



# Fulton County

## Legislation Text

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File #: 22-0341, Version: 1

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### Department

Real Estate and Asset Management

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a change order less than 10% - Department of Real Estate and Asset Management, 20RFP011320K-DB, Construction Management at Risk Services for the Renovation and Refurbishment of the Restrooms and Common Areas in the Fulton County Government and Judicial Center Complexes - Phase I in an amount not to exceed \$473,764.45 with H.J. Russell & Company (Atlanta, GA), to modify the existing scope of work to provide additional restrooms modifications and common areas improvements because of unforeseen existing conditions for the Fulton County Judicial and Government Center Complexes - Phase I Project and to extend the contract term by an additional three (3) month period through and September 30, 2022. Effective upon BOC approval. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

**Open and Responsible Government**

### Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

### Is this a purchasing item?

Yes

**Summary & Background** Request approval of Change Order No. 1 to provide additional restrooms modifications and common areas improvements because of unforeseen existing conditions for the Fulton County Judicial and Government Center Complexes - Phase I Project.

**Scope of Work:** The Contractor will perform the additional services to provide restrooms modifications and common areas improvements because of unforeseen existing conditions for the Fulton County Judicial and Government Center Complexes - Phase I Project.

Currently, the ADA Restrooms Modifications and Common Areas Improvements Project is approximately 69% complete and progressing in both the Judicial and Government Center Complexes.

Location	Restrooms Completed	Restroom Under Construction	Restrooms Awaiting Renovation
Justice Center Tower	51	2	0
Slaton Courthouse	0	17	7
Carnes Justice Ctr.	0	0	12
Government Ctr/Public Safety	16	6	6
<b>Total</b>	<b>67</b>	<b>25</b>	<b>25</b>

These unforeseen existing conditions are wide-ranging and affect construction costs and project schedule. Descriptions of these conditions are outlined below:

	Unforeseen Items	Description of Existing Conditions
1	Mold & Mildew	Remediation required because of hazardous conditions exposed during demolition.
2	Metal Studs Deterioration	Replacement of metal studs to ensure structural integrity because of widespread rusted metal to the point of failure
3	Plumbing Issues	Replacement of aging, failing primary plumbing and piping beyond the project scope to avoid extended water service interruptions to County operations: <ul style="list-style-type: none"> <li>• Installed new main shut off valves</li> <li>• Install new and relocate hammer arrestors</li> <li>• Installed new pressure reducing valves</li> <li>• Piping adjustments</li> </ul>
4	Setting Bed/ Tile Floor Failure	Replacement of the setting bed in all Restrooms and Common Areas of the Government Center to provide structurally sound and level tile floor.
5	Steel Supports for Toilet Partitions	Replacement and/or extensive modification of structural steel supporting toilet partitions relocated to accommodate ADA guidelines and provide safe installation.

This Change Order is necessary to complete the designated restroom modifications and common

areas improvements of these conditions will continue to impact the project budget and schedule coupled with rising construction costs and materials delivery impacts industry wide, this Change Order is merited.

Total Cost Breakdown for Change Order:

	Item Description	Change Order Costs
1	Plumbing Issues	\$225,306.97
2	Electrical Issues	\$23,700.00
3	Setting Bed & Existing Tile Floor	\$19,379.43
4	Miscellaneous Modifications	\$80,838.17
5	Metal Studs Deterioration	\$67,002.05
6	Support Steel for Toilet Partitions	\$30,000.00
7	COVID Driven Changes	\$19,205.00
	<b>Subtotal</b>	<b>\$465,431.16</b>
8	Contingency/Materials Costs Escalation	\$46,543.16
9	Insurance & Bonds	\$23,427.67
10	General Conditions	\$124,500.00
11	Credit: GCT4 Scope/Value Engineer	(\$123,092.00)
12	Credit: MRB Scope/Value Engineer	(\$63,046.00)
	<b>Total Change Order Cost</b>	<b>\$473,764.45</b>

**Community Impact:** This effort and impact are necessary to restore the designated public accessible restrooms and common areas in the Fulton County Judicial and Government Center Complexes, to a condition which is fully functional and flexible to meet the long-term space and service needs of the community.

**Department Recommendation:** The Department of Real Estate and Asset Management recommends approval.

The BOC approved on September 4, 2020, Item #20-0614, the Guaranteed Maximum Price (GMP) in the amount of \$10,548,216 with H.J. Russell & Company, for Construction Management at Risk Services for the Renovation and Refurbishment of the Restrooms and Common Areas in the Fulton County Government and Judicial Center Complexes - Phase I. Also, the BOC approved on April 1, 2020, Item #20-0260, the recommended proposal to provide the Pre-Construction Services and Construction Phase Services to include Construction Management Phase to complete the Construction Management at Risk Services for the Renovation and Refurbishment of the Restrooms and Common Areas in the Fulton County Government and Judicial Center Complexes Phase I in the amount of \$1,405,379 with H.J. Russell & Company.

Now, we are recommending approval to move forward with Change Order No. 1 in the total amount

of \$473,764.45, that will allow the completion of renovation and refurbishment of the designated public accessible restrooms and common areas in the Fulton County Judicial and Government Center Complexes and making these compliant with 2010 Americans with Disabilities Act (ADA) and applicable building codes. We also request as part of this Change Order No. 1, the contract term to be extended by an additional three (3) months, and work should be completed by September 30, 2022. Monies for this Change Order will be provided by the FCURA Urban Redevelopment Bonds fund.

The Contractor (H.J. Russell & Company) will work in collaboration with the Department of Real Estate and Asset Management, Project Management Team.

**Project Implications:** This effort and impact are necessary to allow the completion of renovations and refurbishment of the designated public accessible restrooms and common areas in the Fulton County Judicial and Government Center Complexes making the compliant with the 2010 Americans with Disabilities Act (ADA) and applicable building codes.

**Community Issues/Concerns:** None that the Department is aware of.

**Department Issues/Concerns:** If this Change Order is not approved, there may be a potential disruption of the restroom's modifications and common areas improvements because of unforeseen existing conditions for the Fulton County Judicial Center and Government Complexes Project

### Contract Modification

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount	20-0260	4/1/20	\$1,405,379.00
Guaranteed Maximum Price	20-0614	9/2/20	\$10,548,216.00
<b>Change Order No. 1 less than 10%</b>			<b>\$473,764.45</b>
Total Revised Amount			\$12,427,359.45

### Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

**Contract Value:** \$473,764.45 or 100.00%

**Prime Vendor:** H J Russell & Company  
**Prime Status:** African American Male Business Enterprise-Certified  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Prime Value:** \$8,332.82 or 1.76%

**Subcontractor:** Alpha-Omega Demolition  
**Subcontractor Status:** Non-Minority  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Contract CO Value:** \$8,083.82 or 1.71%

**Subcontractor:** STG Plumbing  
**Subcontractor Status:** Non-Minority  
**Location:** Atlanta, GA  
**County:** Fulton County  
**Contract CO Value:** \$225,306.97 or 47.56%

**Subcontractor:** Bell Flooring & Concept  
**Subcontractor Status:** Non-Minority  
**Location:** Tucker, GA  
**County:** DeKalb County  
**Contract CO Value:** \$39,588.97 or 8.36%

**Subcontractor:** Ochoa Construction LLC  
**Subcontractor Status:** Hispanic Male Business Enterprise-Certified  
**Location:** Hapeville, GA  
**County:** Fulton County  
**Contract CO Value:** \$120,396.08 or 25.41%

**Subcontractor:** Donco, Inc.  
**Subcontractor Status:** Non-Minority  
**Location:** Peachtree City, GA  
**County:** Fayette County  
**Contract CO Value:** \$13,948.15 or 2.94%

**Subcontractor:** M&DK Contracting Inc.  
**Subcontractor Status:** Hispanic Male Business Enterprise-Certified  
**Location:** Lilburn, GA  
**County:** Gwinnett County  
**Contract CO Value:** \$1,920.50 or 0.41%

**Subcontractor:** 5 Points Electrical, Inc.  
**Subcontractor Status:** Hispanic Male Business Enterprise-Certified  
**Location:** Norcross, GA  
**County:** Gwinnett County  
**Contract CO Value:** \$35,825.73 or 7.56%

**Subcontractor:** Komery Mechanical Services  
**Subcontractor Status:** Non-Minority  
**Location:** Stone Mountain, GA  
**County:** Dekalb County  
**Contract CO Value:** \$9,700.58 or 2.05%

**Subcontractor:** VSC Fire Security  
**Subcontractor Status:** Non-Minority  
**Location:** Norcross, GA  
**County:** Gwinnet County  
**Contract CO Value:** \$5,658.67 or 1.19%

**Subcontractor:** Crown Me Clean  
**Subcontractor Status:** MBE/ WBE  
**Location:** Stone Mountain, GA  
**County:** DeKalb County  
**Contract CO Value:** \$5,002.16 or 1.06%

**Total Construction Value:** \$473,764.45 or 100.00%  
**Total MFBE Value:** \$166,475.13 or 35.14%

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Exhibit 1: Change Order No. 1 to Form of Contract
- Exhibit 2: Change Order Proposal
- Exhibit 3: Contractor's Performance Report

**Contact Information** *(Type Name, Title, Agency and Phone)*

Joseph N. Davis, Director, Department of Real Estate and Asset Management, (404) 612-3772

**Contract Attached**

Yes

**Previous Contracts**

Yes

**Total Contract Value**

Original Approved Amount: \$1,405,379.00  
Previous Adjustments: \$10,548,216.00  
This Request: \$473,764.45  
TOTAL: \$12,427,359.45

**Grant Information Summary**

Amount Requested:  Cash  
Match Required:  In-Kind  
Start Date:  Approval to Award  
End Date:  Apply & Accept  
Match Account \$:

**Fiscal Impact / Funding Source**

**Funding Line 1:**

532-520-5200-K010: FCURA, Real Estate and Asset Management, ADA Justice Center-FCURA -

\$279,521.03

**Funding Line 2:**

532-520-5200-K011: FCURA, Real Estate and Asset Management, ADA Govt Center-FCURA - \$194,243.42

<b>Key Contract Terms</b>	
<b>Start Date:</b> Upon BOC Approval	<b>End Date:</b> 9/30/2022
<b>Cost Adjustment:</b>	<b>Renewal/Extension Terms:</b>

**Overall Contractor Performance Rating:** 3.00

**Would you select/recommend this vendor again?**

Yes

**Report Period Start:**  
1/1/2022

**Report Period End:**  
3/31/2022