

CHANGE ORDER NO. 1 TO FORM OF CONTRACT

Contractor: **Hogan Construction Group, LLC**

Contract No. **22RFP032922K-CRB, Design/Build Services for the Peachtree Library Renovation**

Address: **5075 Avalon Ridge Parkway**
City, State **Norcross, Georgia 30071**

Telephone: **(770) 242-8588**

E-mail: [**akillen@hoganconstructiongroup.com**](mailto:akillen@hoganconstructiongroup.com)

Contact: **Adam Killen**
Vice President

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with **Hogan Construction Group, LLC**, to provide/perform Design/Build Services for the Peachtree Library Renovation Project, dated November 16, 2022, on behalf of the Department of Real Estate and Asset Management; and

WHEREAS, the purpose of this change order is required to make modification to the existing Contract for additional funding due to price escalation in construction costs for the Design/Build Services for renovation project for the Peachtree Library in which these increase costs occurred after the renovation project was budgeted.

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

WHEREAS, this amendment was approved by the Fulton County Board of Commissioners on **December 6, 2023, BOC Item #23-0888**.

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

This Change Order No. 1 to Form of Contract is effective as of the 6th day of December, 2023, between the Hogan Construction Group, LLC, who agree that all Services specified will be performed in accordance with this Change Order No. 1 of Form of Contract and the Contract Documents.

SCOPE OF WORK TO BE PERFORMED: Modify the existing Contract for additional funding due to escalation in construction costs submitted by Hogan Construction, LLC to provide Design/Build Services through all phases of design and construction for the

renovation of the approximately 9,520 sq. ft. Peachtree Library.

Though these additional costs are specific to the renovation project for the Peachtree Library, they are representative of inflationary price escalations, delays in equipment and materials deliveries, and labor shortages now seen throughout the construction industry.

This Change Order is necessary in requesting additional funding to prevent the disruption in the process and enabling the completion the construction for the renovation project for the Peachtree Library.

2. **COMPENSATION:** The services described under Scope of Work herein shall be performed by Contractor for a total amount not to exceed **\$137,678.00** (One Hundred and Thirty-Seven Thousand Six Hundred Seventy-Eight Dollars and Zero Cents).
3. **LIABILITY OF COUNTY:** This Change Order No. 1 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 Chair to the Commission, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF CHANGE ORDER NO. 1 TO FORM OF CONTRACT:**
Except as modified by this Change Order No. 1 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

DocuSigned by:

Robert L. Pitts

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

CONSULTANT:

Hogan Construction Group, LLC

R

[Signature]

ATTEST:

DocuSigned by:

Tonya R. Grier

Tonya R. Grier
Interim Clerk to the Board of Commissioners

(Affix County Seal)



APPROVED AS TO FORM:

DocuSigned by:

Patrick O'Connor

Office of the County Attorney

APPROVED AS TO CONTENT:

DocuSigned by:

Gayle Holloman

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Full Name

Executive Director

Department Name

Please select RCS or RM from the checkbox

RCS

X RM

ITEM#: XXX RCS: XXX
RECESS MEETING

ITEM#: 23-0888 RM: 12/6/2023
REGULAR MEETING

Secretary/
Assistant Secretary

(Affix Corporate Seal)

ATTEST:

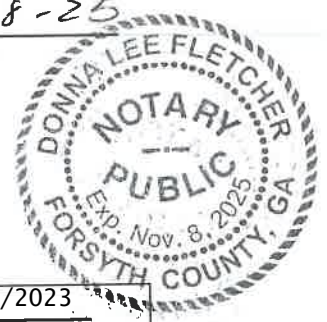
Donna Fletcher

Notary Public

County: *Gwinnett*

Commission Expires: *11-8-25*

(Affix Notary Seal)





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Details

Reports

File #: 23-0888 **Version:** 1 **Name:**

Type: CM Action Item - Open & Responsible Government **Status:** Passed

File created: 11/8/2023 **In control:** Board of Commissioners

On agenda: 12/6/2023 **Final action:** 12/6/2023

Title: Request approval of a change order greater than 10% - Fulton County Library System, 22RFP032922K-CRB, Design/Build Services for the Peachtree Library Renovation, for the Library Capital Improvement Program, Phase II (FCLS-CIP), in an amount not to exceed \$137,678.00 with Hogan Construction Group, LLC (Norcross, GA), to modify existing contract for additional funding due to escalation in construction costs for the Design/Build services for the renovation project for the Peachtree Library. Effective upon BOC approval. (APPROVED)

Attachments: 1. [Exhibit 1 Change Order No. 1 to Form of Contract](#), 2. [Exhibit 2 Change Order Proposal for Peachtree Library](#), 3. [Exhibit 3 Contractor's Performance Report - Hogan](#)

History (1)

Text

Department

Library

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a change order greater than 10% - Fulton County Library System, 22RFP032922K-CRB, Design/Build Services for the Peachtree Library Renovation, for the Library Capital Improvement Program, Phase II (FCLS-CIP), in an amount not to exceed \$137,678.00 with Hogan Construction Group, LLC (Norcross, GA), to modify existing contract for additional funding due to escalation in construction costs for the Design/Build services for the renovation project for the Peachtree Library. Effective upon BOC approval. **(APPROVED)**

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Arts and Libraries

Commission Districts Affected

All Districts ☒District 1 ☐District 2 ☐District 3 ☐District 4 ☐District 5 ☐District 6 ☐

Is this a purchasing item?

Yes

Summary & Background Request approval of Change Order No. 1 to modify the existing contract for additional funding due to escalation in construction costs for the Design/Build Services for the Peachtree Library renovation project.

Scope of Work: Modify existing contract for additional funding due to escalation in construction costs submitted by Hogan Construction Group, LLC to provide Design/Build Services through all phases of design and construction for the renovation of the approximately 9,520 sq. ft. Peachtree Library. These construction costs increases occurred after the renovation project was budgeted.

Though these additional costs are specific to the renovation project for the Peachtree Library, they are representative of inflationary price escalations, delays in equipment and materials deliveries, and labor shortages now seen throughout the construction industry.

This Change Order is necessary in requesting additional funding to prevent the disruption in the process and enabling the completion the construction for the renovation project for the Peachtree Library.

Community Impact: This effort is necessary for the expansion of the library in the Atlanta, GA community of Midtown. The successful completion of the construction on this library will impact nearby communities as well as communities throughout Fulton County.

Department Recommendation: The Library recommends approval of Change Order greater than 10% to modify the existing contract for additional funding for the Design/Build services for the Peachtree Library renovation project.

Project Implications: This contract intent is to restore the designated, existing facility, economically and efficiently, to a condition which fully functional to meet the long-term space and services needs of the constituents and employees of Peachtree Library. The cost of the requested service will be funded using Library Bond Funds; therefore, it will not impact the County or Library operations.

Community Issues/Concerns: None of which the Department is aware.

Department Issues/Concerns: If this change order is not approved, there may be a potential disruption and delay in performing the Design/Build services for the Peachtree Library renovation project.

Contract Modification

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount	22-0872	11/16/22	\$1,318,699.00
Change Order No. 1			\$137,678.00
Total Revised Amount			\$1,456,377.00

Contract & Compliance Information (Provide Contractor and Subcontractor details.)

Construction Value: **\$137,678.00**

Prime Vendor: Hogan Construction Group, LLC
Prime Status: Non-Minority
Location: Norcross, GA
County: Gwinnett County
Prime Value: \$137,678.00 or 100.00%

Total Construction Value: \$137,678.00 or 100.00%
Total Certified Value: \$0.00

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

Exhibit 1: Change Order No. 1 to Form of Contract
 Exhibit 2: Change Order Proposal
 Exhibit 3: Contractor's Performance Report

Contact Information (Type Name, Title, Agency and Phone)

Joseph N. Davis, Director, Department of Real Estate and Asset Management, (404) 612-3772

Contract Attached

Yes

Previous Contracts

Yes

Total Contract Value

Original Approved Amount: \$1,318,699.00
 Previous Adjustments: \$0.00
 This Request: \$137,678.00
 TOTAL: \$1,456,377.00

Grant Information Summary

Amount Requested: ☐ Cash
 Match Required: ☐ In-Kind
 Start Date: ☐ Approval to Award
 End Date: ☐ Apply & Accept
 Match Account \$:

Fiscal Impact / Funding Source

Funding Line 1:

573-650-6500-L038: Library Bond Capital Phase 2, Library, MLK Library- \$137,678.00

Key Contract Terms	
Start Date: Effective upon BOC approval	End Date: Completion of construction project as determined by Fulton County
Cost Adjustment:	Renewal/Extension Terms: N/A

Overall Contractor Performance Rating: 82

Would you select/recommend this vendor again?

Yes

Report Period Start: 7/1/2023
Report Period End: 9/30/2023