

Sponsored by: Puto

**CITY OF MARATHON, FLORIDA
RESOLUTION 2004-144**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER TO THE DESIGN/BUILD CONTRACT WITH RECREATIONAL DESIGN & CONSTRUCTION, INC., FOR THE CONSTRUCTION OF AN AMPHITHEATER AT THE MARATHON COMMUNITY PARK IN AN AMOUNT NOT TO EXCEED \$500,000, AND AMENDING THE TOTAL CONTRACT PRICE FOR THE CONSTRUCTION OF COMMUNITY PARK PHASE II IN AN AMOUNT NOT TO EXCEED \$3,861,780

WHEREAS, the City of Marathon, Florida (the "City") and Recreational Design & Construction, Inc. ("RDC") have entered into a design/build contract for the design and construction of Community Park Phase II (the "Park"); and

WHEREAS, the City applied for and was awarded a grant from the Monroe County Tourist Development Council to construct an amphitheater at the Park; and

WHEREAS, the original plans for the Park contemplated, but did not specifically provide for, the construction of an amphitheater; and

WHEREAS, the City and RDC wish to enter into a change order for the construction of the amphitheater.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

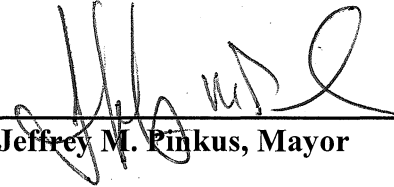
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The change order to the agreement between the City and Recreational Design & Construction, Inc., a copy of which is attached as Exhibit "A" together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is approved. The City Manager is authorized to execute the change order on behalf of the City.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 23rd day of November, 2004.

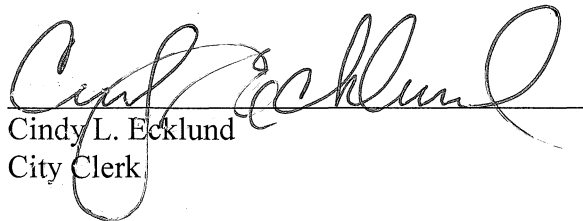
THE CITY OF MARATHON, FLORIDA



Jeffrey M. Pinkus, Mayor

AYES: Bartus, Bull, Mearns, Miller, Pinkus
NOES: None
ABSENT: None
ABSTAIN: None

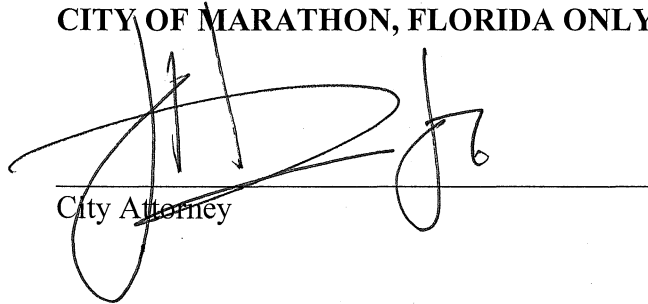
ATTEST:



Cindy L. Ecklund
City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



City Attorney

CHANGE ORDER NUMBER 1

TO: City of Marathon

PROJECT: City of Marathon Community Park Phase II

DESIGN/BUILDER: Recreational Design & Construction Inc.

DATE: Nov. 23, 2004

This Change Order will authorize the following change to the Agreement:

The Work as set forth in the Agreement is hereby amended to include the items set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

This Change Order constitutes full, final, and complete compensation to the Design/Builder for all costs, expenses, overhead, and profit, and any damages of every kind that the Design/Builder may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under this Agreement. The Design/Builder acknowledges and agrees that (a) the Guaranteed Maximum Price of \$3,361,780 under the Agreement will be changed in the amount of \$500,000 by this Change Order increasing the total Guaranteed Maximum Price to \$3,861,780, and (b) the schedule for performance of Work will be unchanged by this Change Order. Design/Builder expressly waives any claims for any additional compensation, damages or time extensions in connection with the above-referenced changes. Except as herein or heretofore expressly modified, all terms of the Agreement shall remain in full force and effect and shall cover the performance of, and payment for, any work authorized hereunder. Any defined terms not defined in this Change Order shall have the meanings set forth in the Agreement.

By signing below the parties indicate acceptance of this Change Order as set forth herein.

CITY OF MARATHON
a Florida municipal corporation

By: Michael H. Puto
Name: MICHAEL H. PUTO
Title: CITY MANAGER

DESIGN/BUILDER

Recreational Design & Construction, Inc.

By: [Signature]
Name: Joseph Curran, Inc.
Title: President



RECREATIONAL DESIGN & CONSTRUCTION, INC.
3990 NORTH POWERLINE ROAD
FORT LAUDERDALE, FL 33309
954 • 566 • 3886
FAX: 954 • 566 • 3335
EMAIL: info@recreationaldesign.com

November 19, 2004

City of Marathon
Community Development
10045-55 Overseas Highway
Marathon FL 33050
Attn: Susie Thomas, Executive Assistant

RE: Marathon Community Park Coliseum (Revised Proposal)

Dear Ms. Thomas:

Recreational Design & Construction, Inc. (RDC) is pleased to submit the following proposal for professional services to include all engineering and construction with the Design/Build services for the Marathon Community Park Coliseum with restrooms and dressings rooms. The scope of work is as follows:

SCOPE OF WORK

Main Coliseum Stage and Structure:

- Drill shaft concrete footings for the guy wire anchors and structure reaction points.
- Installation of masonry walls and footings to elevate approximately **2,560 square feet** of structural slab to a height of three feet (3'-0") above the surrounding grade. The main stage area shall be approximately **2,000 square feet**.
- ADA access to the elevated concrete structure from the parking lot area shall be provided with the construction of a ramp.
- The ADA ramp railings and handrails shall be constructed of 2" diameter aluminum.
- Exterior finishes to include stucco and painting to the lower masonry walls and the ADA ramp.
- Fabrication, delivery and full installation of steel, membrane, cables and clamping for the Taiyo Birdair Corporation's Tencil Membrane Structure of **1950 SF** as depicted in the attached rendering.
- Upgraded fabric (PTFE Sheerfill 1) has been provided to meet 150 m.p.h. wind speed.
- An electrical allowance of twelve thousand, five hundred and 00/100 dollars (**\$12,500.00**) has been included for the main stage power and lighting only.
- The dressing and storage area shall be constructed of a masonry CBS structure installed on the main elevated slab.
- The exterior walls shall be finished with painted 5/8" stucco.
- The roof structure shall be 5/8" CDX plywood over 2" x 8" pressure treated wood joists and shall be finished with a three ply built up roof system.

November 19, 2004

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Attn: Susie Thomas, Executive Assistant

Coliseum Dressing and Storage

- The exterior entry doors to the dressing rooms shall be hollow metal and meet Miami Dade product approval.
- All door hardware shall be vandal-proof "classroom" type.
- All locks will be provided with six (6) pin tumbler cylinders keyed to the park master key.
- Interior block walls shall be finished with 5/8" painted drywall over 1"x 4" furring strips.
- Interior frame walls shall be finished with 5/8" painted drywall on 16-gauge metal studs.
- Interior ceilings shall be finished with 5/8" painted drywall.
- The dressing room floor shall be finished with vinyl composition tile with a rubber cove base.
- The storage room floor shall be broom finished concrete.
- Two (2) fire extinguishers with recessed cabinets shall be provided to meet all NFPA and Florida Building Code requirements.
- The Storage Room shall be provided with exterior louvers to meet Dade County approval.
- Storage and dressing room shall each be provided with a wall mounted air conditioning unit.
- Wrap around fluorescent light fixtures, as manufactured by Columbia Lighting (or equal), shall be provided in the storage and dressing room areas.

The not to exceed price for the above mentioned scope of work is Five Hundred Thousand, and 00/100 Dollars (\$500,000.00).

Notes:

- Any additional services requested by the City of Marathon which are not included in the above scope of work, that is agreed upon by both parties, will be charged at the rates included in this contract or a separate fee for these services will be negotiated.
- RDC is pleased to offer our design services at no charge with an approximate value of \$40,000.00.

If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,
Recreational Design & Construction, Inc.


Joseph C. Cerrone, III
President

O:\RDC\Projects\Jobs\Jobs\04-259 RPP Design-Build Marathon Community Park Phase II\Word Documents\Coliseum Dressing Room Proposal (10-19-04).wpd

Attachments: (4) Birdair Plan View, Front View, Side View & Site Plan