

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2007-119**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO CHANGE ORDER #2 TO CONTRACT DATED APRIL 25, 2006, WITH GLOBETEC CONSTRUCTION, LLC, FOR CONSTRUCTION OF SOMBRERO BEACH ROAD WASTEWATER PROJECT NOT TO EXCEED \$34,251; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Marathon, Florida (The "City") entered into contract with Globetec Construction, LLC, on April 25, 2006, to construct the Sombrero Beach Road Sewer Project; and

**WHEREAS**, a change order has been required because of the need (a) to adjust final quantities against bid quantities and (b) for additional piping originally scheduled for the Area Four bid to further remove the utility construction from the proposed roadway construction; and

**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 are incorporated herein.


**Section 2.** The City Council hereby approves entering into Change Order # 2 with Globetec Construction, LLC, a copy of which is attached hereto as Exhibit A, for additional work on the Sombrero Beach Road Wastewater Project and bus stop project in an amount not to exceed \$34,251.

**Section 3.** The City Council authorizes the City Manager to execute Change Order #2 on behalf of the City.

**Section 4.** This resolution shall be effective upon adoption.


**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 28th day of August, 2007.

**THE CITY OF MARATHON, FLORIDA**

  
\_\_\_\_\_  
Christopher M. Bull, Mayor

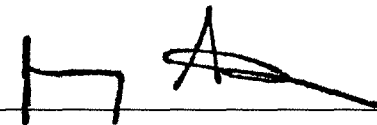
AYES:           Cinque, Tempest, Vasil, Worthington, Bull  
NOES:           None  
ABSENT:       None  
ABSTAIN:       None

**ATTEST:**

  
\_\_\_\_\_  
Diane Clavier  
City Clerk

(City Seal)

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

  
\_\_\_\_\_  
City Attorney

## Sombrero Beach Road - Wastewater Project

### APPLICATION FOR PAYMENT

**(SECTION I)**

PROJECT: Sombrero Beach Road - Wastewater Project

APPLICATION NO: 10 FINAL

APPLICATION DATE: Jun 19/07

OWNER: City of Marathon, Fl

ENGINEER: The Weiler Engineering Corp.

FOR PERIOD FROM: January 1, 2007

CONTRACTOR: GlobeTec Construction, LLC  
4774 N. Powerline Road  
Pompano Beach, FL 33073

TO: June 1, 2007  
 JOB NO. 0906

CHANGE ORDER SUMMARY				CONTRACT STATUS	
I	2	3	4		
NO.	DATE APPROVED BY AUTHORITY	ADDITIVE	DEDUCTIVE		
1	11/28/2006	\$ 115,450.00		ORIGINAL CONTRACT SUM	\$ 2,686,500.00
2		\$ 34,251.00		NET CHANGE BY CHANGE ORDERS (COLUMN 3 MINUS COLUMN 4)	\$ 149,701.00
3				CONTRACT SUM TO DATE	\$ 2,836,201.00
4				VALUE OF WORK IN PLACE	\$ 2,836,201.00
5				VALUE OF STORED MATERIALS	\$ 0.00
6				TOTAL EARNED	\$ 2,836,201.00
7				RETAINAGE AT <u>0%</u>	\$ 0.00
TOTALS		\$ 149,701.00	\$ -	TOTAL EARNED LESS RETAINAGE	\$ 2,836,201.00
				LESS PREVIOUS PAYMENTS	\$ 2,694,390.95
				CURRENT PAYMENT DUE	\$ 141,810.05

**(SECTION II)**

### CERTIFICATION BY CONTRACTOR

The undersigned Contractor certifies:

- 1) All amounts and items shown on this application are correct.
- 2) Any work performed or materials supplied have been done in accordance with the contract documents.
- 3) All amounts paid by the OWNER to the Contractor in previous progress payments have been applied by the Contractor and its subcontractors to promptly pay, in proportionate amounts, all subcontractors, suppliers, and others who have contributed work or materials listed in the Schedule of Values of the previous Payments Applications.
- 4) The Contractor will apply any sums paid by the OWNER from this Application for Payment to subcontractors, material suppliers and others who have contributed work of materials included in the line items referenced in the attached Schedule of Values (less retainage, if applicable)

SUB-CONTRACTOR: GlobeTec Construction, LLC

BY: Alex Carstens

DATE: June 19, 2007

ATTEST:  
 Subscribed and sworn to before me this 19 day of June, 2007

Notary Public [Signature]  
 My Commission Expires Oct 21, 2007  
 Commission # DD250958  
 Bonded Third Party  
 Atlantic Bonding Co., Inc.

**(SECTION III)**

### CERTIFICATION BY ENGINEER :

Based on on-site observations and the data comprising this Application for Payment, the undersigned certifies that the work has progressed to the point indicated herein and to the best of my knowledge, information and belief is in accordance with the Contract Documents and that the CONTRACTOR is entitled to payment of the amount certified herein.

By Engineer (Weiler Engineering Corp):   
 Authorized Signature

DATE 8/13/07

By Owner (City of Marathon):   
 Authorized Signature

DATE 8/30/07

Payment Appl. No. : 10 Final	Project Name: Sombrero Beach Rd - Wastewater Project
Application Date : 6/19/07	Project Number:
For Period Ending 6/1/07	Contractor : GlobeTec Construction

A	B	C	D	E	F	WORK PERFORMED											
						G		H		I		J		K		L	M
						PREVIOUS PERIODS		THIS PERIOD		TOTAL TO DATE							
ITEM #	ITEM DESCRIPTION	UNIT	QTY	\$/Unit	Total Amount	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	%					
	<b>VACUUM MAIN</b>																
1	4" SDR21 PVC Vacuum Sewer	150	LF	\$75.00	\$11,250.00	789.00	\$59,175.00	-	\$0.00	789.00	\$59,175.00	526.00%					
2	6" SDR21 PVC Vacuum Sewer	30	LF	\$80.00	\$2,400.00	74.00	\$5,920.00	-	\$0.00	74.00	\$5,920.00	246.67%					
3	8" SDR21 PVC Vacuum Sewer	420	LF	\$85.00	\$35,700.00	452.00	\$38,420.00	-	\$0.00	452.00	\$38,420.00	107.62%					
4	10" SDR21 PVC Vacuum Sewer	8,900	LF	\$90.00	\$801,000.00	9,139.00	\$822,510.00	-	\$0.00	9,139.00	\$822,510.00	102.69%					
5	4" PV	2	EA	\$1,500.00	\$3,000.00	9.00	\$13,500.00	-	\$0.00	9.00	\$13,500.00	450.00%					
6	6" PV	1	EA	\$1,700.00	\$1,700.00	1.00	\$1,700.00	-	\$0.00	1.00	\$1,700.00	100.00%					
7	8" PV	3	EA	\$1,800.00	\$5,400.00	2.00	\$3,600.00	-	\$0.00	2.00	\$3,600.00	66.67%					
8	10" PV	11	EA	\$2,000.00	\$22,000.00	10.00	\$20,000.00	-	\$0.00	10.00	\$20,000.00	90.91%					
	<b>FORCE MAIN</b>																
9	6" SDR 26 PVC Force Main	4,000	LF	\$80.00	\$320,000.00	4,404.00	\$352,320.00	-	\$0.00	4,404.00	\$352,320.00	110.10%					
9A	4" SDR 26 PVC Force Main	100	LF	\$70.00	\$7,000.00	136.00	\$9,520.00	-	\$0.00	136.00	\$9,520.00	136.00%					
10	6" PV	4	EA	\$1,700.00	\$6,800.00	6.00	\$10,200.00	-	\$0.00	6.00	\$10,200.00	150.00%					
10A	4" PV	2	EA	\$1,600.00	\$3,200.00	2.00	\$3,200.00	-	\$0.00	2.00	\$3,200.00	100.00%					
	<b>RE-USE MAIN</b>																
11	4" SCH 80 PVC Reuse Main	8,900	LF	\$60.00	\$534,000.00	9,304.00	\$558,240.00	-	\$0.00	9,304.00	\$558,240.00	104.54%					
12	6" SCH 80 PVC Reuse Main	220	LF	\$70.00	\$15,400.00	310.00	\$21,700.00	-	\$0.00	310.00	\$21,700.00	140.91%					
13	4" PV	18	Ea	\$1,000.00	\$18,000.00	10.00	\$10,000.00	-	\$0.00	10.00	\$10,000.00	55.56%					
14	6" PV	2	EA	\$1,500.00	\$3,000.00	2.00	\$3,000.00	-	\$0.00	2.00	\$3,000.00	100.00%					
	<b>SERVICE</b>																
15	Vacuum Pits	31	EA	\$5,000.00	\$155,000.00	37.00	\$185,000.00	-	\$0.00	37.00	\$185,000.00	119.35%					
16	Single Buffer Tanks	4	EA	\$9,000.00	\$36,000.00	-	\$0.00	-	\$0.00	-	\$0.00	0.00%					
17	3" Vac Service Connection	31	EA	\$1,500.00	\$46,500.00	37.00	\$55,500.00	-	\$0.00	37.00	\$55,500.00	119.35%					
18	6" Single Gravity Service	29	Ea	\$1,800.00	\$52,200.00	48.00	\$86,400.00	-	\$0.00	48.00	\$86,400.00	165.52%					
19	6" Double Gravity Service	21	EA	\$1,900.00	\$39,900.00	15.00	\$28,500.00	-	\$0.00	15.00	\$28,500.00	71.43%					
	<b>STORWATER</b>																
20	18" HDPE French Drain	3,300	LF	\$74.00	\$244,200.00	3,229.00	\$238,946.00	-	\$0.00	3,229.00	\$238,946.00	97.85%					
21	18" HDPE Tees	35	EA	\$300.00	\$10,500.00	37.00	\$11,100.00	-	\$0.00	37.00	\$11,100.00	105.71%					
22	18" HDPE Solid	900	LF	\$75.00	\$67,500.00	864.00	\$64,800.00	-	\$0.00	864.00	\$64,800.00	96.00%					
23	18" HDPE Perf End Caps	40	EA	\$50.00	\$2,000.00	31.00	\$1,550.00	-	\$0.00	31.00	\$1,550.00	77.50%					
24	18" HDPE Solid Caps	35	EA	\$50.00	\$1,750.00	38.00	\$1,900.00	-	\$0.00	38.00	\$1,900.00	108.57%					
25	Bond/Insurance/Taxes/Etc	1	EA	\$148,000.00	\$148,000.00	1.00	\$148,000.00	-	\$0.00	1.00	\$148,000.00	100.00%					
26	Mobilization	1	LS	\$100,000.00	\$100,000.00	1.00	\$100,000.00	-	\$0.00	1.00	\$100,000.00	100.00%					
21	Change Order # 1 - Credits (Asphalt Trench / Drain. Sock)	1	LS	(\$18,500.00)	(\$18,500.00)	1.00	(\$18,500.00)	-	\$0.00	1.00	(\$18,500.00)	100.00%					
	<b>TOTAL AMOUNT :</b>	1.00	LS		<b>\$2,674,900.00</b>		<b>\$2,836,201.00</b>		<b>\$0.00</b>		<b>\$2,836,201.00</b>						

CHANGE ORDER NO. 2

**TO:**            **The Contract between the City of Marathon (the "City") and Globetec Construction, LLC ("Globetec"), dated as of April 25, 2006. (the "Contract")**

**PROJECT:**    **Sombrero Beach Road Wastewater Project**

**DATE:**        **April 5, 2007**

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This Change Order will authorize the following changes to the Contract:

The additive net change for the final quantity reconciliation from estimated project quantities to the total quantities installed. See attachment # 1 for the total balancing reconciliation.

**Total Contract Price change**  
**Thirty four thousand two hundred fifty one dollars and no cents (\$34,251)**  
**(1.2% of Original Contract Price)**

This Change Order constitutes full, final, and complete compensation to Globetec for all costs, expenses, overhead, and profit, and any damages of every kind that Globetec may incur in connection with the above referenced changes in the sanitary sewer project or any other effect on any of the sanitary sewer project under the Contract. Globetec and the City acknowledge and agree that (a) the current Guaranteed Maximum Price of \$2,801,950 under the Contract will be increased by this Change Order in the amount of \$34,251 for a total new Guaranteed Maximum Price of \$2,836,201 AND (b) the substantial completion date for the project will be increased by an additional 0 working days (0 calendar days). Globetec 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 Contract 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 Contract.

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

CITY OF MARATHON

By: Michael Huto

Name: MICHAEL H. PUTO

Title: CITY MANAGER

GLOBETEC CONSTRUCTION, LLC

By: Jorge Fonte

Name: JORGE FONTE

Title: Vice President