

**A RESOLUTION  
BY CITY UTILITIES COMMITTEE**

**13-<sup>R</sup>-0422**

**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 10 WITH C.P. RICHARDS CONSTRUCTION COMPANY, INC., FOR FC-4943A, 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 SIXTEEN THOUSAND TWO HUNDRED THIRTY FOUR DOLLARS AND NO CENTS (\$316,234.00); 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-1546 on September 21, 2009, and the Mayor approved the same on September 25, 2009 which authorized the Agreement for FC-4943A with C.P. Richards Construction Company, Inc. (“C.P. Richards”); 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 C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 09-R-1929 adopted by the City Council on November 16, 2009 and approved by the Mayor on November 24, 2009 in an amount not to exceed Seven Hundred Forty Eight Thousand Six Hundred Eighty Nine Dollars and Seventy Four Cents (\$748,689.74); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 2 with C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1268 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 Nine Thousand Four Hundred Thirty Nine Dollars and Eighty Two Cents (\$409,439.82); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 3 with C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1824 adopted by the City council on November 1, 2010 and approved per City Charter Section 2-403 on November 1, 2010 in an amount not to exceed Two Hundred Five Thousand One Hundred Ninety Dollars and Ninety Nine Cents (\$205,190.99); and

**WHEREAS**, the Department of Watershed Management entered into Amendment Agreement Number 4 with C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-2120 adopted by the City Council on December 6, 2010 and approved per City Charter Section 2-403 on December 15, 2010 in an amount not to exceed Six

Hundred Seventy Eight Thousand Three Hundred Sixty Nine Dollars and No Cents (\$678,369.00); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 5 with C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 11-R-0083 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 Fifty Two Thousand Eighty Dollars and No Cents (\$1,052,080.00); and

**WHEREAS**, the Chief Procurement Officer authorized a 90-day extension of the Contact 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 C.P. Richards, 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-1737 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 Amendment Agreement Number 6 (Administrative Change Order) with C.P. Richards in June 2012, which did not require legislative action, in an amount not to exceed Ninety Nine Thousand Three Hundred Ninety Eight Dollars and Ten Cents (\$99,398.10); and

**WHEREAS**, the Department of Public Works entered into Renewal Agreement Number 2 with C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 12-R-1364 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 entered into Amendment Agreement Number 7 with C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters to include additional unit price line items for Bridges via Resolution 12-R-1729 adopted by the City Council on December 3, 2012 and approved per City Charter Section 2-403 on December 12, 2012; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 8 (Administrative Change Order) with C.P. Richards in January 2013, which did not require legislative action, in an amount not to exceed Forty Five Thousand One Hundred Ninety Five Dollars and Eighty Eight Cents (\$45,195.88); and

**WHEREAS**, the Department of Public Works will enter into Amendment Agreement Number 9 with C.P. Richards, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters for the Barge Road at Campbellton Intersection Improvement Project in an amount not to exceed Thirty Seven Thousand One Hundred Ninety Four Dollars and One Cent (\$37,194.01);

**WHEREAS**, the Department of Public Works desires to enter into Amendment Agreement Number 10 with C.P. Richards, for FC-4943A, Annual Contract to Construct Sidewalks,

Driveways, Curbs and Gutters in an amount not to exceed Three Hundred Thousand Sixteen Thousand Two Hundred Thirty Four Dollars and No Cents (\$316,234.00); and

**WHEREAS**, C.P. Richards has performed the contracted services satisfactorily; and

**WHEREAS**, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend Amendment Number 10 for FC-4943A, 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 10 for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with C.P. Richards on behalf of the Department of Public Works, in an amount not to exceed Three Hundred Sixteen Thousand Two Hundred Thirty Four Dollars and No Cents (\$316,234.00).

**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 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 C.P. Richards Construction Company, Inc.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Caption:**

**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 10 WITH C.P. RICHARDS CONSTRUCTION COMPANY, INC., FOR FC-4943A, 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 SIXTEEN THOUSAND TWO HUNDRED THIRTY FOUR DOLLARS AND NO CENTS (\$316,234.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.**

**Committee of Purview: City Utilities**

**Committee Meeting Date: March 12, 2013**

**Council Meeting Date: March 18, 2013**

**Requesting Dept.: Department of Public Works**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to continue the construction of federally mandated ADA ramp projects, pedestrian crosswalks and various resurfacing projects.

**2. Please provide background information regarding this legislation.**

The projects will continue construction services under the City's five (5) Annual Sidewalk Contractors. CP Richards Construction, Kemi Construction, Precision 2000., Inc., SD&C Construction and Tople Construction.

**3. If Applicable/Known:**

(a) **Contract Type:** Construction Services

(b) **Source Selection:** Bids

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:** Two (2) years with an option to renew for two (2) on (1) year periods

**4. Fund Department Account Center:** 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 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.

**5. Source of Funds:** General Fund, Trust, Recovery Zone

**6. Fiscal Impact:** \$316,234.00

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Lawrence Jeter

**LEGISLATIVE SUMMARY**

**FC-4943-A, ANNUAL CONTRACT FOR SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, AMENDMENT NO. 10**

**TO: CITY UTILITIES COMMITTEE**

**CAPTION**

**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 10 WITH C.P. RICHARDS CONSTRUCTION COMPANY, INC., FOR FC-4943A, 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 SIXTEEN THOUSAND TWO HUNDRED THIRTY FOUR DOLLARS AND NO CENTS (\$316,234.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES**

<b>Committee Meeting Date:</b>	<b>March 12, 2013</b>
<b>Council Meeting Date:</b>	<b>March 18, 2013</b>
<b>Legislation Title:</b>	<b>Annual Contract for Sidewalks, Driveways, Curbs and Gutters</b>
<b>Requesting Dept.:</b>	<b>Department of Public Works</b>
<b>Contract Type:</b>	<b>BID</b>
<b>Advertisement:</b>	<b>04/21/09</b>
<b>Bids/Proposals Due:</b>	<b>June 4, 2009</b>
<b>Invitations Mailed:</b>	<b>25</b>
<b>Bids/Proposals Received:</b>	<b>9</b>

**(1) Knight & Associates, Inc.  
(2) Kissberg Construction, Inc.  
(3) Precision 2000, Inc.**

*\*Denotes the Lowest Most Responsive and Responsible Bidder.*

- (4) Kemi Construction, Inc.
- (5) \*C. P. Richard Construction, Inc.
- (6) RDK Construction, Inc.
- (7) Tople Construction, Inc.
- (8) Shaheeds Construction, Inc.
- (9) SD & C, Inc.

**Contractor:** C. P. Richards Construction Company, Inc.

**Estimated Value:** \$316,234.00

**Scope Summary:** This Agreement is to provide side walk improvements for Campbellton Road the Department of Public Works in the City of Atlanta.

**Background:** The Original Agreement was executed October 2, 2009

**Evaluation Team:** Representatives from the Department of Public Works and the Office of Contract Compliance

**Term of Contract:** Two (2) years with two (2) one (1) year renewal options

**Fund Account Centers:** 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 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

**Prepared By:**

Kimberly Lyons, Contracting Officer

**Contact Number:**

(404) 865-8521

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Santana Kempson Wright

Contact Number: (404) 330-6579

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: February 22, 2013

Anticipated Committee Meeting Date(s): March 12, 2013

Anticipated Full Council Date: March 18, 2013

*WY* Legislative Counsel's Signature: Saul Schultz

Commissioner's Signature: [Signature]

Chief Information Officer Signature (for IT Procurements): \_\_\_\_\_

*AK* Chief Procurement Officer Signature: Adam J. Smith

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FINANCIAL IMPACT: \$316,234.00

Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 2.22.13  
(date)

Reviewed by: [Signature]  
(date)

Submitted to Council: \_\_\_\_\_ (date)