

12-12-1361

(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 SD&C,  
INC., FOR FC-4943D, 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 15 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 Utilities*  
 Date *Oct 2012*  
 Chair *[Signature]*

Action

Fav, Adv, Hold (see rev. side)

Other

Members

*[Signature]*  
*[Signature]*

*[Signature]*

*[Signature]*

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

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

CERTIFIED

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

CERTIFIED  
 OCT 15 2012  
 COUNCIL PRESIDENT PROBLEM  
*[Signature]*

CERTIFIED  
 OCT 15 2012  
 R. L. Daughlin  
 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-1361

BY CITY UTILITIES COMMITTEE

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NUMBER 2 WITH SD&C, INC., FOR FC-4943D, 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 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-1549 on September 21, 2009, and the Mayor approved the same on September 25, 2009 which authorized the Agreement for FC-4943D with SD&C, 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 2, 2009 through October 1, 2011; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 1 with SD&C, Inc, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 09-R-1926 adopted by the City Council on November 16, 2009 and approved by the Mayor on November 24, 2009 in an amount not to exceed Six Hundred Fifty Four Thousand One Hundred Seventy Three Dollars and Seventy Eight Cents (\$654,173.78); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 2 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1269 adopted by the City Council on July 19, 2010 and approved by the Mayor on July 27, 2010 in an amount not to exceed Seven Hundred Sixty One Thousand Three Hundred Twenty Nine Dollars and Six Cents (\$761,329.06); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 3 for certain Redevelopment projects along Peachtree Street and certain surrounding areas with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Ordinance 10-O-1692 adopted by the City Council on October 18, 2010 and approved per City Charter Section 2-403 on October 27, 2010 in an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 4 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1826 adopted by the City Council on November 1, 2010 and approved per City Charter Section 2-403 on November 10, 2010 in an amount not to exceed Six Hundred Thirty Nine Thousand Two Hundred Forty Six Dollars and Forty Two Cents (\$639,246.42); and



**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 5 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 11-R-0087 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 Five Hundred Twenty Five Thousand Five Hundred Ninety Three Dollars (\$1,525,593.00); and

**WHEREAS**, the Department of Parks, Recreation, and Cultural Affairs submitted Amendment Agreement Number 6 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-2223 in an amount not to exceed Sixty Four Thousand Nine Hundred Forty Seven Dollars and Fifty Cents (\$64,947.50) but said legislation was not passed, and instead, was filed by the City Council on February 7, 2011; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 7 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 11-R-1423 adopted by City Council on October 3, 2011 approved per City Charter Section 2-403 on October 12, 2011 in an amount not to exceed Two Hundred Dollars (\$200,000.00); and

**WHEREAS**, the Department of Public Works entered into Amendment Number 8 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters via Resolution 11-R-1502 adopted by the City Council on November 7, 2011 and approved per City Charter on November 16, 2011 in an amount not to exceed Two Hundred Twenty Five Thousand Dollars (\$225,000.00); and

**WHEREAS**, the Chief Procurement Officer authorized a 90-day extension of the Contract on September 27, 2011 giving a new expiration date of December 29, 2011; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 9 (Administrative Change Order) with SD&C, Inc., in June 2012, which did not require legislative action, in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Ninety Eight Dollars and Seventy Five Cents (\$117,998.75); and

**WHEREAS**, the Chief Procurement Officer authorized a 90-day extension of the Contract on September 27, 2011 giving a new expiration date of December 29, 2011; and

**WHEREAS**, the Department of Public Works entered into Renewal Agreement Number 1 with SD&C, 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-1735 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 29, 2012; and

**WHEREAS**, SD&C, Inc. has performed the contracted services satisfactorily; and

**WHEREAS**, the Department of Public Works desires to enter into Renewal Agreement Number 2 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters for time only; and



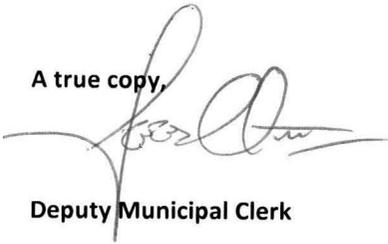
**WHEREAS**, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Renewal Agreement Number 2 for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters.

**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. 4943D; Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with SD&C, 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 SD&C, Inc.

A true copy,



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

		<b>10-15-12</b>
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
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		