

CHANGE ORDER NO. 2 TO FORM OF CONTRACT

Contractor: Archer Western-Brown and Caldwell Joint Venture

Contract No. 17RFP031617K-DJ Progressive Design/Build Services for Big Creek Water Reclamation Facility (WRF) Expansion Project Phase 2B

Address: 990 Hammond Drive, Suite 400
City, State Atlanta, Georgia 30238

Telephone: 404-926-0771

E-mail address: dpetersen@walshgroup.com

Contact: Duane Petersen
Vice President

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with Archer Western-Brown and Caldwell Joint Venture to provide/perform Progressive Design/Build Services for Big Creek Water Reclamation Facility (WRF) Expansion Project Phase 2B, dated August 21st, 2020, on behalf of the Public Works Department; and

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

WHEREAS, this Change Order 2 was approved by the Fulton County Board of Commissioners on _____ under BOC #23-_____.

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

This Change Order No. 2 to Form of Contract is effective as of the ___ day of February 2023, between the County and Archer Western-Brown and Caldwell Joint Venture, who agree that all Services specified will be performed by in accordance with this Change Order No. 2 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** This request for a change order addresses two immediate elements:
 - Incurred overhead costs associated with eight (8) inclement weather days during the 2022 project year, and
 - additional labor/material costs to connect the end of Phase 2B to the new switch gear & generators within the Georgia Power substation.

The existing authorized contract defines an inclement weather day and stipulates how the owner's directed contingency is utilized to compensate the JV regarding

overhead costs. The JV provided supporting documents exhibiting total overhead costs during the eight (8) inclement weather days at \$158,968.38 CY2022.

Georgia Power was engaged by the County to provide the power to the project from the substation on site. Public Works has identified the costs to have the new facility connected to the newly installed switch gear and backup generators at the substation owned and operated by Georgia Power. The cost for the electrical wiring and additional labor totals \$180,475.75

2. **COMPENSATION:** The services described under Scope of Work herein shall be performed by Contractor for a total amount not to exceed \$339,444.13.
3. **LIABILITY OF COUNTY:** This Change Order No. 2 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 County Manager, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF CHANGE ORDER NO. 2 TO FORM OF CONTRACT:** Except as modified by this Change Order No. 2 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

CONTRACTOR:

**ARCHER WESTERN/BROWN &
CALDWELL, (a joint venture)**

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

ATTEST:

Duane Petersen
Vice President

ATTEST:

Tonya R. Grier
Clerk to the Commission

(Affix County Seal)

APPROVED AS TO FORM:

Secretary/
Assistant Secretary

(Affix Corporate Seal)

ATTEST:

Office of the County Attorney

APPROVED AS TO CONTENT:

Notary Public

County: _____

David Clark, Director,
Department of Public Works

Commission Expires: _____

(Affix Notary Seal)

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