

12-0808

(Do Not Write Above This Line)

A RESOLUTION BY
CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE CITY OF ATLANTA, AS A JOINT VENTURE MEMBER OF THE ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION AND CO-OWNER OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT, TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT WITH WILLIAMS-RUSSELL AND JOHNSON, INC./JORDON, JONES AND GOULDING, INC., A GEORGIA JOINT VENTURE FOR DESIGN, ENGINEERING, AND CONSTRUCTION MANAGEMENT SERVICES FOR THE PHASE 3.0 IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SIX THOUSAND DOLLARS (\$206,000.00); TO PROVIDE THAT THE CITY'S SHARE OF THE COSTS OF AMENDMENT NO. 2, BEING ONE HUNDRED THREE THOUSAND DOLLARS (\$103,000.00); TO PROVIDE FOR FUNDING FOR THE CPI ADJUSTMENT, PURSUANT TO THE AGREEMENT, IN AN AMOUNT OF ONE HUNDRED FIFTY NINE THOUSAND TWO HUNDRED NINETY SEVEN DOLLARS AND SEVENTY CENTS (\$159,297.70), WITH THE CITY'S SHARE BEING ONE HUNDRED EIGHTY TWO THOUSAND SIX HUNDRED FORTY EIGHT DOLLARS AND EIGHTY FIVE CENTS (\$182,648.85); ALL AMOUNTS TO BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTEWATER R&E FUND) 170418 (DWM DRINKING WATER INTAKE OPERATIONS) 4420000 (CONSULTING/PROFESSIONAL SERVICES) 106599 (DEVELOPMENT, NORTH AREA TREATMENT PLANT) AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17100599 (DEVELOPMENT, NORTH AREA TREATMENT PLANT) 102 (TASK) 505221391 (WATER & WASTEWATER R&E FUND 5712000) CONSULTING/PROFESSIONAL SERVICES AND TO CONSENT REFER

- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER COUNCIL
- PERSONAL PAPER REFER

Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

Committee _____
 Date _____
 Chair _____
 Referred To _____

First Reading

Committee CITY UTILITIES
 Date JUN 12 2012
 Chair Walter Williams

Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

Refer To _____
 Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

ADOPTED BY JUN 18 2012
 Chair Walter Williams
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

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 _____

Refer To _____
 Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

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

CERTIFIED

CERTIFIED
 JUN 18 2012
 ATLANTA CITY COUNCIL, PRESIDENT
[Signature]

CERTIFIED
 JUN 18 2012
 Raula Dunbar Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 27 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



AN AMENDED RESOLUTION
BY CITY UTILITIES COMMITTEE

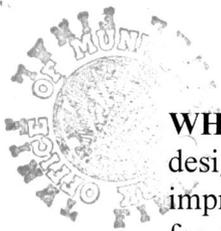
A RESOLUTION AUTHORIZING THE CITY OF ATLANTA, AS A JOINT VENTURE MEMBER OF THE ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION AND CO-OWNER OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT, TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT WITH WILLIAMS-RUSSELL AND JOHNSON, INC./JORDON, JONES AND GOULDING, INC., A GEORGIA JOINT VENTURE FOR DESIGN, ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE PHASE 3.0 IMPROVEMENTS PROJECT IN AN AMOUNT NOT EXCEED \$206,000.00; TO PROVIDE THAT THE CITY'S SHARE OF THE COSTS OF AMENDMENT NO. 2, BEING \$103,000.00; TO PROVIDE FOR FUNDING FOR THE CPI ADJUSTMENT, PURSUANT TO THE AGREEMENT, IN AN AMOUNT OF \$159,297.70, WITH THE CITY'S SHARE BEING \$79,648.85; THE CITY TOTAL SHARE OF THE PROJECT BEING \$182,648.85; ALL AMOUNTS TO BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTEWATER R&E FUND) 170418 (DWM DRINKING WATER INTAKE OPERATIONS) 5212001(CONSULTING/PROFESSIONAL SERVICES) 4420000(SUPPLY) 100599 (DEVELOPMENT, NORTH AREA TREATMENT PLANT) AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17100599 (DEVELOPMENT, NORTH AREA TREATMENT PLANT) 102 (TASK) 505221391 (WATER & WASTEWATER R&E FUND 5212001(CONSULTING/ PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") and Fulton County, Georgia ("County") jointly own certain land ("Property"), located in Land Lots 137,138,139 and 140, First District, First Section, Fulton County, Georgia, and jointly own and operate a water treatment facility, known as the Atlanta-Fulton County Water Treatment Plant ("AFCWTP"), located in Johns Creek, Georgia; and

WHEREAS, the City and County jointly own and operate the AFCWTP through a joint venture agreement ("Joint Venture Agreement"), doing business as the Atlanta-Fulton County Water Resources Commission ("AFCWRC"); and

WHEREAS, the City, as joint venture member of the AFCWRC and co-owner of the NFWTP, did enter into an appropriate contractual agreement, dated September 25, 2006 ("Agreement") with Williams-Russell and Johnson, Inc./Jordon, Jones and Goulding, Inc., a Georgia Joint Venture ("Contractor") for design, engineering, and construction management services for the Phase 3.0 Improvements Project ("Project"), pursuant to Resolution No. 06-R-0444, adopted April 17, 2006; and

WHEREAS, the Agreement was amended to include a change in the scope of services under the Agreement, as amended by Amendment No. 1; and



WHEREAS, the parties desire to further amend the Agreement to provide for additional design, engineering and construction management services needed for additional improvement to the AFCWTP under the Project, as Amendment No. 2 to the Agreement for an amount not to exceed Two Hundred Six Thousand Dollars (\$206,000), with the City's share being One Hundred Three Thousand Dollars (\$103,000), as more particularly described in the draft amendment attached as **Exhibit "A"**; and

WHEREAS, the Board of Commissioners for the AFCWRC voted favorably to recommend approval of Amendment No. 2 on December 8, 2011; and

WHEREAS, the Commissioner of the Department of Watershed Management recommends approval of Amendment No. 2; and

WHEREAS, the Agreement includes an adjustment in the rates charged for services rendered under the Agreement, which requires additional payment to the Contractor according to a CPI adjustment in an amount of Once Hundred Fifty Nine Thousand Two Hundred Ninety Seven Dollars and Seventy Cents (\$159,297.70), with the City's share being Seventy Nine Thousand Six Hundred Forty Eight Dollars and Eighty Five Cents (\$79,648.85).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, or his authorized designee, is authorized to execute, on behalf of the City of Atlanta, as joint venture partner of AFCWRC, Amendment No. 2 to the Agreement for an amount not to exceed Two Hundred Six Thousand Dollars (\$206,000), with the City's share being One Hundred Three Thousand Dollars (\$103,000), for the purpose of adding work to the Agreement to accommodate additional work under the Project; and

BE IT FURTHER RESOLVED, that, pursuant to Agreement, the City is authorized to pay the Contractor a CPI adjustment in an amount of Once Hundred Fifty Nine Thousand Two Hundred Ninety Seven Dollars and Seventy Cents (\$159,297.70), with the City's share being Seventy Nine Thousand Six Hundred Forty Eight Dollars and Eighty Five Cents (\$79,648.85); and

BE IT FURTHER RESOLVED, that all contracted work will be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater R&E Fund) 170418 (DWM Drinking Water Intake Operations) 5212001(Consulting/Professional Services) 4420000 (Supply) 100599 (Development, North Area Treatment Plant) and Project Task Award Expenditure and Organization Number 17100599 (Development, North Area Treatment Plant) 102 (Task) 505221391 (Water & Wastewater R&E Fund 5212001(Consulting/ Professional Services) COA.

BE IT FURTHER RESOLVED, that Amendment No. 2 will not become binding upon the City or AFCWRC, until it until it has been duly executed by the Mayor, or his an authorized representative of the AFCWRC, and approved by the City Attorney as to form and delivered to Contractor.

BE IT FINALLY RESOLVED, that all resolutions in conflict with this resolution shall be waived to the extent of the conflict.

A true copy,

ADOPTED as amended by the Atlanta City Council
APPROVED as per City Charter Section 2-403

June 18, 2012
June 27, 2012



EXHIBIT "A"

AMENDMENT NO. 2
DESIGN, ENGINEERING AND CONSTRUCTION
MANAGEMENT SERVICES AGREEMENT

ENGINEER: Williams-Russell and Johnson, Inc./Jordan, Jones & Goulding, Inc.,
a Georgia Joint Venture

Address: 6801 Governors lake Parkway Effective Date: _____, 2012
Norcross, Georgia 30071

Contact: Elias Mageaes

Telephone: 770 455-8555 Facsimile: 770-455-7391

This Amendment No. 2 is made and entered into by and between THE ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION. A joint venture of the City of Atlanta and Fulton County, each political subdivisions of the State of Georgia (hereinafter referred to as "Owner"), and WILLIAMS-RUSSELL AND JOHNSON, INC./JORDAN, JONES & GOULDING, INC., a GEORGIA JOINT VENTURE (hereinafter referred to as the "Engineer").

W I T N E S S E T H:

WHEREAS, the Owner and the Engineer have previously entered into an Agreement for Design, Engineering, and Construction Management Services, effective the 25th day of September, 2006 for certain design, engineering and construction management services associated with improvements to what is known as the Atlanta Fulton County Water Treatment Plant ("AFCWTP"), which is jointly owned and operated by the AFCWRC ("Agreement");

WHEREAS, the parties amended the Agreement through Amendment No.1, effective April 15, 2009, to change the scope of services under the Agreement;; and

WHEREAS, the parties now desire to further amend the Agreement to increase the scope of services for certain additional design and engineering services needed for additional improvements to the AFCWTP for an additional amount not to exceed Three Million One Hundred Thirty Eight Thousand Six Hundred Twenty One Dollars And Seventy Cents (\$3,138,621.70), as more particularly described in the detailed scope of work attached as **Exhibit "A"**;

NOW, THEREFORE, the Owner and the Engineer, in consideration of the mutual promises and benefits flowing to the parties hereto as hereinafter stated, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties, intending to be legally bound, do hereby agree as follows:

EXHIBIT "A"



1. Engineer's Scope of Services and Compensation. The Agreement is hereby amended to provide for the additional scope of services, as set forth in Exhibit "A", which is attached and incorporated by reference into this Amendment No. 2.

2. Compensation, The Agreement is hereby further amended to increase the Engineer's COMPENSATION, under the Agreement for an additional amount not to exceed Three Million One Hundred Thirty Eight Thousand Six Hundred Twenty One Dollars And Seventy Cents (\$3,138,621.70), as consequence of the additional work described in Exhibit "A".

3. The terms and conditions of the Agreement shall remain unchanged and in full force and effect, except as expressly amended by this Amendment No. 2.

[SIGNATURES ON THE FOLLOWING PAGE]



EXHIBIT "A"

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 by their duly authorized officers, as of the date first written above.

ATLANTA FULTON COUNTY
WATER RESOURCES COMMISSION

WILLIAMS-RUSSELL AND JOHNSON,
INC., JOINT VENTURE

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Date: _____

NOTARY PUBLIC

ATTEST:

MY COMMISSION EXPIRES: _____

Secretary/Assistant Secretary (Seal)

JORDAN, JONES & GOULDING, INC.
JOINT VENTURE

By: _____
Name: _____
Title: _____

Kathy Crews
GENERAL MANAGER/CAO
ATLANTA-FULTON COUNTY WATER
RESOURCES COMMISSION

ATTEST:

APPROVED AS TO FORM:

Secretary/Assistant Secretary (Seal)

SENIOR ASSISTANT CITY ATTORNEY

SENIOR COUNTY ATTORNEY

RCS# 2072
6/18/12
3:28 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: 6/18/2012
REGULAR MEETING OF ATLANTA CITY COUNCIL
ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

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

CONSENT I

		06-18-12
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 12-O-0635	38. 12-R-0794	
2. 12-O-0714	39. 12-R-0795	
3. 12-O-0715	40. 12-R-0796	
4. 12-O-0716	41. 12-R-0797	
5. 12-O-0841	42. 12-R-0798	
6. 12-O-0775	43. 12-R-0799	
7. 12-O-0840	44. 12-R-0800	
8. 12-O-0842	45. 12-R-0801	
9. 12-O-0838	46. 12-R-0802	
10. 12-O-0725	47. 12-R-0803	
11. 12-O-0726		
12. 12-O-0717		
13. 12-O-0724		
14. 12-R-0509		
15. 12-R-0817		
16. 12-R-0815		
17. 12-R-0831		
19. 12-R-0835		
20. 12-R-0829		
21. 12-R-0823		
22. 12-R-0825		
23. 12-R-0826		
24. 12-R-0827		
25. 12-R-0828		
26. 12-R-0804		
27. 12-R-0805		
28. 12-R-0807		
29. 12-R-0808		
30. 12-R-0787		
31. 12-R-0788		
32. 12-R-0789		
33. 12-R-0790		
34. 12-R-0791		
35. 12-R-0792		
36. 12-R-0793		
37. 12-R-0844		