

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 2 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, FOR THE CONSTRUCTION OF SIDEWALK IMPROVEMENT PROJECTS ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED SIX HUNDRED EIGHTY EIGHT THOUSAND THIRTY FIVE DOLLARS AND SIX CENTS (\$688,035.06); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 2702 (WESTSIDE TAD); 130308 (DPW TRANSPORTATION DESIGN); 130306(DPW ROADWAYS & WALKWAYS) 5414002 (FAC OTHER THAN BUILDINGS) AND PTAE0 FUNDING SOURCE 13102112/102/350291105/5414002/COA; 13102111/103/350291105/5414002/COA; 13110334/102/270221842/5414002/COA;13102110/102/350291795/5414002/COA;13102629/102/350291795/5414002/COA; FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into FC-3007000046, Construction Services for the Collier Road Sidewalk Improvement Project, in an amount not to exceed Two Hundred Forty Three Thousand Three Hundred Eighty Four Dollars and Ninety Cents (\$243,384.90); and

WHEREAS, on February 18, 2008, the City Council adopted Resolution 08-R-0208 and the Mayor approved the same on February 25, 2008, which authorized the Agreement for FC-3007000046; and

WHEREAS, the base term of the Original Agreement is for one (1) year with a one (1) year renewal option at the sole discretion of the City; and

WHEREAS, the Original Agreement was executed on April 8, 2008 and expires on April 3, 2009; and

WHEREAS, on June 16, 2008, the City Council adopted Resolution 08-R-1160 and the Mayor approved the same on June 24, 2008, which authorized the Amendment Agreement No. 1 in the amount of Two Hundred Thirty Nine Thousand Two Hundred Thirty Two Dollars and No Cents (\$239,232.00); and

WHEREAS, Tople Constuction, Inc. has performed the contracted services satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend the execution of Amendment Agreement No. 2 with Tople Construction Inc for FC-3007000046, for additional sidewalk improvement projects in an amount not to exceed Six Hundred Eighty Eight Thousand Thirty Five Dollars and Six Cents (\$688,035.06).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor be and is hereby authorized to enter into Amendment Agreement No. 2 with Tople Construction Inc., for FC-3007000046, construction of the various sidewalk improvement projects in an amount not to exceed Six Hundred Eighty Eight Thousand Thirty Five Dollars and Six Cents (\$688,035.06).

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

BE IT FURTHER RESOLVED, that the Agreement shall not become binding upon the City and City shall incur no obligation or liability hereunder until the same has been signed by the Mayor and attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Tople Construction, Inc.

BE IT FINALLY RESOLVED, that all contracted work will be charged to and paid from Fund Department and Account Numbers: 3502 (General Government Capital Fund), 2702 (Westside TAD); 130308 (DPW Transportation Design); 130306(DPW Roadways & Walkways) 5414002 (FAC Other Than Buildings) and PTAE0 Funding Source: 13102112/102/350291105/5414002/COA; 13102111/103/350291105/5414002/COA; 13110334/102/270221842/5414002/COA;13102110/102/350291795/5414002/COA; 13102629/102/350291795/5414002/COA; For Other Purposes.

**LEGISLATIVE SUMMARY
AMENDMENT AGREEMENT NO. 2**

FC-3007000046, Annual Contract for Collier Road Sidewalk Improvement

TO: CITY UTILITIES COMMITTEE

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 2 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, CONSTRUCTION OF SIDEWALK IMPROVEMENT PROJECTS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED SIX HUNDRED EIGHTY EIGHT THOUSAND THIRTY FIVE DOLLARS AND SIX CENTS (\$688,035.06) WITH ALL CONTRACTED WORK BEING CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 2702 (WESTSIDE TAD); 130308 (DPW TRANSPORTATION DESIGN); 130306(DPW ROADWAYS & WALKWAYS) 5414002 (FAC OTHER THAN BUILDINGS) AND PTAE0 FUNDING SOURCE 13102112/102/350291105/5414002/COA; 13102111/103/350291105/5414002/COA; 13110334/102/270221842/5414002/COA;13102110/102/350291795/5414002/COA;13102629/102/350291795/5414002/COA; AND FOR OTHER PURPOSES.

Committee Meeting Date: April 28-29, 2009

Council Meeting Date: May 4, 2009

**Legislation Title: Amendment Agreement No. 2 FC-3007000046,
Collier Road Sidewalk Improvement Project**

Requesting Dept.: Public Works

Contract Type: BID

Advertisement: 11/11/07, 11/18/07 and 11/25/07

Bids/Proposals Due: 12/12/07

Invitations Mailed: 120

Bids/Proposals Received: 15

(1) Tople Construction	*243,384.90
(2) MB Enterprises	249,120.00
(3) GS Construction, Inc.	250,797.00
(4) SD & C, Inc.	259,845.47
(5) GSC Atlanta, Inc.	270,143.00
(6) JaTech & Associates	275,479.20
(7) Ginarc Construction	286,745.78
(8) Kissberg Construction	308,556.25
(9) CMES, Inc.	323,663.98
(10) Rosebud Hauling	**375,177.45
(11) Desmear Systems, Inc.	408,256.00
(12) Shaheed's Construction	428,230.10
(13) Prince Ventures, LLC	446,979.12
(14) Wade Coots	598,762.14

(15) Rockdale Pipeline 1,435,946.52

**Denotes the Lowest Most Responsive and Responsible Bidder.*

***Denotes that the Bidder was non-responsive by DOP.*

Contractor: Tople Construction, Inc.

Estimated Value: \$688,035.06

Scope Summary: This Project is designed to provide construction of sidewalk improvements along Collier Road from Howell Mill Road to Peachtree Road in the City of Atlanta. Improvements include, but are not limited to: demolition and installation of sidewalks, handicap ramps, driveways, curbing, drainage, erosion control, pavement markings and signage.

Background: **Original contract was executed on April 4, 2008
Amendment Agreement No. 1 was executed 01/08/09
Renewal Agreement No. 1-TBD**

Evaluation Team: Representatives from the Department of Public Works and the Office of Contract Compliance

Term of Contract: One (1) year with a one (1) year renewal option

Fund Account Centers: 130308 (DPW TRANSPORTATION DESIGN); 130306(DPW ROADWAYS & WALKWAYS) 5414002 (FAC OTHER THAN BUILDINGS) AND PTAE0 FUNDING SOURCE 13102112/102/350291105/5414002/COA; 13102111/103/350291105/5414002/COA; 13110334/102/270221842/5414002/COA;13102110/102/350291795/5414002/COA;13102629/102/350291795/5414002/COA; AND FOR OTHER PURPOSES.

Prepared By: Kimberly Lyons, Contracting Officer

Contact Number: (404) 865-8521



CITY OF ATLANTA
DEPT. OF PROCUREMENT

09 MAR 31 AM 10: 03

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@atlantaga.gov


DEPARTMENT OF PUBLIC WORKS

SHIRLEY FRANKLIN
MAYOR

Joe Basista
COMMISSIONER

MEMORANDUM

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

FROM: Joe Basista, Commissioner
Department of Public Works 

DATE: March 26, 2009

SUBJECT: REQUEST FOR CONTRACT CHANGE, MODIFICATION OR AMENDMENT:
TO THE FOLLOWING CONTRACT:
**Amendment No. 2 to FC-3007000046, Construction Services for Collier Road
Sidewalk Improvement Project;**

Contractor: Tople Construction Inc.

PLEASE SUBMIT FOR CYCLE 7

Pursuant to Section 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 Renewal No. 1 to the following Contract for additional work on north side of Collier Road.

A. DESCRIPTION OF SERVICES

The Department of Public Works (DPW) wishes to amend the original agreement of the above captioned subject.

B. DETERMINATION OF CONTINUED NECESSITY OF SERVICES

This renewal is required to enable QOL to carry out (without interruption of services), its objective to provide infrastructure improvements and specifically to provide functional street improvement through resurfacing.

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To: Adam L. Smith, Chief Procurement Officer

REQUEST FOR CONTRACT CHANGE, MODIFICATION OR AMENDMENT

Amendment No. 2 for FC-3007000046

March 26, 2009

C. ADJUSTMENT OF CONTRACT PRICE

\$688,035.06

D. CONTRACTOR PERFORMANCE

The Contractor has been performing satisfactorily during the period of performance that commenced since the execution of the contract.

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

JJB/sb

cc: Cathy Martin, DOP
Dawn Riley, Department of Public Works
Soraya Belgrave, Department of Public Works / File



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
Mayor's Office of Contract Compliance
RE: Bid Recommendation for FC 3007000046, Annual Contract for Collier Road
Sidewalk Improvements
DATE: January 14, 2008

The Office of Contract Compliance has reviewed the three bids for minority and female business enterprise participation. All three bidders have been deemed responsive by the Office of Contract Compliance. For your information, they have committed to utilize AABEs and FBEs as indicated below:

Tople Construction & Engineering, Inc.

Table with 2 columns: Company Name and Percentage. Rows include A&S Paving, Inc. (FBE 1%), Highway Services, Inc. (FBE 5%), Kemi Construction Co., Inc. (AABE 17%), K.C. Trucking, Inc. (AABE 14%), and Participation Total (37%).

MB Enterprises

Table with 2 columns: Company Name and Percentage. Rows include JaTech & Associates, Inc. (AABE 14%), Ariel Lawn Care & Landscape (FBE 6%), Urban Infrastructure (AABE 14%), and Participation Total (34%).

GS Construction

Table with 2 columns: Company Name and Percentage. Rows include K.C. Trucking, Inc. (AABE 28%), TEM Construction (FBE 6%), and Participation Total (34%).

If you have questions, please contact me at (404) 330-6010 or Bruce T. Bell at (404) 330-6009.

cc: File
Kimberly Lyons, DOP

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

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 2 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, CONSTRUCTION OF SIDEWALK IMPROVEMENT PROJECTS ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED SIX HUNDRED EIGHTY EIGHT THOUSAND THIRTY FIVE DOLLARS AND SIX CENTS (\$688,035.06) WITH ALL CONTRACTED WORK BEING CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 2702 (WESTSIDE TAD); 130308 (DPW TRANSPORTATION DESIGN); 130306(DPW ROADWAYS & WALKWAYS) 5414002 (FAC OTHER THAN BUILDINGS) AND PTAE0 FUNDING SOURCE 13102112/102/350291105/5414002/COA; 13102111/103/350291105/5414002/COA; 13110334/102/270221842/5414002/COA;13102110/102/350291795/5414002/COA;13102629/102/350291795/5414002/COA; AND FOR OTHER PURPOSES.

Council Meeting Date: May 4, 2009

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 continue construction activity along the Collier Road Sidewalk Project including the northside of Collier Road within the City of Atlanta.

2. Please provide background information regarding this legislation.

Sidewalk design and construction work as part of the City of Atlanta's Quality of Life Sidewalk Program

3. If Applicable/Known:

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

(b) **Source Selection:**

(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: 13102112 102 350291105, 13102111 103 350291105, 13110334
102 270221842, 13102110 102 350291795, 13102629 102 350291795

5. Source of Funds: Impact Fees, Westside TAD

6. Fiscal Impact: \$688,035.06

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Soraya Belgrave

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Soraya Belgrave

Contact Number: (404) 330-6008

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: April 14, 2009

Anticipated Committee Meeting Date(s): April 28, 2009

Anticipated Full Council Date: May 4, 2009

Legislative Counsel's Signature: Saul Schultz 

Commissioner Signature: 

Chief Procurement Officer Signature: Adam Rubin 

CAPTION

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Mayor's Staff Only

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

Received by Mayor's Office: 4/14/09 me Reviewed by: _____
(date) (date)

Submitted to Council: _____