



**FULTON
COUNTY**

**CRITICAL PIPE MATERIAL GMP AMENDMENT TO AGREEMENT BETWEEN
OWNER AND PROGRESSIVE DESIGN/BUILDER**

Design-Builder **Reeves Young/GMC, JV**

Contract: **21RFP130845K-BKJ, Progressive Design/Build Services for
Atlanta Newnan Road Pump Station and Force Main**

Address: **45 Peachtree Industrial Blvd, NW, Suite 200**
City, State: **Sugar Hill, GA 30518**

Contact: **Matt McCormack**
 Senior Vice President – JV Principal

Email: **mmccormack@reevesyoung.com**

Pursuant to Exhibit F, Scope of Work and Technical Specifications of the Agreement, dated December 8, 2021, between Fulton County (“Owner”) and Reeves Young/ GMC, JV (“Progressive Design/Builder”) or (“PBD”), with respect to the construction of the Progressive Design/Build Services for Atlanta Newnan Road Pump Station and Force Main (“Project”), the Owner and the PBD hereby agree to amend and modify the Agreement by the Critical Pipe Material Amendment and establish a Guaranteed Maximum Price (“GMP”) to furnish the critical pipe, fittings, and required accessories for the Project as set forth below:

ARTICLE 1
SCOPE OF WORK

The Scope of Work consists of furnishing the critical pipe, fittings, and required accessories for the Project identified in Exhibit A. These materials have a long lead time to manufacture and due to supply change and shipping issues it is necessary that once the Project has been awarded for construction that the materials are available so it will not cause long delays in the construction schedule. In accordance with the Agreement, this Amendment and the other Contract Documents listed as Exhibits below, which are hereby incorporated into and made part of the Amendment by this reference:

EXHIBIT A	Material Cost Proposal
EXHIBIT B	Payment and Performance Bond
EXHIBIT C	Certificate of Insurance

ARTICLE 2

GUARANTEED MAXIMUM PRICE

- 2.1 Construction Manager's Guaranteed Maximum Price (GMP) for Pipe Material in Exhibit A in an amount not to exceed \$3,470,242.12 (Three Million Four Hundred Seventy Thousand Two Hundred Forty Two Dollars and Twelve Cents), including \$365,038.77 (Three Hundred Sixty Five Thousand Thirty Eight Dollars and Seventy Seven Cents) for material escalation costs.

ARTICLE 3

CONTRACT TIME

- 3.1 The Construction Phase Commencement Date for the Work is the date established by the County issued Notice to Proceed with Construction. The total period of time beginning with the Construction Phase Commencement Date through the date required for Substantial Completion of the Work is 540 calendar days. The Substantial Completion date is therefore established as 540 calendar days or completion of construction project, from the Notice to Proceed with Construction date.
- 3.2 Pursuant to this Agreement, there is no Liquidated Damages in this Contract.

ARTICLE 4

MISCELLANEOUS

- 4.1 Except as expressly modified herein, the terms and conditions of the Agreement remain unchanged. In the event of a conflict between the terms of this Amendment and those of the Agreement, Owner and Construction Manager agree that the terms of this Amendment shall prevail and control.
- 4.2 Payment and Performance Bonds will be 100% of the Critical Pipe Material GMP Amendment referenced in Exhibit A.
- 4.3 Certificate of Insurance required by Fulton County Government Risk Management Provision referenced in Exhibit F.
- 4.4 The Amendment was approved by the Fulton County Board of Commissioners on _____; Item #_____.

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:

DESIGN-BUILDER:

FULTON COUNTY, GEORGIA

REEVES YOUNG/GMC, JV

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Matt McCormack
Senior Vice President – JV Principal

ATTEST:

ATTEST:

Tonya R. Grier
Clerk to the Commissioners

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Y. Soo Jo, County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

Commission Expires: _____

David Clark, P.E., Director
Department of Public Works

(Affix Notary Seal)

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
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EXHIBIT A
MATERIAL COST PROPOSAL

EXHIBIT B

PAYMENT AND PERFORMANCE BOND

EXHIBIT C
CERTIFICATE OF INSURANCE