

CHANGE ORDER NO. 2 TO FORM OF CONTRACT

Contractor: C. W. Matthews Contracting Company

Contract No.: 20ITB125848K-DB, Road Resurfacing

Address: 1600 Kenview Drive
City, State Marietta, Georgia 30060

Telephone: (770) 422-7520

E-mail address: mikek@cwmatthews.com

Contact: Mike Kleuckling

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with C. W. Matthews Contracting Company ("Contractor") to provide resurfacing of roads within the Fulton Industrial District, dated October 21, 2020, on behalf of the Department of Public Works; and

WHEREAS, in the spring of 2021, the Department of Public Works secured the services of Contractor to provide resurfacing services for a number of roadways in the unincorporated area of Fulton County south of I-20; and

WHEREAS, with the adoption of HB 445 by the General Assembly and signed into law by Governor Kemp, all of the unincorporated area of Fulton County south of I-20 along Fulton Industrial Boulevard was annexed into the City of South Fulton in May 2021. Since these roadways are now within the city limits of the City of South Fulton and Fulton County does not provide transportation services to the City of South Fulton, Fulton County will no longer complete these resurfacing activities; and

WHEREAS, the area north of I-20 along the Fulton Industrial Boulevard remains as unincorporated Fulton County and there are a number of roadways in this area that are in need of resurfacing, this change order will remove the previously identified roadways and add roadways located in unincorporated Fulton County; and

WHEREAS, the Contractor has performed satisfactorily over the period of the contract; and

WHEREAS, this Change Order No.2 was approved by the Fulton County Board of Commissioners on [Insert Board of Commissioners approval date and item number].

NOW, THEREFORE, the County and the Contractor agree as follows:

This Change Order No. 2 to Form of Contract is effective as of the ____ day of _____, 2022, between the County and Contractor who agree that all Services specified will be performed in accordance with this Change Order No. 2 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** Change Order No. 2 to Form of Contract amends the contract as follows:
 - A. Removes the following roadways for resurfacing:
 - Bucknell Drive between Great Southwest Parkway and Great Southwest Parkway
 - Fulton Industrial Circle between Fredrick Drive and Fulton Industrial Boulevard
 - McDougall Drive between James Aldredge Boulevard and Wharton Drive
 - Mendel Court between Mendel Drive and the cul-de-sac
 - Patton Drive between Fulton Industrial Boulevard and the cul-de-sac
 - Purdue Drive between Boat Rock Boulevard and Duquesne Drive
 - Robinson Drive between Fulton Industrial Drive and Selig Drive
 - Stonehill Drive between Villanova Drive and Villanova Drive
 - Tradewater Parkway from Fulton Industrial Boulevard and the cul-de-sac
 - Wesleyan Drive between Wheaton Drive and the cul-de-sac
 - Xavier Drive between LaGrange Boulevard and the cul-de-sac
 - B. Adds the following roadways to be resurfaced:
 - South Airport Road between ML King, Jr. Drive to ML King, Jr. Drive
 - Aero Drive between Aviation Circle to cul-de-sac
 - Airway Drive between Aviation Circle to cul-de-sac
 - Interchange Drive between Wendell Drive and Fulton Industrial Boulevard
 - National Drive between Martin Luther King Drive to cul-de-sac
 - Distribution Drive between Martin Luther King Drive to cul-de-sac
2. **COMPENSATION:** No additional funds are necessary. The services described under Scope of Work herein shall be performed by Contractor. These roadways north of I-20 can be completed within the current budget in an amount not to exceed \$1,632,444.20 for resurfacing activities.
3. **LIABILITY OF COUNTY:** This Change Order No. 2 to Form of Contract shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the County Manager, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF CHANGE ORDER NO. 2 TO FORM OF CONTRACT:** Except as modified by this Change Order No. 2 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

[INTENTIONALLY LEFT BLANK]

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

FULTON COUNTY, GEORGIA

CONTRACTOR:

**C. W. MATTHEWS
CONTRACTING COMPANY**

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Daniel Garcia,
President

ATTEST:

ATTEST:

Tonya R. Grier
Clerk to the Commission

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Office of the County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

David Clark, Director
Department of Public Works

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
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