

AMENDMENT NO. 2 TO CONTRACT

Contractor: **Erik Carlson**

Address: **DBA: AREA C projects 2 Westwood Ave**

City, State **Cranston, RI 02905**

Telephone: **401.474.5335**

Facsimile or:
E-mail address **<mailto:erik@areacmusic.com>**

Contact: **Erik Carlson**

WITNESSETH

WHEREAS, Fulton County ("County") entered into a Contract agreement ("Contract") with Erik Carlson. ("Artist") to create a works of art ("Work") for the Fulton County Central Library renovation dated May 21, 2019.; and

WHEREAS, the Contract was approved by the Fulton County Board of Commissioners ("BOC") on May 1, 2019, Agenda Item #19-0343; and

WHEREAS, Artist was commissioned to complete the Work as a part of the renovation of the Fulton County Central Library; and

WHEREAS, the Contract term was originally aligned with the dates for completion of the renovation of the Central Library; and

WHEREAS, the Contract had a term of May 21, 2019 through May 1, 2020; and

WHEREAS, the construction completion date for the Central Library was extended beyond May 1, 2020 and the parties wish to align the Contract with construction completion date; and

WHEREAS, Amendment no. 1 was approved by the BOC on May 20, 2020, Agenda #20-0358, to extend the Contract term to December 31, 2020; and

WHEREAS, the construction completion date for the Central Library was extended beyond December 31, 2020 and the parties wish to align the Contract with construction completion, and

WHEREAS this Amendment no. 2 was approved by the Fulton County Board of

Commissioners on February 3, 2021, Agenda Item 21-0088.

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

This Amendment No. 2 to Contract agreement is effective as of the 3rd day of February, 2021, between the County and the Artist who agree that all services specified will be performed by in accordance with this Amendment No. 2 to Contract agreement.

1. **Term of Contract:** This Amendment No. 2 will extend the Contract term to December 31, 2021.
2. **Project Schedule:** The Work will be completed in accordance with the attached 'Amended Exhibit B: Project Schedule' and will replace the Exhibit B attached to the Contract agreement.
3. **LIABILITY OF COUNTY:** This Amendment No. 2 to Contract agreement shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the Chairman, attested to by the Clerk to the Commission and delivered to Artist.
4. **EFFECT OF AMENDMENT NO. 2 TO CONTRACT AGREEMENT:** Except as modified by this Amendment No. 2, the Contract agreement and attachments remain in full force and effect.
5. **ELECTRONIC SIGNATURES:** Documents executed, scanned and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Contract with such scanned and electronic signatures having the same legal effect as original signatures.

IN WITNESS THEREOF, the Parties hereto have caused this Amendment 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.

COUNTY:

FULTON COUNTY, GEORGIA

DocuSigned by:

Robert L. Pitts, Chairman

167FDE80EDAE436

Robert L. Pitts, Chairman
Board of Commissioners

ATTEST:

DocuSigned by:

Tonya Grier

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Tonya Grier
Interim Clerk to the Commission

(Affix County Seal)

APPROVED AS TO FORM:

DocuSigned by:

Cheryl Ringer

E6C34E63F54F407...

Office of the County Attorney

APPROVED AS TO CONTENT:

ARTIST:

Erik Carlson

Erik Carlson
Artist

ATTEST:

Secretary/
Assistant Secretary

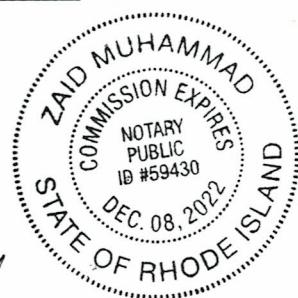
(Affix Corporate Seal)

ATTEST: *Zaid Muhammad*

Zaid Muhammad
Notary Public

County: Providence

Commission Expires: 12/08/2022



DocuSigned by:

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Director Department of Arts
and Culture

(Affix Notary Seal)

ITEM#: Chairman	RCS 3/16/2021	ITEM#: _____	RM: _____
RECESS MEETING		REGULAR MEETING	

EXHIBIT B
AMENDED PROJECT SCHEDULE
5%/45%/30%/20% payment schedule
Central Library
Erik Carlson
PUBLIC ART PROJECT

DATE	ACTION
May, 2019	Contract to BOC for approval
1 Month <i>After Onset of Contract</i> June, 2019	Initial Contract Payment (5%) Design Development Phase
2 Month(s) <i>After Onset of Contract</i> July, 2019	Design Documentation Review and Approval Written Notice to Proceed (NTP) given to Artist from FCAC Includes engineering and/or architectural drawings, shop drawings, revised budget and schedule, proof of insurance.
2 Month(s) <i>After onset of Contract</i> July, 2019	Interim Contract Payment (45%) Fabrication Phase and Materials Purchase
13-15 Month(s) <i>After onset of Contract</i> June - August, 2020	Fabrication Phase
12 Month(s) <i>After onset of Contract</i> May, 2019	2nd Interim Contract Payment (30%) Fabrication 50% Completion Midpoint Review FCAC Staff Evaluation Site Visit
19-22 Month(s) <i>After onset of Contract</i> December 2020 - June 30, 2021	On Site Installation and Assembly
19-22 Month(s) <i>After onset of Contract</i> December 2020 - June 30, 2021	Project Completion and Documentation Includes final report, photographic documentation and written instructions for maintenance and preservation of the artwork.
December 2020 - June 30, 2021	Final Contract Payment (20%)