



# Fulton County

## Legislation Text

File #: 22-0642, Version: 1

### Department

Public Works

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

Request approval to rescind contract change order - 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. Effective upon BOC approval. **(APPROVED)**

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

In accordance with Purchasing Code Sections 102-421, when a contract requires termination or rescission of the award, it 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:** The Public Works Department is seeking approval to rescind award of change order #1 which was approved under item #22-0346 at the 5/18/2022 BOC recess meeting. After the approval of the item, it was recognized by the Public Works Department and the JV Consultant that the substantial completion date and corresponding cost in the change order was incorrect. Therefore, a new change order will be developed and forwarded to the BOC with the correct revised substantial completion date and costs.

**Community Impact:** No impact to the community has been noted.

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

**Project Implications:** The Public Works Department needs to clarify the conditions of the contract. However, the previous approved change order was not correct and needs to be rescinded so the correct change order terms can be acted upon.

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

**Department Issues/Concerns:** The Public Works Department does not have any issues/concerns with this action.

### Contract Modification

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount	20-0476	7/8/2020	\$274,768,712.00
Change Order #1	22-0346	5/18/22	\$201,545.00
<b>Rescind Change Order #1</b>			<b>-\$201,545.00</b>
Total Revised Amount			\$274,768,712.00

### 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-

**NOTES:** Rescinding Amount

### Exhibits Attached

Exhibit 1: BOC Approval 5/18/22

Exhibit 2: Interoffice Memorandum

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

David Clark, Director Public Works 404-612-2804

### Contract Attached

No

### Previous Contracts

Yes

### Total Contract Value

Original Approved Amount: \$274,768,712.00  
Previous Adjustments: \$201,545.00  
This Request: -\$201,545.00  
TOTAL: \$274,768,712.00

### 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:

235-540-5400-S157

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

### Overall Contractor Performance Rating:

Would you select/recommend this vendor again?

Choose an item.

Report Period Start: Report Period End: