



COBB COUNTY
DEPARTMENT OF TRANSPORTATION

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

November 20, 2023

Pam Connor
City Manager
City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

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

Dear Mrs. Connor,

Enclosed are three unexecuted Agreements on the above referenced project. This Amendment was approved by the Cobb County Board of Commissioners at their November 14, 2023 general meeting.

Please sign, attest, and affix corporate seal (if applicable) and return **all** copies to our office, for further execution by the County.

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

Sincerely,

Rustavius Ford
Preconstruction Manager

Enclosures

cc: Michael Francis P.E.
James Hudgins
Project File



**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 _____ day of _____, 2023

RECOMMENDED FOR APPROVAL:

CITY OF POWDER SPRINGS

By: Albert Thurman

Printed Name: Albert Thurman

Title: Mayor

Date: 11/28/23

Attest: [Signature]
City Clerk

[ATTACH CITY SEAL]

COBB COUNTY, GEORGIA

By: _____

Printed Name: Lisa N. Cupid

Title: Chairwoman, Board of Commissioners

Date: _____

Attest: _____
County Clerk

[ATTACH COUNTY SEAL]

APPROVED AS TO FORM BY:

County Attorney's Office