



**DeKalb County**  
**Roads and Drainage Division**  
**Public Works Department**  
Peggy V. Allen, Deputy Director, PW

**Chief Executive Officer**  
Lorraine Cochran-Johnson

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District 6  
Edward "Ted" Terry

District 7  
Ladana Bolton

## MEMORANDUM

May 6, 2025

**TO:** Michelle Butler, Chief Procurement Officer | Purchasing & Contracting

**THROUGH:** Zachary L. Williams, COO  
Rick Lemke, Public Works Director

**Richard W.  
Lemke**

Digitally signed by Richard  
W. Lemke  
Date: 2025.05.06  
15:28:42 -04'00'

**FROM:** ✓ Peggy V. Allen, DDPW, Roads and Drainage

**SUBJECT:** Administrative Correction - Amendment No. 1 to DeKalb CPA 2000114 – E. R. Snell Contractor, Inc. (ITB No. 24-101659, LMIG 2024 Road Resurfacing Projects (365-Day Contract))

**Original Contract Term and Dollar Amount:** February 14, 2025 through December 31, 2025 and \$20,821,478.20

**Previous Changes to the Dollar Amount:** N/A

**Previous Changes to the Term:** N/A

**Current Cumulative Contract Term and Dollar Amount:** Ends December 31, 2025 and \$20,821,478.20

### Detailed Description of Requested Changes:

R&D concurs with Purchasing & Contracting Dept. requirement for an Amendment No. 1 for an administrative correction to CPA 2000114 – E. R. Snell (LMIG 2024). R&D's preference is to extend the contract Term for 6 months through May 31, 2026 without additional funding.

### Justification for the Proposed Changes:

This contract was initially prepared at the end of 2024 and routed for signature approval. It was fully executed on February 14, 2025 (and established the Contract "Term" expiration as December 31, 2025).

Hereafter, the Notice To Proceed Letter was executed on April 22, 2025; and yielded the 365-day Time for "Performance" period as May 2, 2025 through May 1, 2026. Subsequently, this timing caused the "Performance" period to extend beyond the current "Term" expiration date December 31, 2025. This administrative correction for Term extension will correct and ensure both Term and Performance periods properly align to allow the contractor adequate time to complete the project work.

cc: Crystal Manson  
Desmore Joseph  
Michele Smith

**From:** Bristol, Kyheem <[kbristol@dekalbcountyga.gov](mailto:kbristol@dekalbcountyga.gov)>

**Sent:** Wednesday, April 30, 2025 5:30 PM

**To:** Slaughter, Ernest <[eslaughter@dekalbcountyga.gov](mailto:eslaughter@dekalbcountyga.gov)>; Allen, Peggy <[pvalLEN@dekalbcountyga.gov](mailto:pvalLEN@dekalbcountyga.gov)>

**Cc:** Smith, Michele L. <[mlsmith1@dekalbcountyga.gov](mailto:mlsmith1@dekalbcountyga.gov)>; Joseph, Desmore A. <[dajoseph@dekalbcountyga.gov](mailto:dajoseph@dekalbcountyga.gov)>

**Subject:** Amendment No. 1 for Contract No. 2000114 with E.R. Snell, Inc., for the 2024 LMIG Road Resurfacing Projects

Hello all,

It was recently determined that Amendment No. 1 is necessary for Contract No. 2000114 with E.R. Snell, Inc., for the 2024 LMIG Road Resurfacing Projects. The amendment is needed because the time for performance currently exceeds the contract term.

Per Article II: TIME, TERM, AND LIQUIDATED DAMAGES, the contract states the following under "Time":

"The Contractor shall commence the Work under this Contract within ten (10) days from the acknowledgement of receipt of the Notice to Proceed ('Commencement Date'). Contractor shall fully complete the Work within three hundred sixty-five (365) days."

However, the contract term states:

"This Contract shall (i) terminate without further obligation on December 31, 2025, unless extended by change order adopted and approved by the DeKalb County Governing Authority and the Contractor."

This contract was initially prepared at the end of 2024 and routed for signatures at that time. However, it was not fully executed until recently in 2025. As a result, the 365-day performance period now extends beyond the current December 31, 2025, contract termination date. This is the reason Amendment No. 1 is needed.

Please note that this amendment does not require Board of Commissioners (BOC) approval and will not delay the utilization of the contract. It is simply an administrative correction to ensure alignment between the performance period and the contract term.

E.R. Snell returned the signed Notice to Proceed on April 22, 2025, establishing the Commencement Date as May 2, 2025. Based on this date, the performance period would extend to May 1, 2026.

At this point, please advise how you would like to proceed:

- **Option 1:** Reduce the performance period to 243 days so that it aligns with the existing contract term (ending December 31, 2025), or
- **Option 2:** Extend the contract term to accommodate the full 365-day performance period.

Please submit your preference through the Purchasing Tracker. If you are unfamiliar with the Purchasing Tracker or need assistance, feel free to reach out.

**Kyheem Bristol**

**Procurement Agent - Team A**

DeKalb County Government | Department of Purchasing & Contracting

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