



Fulton County

Legislation Details (With Text)

File #: 22-0838 **Version:** 1 **Name:**

Type: Consent - Open & Responsible Government **Status:** Passed

File created: 10/19/2022 **In control:** Board of Commissioners

On agenda: 11/16/2022 **Final action:** 11/16/2022

Title: Request approval of a change order less than 10% - Department of Real Estate and Asset Management, 21RFP22421K-DB, Construction Management at Risk Services for the New Fulton County Animal Shelter Facility in the total amount of \$2,823,544.00 with Winter Johnson Group (Atlanta, GA), a joint venture comprised of The Winter Construction Company and Johnson Construction Services, to modify existing contract for additional funding due to substantial costs attributable to price escalation for equipment, materials and supplies, scope changes required by regulatory agencies during permitting processes, and unforeseen conditions of developing a raw site for the new construction project for the Fulton County Animal Shelter Facility (FCAS). Effective upon BOC approval. (APPROVED)

ITEM REMOVED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION AS REQUESTED BY COMMISSIONER ELLIS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit: 1 Change Order No. 1 to Form of Contract, 2. Exhibit: 2 Contractor's Performance Report, 3. 2022-0838

Date	Ver.	Action By	Action	Result
11/16/2022	1	Board of Commissioners	approve	Pass

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, 21RFP22421K-DB, Construction Management at Risk Services for the New Fulton County Animal Shelter Facility in the total amount of \$2,823,544.00 with Winter Johnson Group (Atlanta, GA), a joint venture comprised of The Winter Construction Company and Johnson Construction Services, to modify existing contract for additional funding due to substantial costs attributable to price escalation for equipment, materials and supplies, scope changes required by regulatory agencies during permitting processes, and unforeseen conditions of developing a raw site for the new construction project for the Fulton County Animal Shelter Facility (FCAS). Effective upon BOC approval. **(APPROVED)**

ITEM REMOVED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION AS REQUESTED BY COMMISSIONER ELLIS

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 for Construction Management at Risk Services modify existing contract for additional funding due to substantial costs attributable price escalation associated with the construction process for the new 58,000 sq. ft. Fulton County Animal Shelter Facility.

Scope of Work: Modify existing contract for additional funding due to substantial costs attributable to price escalation for equipment, materials and supplies, scope changes required by regulatory agencies during permitting processes, and unforeseen conditions of developing a raw site for the new construction project for the Fulton County Animal Shelter Facility (FCAS). Though these additional costs are specific to the Animal Services Facility Project, they are representative of inflationary price escalations, delays in equipment and materials deliveries, and labor shortages now seen throughout the construction industry.

Details of the additional costs prompting this Change Request are shown in the following:

	Owner's Contingency Balance	\$20,621.00	Balance as of 7/5
1	Design Revisions 1, 2 & 3 (Part Two)	\$91,852	User Requested Front Fencing & Additional Data/Camera Locations & Window Flashing Design Revisions
2	Canopy VE Reconciliation	\$226,048	Sub-Contractor Pricing Error reduced previously accepted Value Engineering Item & Steel Cost Escalation
3	Barn Escalation	\$37,716	Price Escalation Request from Selected Barn Manufacturer

4	Price Escalation as of 5/26	\$1,188,331	Price Escalation Requests for Equipment, Materials & Supplies from 19 Sub-Contractors as of 5/26
5	Animal Equipment/ Stainless Steel Escalation	\$413,372	Price Escalation in Stainless Steel Kennels vs Aluminum & Specialty Veterinary Equipment
6	Extended General Conditions	\$158,000	Design Revisions to accommodate FAA required Underground Detention System & resolve COA Water Pipe Location issue delaying receipt of LDP and extending Construction Commencement to 7/15
7	COA Impact Fees	\$28,846	County reportedly non-exempt from COA Impact Fees on new building construction. Fees negotiated from \$165,727 to \$28,846
8	Replenish Owner's Contingency	\$679,379	
Total Change \$2,823,544.00			

This Change Order is necessary in requesting additional funding to prevent the disruption in the process and enabling the completion the construction for the new 58,000 square foot Fulton County Animal Services Facility located at 1251 Fulton Industrial Boulevard, Atlanta, Georgia 30318.

Community Impact: This effort and impact are necessary to construct a new FCAS that is economical, efficient, and fully functional to meet the long-term space and service needs of the community which creates a healthy environment to the citizens of Fulton County.

Department Recommendation: The Department of Real Estate and Asset Management recommends approval of Change Order No. 1 modifying the existing Scope of Work, to provide additional funding due to substantial costs attributable to price escalation for equipment, materials and supplies, scope changes required by regulatory agencies during permitting processes, and unforeseen conditions of developing a raw site for the new construction project for the Fulton County Animal Shelter Facility (FCAS).

The BOC approved on July 14, 2021, Item #21-0521, the recommended proposal to provide the Pre-Construction Phase Services, General Condition and the Construction Management Costs in the amount of \$1,878,756.00 to include a Construction Fee Percentage of 2.75% with Winter Johnson Group, a joint venture comprised of the Winter Construction Company and Johnson Construction Services. The BOC approved on December 15, 2021, Item #21-1042, the approval of Guaranteed Maximum Price (GMP), to provide construction phase services for the New Fulton County Animal Shelter Facility in the total amount of \$32,269,760 with Winter Johnson Group.

Now, we are recommending approval to move forward with Change Order No. 1 in the total amount of \$2,823,544, for additional funding due to substantial costs attributable price escalation associated

with the construction process for the new Fulton County Animal Shelter Facility. This will allow the Winter Johnson Group to continue providing, without disruption, construction of the new Animal Services Facility. All costs for this increase are funded by the applicable FCURA (Urban Redevelopment) Bonds.

The recommended Construction Manager 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 without disruption the continue construction of the new FCAS facility, that is economical, efficient, and is fully functional to meet the long-term space and service needs of the constituents and staff of the new 58,000 square foot Fulton County Animal Services Facility located at 1251 Fulton Industrial Boulevard, Atlanta, Georgia 30318.

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 and delay of the construction process for the new 58,000 square foot Fulton County Animal Services Facility.

Contract Modification

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount	21-0521	7/14/21	\$1,878,756.00
Guaranteed Maximum Price	21-1042	12/15/21	\$32,269,760.00
Change Order No. 1			\$2,823,544.00
Total Revised Amount			\$36,972,060.00

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

Change Order Value: \$2,823,544.00

Prime Value: 453,461.17

Prime Vendor: Winter-Johnson Group (JV- 65/35)

Prime Status: Winter (\$294,749.76 or 65.00%) Non-Minority & Johnson Construction Svc.
(\$103,162.42 or 35.00%) AABE

Location: Atlanta, GA

County: Fulton County

Prime Value: \$453,461.17 or 16.06%

Subcontractor: Johnson Construction Services

Subcontractor Status: African American Male Business Enterprise-Certified

Location: Atlanta, GA

County: Fulton County

Contract Value: \$73,412.14 or 2.60%

Subcontractor: Gregorio's Invert Builders dba Goliath Contracting

Subcontractor Status: Non-Minority

Location: Buford, GA

County: Hall County

Contract Value: \$133,553.63 or 4.73%

Subcontractor: Wurster Engineering & Construction Inc.

Subcontractor Status: Non-Minority

Location: Greenville, SC

County: Greenville County

Contract Value: \$11,294.18 or 0.40%

Subcontractor: Magnum Paving, LLC

Subcontractor Status: Non-Minority

Location: Villa Rica, GA

County: Carroll County

Contract Value: \$40,941.39 or 1.45%

Subcontractor: SDC Concrete Construction, Inc.

Subcontractor Status: Non-Minority

Location: Smyrna, GA

County: Cobb County

Contract Value: \$20,329.52 or 0.72%

Subcontractor: Machine Construction Company, Inc.

Subcontractor Status: Non-Minority

Location: Sharpsburg, GA

County: Coweta County

Contract Value: \$8,470.63 or 0.30%

Subcontractor: Highway Markings, LLC

Subcontractor Status: Non-Minority

Location: Lawrenceville, GA

County: Gwinnett County

Contract Value: \$847.06 or 0.03%

Subcontractor: Paverstone Construction

Subcontractor Status: Non-Minority

Location: Atlanta, GA

County: Fulton County

Contract Value: \$9,317.70 or 0.33%

Subcontractor: Natural Enclosures Fence Co.

Subcontractor Status: Non-Minority

Location: McDonough, GA

County: Henry County

Contract Value: \$95,435.79 or 3.38%

Subcontractor: Russell Landscape Contractors, LLC

Subcontractor Status: Non-Minority

Location: Sugar Hill, GA

County: Gwinnett County

Contract Value: \$14,682.43 or 0.52%

Subcontractor: Gunby Construction Co, Inc.
Subcontractor Status: Hispanic Male Business Enterprise-Certified
Location: Roswell, GA
County: Fulton County
Contract Value: \$22,306.00 or 0.79%

Subcontractor: CDM Atlanta, Inc. dba Georgia Blind Co.
Subcontractor Status: Non-Minority
Location: Tyrone, GA
County: Fayette County
Contract Value: \$847.06 or 0.03%

Subcontractor: MD Barnmaster
Subcontractor Status: Non-Minority
Location: Ontario, CA
County: San Bernardino County
Contract Value: \$10,447.11 or 0.37%

Subcontractor: Polk County Public Service, Inc.
Subcontractor Status: Non-Minority
Location: Cedartown, GA
County: Polk County
Contract Value: \$241,130.66 or 8.54%

Subcontractor: 5 Seasons Mechanical, LLC
Subcontractor Status: African American Male Business Enterprise-Certified
Location: Peachtree Corners, GA
County: Gwinnett County
Contract Value: \$268,236.68 or 9.50%

Subcontractor: Fire Sprinkler of Atlanta, LLC
Subcontractor Status: Non-Minority
Location: Norcross, GA
County: Gwinnett County
Contract Value: \$16,658.91 or 0.59%

Subcontractor: J & J Cordon Electric, LLC
Subcontractor Status: Hispanic Male Business Enterprise-Certified
Location: Lawrenceville, GA
County: Gwinnett County
Contract Value: \$287,719.13.13 or 10.19%

Subcontractor: Donco, Inc.
Subcontractor Status: Non-Minority
Location: Peachtree City, GA
County: Fayette County
Contract Value: \$847.06 or 0.03%

Subcontractor: Accessories Unlimited, Inc.
Subcontractor Status: Non-Minority
Location: Stone Mountain, GA
County: Dekalb County
Contract Value: \$847.06 or 0.03%

Subcontractor: South Eastern Acoustics, Inc.
Subcontractor Status: Non-Minority
Location: Buford, GA
County: Hall County
Contract Value: \$2,823.54 or 0.10%

Subcontractor: Contract Business Interiors, Inc.
Subcontractor Status: African American Male Business Enterprise-Certified
Location: East Point, GA
County: Fulton County
Contract Value: \$4,235.32 or 0.15%

Subcontractor: Southeastern Laundry Equipment Sales, Inc.
Subcontractor Status: Non-Minority
Location: Marietta, GA
County: Cobb County
Contract Value: \$8,752.99 or 0.31%

Subcontractor: Loading Dock Supply, LLC
Subcontractor Status: Non-Minority
Location: Olympia, WA
County: Thurston County
Contract Value: \$1,411.77 or 0.05%

Subcontractor: TriMark Century Concepts, LLC
Subcontractor Status: Non-Minority
Location: Peachtree Corners, GA
County: Gwinnett County
Contract Value: \$5,647.09 or 0.20%

Subcontractor: Winter Johnson Group
Subcontractor Status: Non-Minority
Location: Atlanta, GA
County: Fulton County
Contract Value: \$2,258.84 or 0.08%

Subcontractor: NYCOM, Inc.
Subcontractor Status: Non-Minority
Location: Midlothian, GA
County: Chesterfield County
Contract Value: \$193,412.76 or 6.85%

Subcontractor: Carolina Coops
Subcontractor Status: Non-Minority
Location: Clifton Springs, NY
County: Ontario County
Contract Value: \$1,976.48 or 0.07%

Subcontractor: G & S Glass Atlanta, LLC
Subcontractor Status: Non-Minority
Location: Woodstock, GA
County: Cherokee County
Contract Value: \$38,400.20 or 1.36%

Subcontractor: Astro Interior Contracting, Inc.
Subcontractor Status: Non-Minority
Location: Mableton, GA
County: Cobb County
Contract Value: \$89,506.34 or 3.17%

Subcontractor: Premier Contract Carpet, Inc.
Subcontractor Status: Non-Minority
Location: Tucker, GA
County: DeKalb County
Contract Value: \$13,835.37 or 0.49%

Subcontractor: The Paint Doctor, Inc.
Subcontractor Status: Small Business Enterprise-Certified
Location: Atlanta, GA
County: Fulton County
Contract Value: \$43,200.22 or 1.53%

Subcontractor: The Paint Doctor, Inc.
Subcontractor Status: Small Business Enterprise-Certified
Location: Atlanta, GA
County: Fulton County
Contract Value: \$24,847.19 or 0.88%

Subcontractor: A. Ritz Interiors
Subcontractor Status: White Female Business Enterprise-Certified
Location: Austell, GA
County: Cobb County
Contract Value: \$7,623.57 or 0.27%

Subcontractor: Corporate Environments of Georgia, Inc.
Subcontractor Status: White Female Business Enterprise-Certified
Location: Atlanta, GA
County: Fulton County
Contract Value: \$564.71 or 0.02%

Subcontractor: Accessories Unlimited, Inc.

Subcontractor Status: Non-Minority
Location: Stone Mountain, GA
County: Dekalb County
Contract Value: \$7,905.92 or 0.28%

Subcontractor: Inpro Corporation
Subcontractor Status: Non-Minority
Location: Muskego, WI
County: Waukesha County
Contract Value: \$847.06 or 0.03%

Subcontractor: Mitchell Metals
Subcontractor Status: Non-Minority
Location: Smyrna, GA
County: Cobb County
Contract Value: \$57,600.30 or 2.04%

Subcontractor: ATL Masonry Contractor Inc.
Subcontractor Status: Non-Minority
Location: Lawrenceville, GA
County: Gwinnett County
Contract Value: \$282.35 or 0.01%

Subcontractor: Steel, LLC
Subcontractor Status: Non-Minority
Location: Scottdale, GA
County: Dekalb County
Contract Value: \$309,178.07 or 10.95%

Subcontractor: Mark Products of Georgia, Inc.
Subcontractor Status: Non-Minority
Location: Atlanta, GA
County: Fulton County
Contract Value: \$34,447.24 or 1.22%

Subcontractor: Tristar Metals, Inc.
Subcontractor Status: Non-Minority
Location: Boyd, TX
County: Wise County
Contract Value: \$14,964.78 or 0.53%

Subcontractor: Chambless Construction Specialties, Inc.
Subcontractor Status: Non-Minority
Location: Marietta, GA
County: Cobb County
Contract Value: \$10,729.47 or 0.38%

Subcontractor: Summers Roofing Company, Inc.
Subcontractor Status: White Female Business Enterprise-Certified

Location: Alpharetta, GA
County: Fulton County
Contract Value: \$96,847.56 or 3.43%
Subcontractor: Maucor, Inc.
Subcontractor Status: Non-Minority
Location: Maitland, FL
County: Orange County
Contract Value: \$44,894.35 or 1.59%

Subcontractor: Kelley Bros Hardware-Alabama Inc dba Kelly Brothers Hardware-Georgia Inc.
Subcontractor Status: Non-Minority
Location: Cumming, GA
County: Forsyth County
Contract Value: \$86,118.09 or 3.05%

Subcontractor: Acousti Doors & Specialties, LLC
Subcontractor Status: Non-Minority
Location: Kennesaw, GA
County: Cobb County
Contract Value: \$5,929.44 or 0.21%

Subcontractor: R.E. Monk Interior Trim, Inc.
Subcontractor Status: Non-Minority
Location: Lilburn, GA
County: Gwinnett County
Contract Value: \$4,517.67 or 0.16%

Total Contract Value: \$2,823,544.00 or 100.00%
Total Certified Value: \$932,154.93 or 33.01%

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: 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: \$1,878,756.00
Previous Adjustments: \$32,269,760.00
This Request: \$2,823,544.00
TOTAL: \$36,972,060.00

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:

534-520-5200-K021: FCURA, Real Estate and Asset Management, Animal Services Facility - \$1,750.00

Funding Line 2:

532-520-5200-K021: FCURA, Real Estate and Asset Management, Animal Services Facility - \$895,068.00

Funding Line 3:

533-520-5200-K021: FCURA, Real Estate and Asset Management, Animal Services Facility - \$1,926,726.00

Key Contract Terms	
Start Date: Upon BOC Approval	End Date: 544 consecutive calendar days or completion of construction project.
Cost Adjustment:	Renewal/Extension Terms: N

Overall Contractor Performance Rating: 3.80

Would you select/recommend this vendor again?

Yes

Report Period Start: 8/11/2022
Report Period End: 10/6/2022