

12-1732

(Do Not Write Above This Line)

A RESOLUTION BY  
 COUNCILMEMBERS KEISHA LANCE  
 BOTTOMS AND H. LAMAR WILLIS

A RESOLUTION AUTHORIZING THE  
 MAYOR, OR HIS DESIGNEE, TO AMEND  
 FC-4943D WITH SD&C, INC., ANNUAL  
 CONTRACT TO CONSTRUCT  
 SIDEWALKS, DRIVEWAYS, CURBS AND  
 GUTTERS, TO INCLUDE ADDITIONAL  
 UNIT PRICE LINE ITEMS FOR BRIDGES  
 ON BEHALF OF THE DEPARTMENT OF  
 PUBLIC WORKS; AND FOR OTHER  
 PURPOSES.

*substitute*

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPPER REFER

Date Referred  
 Referred To: *11/19/12 City Utilities*

Date Referred  
 Referred To:

Date Referred:  
 Referred To:

First Reading

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

*City Utilities*  
 Date *Nov 27 2012*  
 Chair *[Signature]*

Fav, Adv, Hold (see rev. side)  
 Other *on substitute*

Members:  
*Carla Bost*  
*Madam*

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

Committee

Date \_\_\_\_\_

Chair \_\_\_\_\_

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

Members \_\_\_\_\_

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

Committee

Date \_\_\_\_\_

Chair \_\_\_\_\_

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

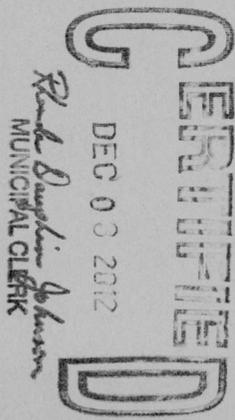
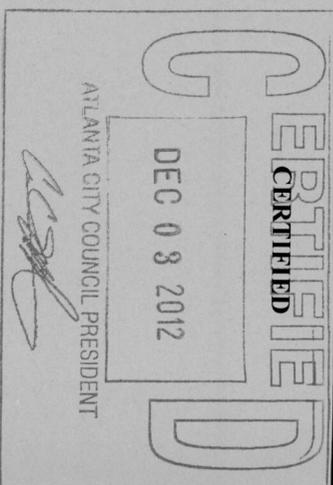
Members \_\_\_\_\_

ADOPTED BY  
 DEC 03 2012  
 COUNCIL

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

FINAL COUNCIL ACTION

- 2<sup>nd</sup> Reading
- 1<sup>st</sup> & 2<sup>nd</sup> Reading
- 3<sup>rd</sup> Reading
- Consent
- V Vote
- RC Vote



MAYOR'S ACTION

APPROVED  
 DEC 12 2012  
 WITHOUT SIGNATURE  
 BY OPERATION OF LAW



**A RESOLUTION BY  
COUNCILMEMBERS KEISHA LANCE BOTTOMS AND H. LAMAR WILLIS**

**AS SUBSTITUTED BY CITY UTILITIES COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 11 WITH SD&C, INC., FOR FC-4943D,-ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, TO INCLUDE ADDITIONAL UNIT PRICE LINE ITEMS FOR BRIDGES AND TO PROVIDE CONSTRUCTION SERVICES FOR THE ADAMS DRIVE BRIDGE PROJECT ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED FIFTY FOUR THOUSAND THREE HUNDRED SEVENTEEN DOLLARS AND SEVENTY CENTS (\$1,354,317.70); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS; 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 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 6, 2011 and approved by the Mayor on December 12, 2011 giving a new expiration date of December 29, 2012; and



**WHEREAS**, the Department of Public Works entered into Renewal Agreement Number 2 with SD&C., Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters for time only via Resolution 12-R-1361 adopted by the City Council on October 15, 2012 and approved per City Charter Section 2-403 on October 24, 2012 giving a new expiration date of December 27, 2013; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 10 with SD&C, Inc., Annual Contract Sidewalks, Driveways, Curbs & Gutters via Resolution 12-R-1724 adopted by the City Council on November 19, 2012 for Peyton Road embankment and flooding issues in an amount not to exceed Ninety-Seven Thousand Three Hundred Thirty-Five Dollars and No Cents (\$97,335.00); and

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

**WHEREAS**, the Department of Public Works has determined a need for bridge work and the current scope must be amended to include unit price items related to bridges; and

**WHEREAS**, the Department of Public Works desires to enter into Amendment Agreement Number 11 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters to include additional unit price line items for bridges and to provide construction services for the Adams Drive Bridge Project in an amount not to exceed One Million Three Hundred Fifty-Four Thousand Three Hundred Seventeen Dollars and Seventy Cents (\$1,354,317.70); and

**WHEREAS**, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement Number 11, 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 enter into Amendment Agreement Number 11 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters to include additional unit price line items for bridges and to provide construction services for the Adams Drive Bridge Project in an amount not to exceed One Million Three Hundred Fifty-Four Thousand Three Hundred Seventeen Dollars and Seventy Cents (\$1,354,317.70).

**BE IT FURTHER RESOLVED**, that all contracted work shall be charged to and paid from FDOA: 1001 (General Fund) 130308 (Transportation Design) 5212001 (Professional/Consulting Services) 4270000 (Traffic Engineering).

**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,

*Rhonda Dauphin Johnson*  
Municipal Clerk

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

DEC 03, 2012  
DEC 12, 2012

RCS# 2447  
12/03/12  
2:58 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS  
EXCEPT 12-R-1647  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

		12-03-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPDED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 12-O-1252	35. 12-R-1669	69. 12-R-1692
2. 12-O-1550	36. 12-R-1737	70. 12-R-1693
3. 12-O-1551	37. 12-R-1742	71. 12-R-1694
4. 12-O-1552	38. 12-R-1753	72. 12-R-1695
5. 12-O-1553	39. 12-R-1754	73. 12-R-1696
6. 12-O-1728	40. 12-R-1641	74. 12-R-1697
7. 12-O-1738	41. 12-R-1642	75. 12-R-1698
8. 12-O-1545	42. 12-R-1643	76. 12-R-1699
9. 12-O-1546	43. 12-R-1644	77. 12-R-1700
10. 12-O-1425	44. 12-R-1645	<b>ITEMS ADVERSED ON CONSENT</b>
11. 12-O-1426	45. 12-R-1648	78. 12-R-1701
12. 12-O-1427	46. 12-R-1649	79. 12-R-1702
13. 12-O-1429	47. 12-R-1650	80. 12-R-1703
14. 12-O-1430	48. 12-R-1651	81. 12-R-1704
15. 12-O-1569	49. 12-R-1727	82. 12-R-1705
16. 12-O-1725	50. 12-R-1729	83. 12-R-1706
17. 12-R-1675	51. 12-R-1731	84. 12-R-1707
18. 12-R-1677	52. 12-R-1732	85. 12-R-1708
19. 12-R-1678	53. 12-R-1745	86. 12-R-1709
20. 12-R-1679	54. 12-R-1652	87. 12-R-1710
21. 12-R-1565	55. 12-R-1663	88. 12-R-1711
22. 12-R-1654	56. 12-R-1722	89. 12-R-1712
23. 12-R-1655	57. 12-R-1752	90. 12-R-1713
24. 12-R-1656	58. 12-R-1681	91. 12-R-1714
25. 12-R-1657	59. 12-R-1682	92. 12-R-1715
26. 12-R-1658	60. 12-R-1683	93. 12-R-1716
27. 12-R-1659	61. 12-R-1684	94. 12-R-1717
28. 12-R-1660	62. 12-R-1685	95. 12-R-1718
29. 12-R-1661	63. 12-R-1686	96. 12-R-1719
30. 12-R-1662	64. 12-R-1687	
31. 12-R-1664	65. 12-R-1688	
32. 12-R-1665	66. 12-R-1689	
33. 12-R-1666	67. 12-R-1690	
34. 12-R-1667	68. 12-R-1691	