

13-R -0423

(Do Not Write Above This Line)

A RESOLUTION
BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 12 WITH SD&C, INC., FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED EIGHTEEN THOUSAND DOLLARS AND NO CENTS (\$318,000.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

As Amended
ADOPTED BY
MAR 18 2013
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 _____

City Utilities
 Committee _____
March 12 2013
 Date _____
[Signature]
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other *As Amended* _____
 Members _____
[Signature]

[Signature]

 Refer To _____

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

 Refer To _____

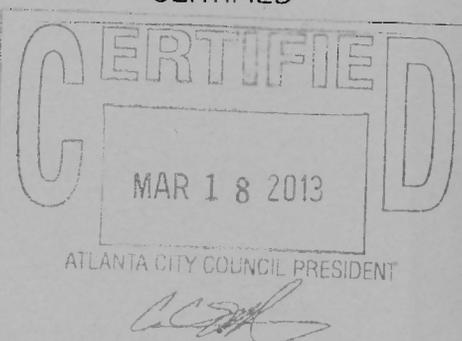
Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____

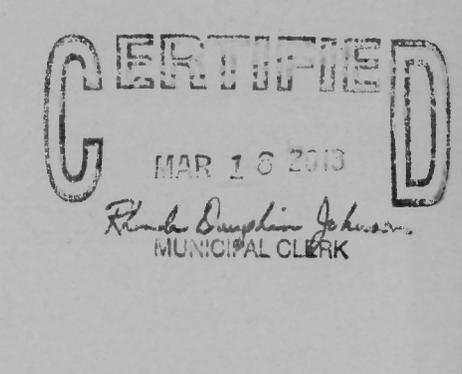
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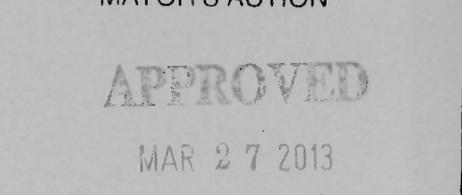
Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____

 Refer To _____

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

CERTIFIED

 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED

 MAR 16 2013
[Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

 APPROVED
 MAR 27 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW

AN AMENDED RESOLUTION**BY CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 13 WITH SD&C, INC., FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED EIGHTEEN THOUSAND DOLLARS AND NO CENTS (\$318,000.00); 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

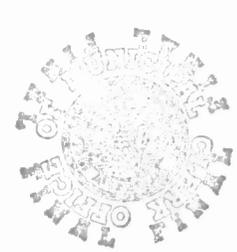
WHEREAS, the Department of Public Works entered into Amendment Number 8 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 11-R-1502 adopted by the City Council on November 7, 2011 and approved per City Charter on November 16, 2011 in an amount not to 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 Renewal Agreement Number 1 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and 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 and 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 9 (Administrative Change Order) with SD&C, Inc., in November 2012, which did not require legislative action, in an amount not to exceed Sixty Two Thousand Six Hundred Fifty Dollars and No Cents (\$62,650.00); and



WHEREAS, the Department of Public Works entered into Amendment Agreement Number 10 with SD&C, Inc., Annual Contract to construct Sidewalks, Driveways, Curbs and Gutters via Resolution 12-R-1724 adopted by the City Council on November 19, 2012 and approved per City Charter Section 2-403 on November 28, 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, the Department of Public Works entered into Amendment Agreement Number 11 (Administrative Change Order) with SD&C, Inc., in December 2012, which did not require legislative action, in an amount not to exceed Thirty Thousand Six Hundred Twenty Five Dollars and No Cents (\$30,625.00); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 12 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 12-R-1732 adopted by the City Council on December 3, 2012 and approved per City Charter Section 2-403 on December 12, 2012 for 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

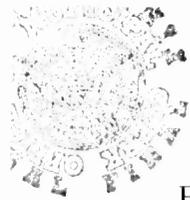
WHEREAS, the Department of Public Works desires to enter into Amendment Agreement Number 13 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters in an amount not to exceed Three Hundred Eighteen Thousand Dollars and No Cents (\$318,000.00); and

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

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend Amendment Agreement Number 13 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 enter into Amendment Agreement Number 13 for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters with SD&C, Inc., on behalf of the Department of Public Works, in an amount not to exceed Three Hundred Eighteen Thousand Dollars and No Cents (\$318,000.00).

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from FDOA: 3508 (Capital Finance – Recovery Zone (Eco. Dev) Fund) 130308 (DPW Transportation Design) 5414002 (Facilities Other Than Bldgs/Infrastructure-CIP) 4270000 (Traffic Engineering) 111318 (Rec Zone Economic Dev Bond) 105 350822049 22049 (Rec Zone Eco Dev Bond) 3508 (Capital Finance – Recovery Zone (Eco. Dev) Fund) 130308 (DPW Transportation Design) 5414002 (Facilities Other Than Bldgs/Infrastructure-CIP) 4270000 (Traffic Engineering) 111318 (Rec Zone Economic Dev Bond) 107 350822049 22049 (Rec Zone



Eco Dev Bond) 1001 (General Fund) 130308 (DPW Transportation Design) 5212001 (Consulting/Professional Services) 5414002 (Fac. Other Than Bldgs/Infrastructure-CIP) 4270000 (Traffic Engineering) 7701(Trust Fund) 130308 (DPW Transportation Design) 5414002 (Facilities Other Than Bldgs/Infrastructure-CIP) 4270000 (Traffic Engineering 101619 (Citywide Sidewalk Program) 115 770191494 91494 (Trust Fund 9999) ; and PTAE0 Funding Source 13111318 105 350822049 5414002 COA 13111318 107 350822049 5414002 COA 1001 130308 5212001 4270000 COA 13101619 115 770191494 5414002 COA 131***** 1**
 ***** 5414002 COA.

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 SD&C, Inc.

A true copy,



Deputy Clerk

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

MAR 18, 2013
 MAR 27, 2013

RCS# 2
3/18
4:15

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS
3/18/13
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	NV Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	NV Adrean	NV Sheperd	NV Mitchell

		03-18-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-0316	35. 13-R-0422	67. 13-R-0480
2. 13-O-0498	36. 13-R-0423	68. 13-R-0481
3. 13-O-0506	37. 13-R-0424	69. 13-R-0482
4. 13-O-0299	38. 13-R-0425	70. 13-R-0483
5. 13-O-0505	39. 13-R-0511	71. 13-R-0484
6. 13-O-0513	40. 12-R-1165	72. 13-R-0485
7. 13-O-0303	41. 13-R-0292	73. 13-R-0486
8. 13-O-0304	42. 13-R-0434	74. 13-R-0487
9. 13-O-0499	43. 13-R-0436	75. 13-R-0489
10. 13-O-0289	44. 13-R-0521	76. 13-R-0490
11. 13-O-0290	45. 13-R-0494	77. 13-R-0491
12. 13-O-0291	46. 13-R-0495	78. 13-R-0492
13. 13-O-0507	47. 13-R-0520	
14. 13-O-0284	48. 13-R-0462	
15. 13-O-0285	49. 13-R-0463	
16. 13-O-0515	50. 13-R-0464	
17. 13-R-0456	51. 13-R-0465	
18. 13-R-0457	52. 13-R-0488	
19. 13-R-0458	53. 13-R-0466	
20. 12-R-0459	54. 13-R-0467	
21. 13-R-0460	55. 13-R-0468	
22. 13-R-0443	56. 13-R-0469	
23. 13-R-0444	57. 13-R-0470	
24. 13-R-0445	ITEMS ADVERSED ON CONSENT	
25. 13-R-0446	58. 13-R-0471	
26. 13-R-0447	59. 13-R-0472	
27. 13-R-0448	60. 13-R-0473	
28. 13-R-0449	61. 13-R-0474	
29. 13-R-0450	62. 13-R-0475	
30. 13-R-0452	63. 13-R-0476	
31. 13-R-0504	64. 13-R-0477	
32. 13-R-0419	65. 13-R-0478	
33. 13-R-0420	66. 13-R-0479	
34. 13-R-0421		