

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH DESMEAR SYSTEMS, INC., FOR FC-3006007928, PERRY BOULEVARD STREETScape, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an Agreement with Desmear Systems, Inc., for FC-3006007928, Perry Boulevard Streetscape Project; and

WHEREAS, the Original Agreement was executed on May 29, 2007 and expires May 28, 2008 pursuant to Resolution 07-R-0309 on March 5, 2007, and the Mayor approved the same on March 13, 2007 with a base term of one (1) year with a one (1) year renewal option, in an amount not to exceed Seven Hundred Seventy Seven Thousand One Hundred Twenty Two Dollars (\$777,122.00); and

WHEREAS, Amendment Agreement No. 1 was executed on September 24, 2007 pursuant to Resolution 07-R-1079 in the amount of \$804,558.90; and

WHEREAS, Desmear Systems, Inc., has performed the contracted service satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Renewal Agreement No. 1 for time only, no additional funding is requested.

WHEREAS, the term of this Renewal Agreement No. 1 is for a period of one (1) year, effective May 29, 2008 to May 28, 2009; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to execute Renewal Agreement No. 1 with Desmear Systems, Inc., for FC-3006007928, Perry Boulevard Streetscape Project, in order to continue the streetscape improvement projects along Perry Boulevard.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is hereby directed to prepare the appropriate agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that this Agreement will not become binding upon the City and the City shall incur no obligation or liability hereunder until the same has been signed by the Mayor and attested to by the municipal clerk, and delivered to Desmear Systems, Inc.

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: City Utilities Committee

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Council Meeting Date: May 5, 2008

Requesting Dept.: Department of Public Works

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 renew existing agreement for time only.

2. Please provide background information regarding this legislation.

The City of Atlanta Perry Blvd Streetscape Project for the Quality of Life Bond Program in the respective council districts.

3. If Applicable/Known:

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

(b) **Source Selection:** N/A

(c) **Bids/Proposals Due:** 7/12/2006

(d) **Invitations Issued:** 150

(e) **Number of Bids:** 9

(f) **Proposals Received:** N/A

(g) **Bidders/Proponents:** N/A

(h) **Term of Contract:** 1 year with a 1 year renewal option

4. Fund Account Center: N/A

5. Source of Funds: Quality of Life Bonds

6. Fiscal Impact:

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Soraya Belgrave

LEGISLATIVE SUMMARY
FC-3006007928, Perry Boulevard Streetscape
Renewal Agreement No. 1

TO: CITY UTILITIES COMMITTEE

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH DESMEAR SYSTEMS, INC., FOR FC-3006007928, PERRY BOULEVARD STREETScape, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS; AND FOR OTHER PURPOSES.

Committee Meeting Date: April 29, 2008

Council Meeting Date: May 5, 2008

Requesting Dept.: Department of Public Works

Contract Type: Construction

Advertisement: In the AJC 06/04/06 and 06/11/06 and Webpage 05/08/06 to 06/28/06

Bids Due: July 12, 2006

Invitations Mailed: Approximately 150 invitations mailed

Bids Received: 9

Bidders: T3 Design Associates (\$555,784.50.00)
Desmear Systems, Inc. (\$777,122.00) **
SD&C Contractors (\$781,497.75)
Ginarc Construction (\$830,993.82)
Precision 2000 (\$908,758.80)
Nile, Inc. (\$950,080.00)
Shaheed's Construction (\$1,100,273.14)
Randolph Company (\$1,342,145.00)
CMES, Inc. (\$1,378,030.00)
*** Contract awarded to second lowest bidder due to the fact the previous contractor T3 Design Associates was unable to secure bonding for this project.*

Contractor: Desmear Systems, Inc.

Estimated Value: No funding Added. Time Only

Scope Summary: The Department of Public Works is requesting to exercise their option to execute Renewal Agreement No. 1, for time only. The construction services required by this contract include streetscape and traffic calming improvements along Perry Boulevard, between Habershal Road and McCallie Boulevard fronting the West Highland project.

Background:

Original Agreement: May 29, 2007 to May 28, 2008 in the amount of \$777,122.00

Amendment Agreement No. 1: Executed September 24, 2007 in the amount of \$804,558.90

Term of Contract:

One year (1) with a one (1) year renewal option at the City's sole discretion.

Evaluation Team:

Representatives from the Department of Public Works' Quality of Life Bond Program (QOLBP) and representatives from the Office of Contract Compliance.

Prepared By:

Kimberly Lyons, Contracting Officer

Contact Number:

(404) 865-8521



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

DEPARTMENT OF PUBLIC WORKS

SHIRLEY FRANKLIN
MAYOR

David E. Scott, P.E.
Commissioner

MEMORANDUM FOR: RECOMMENDATION FOR AWARD

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

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

SUB: Recommendation for Award to 2nd lowest bidder
Contractor: **Desmear Systems Inc.**
FC-3006007928, Perry Blvd. Streetscape Project/Traffic Calming

DATE: **January 26, 2007**

The Department of Public Works (DPW) recommends that Desmear Systems, Inc be considered for award on the above referenced project.

Justification

T3 Design Associates (T3) was notified of award officially on September 14, 2006. They returned the signed contract in November without the required Payment and Performance Bonds. After several attempts to contact the Contractor to get the Bonds, we received a letter from the surety company withdrawing the support of obtaining the bonds due to T3 not providing them with the pertinent information needed.

DPW would like to move forward with this project utilizing the 2nd lowest bidder: Desmear Systems, Inc. whose bid submittal of \$777,122.00 is still within our estimate.

If you have any questions, please feel free to contact Soraya Belgrave, Contracting Officer Sr. at (404) 330-6002.

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

RECEIVED
CITY OF ATLANTA
DEPT. OF PUBLIC WORKS
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CITY OF ATLANTA
DEPT. OF PROCUREMENT

2006 JUL 24 PM 2:48



CITY OF ATLANTA

SUITE 1700
55 TRINITY AVENUE, SW
ATLANTA, GA 30303

(404) 330-6010 Fax: (404) 658-7359
Internet Home Page: www.atlantaga.gov

Shirley Franklin
Mayor

OFFICE OF CONTRACT COMPLIANCE
Hubert Owens
Director
howens@atlantaga.gov

MEMORANDUM

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

FROM: Hubert Owens, Director *HO*
Mayor's Office of Contract Compliance

RE: **Bid Recommendation for FC 3006007928, Perry Boulevard Streetscape Project**

DATE: July 21, 2006

The Office of Contract Compliance has reviewed the nine bids for minority and female business enterprise participation. All nine bidders are eligible under Section 2-1449(a)(2)(C) of the Equal Business Opportunity (EBO) Code of Ordinances. However, only eight bidders have been deemed responsive by the Office of Contract Compliance. For your information, they have committed to utilize AABEs, FBEs, HBEs and ABEs as indicated below:

<u>T3 Design Associates, Inc.</u>	AABE 25%
Peachtree Electrical	FBE 15%
Ballard Construction	
Participation Total	40%
<hr/>	
<u>Desmear Systems, Inc.</u>	AABE 17%
Civil Works, Inc.	FBE 17%
T3 Design Associates, Inc.	
Participation Total	34%

MEMORANDUM

TO: Adam L. Smith
FROM: Hubert Owens
RE: Bid Recommendation for FC 3006007928, Perry Boulevard Streetscape Project
DATE: July 21, 2006
PAGE: 2

SD & C

Knight & Associates	AABE 9%
JKG Electrical	AABE 18%
Deerfield Paving	AABE 9%
BE & BA, LLC	HBE 6%
Safety Signals	FBE 2%
Flintstone Pavers	FBE 2%
Participation Total	46%

Ginarc Construction, Inc.

Flintstone Pavers, Inc.	FBE 3%
Meadow Creek	FBE 6%
Kissberg Construction	FBE 4%
JKG Electrical	AABE 17%
ARI, Inc.	AABE 4%
Participation Total	34%

Precision 2000, Inc.

Engitek	FBE 12%
T.M.C. Grassing, Inc.	FBE 2%
TEM Construction, LLC	FBE 3%
Knight & Associates	AABE 10%
JRK Trucking	ABE 10%
Participation Total	37%

Nile, Inc.

Knights & Associates	AABE 53%
Aviel Lawn Care & Landscaping, LLC	FBE 21%
Participation Total	74%

Shaheed's Construction Co., Inc.

Thrasher Trucking	AABE 10%
C&S Paving	FBE 14%
Flintstone Paving	FBE 3%
Gantt Construction	AABE 7%
Participation Total	34%

Randolph & Company

Urban Services Group	AABE 23%
MAR Trucking	FBE 3%
Flintstone Pavers	FBE 2%
Participation Total	28%

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Soraya Belgrave

Contact Number: (404) 330-6002

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: April 9, 2008

Anticipated Committee Meeting Date(s): April 29, 2008

Anticipated Full Council Date: May 5, 2008

Legislative Counsel's Signature: Terry Grandison *Terry Grandison*

Commissioner Signature: *J. Bab*

Chief Procurement Officer Signature: *Adrian J. Smith*

CAPTION

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Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 4/10/08 *(Signature)* Reviewed by: *(Signature)*
(date) (date)

Submitted to Council: _____