

A RESOLUTION BY COUNCILMEMBER KEISHA LANCE BOTTOMS AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ISSUE A TASK ORDER TO ARCADIS/BRINDLEY, PIETERS & ASSOCIATES, INC., A JOINT VENTURE FOR FC-4906A, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, FOR A SWALE AND CULVERT TO DIRECT STORM WATER RUNOFF FROM DANFORTH ROAD TO NISKEY LAKE FOR THE DANFORTH ROAD SIDEWALK PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED FOUR THOUSAND FIVE HUNDRED NINETY DOLLARS AND NO CENTS (\$4,590.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

Workflow List:

Atlanta City Council	Completed	04/23/2014 7:46 PM
Finance/Executive Committee	Pending	
City Utilities Committee	Pending	

HISTORY:

04/21/14	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT:	REFERRED WITHOUT OBJECTION	Next: 4/30/2014 1:00 PM
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RESULT:	REFERRED WITHOUT OBJECTION	Next: 4/30/2014 1:00 PM
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

14-R-3398

SPONSOR SIGNATURES


Keisha Lance Bottoms, Councilmember, District 11

A RESOLUTION BY COUNCILMEMBER KEISHA LANCE BOTTOMS AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ISSUE A TASK ORDER TO ARCADIS/BRINDLEY, PIETERS & ASSOCIATES, INC., A JOINT VENTURE FOR FC-4906A, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, FOR A SWALE AND CULVERT TO DIRECT STORM WATER RUNOFF FROM DANFORTH ROAD TO NISKEY LAKE FOR THE DANFORTH ROAD SIDEWALK PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED FOUR THOUSAND FIVE HUNDRED NINETY DOLLARS AND NO CENTS (\$4,590.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into FC-4906A, Contract for Architectural, Engineering and Design Services with Arcadis/Brindley, Pieters & Associates, Inc., a Joint Venture ("Arcadis/Brindley, Pieters & Associates") via Resolution 09-R-1633, adopted by City Council on September 21, 2009 and approved by the Mayor on September 25, 2009; and

WHEREAS, the terms of the Contract were for a period of two (2) years with three (3) one (1) year renewal options at the sole discretion of the City; and

WHEREAS, the City entered into Renewal Agreement Number 1 with Arcadis/Brindley, Pieters & Associates for FC-4906A, via Resolution 11-R-1729, adopted by the City Council on December 5, 2011 and approved by the Mayor on December 12, 2011; and

WHEREAS, the City entered into Renewal Agreement Number 2 with Arcadis/Brindley, Pieters & Associates or FC-4906A, via Resolution 12-R-1648, adopted by the City Council on December 3, 2012 and approved as per City Charter Section 2-403 on December 12, 2012 giving a new expiration date of December 20, 2013; and

WHEREAS, the City entered into Renewal Agreement Number 3 with Arcadis/Brindley, Pieters & Associates for FC-4906A, via Resolution 13-R-3769 adopted by the City Council on November 18, 2013 and approved per City Charter Section 2-403 on November 27, 2013 giving a new expiration date of December 20, 2014; and

WHEREAS, the Department of Public Works requires Architectural and Engineering Services for a swale and culvert to direct storm water runoff from Danforth Road to Niskey Lake for the Danforth Road Sidewalk Project; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend the issuance of a Task Order for Architectural Engineering, and Design Services to be performed by Arcadis/Brindley, Pieters & Associates in an amount not to exceed Four Thousand Five Hundred Ninety Dollars and No Cents (\$4,590.00).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES, that the Mayor, or his designee, is authorized to issue a Task Order to Arcadis/Brindley, Pieters & Associates

for FC-4906A, Architectural, Engineering and Design Services for a swale and culvert to direct storm water runoff from Danforth Road to Niskey Lake for the Danforth Road Sidewalk Project , in an amount not to exceed Four Thousand Five Hundred Ninety Dollars and No Cents (\$4,590.00).

BE IT FURTHER RESOLVED, that all contracted work will be charged to and paid from the following FDOA: 7701 (Trust Fund) 130308 (DPW Transportation Design) 5212001 (Consulting/Professional Services) 101619 (Citywide Sidewalk Program); 115 91494 (Trust Fund 9999) AND PTAE0 Funding Source 13101619 115 770191494 5212001 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 Task Order will not become binding upon the City, and the City shall incur no obligation or 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 Arcadis/Brindley, Pieters & Associates, Inc., a Joint Venture.



**A RESOLUTION
BY COUNCILMEMBER**

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ISSUE A TASK ORDER TO ARCADIS/BRINDLEY, PIETERS & ASSOCIATES, INC., A JOINT VENTURE FOR FC-4906A, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, FOR A SWALE AND CULVERT TO DIRECT STORM WATER RUNOFF FROM DANFORTH ROAD TO NISKEY LAKE FOR THE DANFORTH ROAD SIDEWALK PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED FOUR THOUSAND FIVE HUNDRED NINETY DOLLARS AND NO CENTS (\$4,590.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

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Services to be performed by Arcadis/Brindley, Pieters & Associates in an amount not to exceed Four Thousand Five Hundred Ninety Dollars and No Cents (\$4,590.00).

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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 ISSUE A TASK ORDER TO ARCADIS/BRINDLEY, PIETERS & ASSOCIATES, INC., A JOINT VENTURE FOR FC-4906A, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, FOR A SWALE AND CULVERT TO DIRECT STORM WATER RUNOFF FROM DANFORTH ROAD TO NISKEY LAKE FOR THE DANFORTH ROAD SIDEWALK PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED FOUR THOUSAND FIVE HUNDRED NINETY DOLLARS AND NO CENTS (\$4,590.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

Committee of Purview: City Utilities Committee

Committee Meeting Date: April 29, 2014

Council Meeting Date: May 5, 2014

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 execute a task order in the amount of \$4,590.00 with Arcadis/BPA, Joint Venture for the design of a swale and culvert to direct storm water runoff from Danforth Road to Niskey Lake. This design will be constructed as part of the Danforth Sidewalk Project located in Council District 11, NPU-Q which include limits on Danforth Road from New Hope Road to Reunion Place. The project scope includes the installation of five foot concrete ADA (American Disabilities Act) compliant sidewalks, driveway aprons, handicap accessible wheelchair ramps, curbing and gutters, a 2 foot grass strip, street trees, decorative pedestrian lighting, guardrail, and drainage and piping structures as needed on Danforth Road, from New Hope Road to Regency Center Drive on both sides of the street and from Regency Center Drive to Reunion Place, on the south side of the street. Additional elements will include resurfacing, and striping of the roadway, and maintaining the 4-way stop at Danforth Road and New Hope Road.

2. Please provide background information regarding this legislation.

Due to the installation of curb and gutter on this project, a heavier flow of storm water is being produced at a catch basin location on Danforth Road, when it rains. The heavier flow of water is causing erosion issues on the private property that need to be addressed. This requested rip rap swale and culvert design will eliminate the erosion issue, while giving the contractor guidance on how to construct.

3. If Applicable/Known:

- (a) **Contract Type:** Professional Services
- (b) **Source Selection:** Sealed RFP
- (c) **Bids/Proposals Due:** May 6, 2009
- (d) **Invitations Issued:** 150
- (e) **Number of Bids:**
- (f) **Proposals Received:** 14
- (g) **Bidders/Proponents:** A E COM/ H.J. Russell, Joint Venture, Arcadis/Brindley Pieters & Associates, Inc., Joint Venture, Atlanta Services Group, BGR Joint Venture Office, Brown and Caldwell, Inc/Delon Hampton & Associates, Chartered, A Joint Venture, Citywide Infrastructure Provider, JP2 (Jacobs, PRAD, PBS&J), MA-HMM Gude, JV, Parsons-Cardozo Engineering, A Joint Venture, Prime Engineering, Inc. and Chester Engineering, Joint Venture, Shaw-Benchmark, Joint Venture, Southern Right of Way, Strategic Team Concepts, LLC, Total Solution Partners
- (h) **Term of Contract:** Two (2) years with an option to renew for three (3) one (1) year periods.

4. Fund Department Account Center:

7701 (Trust Fund) 130308 (DPW Transportation Design) 5212001 (Consulting/Professional Services) 101619 (Citywide Sidewalk Program); 115 91494 (Trust Fund 9999) AND PTAE0 Funding Source 13101619 115 770191494 5212001 COA

5. Source of Funds: Trust Funds

6. Fiscal Impact: 4,590.00

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Greg Holder



ARCADIS/BPA, Joint Venture
 2849 Paces Ferry Road
 Suite 400
 Atlanta
 Georgia 30339
 Tel 770 431 8666
 Fax 770 435 2666

Mr. Greg Holder
 City of Atlanta Department of Public Works
 55 Trinity Avenue
 Suite 4500
 Atlanta, Ga. 30303

Re: Danforth Swale and Culvert Design

Dear Mr. Holder:

The Arcadis/BPA Joint Venture is pleased to submit this fee proposal in the not-to-exceed amount of \$4, 590.00 for design of a swale and culvert to direct storm water runoff from Danforth Road to Niskey Lake.

We look forward to continuing our service to the City on this important project.

Sincerely,
 ARCADIS/BPA, Joint Venture

Ira Battle, P.E.
 Vice President and Deputy Contract Manager

C.c. Mr. John Dean, P.E.

Attachments: COA Exhibit A
 COA Exhibit B
 COA Task Order Template
 Subconsultant Proposal

Date:
 February 18, 2014

Contact:
 Ira Battle, P.E.

Phone:
 404-224-9260

E-mail:
 ibattle@bpa-
 engineers.com

Attachment: Danforth Rd Supporting Documents (14-R-3398 : ARCADIS/BRINDLEY)



ARCADIS/BPA, Joint Venture
 2849 Paces Ferry Road
 Suite 400
 Atlanta
 Georgia 30339
 Tel 770 431 8666
 Fax 770 435 2666

Exhibit A

Danforth Road Swale and Culvert Design Scope of Services

Surveying Services: Upon the CLIENT's authorization, the CONSULTANT will:

- Perform topographic survey as described in the attached proposal from Sawhney & Associates.

Design Phase Services: Upon the CLIENT's authorization, the CONSULTANT will:

- Prepare Layout plan and profile of proposed swale
- Provide appropriate Erosion and Sediment Control measures.
- Design culvert to accommodate crossing of existing trail.
- Provide drawings to the Contractor.

Date:
 February 18, 2014

Contact:
 Ira Battle, P.E.

Phone:
 404-224-9260

E-mail:
 ibattle@bpa-
 engineers.com



EXHIBIT B
TASK ORDER BILLING AND PAYMENT TERMS

8. Payment Procedures
- 8.1 General. City will not be obligated to pay Consultant any amount in addition to the charges set forth in an applicable Task Order for Consultant's provision of the services. Consultant Personnel hour rates, reimbursable expenses and other compensable items under this Agreement and issued Task Orders are set forth on Exhibit A.1 Compensation.
- 8.2 Invoices. Consultant shall prepare and submit to the City invoices for payment of all charges in accordance with the applicable Task Order. Each invoice shall be in such detail and in such format as City may reasonable require. To the extent not set forth in a Task Order, Consultant shall invoice City monthly for Services rendered.
- 8.3 Taxes. The Charges are inclusive of all taxes, levies, duties and assessments. ("Taxes") of every nature due in connection with Consultant's performance of the Services. Consultant is responsible for payment of such Taxes to the appropriate governmental authority. If Consultant is refunded any Tax payments made relating to the Services, Consultant shall remit the amount of such refund to City within forty-five (45) days of receipt of the refund.
- 8.4 Maximum Amount. City shall not be obligated to pay any amount in excess of the Annual Maximum Payment amount for all Services under all Task Orders, nor shall City be obligated to pay any amount in excess of a Task Order Maximum Payment Amount.
- 8.5 Payment. City shall endeavor to pay all undisputed charges within thirty (30) days of the date of the receipt by City of a properly rendered and delivered invoice. Notwithstanding the forgoing, unless otherwise provided in the Task Order, all undisputed Charges on an invoice properly rendered and delivered shall be payable within forty-five (45) days of the date of receipt by City.
- 8.6 Disputed Charges. If City in good faith disputes any portion of an invoice, City may withhold such disputed amount and notify Consultant in Writing of the basis for any dispute within thirty (30) days of the later of: (a) receipt of the invoice; (b) discovery of the basis for any such dispute. City and Consultant agree to use all reasonable commercial efforts to resolve any disputed amount in any invoice within thirty (30) days of the date City notifies Consultant of the disputed amount.
- 8.7 No Acceptance of Nonconforming Work. No payment of any invoice or any partial or entire use of the Services by City constitutes acceptance of any Services.
- 8.8 Payment of other Persons. Prior to the issuance of final payment from City, Consultant shall certify to City in writing, in a form satisfactory to City, that all subcontractors, material men, suppliers and similar firms or persons engaged by Consultant in connection with this Agreement have been paid in full or will be paid in full utilizing the monies constituting final payment to Consultant.

SAWHNEY & ASSOCIATES

523, HASTINGS WAY, JONESBORO, GA .30238

August 30, 2013

**Brindley Pieters and Associates, Inc.
Suite 1104 International Tower
229 Peachtree Street, NE
Atlanta, Georgia 30303**

Attn: Mr Barnes

Ref: Misc. survey off Danforth Road near Nisty lake circle

Dear Sir,

This is the quote for carrying out the survey from the outfall of the culvert to the lake as discussed with Mr Barnes at site on August 29, 2013

The survey will be consist of getting the profile of the approximate location of the proposed swale from culvert to the lake, staking will be done every 25 ft and elevations obtained at each of the stakes, additional elevations will be obtained about 25 ft on either side of the stakes and also wherever deemed necessary for the design of the swale.

Total cost \$600.00

If you have any questions please contact (678)478-6857

Sincerely,

**(Gulshan Sawhney)
RLS, Georgia**

Attachment: Danforth Rd Supporting Documents (14-R-3398 : ARCADIS/BRINDLEY)

Danforth Road Design

