

**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**07-*R*-0941**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 WITH PARAMOUNT CONTRACTING COMPANY, FOR FC-3005007894, RUNWAY SAFETY AREAS 26R-9L-9R, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTY-EIGHT THOUSAND, FIVE HUNDRED SEVENTY DOLLARS AND NO CENTS (\$288,570.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 2H26 574001 R21E050796AA (AIRPORT PASSENGER FACILITY CHARGE, FACILITIES OTHER THAN BUILDING, AIRFIELD PAVEMENT REPLACEMENT PROGRAM); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City"), as owner and operator of the Hartsfield-Jackson Atlanta International Airport ("Airport"), has undertaken a Capital Improvement Program of the Airport to accommodate the improve the safety of air traffic; and

**WHEREAS**, the City entered into an agreement with Paramount Contracting Company for Contract No. FC-3005007894, Runway Safety Areas 26R-9L-9R; pursuant to Resolution 06-R-0730; and

**WHEREAS**, Paramount Contracting Company was improving the Runway Safety Area 26R, Runway Safety Area 9L and Runway Safety Area 9R to enhance good pavement conditions; and

**WHEREAS**, the City issued a Suspension Notice on October 18, 2006 in accordance with GC-40, Suspension of Work as a result of requests from FAA Air Traffic Control Tower and Airlines as a means to minimize delays and to ensure Category III landing capabilities on the north airfield during the continuing reconstruction of Runway 8R-26L, Contract No. FC-3005007893; and

**WHEREAS**, it was requested to defer the re-start of Contract No. FC-3005007894 until April 2007 due to other north airfield work to the FAA NAVAIDS during the winter months; and

**WHEREAS**, the Department of Aviation and Paramount Contracting Company have negotiated a settlement for the suspension in accordance with the provisions of GC-40.3, Equitable Adjustment, at a rate of \$48,095 per month through April 2, 2007, the anticipated re-start date; and

**WHEREAS**, this Change Order No. 1 represents collaborative resolution of the suspension, and is in the best interest of the City and Airport users;

**WHEREAS**, the Aviation General Manager and the Chief Procurement Officer recommend the execution of Change Order No. 1 with Paramount Contracting Company

for FC-3005007894, Runway Safety Areas 26R-9L-9R, in an amount not to exceed Two Hundred Eighty-Eight Thousand, Five Hundred Seventy Dollars and No Cents (\$288,570.00);

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor is authorized to execute Change Order No. 1 with Paramount Contracting Company for FC-3005007894, Runway Safety Areas 26R-9L-9R, in an amount not to exceed Two Hundred Eighty-Eight Thousand, Five Hundred Seventy Dollars and No Cents (\$288,570.00);

**BE IT FURTHER RESOLVED**, that all contracted work will be charged to and paid from Fund, Account and Center Number 2H26 574001 R21E050796AA.

**BE IT FURTHER RESOLVED**, that the contract term will be extended to Three Hundred Seventeen (317) calendar days from the Notice to Proceed.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an appropriate Change Order for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to contracting parties.

Part II: Legislative White Paper

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

**Committee of Purview:** Transportation

**Caption:** A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 WITH PARAMOUNT CONTRACTING COMPANY, FOR FC-3005007894, RUNWAY SAFETY AREAS 26R-9L-9R, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTY-EIGHT THOUSAND, FIVE HUNDRED SEVENTY DOLLARS AND NO CENTS (\$288,570.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 2H26 574001 R21E050796AA (AIRPORT PASSENGER FACILITY CHARGE, FACILITIES OTHER THAN BUILDING, AIRFIELD PAVEMENT REPLACEMENT PROGRAM); AND FOR OTHER PURPOSES.

**Council Meeting Date:** May 21, 2007

**Requesting Dept.:** Aviation

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

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

The purpose of this legislation is to authorize the Mayor to execute a Change Order # 1 with Paramount Contracting Company for FC-3005007894 Runway Safety Areas 26R-9L-9R

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

The City executed Contract No. FC-3005007894 Runway Safety Areas 26R-9L-9R with Paramount Contracting Company. The project involves the correcting non-compliant issues in the Runway Safety Area at the ends of the H-JAIA runways. The scope and non-compliant issues include longitudinal and transverse grades exceeding the maximum allowed. Localizers lying inside the area and fixed roads intruding in the area. Typical safety areas are 1,000' long

and 500 feet wide. This corrective action project was to be completed in 120 calendar days. However, on October 18, 2006 Paramount Contracting Company was issued a Suspension Notice in accordance with GC-40, Suspension of Work. The Notice was issued as a result of requests from the FAA Air Traffic Control Tower and the Airlines as a means to minimize delays and to ensure Category III landing capabilities on the north airfield during the continuing reconstruction of Runway 8R-26L, Contract No. FC-3005007893. In addition, it was requested to defer the re-start of the Contract until April 2007 due to other north airfield work to the FAA NAVAIDS during the winter months. The DOA and the Contractor have negotiated a settlement for the suspension in accordance with the provisions of GC-40.3, Equitable Adjustment, at a rate of \$48,095 per month through April 2, 2007, the anticipated re-start date. As such Change Order No. 1 will be issued to Paramount Contracting Company to recommence remediation work per Contract No. FC-3005007894. This Change Order represents collaborative resolution of the suspension, and is in the best interest of the city and Airport users.

**3. If Applicable/Known:**

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Construction
- (b) **Source Selection:** Sealed bids
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** 120 calendar days

4. **Fund Account Center:** 2H26 574001 R21E050796AA

5. **Source of Funds:** *Example: Local Assistance Grant* Passenger Facility Charges

6. **Fiscal Impact:** \$288,570.00

**7. Method of Cost Recovery: PFC's**

**This Legislative Request Form Was Prepared By: Andy Orr**



October 16, 2006

Ms. Bevily Willabus  
Senior Project Manager  
Paramount Contracting Company  
7314 Southlake Pkwy  
Morrow, GA 30260

HCM  
DOCUMENT SCANNED

Subject: Hartsfield-Jackson Atlanta International Airport, Other Airfield Projects Element  
Runway Safety Areas 26R-9L-9R; FC- 3005007894; WBS: H.02.20.040  
Suspension of the Work, Clause GC-40

Dear Ms. Willabus:

As discussed at our meeting of October 13, 2006, the Department of Aviation (DOA) has elected to suspend the work in accordance with Clause GC-40, Suspension of Work, effective 11:59pm on October 18, 2006. This letter is to be considered your Notice to Suspend Work (Notice).

In addition, an inspection of the work associated with the 9L and 9R Safety Areas will be inspected for Substantial Completion so that the DOA can occupy these two runway safety areas as defined in SC-1, Definitions, and GC-25.1, Provisional Acceptance.

It is the intent of the DOA to issue a Notice to Resume, in accordance with Clause GC-40.2, Notice to Resume, on or about March 15, 2007. At which time twenty-seven (27) calendar days, will be available to substantially complete the remaining work, specifically the Runway 26L Safety Area. The twenty-seven calendar days represents the available days remaining from the date of suspension to the revised scheduled completion date accepted on your Baseline Schedule Revision No. 1, dated September 26, 2006.

In accordance with Clause GC-40.1, Suspension Notice, specifically paragraphs 40.1.1 through 40.1.5, please make all necessary arrangements to cease operations the effective date of this notice.

Finally, in accordance with Clause GC-40.3, Equitable Adjustment, you will be afforded the opportunity to recover costs and time incurred as a result of this suspension.

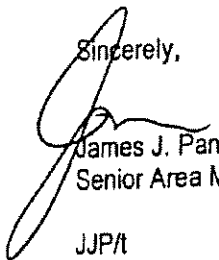
4815 Riverdale Road  
P.O. Box 490009 Old National Station, Atlanta, GA 30349  
404.762.0757 / 404.762.7832-Fax

Ms. Bevily Willabus  
Contract: 3005007894  
October 16, 2006

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If you have any questions or comments regarding the matters presented, please do not hesitate to contact me at 404-762-0757, Extension 243.

Sincerely,



James J. Pantina  
Senior Area Manager

JJP/t

cc: T. Allen, DOA; Q Watkins, DOA; J. Cordner, H-JCM; R. Tomlinson, H-JCM;  
A. Togba, H-JCM; P. Fleming, H-JCM  
File No.: 2.5  
HJCM Letter No: 20007

4870 West Fayetteville Road  
P.O. Box 490009 Old National Station, Atlanta, GA 30349  
404.762.0757 / 404.762.7832-Fax



CHANGE ORDER NO. 1

FOR EXECUTION BY THE CHIEF PROCUREMENT OFFICER PURSUANT TO  
GC-31 AND SC-1 OF THE CONTRACT DOCUMENTS

EFFECTIVE DATE: March 2, 2007  
TO: Paramount Contracting Company  
FOR PROJECT: FC-3005007894: Runway Safety Areas 26R-9L-9R  
FOR OWNER: City of Atlanta--Department of Aviation

**DESCRIPTION OF CHANGE:**

**I. This Change Order No. 1 is issued to accomplish the following:**

- 1) Revise Clauses SC-6.2, Intermediate Milestones, and SC-19.1, Estimated Liquidated Damages, to reflect changes in the schedule in accordance with Clause GC-40, Suspension of Work, and specifically in accordance with the attached Notice to Suspend Work. ??

**II. Changes to the Contract:**

- 1) The Contract Documents are amended as follows:
  - a) The Intermediate Milestones defined in the Table in SC-6.2 is deleted in its entirety and replaced by the Table set forth on Exhibit A attached.
  - b) The Liquidated Damages for the Intermediate Milestones defined the Table in SC-19.1 is deleted in its entirety and replaced by the Table set forth on Exhibit B attached.
  - c) Delete the words "**Ninety (90) calendar days**" in last sentence of the first paragraph in Clause SC-6.3, Contract Completion.
  - d) Delete the first and only sentence in Clause SC-6.3, Contract Completion, and replace with the following:

**"CONTRACTOR shall complete the Work under this Contract on or before: Three Hundred Seventeen (317) calendar days from the Notice to Proceed."**
- 2) CONTRACTOR acknowledges and agrees that this Change Order No. 1 represents all potential changes necessary in compensation, if any, and time with respect to the changes set forth in this Change Order No. 1, including, without limitation, all direct costs, indirect costs, overhead costs, general and administrative expenses, profit and all effects (direct, indirect and consequential, including impacts and ripple effects) as defined in Clause GC-40.3, Equitable Adjustment.
- 3) This Change Order increases the original Contract by a Not to Exceed amount of \$288,570.00. This compensation is to be paid on a monthly basis, starting on October 19, 2006, at a rate of \$48,095.00 for a period of no more than six (6) months. Payment for a partial month of suspension shall be on a pro rata basis of the monthly rate above.

Change Order No. 1  
Runway Safety Areas 26R-9L-9R  
Contract No. FC-300507894  
Page 2 of 4

**CONTRACTOR<sup>1</sup>:**  
**PARAMOUNT CONTRACTING COMPANY**

**CITY OF ATLANTA**

**BY:** \_\_\_\_\_  
**NAME:** \_\_\_\_\_  
**TITLE:** \_\_\_\_\_

\_\_\_\_\_  
**CHIEF PROCUREMENT OFFICER**

\_\_\_\_\_  
**CORPORATE SECRETARY/ASSISTANT  
SECRETARY (SEAL)**

\_\_\_\_\_  
**MUNICIPAL CLERK (SEAL)**

**RECOMMENDED:**

\_\_\_\_\_  
**AVIATION GENERAL MANAGER**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**Exhibit A to Change Order No. 1**

Milestone No.	Contract Milestones
A	Contractor shall procure any and all materials, submittals, equipment and labor within the Thirty (30) calendar day period of the Notice to Proceed (NTP).
B	Achieve Substantial Completion within Three Hundred Seventeen (317) calendar days of the Notice to Proceed (NTP).

**Exhibit B to Change Order No. 1**

<b>Milestone No.</b>	<b>Contract Milestones</b>	<b>Liquidated Damages</b>
A	Failure to complete procurement of materials within Thirty (30) calendar days of the Notice to Proceed (NTP). Contractor shall procure any and all materials, submittals, equipment and labor within the Thirty (30) calendar day procurement period.	Three Thousand Dollars and Zero Cents (\$3,000.00) per calendar day.
B	Failure to meet Substantial Completion within Three Hundred Seventeen (317) calendar days.	Ten Thousand Dollars and Zero Cents (\$10,000.00) per calendar day.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): M. Theresa Stewart



Contact Number: x6207

Originating Department: Department of Aviation

Committee(s) of Purview: Finance/Executive

Council Deadline: May 7, 2007

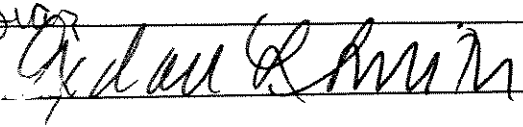
Anticipated Committee Meeting Date(s): May 16, 2007

Anticipated Full Council Date: May 21, 2007

Commissioner Signature



Chief Procurement Officer Signature:




CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 WITH PARAMOUNT CONTRACTING COMPANY, FOR FC-3005007894, RUNWAY SAFETY AREAS 26R-9L-9R, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTY-EIGHT THOUSAND, FIVE HUNDRED SEVENTY DOLLARS AND NO CENTS (\$288,570.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 2H26 574001 R21E050796AA (AIRPORT PASSENGER FACILITY CHARGE, FACILITIES OTHER THAN BUILDING, AIRFIELD PAVEMENT REPLACEMENT PROGRAM); AND FOR OTHER PURPOSES.

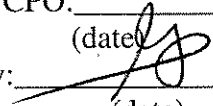
FINANCIAL IMPACT (if any): \$288,570.00

Mayor's Staff Only

Received by CPO: 5/2/07  (date)

Received by LC from CPO: \_\_\_\_\_ (date)

Received by Mayor's Office: \_\_\_\_\_ (date)

Reviewed by:  (date)

Submitted to Council: 5/4/07 (date)