

AMENDMENT NO. 1 TO FORM OF CONTRACT

Contractor: **Atlantic Coast Consulting, Inc.**

Contract No. **21RFP130049C-CG, Landfill Post Closure Services**

Address: **1150 Northmeadow Pkwy, Suite 100**
City, State **Roswell, GA 300576**

Telephone: **(770) 594-5998**

E-mail: richie.deason@atlcc.net

Contact: **Richie Deason**
CEO/President

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with **Atlantic Coast Consulting, Inc.**, to provide Landfill Post Closure Services, dated 1st day of January 2022, on behalf of the **Department of Real Estate and Asset Management**; and

WHEREAS; the purpose of this amendment is for the approving of increasing spending authority to cover the cost to install permanent groundwater monitoring wells to measure the level of groundwater contamination at the site of Dogwood Senior Center for Fulton County.

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 **September 7, 2022, BOC Items #22- 0638**.

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

This Amendment No. 1 to Form of Contract is effective as of the 7th day of September 2022, between the County and **Atlantic Coast Consulting, Inc.**, who agree that all Services specified will be performed in accordance with this Amendment No. 1 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** To furnish all materials, labor, tools, equipment, transportation, and appurtenances necessary to provide install permanent groundwater monitoring wells to measure the level of ground contamination at the site of Dogwood Senior Center located at 1953 Donald Lee Hollowell Parkway NW, Atlanta, GA 30318. The groundwater contamination was

caused by leaking underground fuel storage tanks (UST). The tanks were removed in the 1980's, but no environmental testing or reporting was done in conjunction with the removals.

In February 2022, during the initial environmental investigation and testing that was prepared by Atlantic Coast Consulting, Inc. The testing noted a maximum dissolved concentration for benzene of 680 micrograms per liter (µg/L) which exceeded the In-Stream Water Quality Standards (ISWQS) for benzene of 51 µg/L. On August 9, 2022, because of the significant level of contaminants discovered in the groundwater requiring remediation, the Underground Storage Tank Management Programs (USTMP) Corrective Action Unit II is requesting that the site submit a Corrective Action Plan – Part A (CAP-Part A) by NLT October 14, 2022.

2. **COMPENSATION:** The services described under Scope of Work herein shall be performed by Contractor for a total amount not to exceed **\$75,000.00** (Seventy-Five Thousand Dollars and Zero 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

CONSULTANT:

**ATLANTIC COAST
CONSULTING, INC.**

DocuSigned by:

Robert L. Pitts

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

DocuSigned by:

Richie Deason

Richie Deason,
CEO/President

ATTEST:

DocuSigned by:

Tonya Grier

Tonya R. Grier
Clerk to the Commission

(Affix County Seal)

DocuSigned by:

Secretary/
Assistant Secretary

(Affix Corporate Seal)

APPROVED AS TO FORM:

DocuSigned by:

Dennal Stewart

Office of the County Attorney

APPROVED AS TO CONTENT:

DocuSigned by:

Joseph Davis

Joseph N. Davis, Director,
Department of Real Estate and Asset
Management

DocuSigned by:

Kate Schlueter

Notary Public

County: Cherokee

Commission Expires: 3/16/2026

(Affix Notary Seal)

DocuSigned by:



ITEM#: _____	RCS: _____	ITEM#: <u>2022-0638</u>	RM: <u>9/7/2022</u>
RECESS MEETING		REGULAR MEETING	

ACORDTM**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

10/22/2021

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).

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B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			CUP3P155013	10/25/2021	10/25/2022	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
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D	Professional Incl. Pollution			EEH288339423	10/25/2021	10/25/2022	\$3,000,000 each claim \$3,000,000 Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

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AUTHORIZED REPRESENTATIVE

Fernando S. Gonzalez

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Fulton County Govt Dept of
 Purchasing & contract Compliance
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AUTHORIZED REPRESENTATIVE

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INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	X	X	6808M789265	10/25/2021	10/25/2022	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
E	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY	X	X	BA0R97997A	10/25/2021	10/25/2022	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			CUP3P155013	10/25/2021	10/25/2022	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y / <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		X	UB8M789578	10/25/2021	10/25/2022	PER STATUTE <input checked="" 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
D	Professional Incl. Pollution			EEH288339423	10/25/2021	10/25/2022	\$3,000,000 each claim \$3,000,000 Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: 18RFP113472C-BKJ Landfill Post Closure Services. Certificate holder is an Additional Insured in regards to the General Liability and Automobile Liability when required by written contract. A Waiver of subrogation in favor of the Additional Insured applies to the General liability, Automobile Liability and Workers Compensation when required by written contract. A 30 Day notice of cancellation (subject to 10 days for non-payment) apply in favor of the additional insured to the General Liability, Auto Liability policy where required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

Fulton County Government
 Department of Purchasing & Contract Compliance
 130 Peachtree Street, SW; Ste 1168
 Atlanta, GA 30303

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

Fernando S. Gonzalez

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22-0638 Real Estate and Asset Management

Request approval to increase spending authority - Department of Real Estate and Asset Management, 21RFP130049C-CG, Landfill Post Closure Services in the amount of \$75,000.00 with Atlantic Coast Consulting, Inc. (Roswell, GA), to provide funding to install permanent groundwater monitoring wells to measure the level of groundwater contamination at the site of Dogwood Senior Center located at 1953 Donald Lee Hollowell Parkway NW, Atlanta, GA 30318. Effective upon BOC approval. **(APPROVED)**

A motion was made by Commissioner Hall and seconded by Commissioner Abdur-Rahman, to approve. The motion passed by the following vote:

Yea: Pitts, Ellis, Morris, Hall, Arrington, and Abdur-Rahman

Did Not Vote: Hausmann

22-0639 Real Estate and Asset Management

Request approval of a task order - Department of Real Estate and Asset Management, 20RFP124887K-BKJ, Standby Professional Services for Facilities Related Planning, Design, Engineering and Assessments- Architectural and Engineering Services in the amount of \$739,180.00 with Sizemore Group, LLC (Atlanta, GA), to provide standby professional design services for the Fulton County Government Behavioral Health Crisis Center located within the existing Oak Hill Child, Adolescent & Family Center at 2805 Metropolitan Parkway SW, Atlanta, GA 30315. Effective upon BOC approval. **(APPROVED)**

A motion was made by Commissioner Ellis and seconded by Commissioner Hall, to approve. The motion passed by the following vote:

Yea: Pitts, Hausmann, Ellis, Morris, Hall, Arrington, and Abdur-Rahman

Health and Human Services**22-0640 Public Works**

Request approval to increase spending authority - Public Works, 20ITBC124903A-FB, Corporation Stops and Brass Fittings in the amount of \$315,011.23 with Delta Municipal Supply Company (Lawrenceville, GA), to provide corporation stops and brass fittings. Effective upon BOC approval through December 31, 2022. **(APPROVED)**

A motion was made by Commissioner Abdur-Rahman and seconded by Commissioner Hall, to approve. The motion passed by the following vote:

Yea: Pitts, Hausmann, Ellis, Morris, Hall, Arrington, and Abdur-Rahman