



**FULTON
COUNTY**

CHANGE ORDER #2

#20ITB125848K-DB

ROAD RESURFACING

DEPARTMENT OF PUBLIC WORKS

CHANGE ORDER NO. 2 TO FORM OF CONTRACT

Contractor: C. W. Matthews Contracting Co., Inc.

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. to provide resurfacing of roads within the Fulton Industrial District, dated October 21, 2020, BOC Item no. 20-0759 on behalf of the Department of Public Works; and

WHEREAS, In the spring of 2021, the Department of Public Works secured the services of C.W. Matthews to resurface a number of roadways in the unincorporated area of Fulton County south of I-20. These roads included:

- 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

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.

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. Therefore, the Department of Public Works has recommended that the current contract with C.W. Matthews be amended to remove the previously identified roadways and replaced with the following:

1. South Airport Road between Martin Luther King Drive to Martin Luther King Drive
2. Aero Drive between Aviation Circle to cul-de-sac
3. Airway Drive between Aviation Circle to cul-de-sac
4. Interchange Drive between Wendell Drive and Fulton Industrial Boulevard
5. National Drive between Martin Luther King Drive to cul-de-sac
6. Distribution Drive between Martin Luther King Drive to cul-de-sac

These roadways north of I-20 can be completed within the current budget for resurfacing activities and no additional funds are necessary.

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 Wednesday, March 2nd, 2022; Item #22-0140.

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

This Change Order No. 2 to Form of Contract is effective as of the 2nd day of March, 2022, between the County and C.W. Matthews Construction Co., Inc., who agree that all Services specified will be performed by in accordance with this Change Order No. 2 to Form of Contract and the Contract Documents.

1. SCOPE OF WORK TO BE PERFORMED:

The following roadways will not be resurfaced under this Change Order No. 2:

- 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

The current contract with C.W. Matthews will be amended through this Change Order No. 2 to resurface the following roadways:

1. South Airport Road between Martin Luther King Drive to Martin Luther King Drive
 2. Aero Drive between Aviation Circle to cul-de-sac
 3. Airway Drive between Aviation Circle to cul-de-sac
 4. Interchange Drive between Wendell Drive and Fulton Industrial Boulevard
 5. National Drive between Martin Luther King Drive to cul-de-sac
 6. Distribution Drive between Martin Luther King Drive to cul-de-sac
2. **COMPENSATION:** 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 not to exceed \$ 1,632,444.20 for resurfacing activities and no additional funds are necessary.
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:

CONTRACTOR:

FULTON COUNTY, GEORGIA

**C. W. MATTHEWS
CONTRACTING CO., INC.**

DocuSigned by:

Robert L. Pitts

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

DocuSigned by:

Daniel Garcia

Daniel Garcia,
President

ATTEST:

ATTEST:

DocuSigned by:

Tonya R. Grier

Tonya R. Grier
Clerk to the Commission

DocuSigned by:

Bunny Brown

Secretary/
Assistant Secretary

(Affix County Seal)



APPROVED AS TO FORM:

(Affix Corporate Seal)



ATTEST:

DocuSigned by:

Denzel Stewart

Office of the County Attorney

APPROVED AS TO CONTENT:

DocuSigned by:

David Clark

David Clark, Director
Department of Public Works

ITEM#: _____ RCS: _____	ITEM#: ²⁰²²⁻⁰¹⁴⁰ _____ RM: ^{3/2/2022} _____
RECESS MEETING	REGULAR MEETING

10/19/2021 14:16
 109931 Fulton - 2021 Roads Add OnPart2 (008900)
 *** Jim Peek x1271

BID TOTALS

<u>Biditem</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Bid Total</u>
Interchange Dr.					
1010	TRAFFIC CONTROL - INTERCHANGE DR.	1.000	LS	48,009.12	48,009.12
1020	REC AC PATCHING BM/HL	100.000	TN	240.17	24,017.00
1030	REC AC 12.5MM SP, GP2 BM/HL	515.000	TN	130.19	67,047.85
1050	TACK COAT	285.000	GL	2.27	646.95
1060	MILL ASPH CONC PVMT, VARIABLE DEPTH	4,645.000	SY	10.51	48,818.95
1070	THERMO SOLID TRAFFIC STRIPE, 5 IN, YELLO	3,168.000	LF	1.25	3,960.00
1080	THERMO SOLID TRAFFIC STRIPE, 24 IN, WHITE	24.000	LF	15.00	360.00
1090	ADJUST MANHOLES TO GRADE	1.000	EA	2,108.00	2,108.00

Interchange Dr. \$194,967.87

S. Airport Rd.					
1210	TRAFFIC CONTROL - S. AIRPORT RD.	1.000	LS	58,897.56	58,897.56
1220	REC AC PATCHING BM/HL	100.000	TN	240.17	24,017.00
1230	REC AC 12.5MM SP GP2 BM/HL	830.000	TN	109.47	90,860.10
1250	TACK COAT	455.000	GL	2.27	1,032.85
1260	MILL ASPH CONC PVMT, VARIABLE DEPTH	7,505.000	SY	6.75	50,658.75
1270	THERMO SOLID TRAFFIC STRIPE, 5 IN, YELLO	112.000	LF	5.00	560.00
1280	THERMO SOLID TRAFFIC STRIPE, 24 IN, WHITE	24.000	LF	15.00	360.00

S. Airport Rd. \$226,386.26

National Dr.					
1410	TRAFFIC CONTROL - NATIONAL DR.	1.000	LS	54,971.68	54,971.68
1420	REC AC PATCHING BM/HL	100.000	TN	240.17	24,017.00
1430	REC AC 12.5MM SP GP2 BM/HL	715.000	TN	114.95	82,189.25
1450	TACK COAT	390.000	GL	2.27	885.30
1460	MILL ASPH CONC PVMT, VARIABLE DEPTH	6,450.000	SY	7.75	49,987.50
1480	THERMO SOLID TRAFFIC STRIPE, 5 IN, YELLO	1.000	LF	1,250.00	1,250.00
1495	ADJUST MANHOLES TO GRADE	1.000	EA	2,108.00	2,108.00

National Dr. \$215,408.73

Distribution Dr.					
1610	TRAFFIC CONTROL - DISTRIBUTION DR.	1.000	LS	58,442.84	58,442.84
1620	REC AC PATCHING BM/HL	100.000	TN	240.17	24,017.00
1630	REC AC 12.5MM SP, GP2 BM/HL	780.000	TN	111.76	87,172.80
1650	TACK COAT	430.000	GL	2.27	976.10
1660	MILL ASPH CONC PVMT, VARIABLE DEPTH	7,035.000	SY	7.16	50,370.60
1670	THERMO SOLID TRAFFIC STRIPE, 5 IN, YELLOW	3,800.000	LF	1.25	4,750.00
1690	ADJUST MANHOLES TO GRADE	4.000	EA	2,101.75	8,407.00

Distribution Dr. \$234,136.34

10/19/2021 14:16
 109931 Fulton - 2021 Roads Add OnPart2 (008900)
 *** Jim Peek x1271

BID TOTALS

<u>Biditem</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Bid Total</u>
Aero Dr.					
1810	TRAFFIC CONTROL - AERO DR.	1.000	LS	87,862.35	87,862.35
1820	REC AC PATCHING BM/HL	100.000	TN	240.17	24,017.00
1830	REC AC 12.5MM SP GP2 BM/HL	520.000	TN	129.64	67,412.80
1850	TACK COAT	285.000	GL	2.27	646.95
1860	MILL ASPH CONC PVMT, VARIABLE DEPTH	4,705.000	SY	10.37	48,790.85
1870	THERMO SOLID TRAFFIC STRIPE, 5 IN, WHITE	3,168.000	LF	1.25	3,960.00
1880	THERMO SOLID TRAFFIC STRIPE, 5 IN, YELLO	3,168.000	LF	1.25	3,960.00
1890	THERMO SOLID TRAFFIC STRIPE, 24 IN, WHITE	12.000	LF	15.00	180.00
1900	THERMO SOLID TRAFFIC STRIPE, 8 IN, WHITE	112.000	LF	5.00	560.00
1910	CONC CURB & GUTTER 8 X 30 TP2 (REM & REP	3,505.000	LF	101.26	354,916.30

Aero Dr. \$592,306.25

Airway Dr.					
2010	TRAFFIC CONTROL - AIRWAY DR.	1.000	LS	40,148.90	40,148.90
2020	REC AC PATCHING BM/HL	100.000	TN	289.75	28,975.00
2030	REC AC 12.5MM SP GP2 BM/HL	300.000	TN	169.44	50,832.00
2050	TACK COAT	165.000	GL	2.27	374.55
2060	MILL ASPH CONC PVMT, VARIABLE DEPTH	2,685.000	SY	17.68	47,470.80
2070	THERMO SOLID TRAFFIC STRIPE, 5 IN, YELLO	1,150.000	LF	1.25	1,437.50

Airway Dr. \$169,238.75

Bid Total =====> \$1,632,444.20

DESCRIPTIONS (Continued from Page 1)

Subject to the terms, conditions, exclusions, and definitions of the above referenced policies, as issued by the carrier(s).

Excess Policies:

Excess Liability limits are in excess of \$3,000,000 Self-Insured Retention for General Liability and Automobile Liability (please refer to the Self-Insured Certificate of Insurance, issued by C. W. Matthews Contracting Co., Inc.) and the \$3,000,000 Primary Automobile Liability Policy for Owned Private Passenger Vehicles and Light Trucks (defined as under 10,001 lbs GVW).

Excess Workers Compensation and Employers Liability Limits are in excess of \$850,000 Self Insured Retention (C. W. Matthews Contracting Co., Inc. is a qualified self-insurer with the Georgia State Board of Workers Compensation).

A.M. Best Ratings:

Great American Insurance Company: A+ XV

Midwest Employers Casualty Company: A+ XV

Hartford Fire Insurance Company: A+ XV