

Reso 23-185



COBB COUNTY
DEPARTMENT OF TRANSPORTATION

1890 County Services Parkway
Marietta, Georgia 30008-4014
(770) 528-1600 • fax: (770) 528-1601

January 3, 2024

Pam Connor

The City of Powder Springs
4426 Marietta St.
Powder Springs, GA 30127

**Re: Amendment No. 1 to the Cobb Framework Agreement
Powder Springs – Marietta Street Traffic Signal System Preservation
Cobb County Project No. B2553**

Dear Mrs. Connor:

Enclosed is an executed copy of the Amendment No. 1 to the Cobb Framework Agreement on the above referenced project.

All future correspondence and invoices should reference the above project and CCDOT Contract number. In addition, all invoices should include a DBE participation form (attached) whether or not DBE participation has occurred during the billing cycle.

If you have any questions, please contact James Hudgins Pre-Construction Manager, James.Hudgins@cobbcounty.org or 770-420-6658.

Sincerely,

Rustavius Ford,
Pre-Construction Engineer

Enclosure

Cc:

Michael Francis, P.E.
Gabriel Colon-Vega, P.E.
Wade Kelly, P.E.
James Hudgins, P.E.
Anne Miller



**COBB COUNTY
DEPARTMENT OF TRANSPORTATION
AMENDMENT TO
COBB FRAMEWORK AGREEMENT**

**Project No. B2553
AMENDMENT NO. 1**

WHEREAS, the **City of Powder Springs (CITY)** and **Cobb County, Georgia (COUNTY)**, hereinafter collectively referred to as the parties, entered into a Cobb Framework Agreement (the “**Agreement**”) on October 10, 2022, for services associated with the construction of three traffic signals along Marietta St. at three intersections within the city limits, including Brownsville Road, New Macland Road and Austell-Powder Springs Road, collectively referred to as the “**PROJECT**”; and

WHEREAS, the parties originally anticipated the total cost for the **PROJECT** to be \$900,000 (\$300,000 for each signal location) with the **CITY** agreeing to fund all right-of-way acquisition and construction costs; and

WHEREAS, the **CITY** has elected to not move forward with construction of the traffic signal at the Marietta St. at Austell-Powder Springs Road **PROJECT** location; and

WHEREAS, the construction bid cost for the Brownsville Road at Marietta St. location came in at \$664,889.55 due to continuing supply issues and additional roadway scope items added by the **CITY**; and

WHEREAS, the construction bid cost for the Marietta St. at New Macland Road location came in at \$409,014.87; and

WHEREAS, the sum of the two construction bids total \$1,073,904.42, exceeding the original agreement total of \$900,000.00 by \$173,904.42.

NOW THEREFORE, for and in consideration of the mutual benefits and obligations flowing each to the other, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to amend the **Agreement** as follows:

1. Section 5 is hereby amended by revising the maximum financial contribution of the **CITY** for the **PROJECT** from \$900,000.00 to \$1,073,904.42.
2. Section 6 is hereby amended by revising the time period for the **COUNTY**’s withholding of \$35,000 from the **CITY**’s 2022 SPLOST allocation for an additional 5 months, for a total of 31 months, to cover the total revised anticipated maximum financial contribution amount of \$1,073,904.42.
3. Exhibit A is hereby amended by deleting “b. Marietta Street at Austell Powder Springs Road”.
4. All other terms and conditions of the **Agreement** not changed by this Amendment shall remain in full force and effect.

5. This First Amendment shall become effective upon the date this Amendment is signed by both parties ("Effective Date").

IN WITNESS WHEREOF, the parties have caused this First Amendment to the Agreement to be executed by their duly authorized representatives.

This 19th day of December, 2023

RECOMMENDED FOR APPROVAL:

CITY OF POWDER SPRINGS

By: Albert Thurman

Printed Name: Albert Thurman

Title: Mayor

Date: 11/28/23

Attest: Kelly [Signature]
City Clerk

COBB COUNTY, GEORGIA

By: [Signature]

Printed Name: Lisa N. Cupid

Title: Chairwoman, Board of Commissioners

Date: 12/19/23

Attest: [Signature]
County Clerk



[ATTACH CITY SEAL]

[ATTACH COUNTY SEAL]

APPROVED AS TO FORM BY:

[Signature]
County Attorney's Office

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS
11/14/23