#7

12-R-1730 (Do Not Write Above This Line)	First Reading Committee Date Chair Referred To		FINAL COUNCIL ACTION ☐ 2nd ☐ 1st & 2nd ☐ 3rd Readings ☐ Consent ☐ V Vote ☑ RC Vote
A RESOLUTION BY COUNCILMEMBERS KEISHA LANCE BOTTOMS AND H. LAMAR WILLIS A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO AMEND FC-4943B WITH KEMI CONSTRUCTION, 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. JAN 2 2 2013 FILED By Council	Committee City Utilities Date Nov. 27, 2012 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	CERTIFIED JAN 2 2 2013 ATLANTA CITY COUNCIL PRESIDENT CERTIFIED JAN 2 2 2013 Rhonda Dauphin Johnson MUNICIPAL CLERK
☐ CONSENT REFER ☐ REGULAR REPORT REFER ☐ ADVERTISE & REFER ☐ 1ST ADOPT 2ND READ & REFER ☑ PERSONAL PAPTER REFER Date Referred 11/19/12 Referred To: City Utilities Date Referred Referred To: Date Referred: Referred To:	Committee City Utilities Date Jan. 15, 2013 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	MAYOR'S ACTION

RCS# 2511
1/22/13
2:39 PM

Atlanta City Council

MULTIPLE

12-R-1730 AND 12-R-1733

FILE

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	1

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

MULTIPLE

12-R-1730

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

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO AMEND FC-4943B WITH KEMI CONSTRUCTION, 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.

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-1547 on September 21, 2009, and the Mayor approved the same on September 25, 2009, which authorized the Agreement for FC-4943B with Kemi 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 Kemi Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 09-R-1928 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 Two Thousand Two Hundred Forty Seven Dollars and Seventy Eight Cents ($332,247.78); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 2 with Kemi Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters via Resolution 10-R-1267 adopted by the City Council on July 19, 2010, and approved by the Mayor on July 27, 2010 in an amount not to exceed Four Hundred One Thousand One Hundred Seventy Three Dollars and Eighty Five Cents ($401,173.85); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 3 with Kemi Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters via Resolution 10-R-1825 adopted by the City Council on November 1, 2010 and approved as per City Charter Section 2-403 on November 24, 2009 in an amount not to exceed One Hundred Eighty Seven Thousand Four Hundred Sixty Dollars and Forty Four Cents ($187,460.44); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 4 with Kemi Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters via Resolution 11-R-0084 adopted by the City Council on January 18, 2011 and approved as per City Charter Section 2-403 on January 27, 2011 in an amount not to exceed Eight Hundred Seventeen Thousand Six Hundred Dollars ($817,600.00); 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 Kemi 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-1739 adopted by City Council on December 6, 2011 and approved by the Mayor on December 12, 2011 giving a new expiration date of January 16, 2013; and;

WHEREAS, the Department of Public Works entered into Renewal Agreement Number 2 with Kemi Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs & Gutters for time only via Resolution 12-R-1362 adopted by the City Council on October 15, 2012 and approved per City Charter Section 2-403 on October 24, 2012; and

WHEREAS, Kemi Construction, 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.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor, or his designee, is authorized to amend FC-4943B, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with Kemi Construction, Inc., to include additional unit price line items for bridges, on behalf of the Department of Public Works.

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 Kemi Construction, Inc.