

Sponsored by: Burnett

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2008-139**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER # 2 TO CONTRACT WITH UNIVERSAL BEACH SERVICES, CORP., FOR A THREE MONTH RENEWAL IN THE AMOUNT OF \$6,166.25 PER MONTH**

**WHEREAS**, Universal Beach Services has provided beach maintenance services to the City of Marathon since 2001; and

**WHEREAS**, in 2002, City staff requested bids and Universal Beach Services was awarded the contract to provide beach maintenance services in the City of Marathon; and

**WHEREAS**, there is currently one remaining two year renewal per Resolution 2006-122 on the contract subject to Council approval; and

**WHEREAS**, staff is recommending a three month renewal, which would terminate this contract with Universal Beach Services on December 31, 2008, during which time this contract for beach maintenance services would be re-bid.

**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.** Council authorizes the City Manager to enter into Change Order #2 (attached as exhibit A) with Universal Beach Services, for a three month renewal in the amount of \$6,166.25 per month.

**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 23<sup>rd</sup> day of September , 2008.

**THE CITY OF MARATHON, FLORIDA**

  
\_\_\_\_\_  
Edward P. Worthington, Mayor

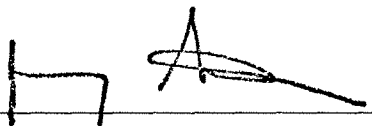
AYES: Bull, Cinque, Tempest, Vasil, Worthington  
NOES: None  
ABSENT: None  
ABSTAIN: None

**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

CHANGE ORDER NO. 2

**TO:** The Contract between the City of Marathon (the "City") and Universal Beach Services, Corp. ("Universal"), dated as of October 31, 2002, as amended as of July 27, 2004, and August 22, 2006 (the "Contract")

**PROJECT:** Beach restoration and cleaning services

**DATE:** September 9, 2008

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

Section 2 of the Agreement, is hereby amended as follows:

2.2 Compensation/Payment.

Contractor shall be paid \$6,166.25 monthly for services outlined in contract.

2.3 Term.

This Agreement shall be effective October 1, 2008 and shall continue through December 31, 2008.

This Change Order constitutes full, final, and complete compensation to Universal for all costs, expenses, overhead, and profit, and any damages of every kind that Universal may incur in connection with the above referenced changes in the Beach Restoration or any other effect on any of the Beach Restoration Services under the Contract. Universal expressly waives any claims for any additional compensation, damages or time extensions in connection with the above-referenced changes. Any storm damage restoration will be brought to Council under separate Change Order as necessary. 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: Clyde Burnett

Name: CLYDE BURNETT

Title: CITY MANAGER

UNIVERSAL BEACH SERVICES CORP.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_