CITY COUNCIL
ATLANTA, GEORGIA

14-O-1165

AN ORDINANCE BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 21 WITH SD&C, INC. FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS, AND GUTTERS TO ADD FUNDING FOR THE NISKEY LAKE TRAIL DRAINAGE PROJECT ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND NINE HUNDRED DOLLARS AND NO CENTS ($60,900.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

Workflow List:

Atlanta City Council	Completed	03/19/2014 2:12 PM
City Utilities Committee	Pending	
Mayor's Office	Pending	

HISTORY:

03/17/14	Atlanta City Council	REFERRED WITHOUT OBJECTION

RESULT:	**REFERRED WITHOUT OBJECTION**	**Next: 3/25/2014 9:30 AM**

RESULT:	**REFERRED WITHOUT OBJECTION**	**Next: 3/25/2014 9:30 AM**

Certified by Presiding Officer	Certified by Clerk
Mayor’s Action *See Authentication Page Attachment*	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

14-O-1165

SPONSOR SIGNATURES

Clarence T Martin Jr

Clarence "C. T." Martin, Councilmember, District 10

AN ORDINANCE BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 21 WITH SD&C, INC. FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS, AND GUTTERS TO ADD FUNDING FOR THE NISKEY LAKE TRAIL DRAINAGE PROJECT ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND NINE HUNDRED DOLLARS AND NO CENTS ($60,900.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; 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 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 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, via Ordinance 10-0-1692 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 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 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 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 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 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. for FC-4943D, 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. for FC-4943D, 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 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 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 entered into Amendment Agreement Number 13 in an amount not to exceed Three Hundred Eighteen Thousand Dollars and No Cents ($318,000.00) via Resolution 13-R-0423 adopted by the City Council on March 18, 2013 approved per City Charter Section 2-403 on March 27, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 14 (Administrative Change Order) with SD&C, Inc., in January 2013, which did not require legislative action, in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Ninety Eight Dollars and Ten Cents ($117,998.10); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 15 (Administrative Change Order) with SD&C, Inc., in March 2013, which did not require legislative action, in an amount not to exceed Thirty One Thousand Three Hundred Thirty One Dollars and Twenty Nine Cents ($31,331.29); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 16 to include additional unit price line items for recycled concrete via Resolution 13-R-3008 adopted by the City Council on May 6, 2013 and approved per City Charter Section 2-403 on May 15, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 17 to provide milling, resurfacing, pedestrian crossing, installation and ADA compliant services for 11 high priority bicycle improvement projects in an amount not to exceed Six Hundred Eighteen Thousand Two Hundred Fifteen Dollars and Forty Three Cents ($618,215.43) via Resolution 13-R-3156 adopted by the City Council on June 17, 2013 and approved per City Charter Section

2-403 on June 26, 2013; and

WHEREAS, the Department of Watershed Management entered into Amendment Agreement Number 18 to provide milling, resurfacing and striping in an amount not to exceed Five Hundred Thirty Three Thousand Forty Eight Dollars and Ninety One Cents ($533,048.91) via Resolution

13-R-3241 adopted as amended by the City Council on June 3, 2013 and approved per City

Charter Section 2-403 on June 26, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 19 to add additional funding for the Adams Drive Bridge Project in an amount not to exceed Six Hundred Forty Five Thousand Six Hundred Eighty Two Dollars and Thirty Cents ($645,682.30)

via Resolution 13-R-3526 adopted by the City Council on September 3, 2013 and approved per

City Charter Section 2-403 on September 12, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 20 to extend the term of the agreement on a month-to-month basis for a period not to exceed six (6) months via Ordinance 13-0-1405 adopted by the City Council on December 2, 2013 and approved per City Charter Section 2-403 on December 11, 2013; and

WHEREAS, the Department of Public Works desires to enter into Amendment Agreement Number 21 with SD&C, Inc., for FC-4943D to add funding for the Niskey Lake Trail Drainage Project in an amount not to exceed Sixty Thousand Nine Hundred Dollars and No Cents ($60,900.00); and

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

WHEREAS, the Commissioner of the Department of Public Works recommends Amendment

Agreement Number 21 for FC-4943D.

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 21 for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with SD&C, Inc. to add additional funding for the Niskey Lake Trail Drainage Project in an amount not to exceed Sixty Thousand Nine Hundred Dollars and No Cents ($60,900.00) on behalf of the Department of Public Works.

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from the listed FDOA: 1001 (General Fund) 130306 (DPW Roadways & Walkways -North Avenue)

5222001 (Repair & Maintenance- Building) 3920000 (Emergency Management).

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, or his designee.

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.

AN ORDINANCE
BY COUNCILMEMBER

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AMENDMENT AGREEMENT NUMBER 21 WITH SD&C, INC. FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS, AND GUTTERS TO ADD FUNDING FOR THE NISKEY LAKE TRAIL DRAINAGE PROJECT ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND NINE HUNDRED DOLLARS AND NO CENTS ($60,900.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; 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 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 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, 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 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 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 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 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 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. for FC-4943D, 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. for FC-4943D, 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 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 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 entered into Amendment Agreement Number 13 in an amount not to exceed Three Hundred Eighteen Thousand Dollars and No Cents ($318,000.00) via Resolution 13-R-0423 adopted by the City Council on March 18, 2013 approved per City Charter Section 2-403 on March 27, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 14 (Administrative Change Order) with SD&C, Inc., in January 2013, which did not require legislative action, in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Ninety Eight Dollars and Ten Cents ($117,998.10); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 15 (Administrative Change Order) with SD&C, Inc., in March 2013, which did not require legislative action, in an amount not to exceed Thirty One Thousand Three Hundred Thirty One Dollars and Twenty Nine Cents ($31,331.29); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 16 to include additional unit price line items for recycled concrete via Resolution 13-R-3008 adopted by the City Council on May 6, 2013 and approved per City Charter Section 2-403 on May 15, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 17 to provide milling, resurfacing, pedestrian crossing, installation and ADA compliant services for 11 high priority bicycle improvement projects in an amount not to exceed Six Hundred Eighteen Thousand Two Hundred Fifteen Dollars and Forty Three Cents ($618,215.43) via Resolution 13-R-3156 adopted by the City Council on June 17, 2013 and approved per City Charter Section 2-403 on June 26, 2013; and

WHEREAS, the Department of Watershed Management entered into Amendment Agreement Number 18 to provide milling, resurfacing and striping in an amount not to exceed Five Hundred Thirty Three Thousand Forty Eight Dollars and Ninety One Cents ($533,048.91) via Resolution 13-R-3241 adopted as amended by the City Council on June 3, 2013 and approved per City Charter Section 2-403 on June 26, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 19 to add additional funding for the Adams Drive Bridge Project in an amount not to exceed Six Hundred Forty Five Thousand Six Hundred Eighty Two Dollars and Thirty Cents ($645,682.30)

via Resolution 13-R-3526 adopted by the City Council on September 3, 2013 and approved per City Charter Section 2-403 on September 12, 2013; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 20 to extend the term of the agreement on a month-to-month basis for a period not to exceed six (6) months via Ordinance 13-O-1405 adopted by the City Council on December 2, 2013 and approved per City Charter Section 2-403 on December 11, 2013; and

WHEREAS, the Department of Public Works desires to enter into Amendment Agreement Number 21 with SD&C, Inc., for FC-4943D to add funding for the Niskey Lake Trail Drainage Project in an amount not to exceed Sixty Thousand Nine Hundred Dollars and No Cents ($60,900.00); and

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

WHEREAS, the Commissioner of the Department of Public Works recommends Amendment Agreement Number 21 for FC-4943D.

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 21 for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with SD&C, Inc. to add additional funding for the Niskey Lake Trail Drainage Project in an amount not to exceed Sixty Thousand Nine Hundred Dollars and No Cents ($60,900.00) on behalf of the Department of Public Works.

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from the listed FDOA: 1001 (General Fund) 130306 (DPW Roadways & Walkways – North Avenue) 5222001 (Repair & Maintenance – Building) 3920000 (Emergency Management).

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, or his designee.

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.