



# Fulton County

## Legislation Text

File #: 22-0838, Version: 1

### 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:

	<b>Owner's Contingency Balance</b>	<b>\$20,621.00</b>	<b>Balance as of 7/5</b>
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	

<b>Total Change</b> <b>\$2,823,544.00</b>
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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**

<b>Current Contract History</b>	<b>BOC Item</b>	<b>Date</b>	<b>Dollar Amount</b>
Original Award Amount	21-0521	7/14/21	\$1,878,756.00
Guaranteed Maximum Price	21-1042	12/15/21	\$32,269,760.00
<b>Change Order No. 1</b>			<b>\$2,823,544.00</b>
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:** Chambliss 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	
<b>Start Date:</b> Upon BOC Approval	<b>End Date:</b> 544 consecutive calendar days or completion of construction project.
<b>Cost Adjustment:</b>	<b>Renewal/Extension Terms:</b> N/A

**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