

RESOLUTION NO. 2023 - 154

A RESOLUTION APPROVING AND AUTHORIZING THE REPLACEMENT OF THE PHASE 1 CONSTRUCTION CONTRACT WITH THE MACALLAN GROUP FOR CERTAIN MUNICIPAL COMPLEX IMPROVEMENTS WITH A GUARANTEED MAXIMUM PRICE CONTRACT FOR A CONSTRUCTION AMOUNT OF \$13,109,993.00 AND ALLOWANCES; AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS the City of Powder Springs (“City”) previously approved and authorized an agreement with the Macallan Group pursuant to Resolution 2022-185 to begin initial development activities and contract negotiations for a Guaranteed Maximum Price Contract for the renovation of the existing municipal court building, construction of a new addition and construction of a new parking deck (the “Project”); and

WHEREAS the City thereafter approved and authorized a phase I fixed price contract with Macallan Group and Macallan Construction (“Macallan”) pursuant to Resolution 2023-094 to cover a portion of the costs of the Project to construct the parking deck, complete a deposit of funds to secure the steel package and complete site work for a fee of \$3,865,950 pending the completion of and transition from 50% design and engineering plans to 100% in order to develop a final Guaranteed Maximum Price Contract with Macallan; and

WHEREAS while Macallan proceeded with the preliminary work for the parking deck and materials and site work preparation, the City’s Architect, Croft and Associates continued its design and engineering work in order to complete and transition the 50% design documents to 100% design documents; and

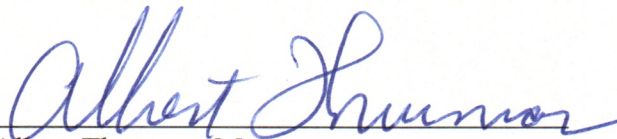
WHEREAS upon completion of 100% documents, receipt of all permits needed to proceed with construction and receipt of costs associated with the design updates and changes, the City’s program manager, Public Private Partnership Management, Inc (“4PM”) has evaluated the completed design and associated costs and recommends replacement of the Phase 1 contract with a final Guaranteed Maximum Price Contract for the full Project, and the City desires to accept said recommendation.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council for the City of Powder Springs that it approves and authorizes the replacement of the Phase 1 construction contract with a Guaranteed Maximum Price construction contract for the Project in the amount of \$13,109,993.00 and allowances, and it authorizes the Mayor to execute said contract, subject to review and approval by the City Attorney.

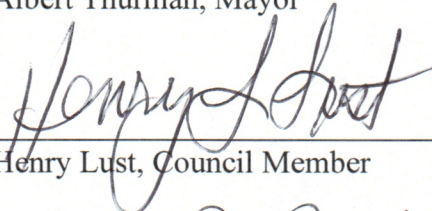
SO RESOLVED this 2nd day of October 2023.

[Signature page follows]

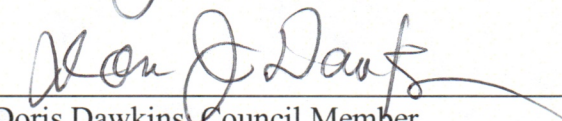
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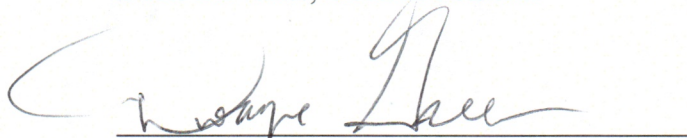
Albert Thurman, Mayor



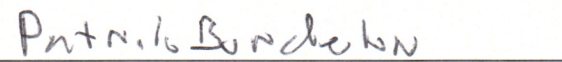
Henry Lust, Council Member



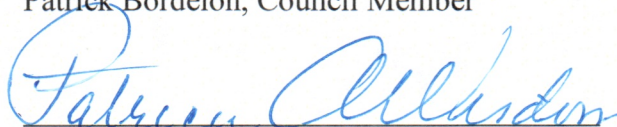
Doris Dawkins, Council Member



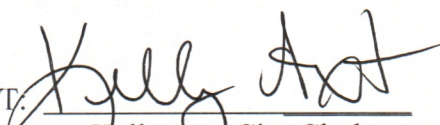
Dwayne Green, Council Member



Patrick Bordelon, Council Member



Patricia Wisdom, Council Member

ATTEST: 
Kelly Axt, City Clerk