

12-*P*-1360
 (Do Not Write Above This Line)

A RESOLUTION BY

CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NUMBER 2 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 FOR OTHER PURPOSES.

As Amended

ADOPTED BY

OCT 1 5 2012

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:

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee: *City Committee #143*

Date: *Oct. 2012*

Chair: *Michael J. Cluby*

Action: _____

Fav, Adv, Hold (see rev. side): *As Amended*

Members: *Carol Smith*

Other: _____

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): _____

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)

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

CERTIFIED

OCT 1 5 2012

COUNCIL PRESIDENT PROTTEM

CERTIFIED
 OCT 1 5 2012
Paul Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

OCT 9 4 2012

WITHOUT SIGNATURE
 BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

AN AMENDED RESOLUTION

12-R-1360

BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NUMBER 2 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 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, the Atlanta City Council adopted Resolution 09-R-1550 on September 21, 2009, and the Mayor approved the same on September 25, 2009 which authorized the Agreement for FC-4943E with Tople Construction, Inc.; and

WHEREAS, the base term of the Contract was for a period of two (2) years, with two (2) one (1) year renewal options 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 approved 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 approved 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 adopted by the City Council on June 21, 2010 and approved by the Mayor on June 29, 2010 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 adopted by the City Council on July 19, 2010 and approved by the Mayor on July 27, 2010 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 adopted by City Council on November 1, 2010 and approved per City Charter Section 2-403 on November 10, 2011 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 submitted Amendment Agreement Number 6 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters via Resolution 10-R-2222 filed by City Council on February 7, 2011 in an amount not to exceed One Million One Hundred Thirty-Seven Thousand Six Hundred Dollars (\$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 11-R-0086 adopted by the City Council on January 18, 2011 and approved per City Charter Section 2-403 on January 27, 2011 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 Chief Procurement Officer authorized a 90-day extension of the Contract on September 27, 2011 giving a new expiration date of January 17, 2012; and

WHEREAS, the Department of Public Works entered into Renewal Agreement Number 1 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters for time only and to add "Brick" as an additional line item via Resolution 11-R-1734 adopted by the City Council on December 5, 2011 and approved by the Mayor on December 12, 2011 giving a new expiration date of December 26, 2012; and

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

WHEREAS, the Department of Public Works desires to enter into Renewal Agreement Number 2 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Renewal Agreement Number 2 for FC-4943E, 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 Renewal Agreement Number 2, Contract No. 4943E; Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with Tople Construction, Inc., on behalf of the Department of Public Works for time only.

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.



AND FINALLY BE IT 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,

A handwritten signature in black ink, appearing to be "L. A. ...", is written over a horizontal line. The signature is fluid and cursive.

Deputy Municipal Clerk

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

October 15, 2012
October 24, 2012

RCS# 2350
10/15/12
2:17 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I
10/15/2012
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 2

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

CONSENT I

		10-15-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-1267	35. 12-R-1348	49. 12-R-1383
2. 12-O-1400	36. 12-R-1349	50. 12-R-1384
3. 12-O-1281	37. 12-R-1351	51. 12-R-1385
4. 12-O-1276	38. 12-R-1372	52. 12-R-1386
5. 12-O-1277	39. 12-R-1373	53. 12-R-1387
6. 12-O-1399	40. 12-R-1374	54. 12-R-1388
7. 12-R-0965	41. 12-R-1375	55. 12-R-1389
8. 12-R-1357	42. 12-R-1376	56. 12-R-1390
9. 12-R-1358	43. 12-R-1377	
10. 12-R-1359	44. 12-R-1378	
11. 12-R-1360	45. 12-R-1379	
12. 12-R-1361	46. 12-R-1380	
13. 12-R-1362	47. 12-R-1381	
14. 12-R-1363	48. 12-R-1382	
15. 12-R-1364		
16. 12-R-1365		
17. 12-R-1366		
18. 12-R-1367		
19. 12-R-1368		
20. 12-R-1254		
21. 12-R-1403		
22. 12-R-1338		
23. 12-R-1371		
24. 12-R-1406		
25. 12-R-1330		
26. 12-R-1332		
27. 12-R-1333		
28. 12-R-1334		
29. 12-R-1340		
30. 12-R-1341		
31. 12-R-1342		
32. 12-R-1343		
33. 12-R-1344		
34. 12-R-1345		