

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2008-99**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER # 1 FOR ROAD REPAIR CHANGES IN THE NET AMOUNT OF \$69,002.32 TO THE CONTRACT WITH GLOBETEC CONSTRUCTION, LLC, DATED AUGUST 8, 2007, IN THE OVERALL AMOUNT OF \$28,916.180; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Marathon City Council, pursuant to Resolution 2007-98, approved a contract with Globtec Construction LLC for Service Area 4 & 6 collection systems for wastewater on August 8, 2007 (the "Agreement"); and

**WHEREAS**, the Guaranteed Maximum Price of \$28,916,180 under the Agreement will be changed by this Change Order; however, the schedule for performance of work will be unchanged by this Change Order; and

**WHEREAS**, this Change Order allows for an improved restoration project for the City roads for an amount of \$69,002.32;

**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 City Council hereby authorizes Change Order # 1, a copy of which is attached hereto as "Exhibit A", for an improved restoration project for City roads.

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

**Section 4.** This resolution shall take effect immediately upon its adoption.

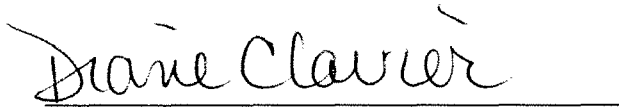
**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 24th day of June, 2008.

**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:**

  
\_\_\_\_\_  
Jimmy Morales, City Attorney

CHANGE ORDER #1

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TO: City of Marathon

**PROJECT: City of Marathon Service Areas 4 & 6 Wastewater and Stormwater**

**Project – Contract dated August 8, 2007**

**ENGINEER: Weiler Engineering, Corporation**

**DATE: June 24, 2008**

**CONTRACTOR: Globetec Construction LLC**

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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 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 Work under this Agreement. Globetec acknowledges and agrees that (a) the Guaranteed Maximum Price of \$28,916,180 under the Agreement will be changed by this Change Order, and (b) the schedule for performance of Work will be unchanged by this Change Order. 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 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.

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CITY OF MARATHON  
a Florida municipal corporation

By: 

Name: CLYDE BURNETT

Title: CITY MANAGER

GLOBETEC CONSTRUCTION, LLC

By: 

Name: Jorge Fonte

Title: Vice President

## EXHIBIT A

### Backup to Proposed Change Order Number 1 to the Globetec Area 4 Sewer Contract

Item No.	Description	Original Contract Amount	Additive Change	Deductive Change	Net Contract Change	
1	Sombrero Boulevard roadbed repair	\$1,505,000.00		\$433,900.00	-\$433,900.00	Credit to Road Improvement Funds
2	Airport Force Main Paving	\$0.00	\$250,371.12		\$250,371.12	Bill to sewer project
3	Airport Electrical Repair	\$0.00	\$5,097.45		\$5,097.45	Bill to sewer project
4	Lynmead Area Road Replacement	\$0.00	\$252,877.00	\$110,500.00	\$142,377.00	Bill to Road Improvement Funds
5	Tingler Road Improvements	\$0.00	\$79,488.75	\$11,557.00	\$67,931.75	Bill to Road Improvement Funds
6	Asphalt Leveling Course, 150 Tons	\$0.00	\$37,125.00		\$37,125.00	Bill to Road Improvement Funds

**Total Net Change Order      \$69,002.32**

**Item**

**No    Notes**

- 1 Value engineering of road bed repair resulted in a savings of \$433,900.00
- 2 Airport Force Main Paving: Pipe was designed to be out of paved area based on FKAAs record drawings. The FKAAs transmission mains were located approximately 10 feet north of location shown on record drawings. This forced the sewer force main to be constructed in the service road due to FDEP separation requirements.
- 3 Airport Electrical Repairs: Repairs done to Airport wiring that was not shown on any drawings and was not located by the Airport when the SSOCOF dig was called in. Globetec hit the electric wiring since it was not marked.
- 4 Lynmead Area Road Replacement: Lynmead and the side streets in the area are badly cracked and have subsidence in places. The proposed repair is to mill out the bad asphalt, rework the road base and overlay with two inches of new asphalt in two lifts. Deduct the cost of the 1" overlay included in the sewer project.
- 5 Tingler Road Improvement: The road approaching Tingler Island goes under water at high tide. WEC has designed a new elevated road bed with box culverts to allow movement of the tidal water. The cost of the improvement will be billed to the Roads budget, less the cost of the 1" overlay included in the sewer project.
- 6 Asphalt Leveling Course: In some areas of the City, the road bed is uneven due to settlement or other conditions. If the 1" overlay is placed over these deficiencies, the new road will have the same deficiencies. The solution is a leveling course that will fill in the subsided area and other defects. It is estimated that the proposed 150 tons will level approximately 15000 feet of roads that need a leveling course.