



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Agenda Item

File ID: 2023-0145

Substitute

3/14/2023

**Purchasing Type:** Change Order (CO)

**Public Hearing:** YES  NO

**Department:** Purchasing & Contracting

### AGENDA ITEM:

**Commission District(s):** All

CO - Change Order No. 2 to Contract Nos.: 1201901 and 1201898 Consent Decree - Gravity Sewer Rehabilitation and Replacement (CD-GSRR): for use by the Department of Watershed Management (DWM). These contracts consist primarily of providing gravity sewer rehabilitation and replacement via cured in place pipe (CIPP) with internal and external point repairs, as well as open cut pipe bursting. This request seeks to increase the contract term through December 31, 2024 for both contracts. Additionally, using existing funds and based upon the ENR-CCI, this request seeks to address retroactive payment of increased costs for periods prior to 3rd quarter 2022 for both contracts. Awarded to Inland Pipe Rehabilitation (IPR) dba IPR Southeast, LLC and Kemi Construction Company, Inc. Total Amount Not To Exceed: \$1,084,697.00

**Information Contact:** Michelle Butler, Procurement Manager

**Phone Number:** (404) 687-3581

### PURPOSE:

Awarded by the BOC on July 14, 2020 for an amount not to exceed \$61,303,359.45 to three vendors. On January 10, 2023, the BOC approved Change Order No. 1 for Contract Nos.: 1201901 and 1201898 to calculate and pay additional cost impacts incurred due to the current market's supply chain issues, using existing funds and based upon the ENR-CCI.

Using existing funds and based upon the ENR-CCI, this request seeks to increase the contract term through December 31, 2024 and authorize approval of lump sum retroactive payments, utilizing the Owner's Allowance line item and ENR-CCI, for Contract Nos.: 1201901 and 1201898 for periods prior to 3rd quarter 2022.

Approval will assist in the continued completion of existing services for infrastructure improvements and a reduction in sanitary sewer overflows around the County.

This substitute is submitted to revise the recommended awardees and recommended total amount not to exceed.

### RECOMMENDATION:

Recommend approval of Change Order No. 2:

Inland Pipe Rehabilitation (IPR) dba IPR Southeast, LLC, 5207 Brer Rabbit Road, Stone Mountain, GA 30083

Note: LSBE Participation: 21%

Estimated Amount: \$550,718.00



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

Kemi Construction Company, Inc., 2250 WestPoint Avenue, College Park, GA 30337

Note: LSBE Participation: 12%

Estimated Amount: \$533,979.00

Total Amount Not To Exceed: \$1,084,697.00

and authorize the Chief Executive Officer to execute the change orders and all associated documents.

## **ADDITIONAL INFORMATION:**

1. Contract Effective Date: January 8, 2021
2. Contract Expiration Date: December 31, 2023
3. Amount Spent: \$15,482,244.78
4. Funding: Renewal and Extension and/or Bonds  
CIP Line No. 44 (DWM)

## AGENDA NOTES

<b>Solicitation Name and Number</b>	Consent Decree - Gravity Sewer Rehabilitation and Replacement (CD-GSRR) (Multiyear Contract with 1 Option to Renew) ITB No. 19-101067
<b>Procurement Agent</b>	Jabari Jackson
<b>Date Solicitation bid prices expires.</b>	N/A
<b>Solicitation Name, Number and Contract Number of expiring/expired contract</b>	Consent Decree - Gravity Sewer Rehabilitation and Replacement (CD-GSRR) (Multiyear Contract with 1 Option to Renew) ITB No. 19-101067  1201901 Inland Pipe Rehabilitation (IPR) dba IPR Southeast, LLC 1201898 Kemi Construction Company, Inc.
<b>Previous Contract Number, Contractor Name and Award Amount</b>	<p style="text-align: right;">\$30,841,603.75</p> 1201901 Inland Pipe Rehabilitation (IPR) dba IPR Southeast, LLC \$9,482,351.25  1201898 Kemi Construction Company, Inc \$21,359,252.50
<b>Previous Amount Spent on Expiring/Expired Contract</b>	<p style="text-align: right;">\$4,681,440.79</p> Inland Pipe Rehabilitation (IPR) dba IPR Southeast, LLC \$2,478,102.40  Kemi Construction Company, Inc \$2,203,338.39

**Prime Contractor Information and  
LSBE – Subcontractor**

**Inland Pipe Rehabilitation (IPR) dba IPR  
Southeast, LLC (Prime)**

Wendy Wilkes, CFO  
Years In Business: 11  
Years Doing Business With DeKalb: 8  
Amount Spent: \$ 46,363.00

DD Sewer Inspection Services, LLC (LSBE –  
DeKalb) 4.7% Mentor- Protégé

Derron Donaldson, Owner  
PO Box 1466  
Stone Mountain, GA 30086  
Years In Business: 11  
Years Doing Business With DeKalb: 7  
*CCTV Inspections*  
Amount Spent: \$187,146.67

Integrated Construction Management, Inc. (LSBE-  
DeKalb) 1.4%

Consuella Bennett, President  
4260 Clausell Court  
Decatur, GA 30035  
Years In Business: 17  
Years Doing Business With DeKalb: .25  
*Traffic Control, Manhole Dig Work*  
Amount Spent: \$ 0.00

Mechanical Jobbers Marketing, Inc. (LSBE -  
DeKalb) 0.4%

Jerry Trevino, President  
6691 Tribble Street Lithonia, GA 30058  
Years In Business: 46  
Years Doing Business With DeKalb: 11  
*Manhole lining/Rehabilitation*  
Amount Spent: \$ 0.00

**Kemi Construction Company, Inc. (Prime)**

Rufus Oladapo, President  
Years In Business: 33  
Years Doing Business With DeKalb: 18

DD Sewer Inspection Services, LLC (LSBE-  
DeKalb) 8%

Derron Donaldson, Owner  
P.O. Box 1466  
Stone Mountain, 30086  
Years In Business: 11  
Years Doing Business With DeKalb: 5  
*CCTV, Manhole Assessment*  
Amount Spent: \$ 12,953.60

	<p><u>Civil Works, Inc. (LSBE- MSA) 8%</u>  William (Bill) Marshall, President  495 Hutchens Rd.  Atlanta, GA 30354  Years In Business: 20  Years Doing Business With DeKalb: 14  <i>Point Repairs, Manhole Replacement</i>  Amount Spent: \$244,813.00</p> <p><u>Metals &amp; Materials Engineering, LLC (LSBE-  DeKalb) 8%</u>  Barry Bennett, President  1669 Litton Dr.  Stone Mountain, GA 30087  Years In Business: 21  Years Doing Business With DeKalb: 18  <i>CCTV Inspection, Manhole Height Adjustment &amp;  Cleaning, MCA, GPS Locate &amp; Data Collection</i>  Amount Spent: \$ 15,487.68.00</p>
<b>Attachments</b>	User Department Change Order Request No. 2



# PROPOSED CHANGE ORDER REQUEST

Department of Watershed Management

Contract Name: Consent Decree - Gravity Sewer Rehabilitation and Replacement (CD-GSRR) Date: 1/18/2022  
 Contractor: Kemi Construction Company, Inc., and IPR Southeast, LLC, subsidiary of Inland Pipe Rehabilitation, LLC  
 Contract Number: 1201898 and 1201901 Contract Amendment Number: 2

Contract Amendment Category:  Cost  Schedule  Scope  Deliverables

Contract	Original Contract \$ Amount:	Contract Start Date:	Original Contract Days:(Term)	Original Contract End Date:
1201898	\$21,359,252.20	2/9/2021	1055	12/31/2023
1201901	\$9,482,351.25	4/12/2021	993	12/31/2023

Contract	NTP Start Date:	Original Performance Days:	Original Performance End Date:
1201898	2/9/2021	1095	2/8/2024
1201901	4/12/2021	1095	4/10/2024

Contract	Previous Change Order:	Previous Time Extensions (Days):	Previous Changes to \$ Amount:
1201898	Change Order No. 1:		
1201901	Change Order No. 1:		

Contract	Current Contract Amount:	Current Performance Time (Days):	Current Performance End Date:
1201898	\$21,359,252.20	1095	2/8/2024
1201901	\$9,482,351.25	1095	4/10/2024

**Description of Proposed Changes:** Amendments/Change Orders No. 2 is being requested to provide approval from the Board of Commissioners (BOC) to extend the contract end date to align with the performance time of the above contracts, authorize lump sum payments in the amount not to exceed of \$533,979 to Kemi Construction Company Inc., and \$550,718 to IPR Southeast, LLC to compensate the contractors for the recent spike in costs for inflation, materials, and labor. Change order No. 1 was approved to allow the Department to utilize the ENR Construction Cost Index (CCI) as a method to compensate the contractor for cost increases. Cost increases have been justified by researching current industry standards. The change order is also needed to align the contract performance time to with the contract term.

**Justification of Proposed Changes:** Amendments/Change Orders No. 2 is needed to extend the contract end date to align with the performance time of the above contracts and to approve payments to the contractors due to inflation and rise in good and services. The payments are for work completed from the beginning of the contract through September 2022. No additional funding is being requested at this time. The cost escalation totals will be paid through the Owner's Allowance in the contract.

Contract	Proposed Additional Performance Days:	Proposed Cumulative Performance Days:	Proposed Performance End Date:	Proposed Contract End Date:
1201898		1095	2/8/2024	12/31/2024
1201901		1095	4/10/2024	12/31/2024

Contract	Proposed Changes to Dollar Amount:	Proposed Cumulative Contract Amount:	Amount Spent To Date as of (11/18/22):
1201898	\$0.00	\$21,359,252.20	\$1,984,545.92
1201901	\$0.00	\$9,482,351.25	\$2,204,838.52

**Describe Any Risk Associated With This Change:** The progress of the sewer rehabilitation would be reduced and would have to be accomplished by other means not currently available should the Change Order not be approved. It would also impact the completion of work per the Consent Decree deadlines.

**Effect of NOT Approving This Change:** Not approving the change order would impact the County in meeting critical Consent Decree deadlines resulting in potential financial penalties from the EPD and EPA.

**Engineering Manager's Approval:**

- Accepted
- Rejected

Signature: Cassandra Marshall, PMP Digitally signed by Cassandra Marshall, PMP  
Date: 2023.01.18 14:35:20 -05'00'  
 Print Name: Cassandra Marshall  
 Date: 01/18/23

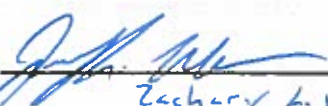
**Watershed Director's Approval:**

- Accepted
- Rejected

Signature: David Hayes Digitally signed by David Hayes  
Date: 2023.01.18 16:04:15 -05'00'  
 Print Name: David Hayes  
 Date: 1.18.2023

**Chief Operating Officer's Approval:**

- Accepted
- Rejected

Signature:   
 Print Name: Zachary L. Williams  
 Date: 2-9-23

Contract Name: Consent Decree - Gravity Sewer Rehabilitation and Replacement(CD-GSRR)  
 Contractor: Kemi Construction Company, Inc., and IPR Southeast, LLC, subsidiary of Inland Pipe Rehabilitation, LLC  
 Contract Number: 1201898 and 1201901  
 Contract Amendment Number: 2

**ENR Construction Cost Index (CCI) in Atlanta**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg	Percent Increase from Previous Year
2005	4607.39	4594.71	4590.31	4621.56	4638.37	4653.52	4678.5	4671.2	4757.45	4776.53	4802.49	4829.74	4685.15	
2006	4835.74	4829.57	4823.57	4828.31	4812.71	4820.46	4833.24	4842.75	4898.47	4916.53	4918.4	4893.35	4854.43	3.61%
2007	4880.79	4874.06	4870.58	4870.93	5262.79	5264.94	5270.57	5276.79	5267.43	5269.15	5262.63	5259.37	5135.84	5.80%
2008	5255.05	5254.01	5267.86	5271.83	5290.95	5318.89	5390.73	5397.48	5882.56	5874.04	5856.65	5801.13	5488.43	6.87%
2009	5789.2	5774.95	5771.41	5757.69	5745.84	5731.46	5720.06	5718.33	5717.58	5710.11	5706.99	5710.25	5737.82	4.54%
2010	5706.99	5710.25	5708.83	5712.6	5728.38	5750.35	5762.4	5762.9	5762.9	5759.37	5775.35	5772.1	5742.70	0.09%
2011	5763.96	5795.71	5798.71	5805.6	5811.39	5830.96	5842.46	5855.21	5850.34	5856.84	5872.04	5872.54	5829.65	1.51%
2012	5877.9	5877.9	5887.65	5889.4	5913.02	5912.52	5908.52	5893.52	5883.02	5888.11	5887.11	5892.99	5892.64	1.08%
2013	5898.74	5949.99	5976.03	5981.28	5991.03	6000.19	6009.94	6007.19	6008.44	5996.46	5988.46	5991.02	5983.23	1.54%
2014	5988.52	5986.77	5984.02	5995.65	6196.65	6207.66	6220.13	6220.13	6216.37	6243.28	6255.28	6255.79	6147.52	2.75%
2015	6242.13	6240.63	6238.63	6236.50	6251.65	6244.27	6244.27	6249.71	6253.46	6248.64	6247.46	6251.51	6245.74	1.60%
2016	6249.51	6267.14	6268.64	6268.64	6258.89	6244.25	6251.00	6257.37	6256.62	6301.62	6322.20	6385.74	6277.64	0.51%
2017	6394.44	6060.94	6061.35	6491.55	6499.99	6502.52	6502.77	6515.55	6513.55	6550.10	6550.10	6555.35	6433.18	2.48%
2018	6555.35	6562.80	6562.80	6571.61	6555.36	6555.36	6555.32	6603.36	6637.61	6648.95	6651.11	6656.11	6592.98	2.48%
2019	6659.29	6675.79	6668.65	6662.65	6670.13	6670.63	6678.26	6692.01	6690.93	6700.42	6698.92	6710.26	6681.50	1.34%
2020	6721.01	6726.14	6739.37	6741.36	6743.86	6745.79	6743.5	6741.34	6746.84	6752.37	6773.83	6824.00	6749.95	1.02%
2021	6879.03	6891.28	6959.75	7038.96	7174.16	7364.39	7522.91	7645.41	7752.31	7854.89	7896.64	7999.87	7414.97	9.85%
2022	8066.77	8046.71	8055.96	8148.39	8183.89	8405.44	8499.51	8560.26	8583.99	8556.39	8621.68	8611.65	8361.72	12.77%
2023	8427.37												8427.37	0.79%



## Contractor - IPR (Inland Pipe Rehabilitation)

Invoice No	Month	Invoice Amt before Retainage	CCI October 2019 (Bid Date)	Monthly CCI	CCI Multiplier	Cost Escalation Amount Due to Contractor
212604900-001	November 2021	\$37,636.98	6700.42	7896.64	0.18	\$6,719
212604900-002	December 2021	\$60,304.68	6700.42	7999.87	0.19	\$11,695
212604900-003	January 2022	\$78,220.70	6700.42	8066.77	0.20	\$15,950.77
212604900-004	February 2022	\$338,698.23	6700.42	8046.71	0.20	\$68,053.35
212604900-005	March 2022	\$304,136.30	6700.42	8055.96	0.20	\$61,528.82
212604900-006	April 2022	\$288,369.54	6700.42	8148.39	0.22	\$62,317.06
212604900-007	May 2022	\$543,085.32	6700.42	8183.89	0.22	\$120,238.85
212604900-008a	June 2022	\$366,478.99	6700.42	8405.44	0.25	\$93,255.95
212604900-008b	July 2022	\$145,888.72	6700.42	8499.51	0.27	\$39,171.71
212604900-009a	August 2022	\$123,869.70	6700.42	8560.26	0.28	\$34,382.59
212604900-009b	September 2022	\$133,056.30	6700.42	8583.99	0.28	\$37,403.75
212604900-010						<b>\$550,717.37</b>

Total

## Contractor - Kemi Construction

Invoice No	Month	Invoice Amt before Retainage	CCI October 2019 (Bid Date)	Monthly CCI	CCI Multiplier	Cost Escalation Amount Due to Contractor
1201898-001	December 2021	\$588,846.00	6700.42	7999.87	0.19	\$114,198.20
1201898-002	January 2022	\$56,846.00	6700.42	8066.77	0.20	\$11,592.04
1201898-003	February 2022	\$155,320.70	6700.42	8046.71	0.20	\$31,208.00
1201898-004	March 2022	\$25,976.30	6700.42	8055.96	0.20	\$5,255.18
1201898-005	April 2022	\$314,670.30	6700.42	8148.39	0.22	\$68,000.69
1201898-006	May 2022	\$250,505.30	6700.42	8183.89	0.22	\$55,461.76
1201898-007	June 2022	\$286,261.50	6700.42	8405.44	0.25	\$72,843.43
1201898-008	July 2022	\$305,970.00	6700.42	8499.51	0.27	\$82,154.19
1201898-009	August 2022	\$240,542.89	6700.42	8560.26	0.28	\$66,767.65
1201898-010	September 2022	\$94,260.71	6700.42	8583.99	0.28	\$26,497.84
						<b>\$533,978.98</b>

Total