



Fulton County

Legislation Details (With Text)

File #: 22-0346 **Version:** 1 **Name:**
Type: Consent - Health and Human Services **Status:** Passed
File created: 4/6/2022 **In control:** Board of Commissioners
On agenda: 5/18/2022 **Final action:** 5/18/2022
Title: Request approval of a change order less than 10% - Public Works, 17RFP031617K-DJ Progressive Design/Build Services for Big Creek Water Reclamation Facility (WRF) Expansion Project Phase 2B in the amount of \$201,545.00 with Archer Western-Brown and Caldwell Joint Venture (Atlanta, GA) to cover the impact of tariffs for material and equipment and to extend the contract term by eleven (11) additional days due to inclement weather so that Final Completion is now 1411 consecutive days from the issuance of the Notice to Proceed or July 5, 2024. Effective upon BOC approval. (APPROVED)

ITEM REMOVED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION AS REQUESTED BY COMMISSIONER ABDUR-RAHMAN

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1: EXTENSION AGREEMENT No.pdf, 2. Exhibit 2: CPR - Construction Form Archer Western Brown Caldwell 1_1_22 to 3_31_22 signed WSR, 3. Exhibit 3: VAT Big Creek Material

Date	Ver.	Action By	Action	Result
5/18/2022	1	Board of Commissioners	approve	Pass

Department

Public Works

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

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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)*
Health and Human Services

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: This request for a change order is to address the impact to cost due to unforeseen tariffs that have been placed on construction materials. The JV team is seeking the ability to utilize the Owner's Contingency to offset the 13% increase to value added taxes (VAT) on various materials to be used within this project. The total amount requested is \$201,545.00 and will be used to offset the tariffs imposed on ductile iron pipe and other accessories. Based on the contract, the Owner's Contingency can be used to compensate any additional costs due to inclement weather.

Additionally, this request is to extend the existing contract an additional eleven (11) days to complete the project due to inclement weather during the calendar year of 2021. Incurred overhead charges over the duration of the eleven (11) inclement weather days are detailed in attachments to this item.

Community Impact: No community issues/concerns have been noted.

Department Recommendation: The Department of Public Works recommends approval of this item.

Project Implications: The required tasks and associated project schedule to achieve substantial completion of phase 2B of the Big Creek Expansion Project are clearly defined. The 13% increase in VAT has affected negotiated price points for material and equipment related to this upgrade/expansion. This proposed action allows those concerns to be addressed thru utilization of the Owner's Contingency/allowance.

Community Issues/Concerns: No community issues/concerns have been noted

Department Issues/Concerns: No Department Issues/Concerns noted.

Contract Modification

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount	20-0476	7/8/2020	\$274,768,712.00
1st Renewal			\$.00
2nd Renewal			\$.00
Extension #1	22-	5/18/2022	\$201,545.00

Total Revised Amount			\$274,970,257.00
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Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

Contract Value: \$201,545.00

Prime Vendor: Archer Western/Brown and Caldwell (JV Partners 90/10)

Prime Status: Non-Minority

Location: Atlanta, GA

County: Fulton County

Prime Value: \$201,545.00 or 100.00%

Total Contract Value: \$201,545.00 or 100.00%

Total M/FBE Value: -0-

Exhibits Attached

Exhibit 1: Extension No.1 to Form of Contract

Exhibit 2: Contractor's Performance Report

Exhibit 3: VAT Material

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

David Clark, Director of Public Works, 404-612-2804

Contract Attached

Yes

Previous Contracts

Choose an item.

Total Contract Value

Original Approved Amount: \$274,768,712.00

Previous Adjustments: \$0.00

This Request: \$201,545.00

TOTAL: 274,970,257.00

Grant Information Summary

Amount Requested:

Match Required:

Start Date:

End Date:

Match Account \$:

- ☐ Cash
- ☐ In-Kind
- ☐ Approval to Award
- ☐ Apply & Accept

Fiscal Impact / Funding Source

Funding Line 1:

235-540-5400-S157: W&S Construction-2020, Public Works, Big Creek Plant Expansion

Key Contract Terms	
Start Date: Upon BOC Approval	End Date: 7/5/2024
Cost Adjustment:	Renewal/Extension Terms:

Overall Contractor Performance Rating:
Would you select/recommend this vendor again?
Choose an item.

Report Period Start: 1/1/2022 **Report Period End:** 3/31/2022