

**11-1734**

(Do Not Write Above This Line)

A RESOLUTION BY  
CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NUMBER 1 WITH TOPLE CONSTRUCTION, INC., FOR FC-4943E, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, FOR TIME ONLY AND TO ADD "BRICK" AS AN ADDITIONAL LINE ITEM; AND FOR OTHER PURPOSES.

**ADOPTED BY**

DEC 05 2011

**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:  
Date Referred  
Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee City Utilities  
Date Nov 29 2011  
Chair Mark DeLuca

Action Refer  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

[Signature]  
[Signature]  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Refer To \_\_\_\_\_

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

CERTIFIED

**CERTIFIED**  
DEC 05 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

**CERTIFIED**  
DEC 05 2011

[Signature]  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

DEC 12 2011

[Signature]  
MAYOR



CITY COUNCIL  
ATLANTA, GEORGIA

**A RESOLUTION BY  
CITY UTILITIES COMMITTEE**

11- R -1734

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NUMBER WITH TOPLE CONSTRUCTION, INC., FOR FC-4943E, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, FOR TIME ONLY AND TO ADD "BRICK" AS AN ADDITIONAL LINE ITEM; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") did solicit Bids for Contract No. FC- 4943, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters ("Contractors"); and

**WHEREAS**, on September 21, 2009, the City Council adopted resolution 09-R-1550 and the Mayor approved the same on September 25, 2009 which authorized the Agreement for FC-4943E; and

**WHEREAS**, the base term of the Contract is for a period of two (2) years, with two (2) one (1) year renewal option(s) to be exercised at the sole discretion of the City effective October 20, 2009 through October 19, 2011; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 1 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveway, Curbs and Gutters via Resolution 09-R-1877 adopted by the City Council on November 2, 2009 and by the Mayor on November 6, 2009 in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 2 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveway, Curbs and Gutters via Resolution 09-R-1925 adopted by the City Council on November 16, 2009 and by the Mayor on November 24, 2009 in an amount not to exceed Three Hundred Thirty Four Thousand Eight Hundred Ninety Five Dollars and Eighty Six Cents (\$334,895.86); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 3 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters via Resolution 10-R-1060 for the Fairburn Road Sidewalk Project in an amount not to exceed Two Hundred Eighty Thousand Dollars (\$280,000.00); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 4 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters via Resolution 10-R-1270 in an amount not to exceed Two Hundred Sixty Five Thousand Eight Hundred Ninety Nine Dollars and Forty Five Cents (\$265,899.45); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 5 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs &



Gutters via Resolution 10-R-1827 in an amount not to exceed Four Hundred Eighty One Thousand Seven Hundred Seventy One Dollars and Sixteen Cents (\$481,771.16); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 6 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters via Resolution 11-R-0086 in an amount not to exceed One Million One Hundred Thirty Seven Thousand Six Hundred Dollars and No Cents (\$1,137,600.00); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 7 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters via Resolution 10-R-2222 in an amount not to exceed Seventy Eight Thousand Four Hundred Ninety Six Dollars and Twenty Cents (\$78,496.20); and

**WHEREAS**, the Chief Procurement Officer authorized an Administrative Ninety (90) Day extension on September 27, 2011; and

**WHEREAS**, the Department of Public Works desires to enter into Renewal Agreement Number 1 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters For time only and to add "Brick" as an additional line item; and

**WHEREAS**, Tople Construction, Inc., has performed the contracted service satisfactorily; and

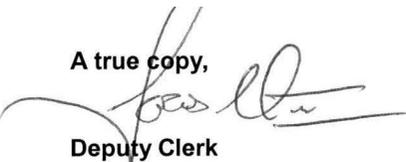
**WHEREAS**, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement Number 4, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor or his designee is authorized to execute Amendment Agreement Number 4; Contract No. FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with Tople Construction, Inc, for the Fairburn Road Sidewalk Project on behalf of the Department of Public works in an amount not to exceed Two Hundred Sixty Five Thousand Eight Hundred Ninety Nine Dollars and Forty Five Cents (\$265,899.45).

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of the appropriate Agreement for execution by the Mayor.

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

A true copy,

  
Deputy Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed

DEC 05, 2011  
DEC 12, 2011

RCS# 1601  
12/05/11  
4:55 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I OF 12/5/2011  
ALL ITEMS EXCEPT 11-O-1768, 11-R-1723  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Bond
NV Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	NV Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		12-05-11
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 11-O-1646	42. 11-R-1733	76. 11-R-1753
2. 11-O-1682	43. 11-R-1734	77. 11-R-1754
3. 11-O-1631	44. 11-R-1735	78. 11-R-1755
4. 11-O-1639	45. 11-R-1736	79. 11-R-1756
5. 11-O-1640	46. 11-R-1737	
6. 11-O-1766	47. 11-R-1738	
7. 11-O-1511	48. 11-R-1739	
8. 11-O-1656	49. 11-R-1774	
9. 11-O-1657	50. 11-R-1705	
10. 11-O-1658	51. 11-R-1706	
11. 11-O-1767	52. 11-R-1708	
12. 11-O-1773	53. 11-R-1709	
13. 11-O-1775	54. 11-R-1710	
14. 11-O-1777	55. 11-R-1711	
15. 10-O-0934	56. 11-R-1721	
16. 10-O-0898	57. 11-R-1778	
17. 11-O-1411	58. 11-R-1691	
18. 11-O-1412	59. 11-R-1692	
19. 11-O-1629	60. 11-R-1693	
20. 11-O-1769	61. 11-R-1779	
21. 11-R-1696	62. 11-R-1780	
22. 11-R-1697	63. 11-R-1740	
23. 11-R-1698	64. 11-R-1741	
24. 11-R-1699	65. 11-R-1742	
25. 11-R-1700	66. 11-R-1743	
26. 11-R-1701	67. 11-R-1744	
27. 11-R-1702	68. 11-R-1745	
28. 11-R-1703	69. 11-R-1746	
29. 11-R-1720	70. 11-R-1747	
30. 11-R-1786	71. 11-R-1748	
31. 11-R-1787	72. 11-R-1749	
32. 11-R-1788	73. 11-R-1750	
33. 11-R-1510	74. 11-R-1751	
34. 11-R-1722	75. 11-R-1752	
35. 11-R-1725		
36. 11-R-1726		
37. 11-R-1727		
38. 11-R-1728		
39. 11-R-1730		
40. 11-R-1731		
41. 11-R-1732		