

13-12-3009
(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 CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 10 WITH TOPLE CONSTRUCTION, INC., FOR FC-4943E, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, TO INCLUDE ADDITIONAL UNIT PRICE LINE ITEMS FOR RECYCLED CONCRETE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS.

ADOPTED BY
MAY 06 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:

Committee City Utilities
Date April 30 2013
Chair [Signature]
Action Fav, Adv, Hold (See rev.side) _____
Other _____
Members [Signatures]

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

Refer To _____

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 _____

Refer To _____

CERTIFIED
MAY 06 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAY 06 2013
Rhonda Doughtin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
MAY 15 2013
WITHOUT SIGNATURE
BY OPERATION OF LAW



**A RESOLUTION
BY CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 10 WITH TOPLE CONSTRUCTION, INC., FOR FC-4943E, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, TO INCLUDE ADDITIONAL UNIT PRICE LINE ITEMS FOR RECYCLED CONCRETE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS.

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 and 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 and 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 and 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 and Gutters via Resolution 10-R-2222 filed by City Council on February 7, 2011 in an amount not to exceed Seventy Eight Thousand Four Hundred Ninety Six Dollars and Twenty Cents (\$78,496.20); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 7 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and 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 and 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 6, 2011 and approved by the Mayor on December 12, 2011; and

WHEREAS, the Department of Public Works entered into Renewal Agreement Number 2 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters for time only via Resolution 12-R-1360 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 25, 2013; and

WHEREAS, the Department of Public Works submitted Amendment Agreement Number 8 with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 12-R-1733 to include additional unit price line items for bridges, but said legislation was not passed, and instead, was filed by the City Council on January 22, 2013; and

WHEREAS, the Department of Public Works will enter into Amendment Agreement Number 9 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters in an amount not to exceed Four Hundred Eighty Eight Thousand Six Hundred Seventeen Dollars and No Cents (\$488,617.00) via Resolution 13-R-0425 adopted by the City Council on March 18, 2013; and



WHEREAS, the Department of Public Works desires to enter into Amendment Agreement Number 10 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters to include additional unit price line items for recycled concrete; and

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

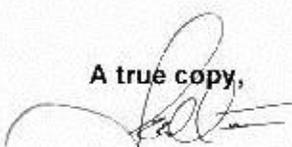
WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend Amendment Agreement Number 10 for FC-4943E, Annual Contract to Construct Sidewalks, Curbs and Gutters.

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 10 for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters with Tople Construction, Inc. to include additional unit price line items for recycled concrete 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 Tople Construction, Inc.

A true copy,


Deputy Clerk

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

MAY 06, 2013
MAY 15, 2013

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		05-06-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPDED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-0599	40. 13-R-3103	77. 13-R-3043
2. 13-O-0629	41. 13-R-3104	78. 13-R-3044
3. 13-O-0643	42. 13-R-3085	79. 13-R-3045
4. 13-O-0119	43. 13-R-3086	80. 13-R-3046
5. 13-O-0632	44. 13-R-3087	81. 13-R-3047
6. 13-O-0639	45. 13-R-3088	82. 13-R-3048
7. 13-O-0638	46. 13-R-3089	83. 13-R-3049
8. 13-O-0640	47. 13-R-3090	84. 13-R-3050
9. 13-O-0648	48. 13-R-3014	85. 13-R-3051
10. 13-O-0592	49. 13-R-3015	86. 13-R-3052
11. 13-O-0628	50. 13-R-3016	87. 13-R-3053
12. 13-O-0630	51. 13-R-3017	88. 13-R-3054
13. 13-R-3091	52. 13-R-3018	89. 13-R-3055
14. 13-R-3092	53. 13-R-3019	90. 13-R-3056
15. 13-R-3094	54. 13-R-3020	91. 13-R-3057
16. 13-R-3095	55. 13-R-3021	92. 13-R-3058
17. 13-R-3096	56. 13-R-3022	93. 13-R-3059
18. 13-R-3097	57. 13-R-3023	94. 13-R-3060
19. 13-R-3093	58. 13-R-3024	95. 13-R-3061
20. 13-R-3098	59. 13-R-3025	96. 13-R-3062
21. 13-R-3100	60. 13-R-3026	97. 13-R-3063
22. 13-R-3101	61. 13-R-3027	98. 13-R-3064
23. 13-R-3106	62. 13-R-3028	99. 13-R-3065
24. 13-R-3003	63. 13-R-3029	100. 13-R-3066
25. 13-R-3004	64. 13-R-3030	101. 13-R-3067
26. 13-R-3005	65. 13-R-3031	102. 13-R-3068
27. 13-R-3006	66. 13-R-3032	103. 13-R-3069
28. 13-R-3007	67. 13-R-3033	104. 13-R-3070
29. 13-R-3008	ITEMS ADVERSED ON CONSENT	105. 13-R-3071
30. 13-R-3009	68. 13-R-3034	106. 13-R-3072
31. 13-R-3010	69. 13-R-3035	107. 13-R-3073
32. 13-R-3011	70. 13-R-3036	108. 13-R-3074
33. 13-R-3013	71. 13-R-3037	109. 13-R-3075
34. 13-R-3000	72. 13-R-3038	110. 13-R-3076
35. 13-R-3001	73. 13-R-3039	111. 13-R-3077
36. 13-R-3002	74. 13-R-3040	112. 13-R-3078
37. 13-R-3083	75. 13-R-3041	113. 13-R-3079
38. 13-R-3084	76. 13-R-3042	114. 13-R-3080
39. 13-R-3102		115. 13-R-3081
		116. 13-R-3082