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**Re: [EXTERNAL]Briarlake & Montclair ES - Meeting Action Items**


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**From** Artis Johnson (Operations) <Artis\_L\_Johnson@dekalbschoolsga.org>

**Date** Wed 11/5/2025 1:43 PM

**To** Brad Clark <bclark@evergreencorp.com>; Bill McCorkle <bmcorkle@evergreencorp.com>

**Cc** Keith Ball (Operations) <Keith\_Ball@dekalbschoolsga.org>; Erick Hofstetter (Operations) <Erick\_Hofstetter@dekalbschoolsga.org>; Chris Webb (Operations) <Chris\_B\_Webb@dekalbschoolsga.org>

 1 attachment (15 KB)

Evergreen Claim 10142025 A.xlsx;

Good afternoon Bill and Brad,

Thank you again for taking the time to meet on Monday to discuss the outstanding IOCs associated with the Briarlake ES and Montclair ES projects. The conversation was helpful in clarifying your position and the basis for the amounts requested.

As discussed, our subsequent review of the IOCs for these two projects has focused on both (a) the entitlement basis for the claimed work and (b) the process by which the work was authorized and performed. In particular, we noted the atypical and non-compliant manner in which a number of these changes were carried out—i.e., work was performed and costs incurred without any written approval by the Owner or by a duly authorized representative of DeKalb County School District (DCSD), and in several instances without a contemporaneous, executed change order in advance of performing the work.

Under the terms of the District's standard construction contract documents (which generally follow provisions consistent with AIA A201-2017, General Conditions of the Contract for Construction), changes in the Work must be authorized in writing through a Change Order or Construction Change Directive issued by the Owner or its designated representative. Specifically, "Changes in the Work" provides that:

- Contractors are not authorized to proceed with extra work or changes based solely on verbal discussions, field direction, or assumptions, absent written approval;
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As a public owner, DCSD is further governed by the Georgia Constitution, Article IX, Section V, and O.C.G.A. § 36-91-21, which require formal approval and documentation for any modification to public construction contracts involving the expenditure of public funds. This statutory framework mandates that all changes in scope, cost, or time be reviewed and approved through the District's established administrative processes before commitment of funds.

Despite the procedural irregularities noted, and without waiving any of the Owner's rights or defenses, our review indicates that there may be limited entitlement for portions of the work associated with these IOC's. To resolve these matters efficiently and in good faith, I am recommending that the District consider a compromise settlement as follows:

- Briarlake ES: \$477,121.00
- Montclair ES: \$507,627.00

These figures represent a global settlement of the IOC-related issues for each project and are intended to:

1. Reflect only those costs for which a limited basis for entitlement exists;
2. Preserve the Owner's right to enforce strict compliance with contract provisions; and
3. Avoid the time and expense of a full forensic audit, which would necessarily include a re-examination of prior approved change orders and related documentation.

Importantly, this proposed resolution is being offered strictly as a recommendation to facilitate further administrative consideration. **Please note that any recommendation made by our team or by DCSD Operations staff does not constitute a binding or final agreement. Under District policy and state law, no settlement, payment, or modification of a contract is effective unless and until it has been approved by the Superintendent and ratified by the DeKalb County Board of Education.**

If the proposed figures are acceptable in principle, we will prepare a draft settlement summary for internal routing and review through the proper channels.

Please provide your written response by close of business this Friday, so that we can brief the Superintendent's office and prepare the matter for appropriate review and potential Board consideration.

Sincerely,

Artis Johnson  
Program Director  
DeKalb County School District  
O : 404 790-8985



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**From:** Brad Clark <bclark@evergreencorp.com>

**Sent:** Monday, November 3, 2025 3:13 PM

**To:** Artis Johnson (Operations) <Artis\_L\_Johnson@dekalbschoolsga.org>

Cc: Bill McCorkle <bmccorkle@evergreencorp.com>

Subject: [EXTERNAL]Briarlake & Montclair ES - Meeting Action Items

You don't often get email from bclark@evergreencorp.com. [Learn why this is important](#)

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Good afternoon, Artis,

I wanted to thank you again for sitting down with me and Bill this morning to discuss the IOC costs on these two projects. Following up on the action items we talked about, please see the attachments you requested. They include the following:

1. IOC #035 R1 – Add Costs to Protect & Relocate Furniture for Briarlake. This IOC was inadvertently left off the log that we went over during our discussion this morning.
2. IOC #036 – Drop Kitchen Ceiling to Accommodate New Ductwork. This IOC was also inadvertently left off the log that we went over during our discussion this morning.
3. Source Logistics vendor proposal combined for both Briarlake and Montclair IT Moves. This proposal outlines the IT equipment that was included in Source Logistics' proposal for both locations. The vendor included packing up 443 computer related items at each school. Their scope of work included packing all the equipment up, labeling all equipment, moving all equipment to the gymnasiums for storage over the summer, and moving all equipment back in place so the District could set everything back up in preparation for the new school year. The proposal was \$21,500 per school and was a lump sum proposal. These same costs were included in IOC #16 – IT Move-out & Move-in for Briarlake and IOC #11 – IT Move-out & Move-in for Montclair.

As discussed, I am also going to forward you the correspondence between me and Keith Ball concerning the additional costs that I notified him would likely be necessary because Evergreen could not get the RFI information we needed at Briarlake to be able to modify the structure above the kitchen in preparation to hoist the new HVAC equipment on the roof. This and other RFI answers were held up due to a payment issue between the District and the design team.

Please review this information and let me or Bill know if you have any questions.

Again, we appreciate your time this morning.

Thank you,

Brad Clark | Senior Project Manager  
3200 Cobb Galleria Parkway, Suite 240 | Atlanta, GA 30339 | [www.evergreencorp.com](http://www.evergreencorp.com)  
o. 678.244.6530 | m. 404.975.7340 | [bclark@evergreencorp.com](mailto:bclark@evergreencorp.com)

**EVERGREEN**  
CONSTRUCTION

**BRIARLAKE-EVERGREEN CHANGE ORDER REQUESTS**

<b>IOC Number</b>	<b>Description</b>	<b>Date</b>	<b>Requested</b>	<b>Recommended</b>
IOC #001	RFI#001- HVAC Equipment and Electrical Coordination	6/11/2025	\$ 8,661.00	\$ 7,473.40
IOC #005	RFI #011-Cooling Tower Perimeter Fencing, Concrete Pad Modifications & Support	6/19/2005	\$ 13,550.00	\$ 10,432.40
IOC #007	RFI#012-HVAC Watchdog System	7/7/2025	\$ (22,397.00)	\$ (27,100.37)
IOC #008	RFI #017-ERU-3 Conflicts with location	8/5/2025	\$ 6,574.00	\$ 4,812.50
IOC #009	Abatement of Asbestos Containing Materials	8/6/2025	\$ 51,877.00	\$ 42,810.39
IOC #011	RFI #014-Food Serving Line and Storage Room	8/6/2025	\$ 1,095.00	\$ 689.70
IOC #013	RFI #007 & RFI #015 Fire Damper Locations and Wall Rating Requirements	8/6/2025	\$ 65,547.00	\$ 61,864.00
IOC #014	RFI #024-Demolition of Existing Roof Gas Line	8/12/2025	\$ 2,688.00	\$ 1,919.50
IOC #016	IT Move Out and Move In	8/26/2025	\$ 46,163.00	\$ 39,255.00
IOC #028	Remove Stage Lighting, Relocate Conduits, and Support Low Voltage Cabling	8/29/2025	\$ 13,680.00	\$ 11,632.50
IOC #030	Floor Waxing	9/1/2025	\$ 73,683.00	\$ 62,631.00
IOC #033	RFI #39 Kitchen Equipment Shunt Trip Breakers	8/29/2025	\$ 4,497.00	\$ 3,127.01
IOC #036	Drop Kitchen Ceiling to Accommodate New Ductwork	9/3/2025	\$ 3,945.00	\$ 2,470.60
IOC #017	RFI #025 Unmarked Assistant Principal's Office, Data Room, Storage	9/2/2025	\$ 30,321.00	\$ 28,627.50

IOC #034	RFI#033-Cooling Tower Makeup Water and Drain	9/2/2025	\$ 12,112.00	\$ 8,659.00
IOC #025	RFI# 031-Ceiling Modifications Options for WSHP Return Grilles-Areas A-C	9/2/2025	\$ 39,193.00	\$ 32,093.60
IOC #020	RFI# 27-ERU-1 Existing Skylight Interference & RFI #29 -RTUs 1-3 Support Details for Cafeteria Roof	8/21/2025	\$ 16,337.00	\$ 13,067.06
IOC #022	RFI #35 Art Storage Sprinkler Head & WSHP Conflict	8/26/2025	\$ 2,409.00	\$ 1,650.00
IOC #023	RFI #036 New Gas Line to Kitchen and Water Heater	8/29/2025	\$ 17,045.00	\$ 15,255.90
IOC #035	Add Costs tp Protect and Relocate Furniture Prior to and During Construction	10/16/2025	\$ 57,298.00	\$ 53,371.00
IOC #036	Drop Kitchen Ceiling to Accommodate New Ductwork	9/3/2025	\$ 3,945.00	\$ 2,573.00
IOC# 024	RFI #27-29 Additional Crane Mobilization Due to Response Time	8/12/2025	\$ 6,172.00	\$ 5,000.00
IOC #026	Code Required Wall Top Out and Patching	9/2/2025	\$ 96,832.00	\$ 94,806.80
			\$ 551,227.00	\$ 477,121.49

Budget Reallocation-Owner Requested Items  
Change Order No. 1 and Unforeseen Conditions

**MONTCLAIR-EVERGREEN CHANGE ORDER REQUESTS**

<b>IOC Number</b>	<b>Description</b>	<b>Date</b>	<b>Requested</b>	<b>Recommended</b>
IOC#002	RFI#002-HVAC Equipment and Electrical Coordination	6/11/2025	\$ 1,883.00	\$ 1,190.20
IOC #004	RFI#006-HVAC Watchdog System	8/12/2025	\$ (16,000.00)	\$ (17,600.00)
IOC #005	RFI #007 HVAC Duct System Needed at Second Floor	8/5/2025	\$ 42,425.00	\$ 42,158.36
IOC #007	Abatement of Asbestos Containing Materials	8/6/2025	\$ 58,957.00	\$ 48,719.00
IOC #010	RFI #010-Wall Rating Requirements-Fire Damper Locations-Food Serving Line and Storage Room	5/23/2025	\$ 116,383.00	\$ 107,118.80
IOC #011	IT Move Out and Move In	8/27/2025	\$ 52,108.00	\$ 22,514.80
IOC #012	RFI #015-Existing Electrical/Data Room	9/2/2025	\$ 23,478.00	\$ 21,638.10
IOC #013	Fire Sprinkler Line Relocation & Sprinkler Head Adjustment	8/12/2025	\$ 3,870.00	\$ 2,970.00
IOC #014	Fire Marshal Safety Requirements	9/2/2025	\$ 13,864.00	\$ 5,087.50
IOC #017	RFI# 023 Cooling Towers Makeup Water and Drain	9/3/2025	\$ 87,162.00	\$ 74,097.70
IOC #018	RFI#24 New Lighting for Tile Ceiling	8/29/2025	\$ 4,322.00	\$ 3,431.36
IOC #019	RFI#26-Missing Roof Deck Area C	8/13/2025	\$ 1,635.00	\$ 992.20
IOC #020	Code Required Wall Top Out and Patching	9/2/2025	\$ 33,344.00	\$ 29,902.26
IOC#022	Add Supports for Low Voltage Ceiling	8/27/2025	\$ 3,426.00	\$ 2,516.80
IOC#023R1	Floor Waxing	9/4/2025	\$ 97,465.00	\$ 82,845.25
IOC #025	RFI#28-Kitchen Equipment Shunt Trip Breakers	8/29/2025	\$ 4,497.00	\$ 3,127.01

IOC #026	Add Costs to Protect and Relocate the Furniture Prior to and During Construction	8/29/2025	\$ 87,150.00	\$ 76,918.00
			\$ 615,969.00	\$ 507,627.35

Budget Reallocation-Owner Requested Items  
Change Order No. 1 and Unforeseen Conditions



Outlook

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Re: [EXTERNAL]Briarlake & Montclair ES - Meeting Action Items

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From Artis Johnson (Operations) <Artis\_L\_Johnson@dekalbschoolsga.org>

Date Fri 11/7/2025 10:57 AM

To Bill McCorkle <bmcckorkle@evergreencorp.com>

Good morning Bill,

I have had an opportunity to review the revised spreadsheet. My objective in this effort has been to identify a reimbursement level that I can reasonably and objectively support, particularly given that DCSD had no prior opportunity to review or approve this work and the associated costs. Additionally, several of the cost items appear significantly above prevailing market rates.

Accordingly, I am prepared to recommend a full and final settlement of all issues based on the following amounts:

- **Briarlake:** \$478,645.49
- **Montclair:** \$532,589.55

Should these amounts not be acceptable, I will have no choice but to refer this matter back to DCSD, who intend to initiate a full forensic review, including the previously issued change orders for these projects.

I am preparing materials for Monday's Board meeting this afternoon, so please advise of your intent at your earliest opportunity. While I recognize that this may not be the preferred outcome for Evergreen, please understand that the level of disruption and turbulence this issue has created for the Operations Department is substantial.

Sincerely,

Artis Johnson  
Program Director  
DeKalb County School District  
O : 404 790-8985



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**From:** Bill McCorkle <bmccorkle@evergreencorp.com>  
**Sent:** Friday, November 7, 2025 10:01 AM  
**To:** Artis Johnson (Operations) <Artis\_L\_Johnson@dekalbschoolsga.org>  
**Subject:** RE: [EXTERNAL]Briarlake & Montclair ES - Meeting Action Items

Artis,

Thank you for your time this morning to discuss this matter. As discussed, we understand that this is an unfortunate situation and would like to be part of the solution. Therefore, we have decided that we would like to contribute by acquiescing on some of the cost reductions in the I.O.C. amounts to try to help. Please see the attached summary spreadsheet that includes a new column for Updated Evergreen Recommendation.

Most of the line items indicate an updated amount that is actually less than your recommendation. This resulted from removing the Quality Control and Managerial Processing line items and keeping markup line items for things like insurance, bonds, and allowable fee.

Although less than the amounts we originally submitted, there are a few line items that our updated amount is still greater than your recommendation. See below.

Briarlake

- 007 It looks you inadvertently included a rate of 21% for markup rather than the 10% you used everywhere else.
- 030 We included the cost plus the applicable mark ups.
- 034 We removed the managerial processing line item and did not remove the field supervision line item since we are no longer working onsite and will have to return to complete this work.
- 021 It looks like you inadvertently left this one off your list.

Montclair

- 011 It looks like you inadvertently left the Source Logistics cost out. You added it back in on Briarlake.
- 014 It looks like your recommendation removed some material and equipment rental costs that had to be expended to comply with the fire marshal's demand that an old roadway be restored. This was not part of the original scope of work. This is primarily GAB material and Bobcat rental, both of which were used for the added scope.

017 We removed the managerial processing line item and did not remove the field supervision line item since we are no longer working onsite and will have to return to complete this work.  
023 We included the cost plus the applicable mark ups  
026 We included the cost plus the applicable mark ups consistent with how we revised the same issue on Briarlake that actually resulted in an amount less than the amount you recommended. (See IOC 035 on Briarlake).

We are hopeful that we can get through this matter soon. I'm happy to jump on another quick call if it would help to talk through any of the above items. Also, we have updated I.O.C. spreadsheets to match each of the numbers if you'd like me to send them to you.

Thank you again for your time and attention,  
Bill

**From:** Artis Johnson (Operations) <Artis\_L\_Johnson@dekalbschoolsga.org>  
**Sent:** Thursday, November 6, 2025 10:45 PM  
**To:** Bill McCorkle <bmccorkle@evergreencorp.com>  
**Subject:** Re: [EXTERNAL]Briarlake & Montclair ES - Meeting Action Items

Good evening Bill,

Sorry for the late response. I can talk in the morning but I must tell you that this change order is going to be a hard sell especially after my meetings with the new leadership team on yesterday and today.

I am available between 9:00-9:45 for a telephone call.

Sincerely,

Artis Johnson  
Program Director  
DeKalb County School District  
O : 404 790-8985



**From:** Bill McCorkle <[bmccorkle@evergreencorp.com](mailto:bmccorkle@evergreencorp.com)>

**Sent:** Thursday, November 6, 2025 11:10 AM

**To:** Artis Johnson (Operations) <[Artis\\_L\\_Johnson@dekalbschoolsga.org](mailto:Artis_L_Johnson@dekalbschoolsga.org)>

**Subject:** RE: [EXTERNAL]Briarlake & Montclair ES - Meeting Action Items

Good morning, Artis. Thank you for your time on Monday and for re-reviewing these IOC's and sending over your revised summary spreadsheet. Could you and I jump on a quick call to discuss a few things later this afternoon?

**From:** Artis Johnson (Operations) <[Artis\\_L\\_Johnson@dekalbschoolsga.org](mailto:Artis_L_Johnson@dekalbschoolsga.org)>

**Sent:** Wednesday, November 5, 2025 1:44 PM

**To:** Brad Clark <[bradclark@evergreencorp.com](mailto:bradclark@evergreencorp.com)>; Bill McCorkle <[bmccorkle@evergreencorp.com](mailto:bmccorkle@evergreencorp.com)>

**Cc:** Keith Ball (Operations) <[Keith\\_Ball@dekalbschoolsga.org](mailto:Keith_Ball@dekalbschoolsga.org)>; Erick Hofstetter (Operations) <[Erick\\_Hofstetter@dekalbschoolsga.org](mailto:Erick_Hofstetter@dekalbschoolsga.org)>; Chris Webb (Operations) <[Chris\\_B\\_Webb@dekalbschoolsga.org](mailto:Chris_B_Webb@dekalbschoolsga.org)>

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Artis Johnson  
Program Director  
DeKalb County School District  
O : 404 790-8985



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**To:** Artis Johnson (Operations) <[Artis\\_L\\_Johnson@dekalbschoolsga.org](mailto:Artis_L_Johnson@dekalbschoolsga.org)>  
**Cc:** Bill McCorkle <[bmccorkle@evergreencorp.com](mailto:bmccorkle@evergreencorp.com)>  
**Subject:** [EXTERNAL]Briarlake & Montclair ES - Meeting Action Items

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Again, we appreciate your time this morning.

Thank you,

Brad Clark | Senior Project Manager

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o. 678.244.6530 | m. 404.975.7340 | [bclark@evergreencorp.com](mailto:bclark@evergreencorp.com)

**EVERGREEN**  
C O N S T R U C T I O N