CITY OF ATLANTA**

SUITE 1790  
55 TRINITY AVENUE, SW  
ATLANTA, GA 30303  
(404) 330-6204 Fax: (404) 658-7705  
Internet Home Page: [www.atlantaga.gov](http://www.atlantaga.gov)

DEPARTMENT OF PROCUREMENT  
Adam L. Smith, Esq.  
Chief Procurement Officer  
[asmith@atlantaga.gov](mailto:asmith@atlantaga.gov)

Shirley Franklin  
Mayor

March 15, 2007

VIA FACSIMILE 770-931-4557

Mr. Ginny Ezigbo  
President  
Ginarc Construction, Inc.  
4614 Burns Road  
Lilburn, GA 30087

Re: Extension of FC-3005007899, East Wesley Road Streetscape/Traffic Calming

Dear Mr. Ezigbo:

The City of Atlanta (the "City") will extend the above-referenced agreement with <sup>23</sup>all items, terms and conditions unchanged. The current agreement has an expiration date of April 24, 2007. The City agrees to a ninety (90) day extension of the service agreement, giving the project a new expiration date of July 23, 2007.

By copy of this correspondence to you, we are requesting your agreement to the extension of said contract agreement for an additional ninety (90) days. Please sign in the space provided below if you are in agreement with this extension. This letter should be returned to this office within seven (7) days from your receipt of same. A copy of this extension should be maintained in your files.

If you have any questions regarding this matter, please contact Mr. Steven Joseph, Contracting Officer, at (404) 330-6107.

Thank you for your interest in doing business with the City.

Sincerely,

  
Adam L. Smith

APPROVED:  
(Ginarc Construction, Inc.)

\_\_\_\_\_  
Signature (Seal)

\_\_\_\_\_  
Title Date

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance Executive

**Caption:** AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, FOR A PERIOD OF SIXTY DAYS TO OBTAIN CONTINUED SERVICES FROM GINARC CONSTRUCTION, INC., FOR FC-3005007899, EAST WESLEY ROAD STREETScape PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, WITH NO ADDITIONAL FUNDING REQUIRED; AND FOR OTHER PURPOSES.

**Council Meeting Date:** May 7, 2007

**Requesting Dept:** Public Works

**FAC Confirmed by:** n/a

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of the legislation is to request an additional sixty (60) days of time in addition to the ninety (90)day extension currently available in order to complete remaining work.

**2. Please provide background information regarding this legislation.**

Due to a few project modifications, and a late start on the original agreement, we will need a 150 day extension for this project. We have a ninety day extension available however, additional time is needed.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Construction

(b) **Source Selection:** Bid

(c) **Bids/Proposals Due:**

- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center (Ex. Name and number): NOT NEEDED- THIS IS FOR TIME ONLY

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds:

6. Fiscal Impact:

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Soraya Belgrave

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Nikki Turner

Contact Number: x 6001

Originating Department: Public Works

Committee(s) of Purview: City Utilities

Council Deadline: April 16, 2007

Committee Meeting Date(s): May 1-2, 2007 Full Council Date: May 7, 2007

Commissioner Signature 


Chief Procurement Officer's Signature n/a

**CAPTION**

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FINANCIAL IMPACT: n/a

Mayor's Staff Only

Received by Mayor's Office: 4/16/07   
(date)

Reviewed by:   
(date)

Submitted to Council: 4/19/07  
(date)