



**FULTON
COUNTY**

CHANGE ORDER #1

#20ITB125848K-DB

ROAD RESURFACING

DEPARTMENT OF PUBLIC WORKS

CHANGE ORDER NO. 1 TO FORM OF CONTRACT

Contractor: C. W. MATTHEWS CONTRACTING COMPANY, 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

WITNESSETH

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, The Change Order will continue the 2020 resurfacing program within the unincorporated area of Fulton County. The change order consists of providing all materials, labor, and equipment for road resurfacing, which will involve the resurfacing of selected roads located within the Fulton Industrial District that are still maintained by Fulton County. The roads will be resurfaced and stripped per Georgia Department of Transportation's (GDOT) standards and specifications.

This contract is renewable for two additional years based on contractor performance and available budget. If this contract is renewed through this change order, the following roadways are expected to be resurfaced:

- 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
- Miscellaneous pavement patching

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

WHEREAS, this Change Order No.1 was approved by the Fulton County Board of Commissioners on Wednesday, June 2nd, 2021; Item 21-0376.

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

This Change Order No. 1 to Form of Contract is effective as of the 2nd day of June, 2021, between the County and C. W. Matthews Contracting Company, who agree that all Services specified will be performed by in accordance with this Change Order No. 1 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:**

The change order will continue the 2020 resurfacing program within the unincorporated area of Fulton County. The change order consists of providing all materials, labor, and equipment for road resurfacing, which will involve the resurfacing of selected roads located within the Fulton Industrial District that are still maintained by Fulton County. The roads will be resurfaced and stripped per Georgia Department of Transportation's (GDOT) standards and specifications.

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2. **COMPENSATION:** The services described under Scope of Work herein shall be performed by Contractor for a total amount not to exceed \$4,427,272.00.

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:

CONTRACTOR:

FULTON COUNTY, GEORGIA

**C. W. MATTHEWS
CONTRACTING COMPANY, 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

Benny M. Brown Jr.

Secretary/
Assistant Secretary

(Affix County Seal)



APPROVED AS TO FORM:

(Affix Corporate Seal)

ATTEST:



DocuSigned by:

Denval Stewart

Denval Stewart
Office of the County Attorney

APPROVED AS TO CONTENT:

DocuSigned by:

David Clark

David Clark, Director
Department of Public Works

ITEM#: _____ RCS: _____	ITEM#: 2021-0376 RM: 6/2/2021
RECESS MEETING	REGULAR MEETING

Client#: 25260

CWMATTH



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/03/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HUB International Mid-South 3011 Armory Drive Suite 250 Nashville, TN 37204		CONTACT NAME: Jodi Randolph, CRM, CIC, CISR PHONE (A/C, No, Ext): 615 383-9761 FAX (A/C, No): 615 383-4628 E-MAIL ADDRESS: jodi.randolph@hubinternational.com																						
INSURED C. W. Matthews Contracting Co., Inc. P O Drawer 970 Marietta, GA 30061		<table border="1"> <thead> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A :</td> <td>Great American Insurance Companies</td> <td>16691</td> </tr> <tr> <td>INSURER B :</td> <td>Midwest Employers Casualty Company</td> <td>23612</td> </tr> <tr> <td>INSURER C :</td> <td>Hartford Fire Ins. Company</td> <td>19682</td> </tr> <tr> <td>INSURER D :</td> <td></td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A :	Great American Insurance Companies	16691	INSURER B :	Midwest Employers Casualty Company	23612	INSURER C :	Hartford Fire Ins. Company	19682	INSURER D :			INSURER E :			INSURER F :		
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COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
C	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> Owned PPTs <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> & Light Trks	Y	20CSEQU3570	03/31/2021	03/31/2022	COMBINED SINGLE LIMIT (Ea accident) \$3,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$0	Y	TUE982465817	03/31/2021	03/31/2022	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N N/A	EW006277	03/31/2021	03/31/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Project: 20ITB125848K-DB; Road Resurfacing, Fulton. CWM#2624

Fulton County Government, Its Officials, Officers and Employees are named as additional insured on a Primary basis, under C.W. Matthews Contracting Co., Inc's General Liability and Automobile Liability Self Insurance Program, as respects work performed on the above referenced project. Waiver of Subrogation (See Attached Descriptions)

CERTIFICATE HOLDER Fulton County Government Attn: Purchasing and Contract Compliance Dept. 130 Peachtree Street, SW; Ste 1168 Atlanta, GA 30303-3459	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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DESCRIPTIONS (Continued from Page 1)

applies to the General Liability and Automobile Liability coverage.

Excess Liability evidenced in this certificate is follow-form over the insureds self insurance program as outlined on the following pages.

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:

Company A - 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 (Company C in this Certificate) for Owned Private Passenger Vehicles and Light Trucks (Defined as Under 10,001 lbs GVW).

Company B - 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's Ratings:

Company A - Great American Insurance Company: A+ XV

Company B - Midwest Employers Casualty Company: A+ XV

Company C - Hartford Fire Insurance Company: A+ XV

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