

Via email: [bhorne@baynedg.com](mailto:bhorne@baynedg.com)

November 16, 2020

Bayne Development Group, LLC  
31 S. Center Street  
Winder, GA 30680

Dear Brad Horne:

### NOTICE OF AWARD

#### **Invitation to Bid (ITB) No. 20-101263, Construction of Rainbow Park Amphitheater**

This confirms that the DeKalb County Board of Commissioners at the November 10, 2020 meeting acted to award ITB No. 20-101263, Construction of Rainbow Park Amphitheater (151 days) to Bayne Development Group, LLC. for an amount not to exceed \$1,609,876.36.

You should immediately begin to assemble the following documents to in order to affect a quick path to issuing the Notice to Proceed:

1. Payment and Performance Bonds and the Certificate of Insurance meeting the contract requirements. See Attachments G and H. The Insurance Requirements as required in the ITB are also included for your use and reference.
2. A copy of your agreement with your LSBE subcontractors that meet the requirements of the County's DeKalb First Ordinance. In your bid, you listed one (1) LSBE, SE Consortium who you will be subcontracting with for this contract. In accordance with the DeKalb First (LSBE) Ordinance and the solicitation, please move forward to secure the Prime/LSBE Subcontract agreement with the LSBE listed in your bid submission. The agreement must include the following items:
  - A. The percentage (%) and dollar amount of the agreement (this amount should be the same as documented on the Letter of Intent (LOI).
  - B. The solicitation number should also be incorporated into the document – i.e. “this sub agreement is in support of DeKalb County ITB 20-101263, Contract No. 1233205”.
  - C. Prime shall pay the LSBE Sub no later than seven (7) calendar days from prime contractor's receipt of payment from DeKalb County.

**D. Substitution Language in place of termination clause –**

*All requests for changes or substitutions of the subcontractors named in the notarized schedule of LSBE Participation shall be made in writing to the LSBE Review Panel and shall clearly and fully set forth the basis for the request, including documentary proof or affidavits of individuals, where necessary. The LSBE Review Panel will review the request and make a final decision. The facts supporting the request must not have been known nor reasonably should have been known by either party prior to the submission of the notarized Schedule of LSBE Participation. Post-award LSBE shopping is prohibited and may be cause for cancellation, rejection or other punitive remedies against the prime contractor.*

3. A complete listing of all subcontractors and sub-subcontractors (regardless of LSBE status) to be utilized on the project.

Please work with Jennifer Schofield via email [jjschofield@dekalbcountyga.gov](mailto:jjschofield@dekalbcountyga.gov) in providing the necessary paperwork to complete the transaction.

Sincerely,

 Digitally signed by  
Jennifer Schofield  
Date: 2020.11.16  
17:05:46 -05'00'

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Jennifer Schofield  
Procurement Agent  
Department of Purchasing and Contracting

Attachments:

Attachment C, Contractor Affidavit  
Attachment D, Sub-Contractor Affidavit  
Attachment E, Sub-subcontractor Affidavit  
Attachment F, Certificate of Corporate Authority  
Attachment G, Performance Bond  
Attachment H, Payment Bond  
Attachment I, Insurance Requirements

cc: Chuck O. Ellis, Director, Recreation, Parks and Cultural Affairs  
Paige K. Singer, Division Manager, Recreation, Parks and Cultural Affairs

 Digitally signed by Delois Robinson  
Date: 2020.11.16 18:28:06 -05'00'