

AMENDMENT NO. 1 TO FORM OF CONTRACT

Contractor: **Archer Western-Brown & Caldwell, JV**

Contract No. **RFP#17RFP031617K-DJ**

Address: **900 Hammond Drive, Suite 400**

City, State **Atlanta, Ga 30328**

Telephone: **623-703-1362**

E-mail: **dpetersen@walshgroup.com**

Contact: **Duane Peterson**
Vice President @ Walsh Group

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with Archer Western/Brown & Caldwell JV to provide Progressive Design/Build Services for the Big Creek Reclamation Facility (WRF) dated August 21, 2020, on behalf of the Fulton County Department of Public Works; and

WHEREAS, the County wishes to amend the subject contract, with all terms and conditions unchanged to cover the impact of tariffs for material and equipment and to extend the contract term eleven (11) additional days due to inclement weather to revise the contract term to "Final Completion is 1411 (July 5, 2024) consecutive days from the issuance of the Notice to Proceed"; and

WHEREAS, the County recommends this amendment to the contract for the purpose of completing the activities under the existing scope of work as defined as substantially complete; and

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 May 18, 2022, BOC Item #22-_____.

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

This Amendment No. 1 to Form of Contract is effective as of the 18th day of May, 2022, between the County and Archer Western/Brown & Caldwell, JV who agree that all Services specified will be performed by in accordance with this Amendment No. 1 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK:** To cover the impact of tariffs for material and equipment and to extend the contract term eleven (11) additional days due to inclement weather to revise the contract term to "Final Completion is 1411 (July 5, 2024) consecutive days from the issuance of the Notice to Proceed".
2. **COMPENSATION:** The services herein shall be performed by Contractor for and additional cost of \$201,545.00 (Two Hundred One Thousand Five Hundred Forty Five Dollars and No Cents).
3. **LIABILITY OF COUNTY:** This Amendment 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 AMENDMENT NO. 1 TO FORM OF CONTRACT:** Except as modified by this Amendment 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

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

PROGRESSIVE DESIGN-BUILDER:

**ARCHER WESTERN - BROWN &
CALDWELL, JOINT VENTURE**

Daniel P. Walsh, President
Archer Western Construction, LLC

ATTEST:

Notary Public

County: _____

Commission Expires: _____

(Affix Notary Seal)

Rod Pope, Vice President
Brown and Caldwell, Inc.

ATTEST:

ATTEST:

Tonya Grier
Clerk to the Commission

(Affix County Seal)

Secretary/
Assistant Secretary

(Affix Corporate Seal)

APPROVED AS TO FORM:

David Clark, Director
Department of Public Works

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
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