A SUBSTITUTE RESOLUTION BY **03-R-0077**

CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR OR HER DESIGNEE TO AMEND AND EXTEND RENEWAL AGREEMENT NO. 2 WITH GINARC CONSTRUCTION, INC. FOR FC-7036-98B, ANNUAL CONTRACT FOR SIDEWALKS, DRIVEWAYS AND CURBS FOR AN ADDITIONAL 90 DAYS ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS THE AMENDMENT INCREASES THE CONTRACT AMOUNT BY ONE MILLION ONE HUNDRED SEVENTY NINE THOUSAND SEVENTY THREE DOLLARS AND SEVENTY SEVEN CENTS ($1,179,073.77); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM VARIOUS FUNDS, ACCOUNTS AND CENTER NUMBERS: 1C45 574001 M23F053692BG($147,000.00); 1C45 574001 M23F053192BG($270,000.00);1C45 574001 M23F052592BG($26,866.77); 1C45 574001 M23F052592BG($19,438.00);1C45 574001 M23F053192BG(280,000.00); 1C45 574001 M23F053092BG($60,000.00); 1C45 574001 M23F053192BG($75,000.00);1C45 574001 M23F052992BG($28,058.00);1C45 574001 M23F052992BG($11,960.00);1C45 574001 M23F052992BG($8,224.00);1B01 574001 M22F0334A20A($252,527.00).

WHEREAS, the City of Atlanta did enter into FC-7036-98B, Annual Contract for Sidewalks, Driveways and Curbs a contractual agreement with Ginarc Construction, Inc. on behalf of the Department of Public Works; and

WHEREAS, said contract contained an option to renew for two (2) additional one year periods; and

WHEREAS, Resolution 02-R-0195 was adopted by Council February 18, 2002 and approved by the Mayor March 5, 2002; and

WHEREAS, Resolution 02-R-0195 did not include allocated funds for the completion of Quality of Life related projects in the original resolution and the not to exceed amount; and

WHEREAS, Resolution 02-R-0195 needs to be amended to reflect an increase from $1,419,684.46 by $1,179,073.77 for a total contract not to exceed amount of $2,598,758.23; and

WHEREAS, the Commissioner of the Department of Public Works and the Purchasing Agent have recommended that Renewal Agreement No. 2 be amended; and

WHEREAS, pursuant to Code Section 2-1206(a)(1), the Purchasing Agent has extended the contract for an additional 90 days to complete inundated projects while new bid is being solicited; and

WHEREAS, the Commissioner of Public Works has determined it to be in the best interest of the City to execute an amended Renewal Agreement No. 2 which increases the amount by One Million One Hundred Seventy Nine Thousand Seventy Three Dollars and Seventy Seven Cents ($1,179,073.77).

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to enter into an amended Renewal Agreement No. 2 with GinArc Construction, Inc. for FC-7036-98B, Annual Contract for Sidewalks, Driveways and Curbs which increases the agreement by One Million One Hundred Seventy Nine Thousand Seventy Three Dollars and Seventy Seven Cents ($1,179,073.77).

BE IT FURTHER RESOLVED, that the Purchasing Agent be and is hereby directed to prepare an appropriate amended renewal agreement to be approved by the City Attorney, as to form for execution by the Mayor.

BE IT FURTHER RESOLVED, that this renewal agreement shall not become binding on the City, and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting party.

AND FINALLY BE IT RESOLVED, that all services for said contracted work shall be charged to and paid from Funds, Account and Center Numbers: 1C45 574001 M23F053692BG($147,000.00); 1C45 574001 M23F053192BG($270,000.00);1C45 574001 M23F052592BG($26,866.77); 1C45 574001 M23F052592BG($19,438.00);1C45 574001 M23F053192BG(280,000.00); 1C45 574001 M23F053092BG($60,000.00); 1C45 574001 M23F053192BG($75,000.00);1C45 574001 M23F052992BG($28,058.00);1C45 574001 M23F052992BG($11,960.00);1C45 574001 M23F052992BG($8,224.00);1B01 574001 M22F0334A20A($252,527.00).