

**CITY OF MARATHON, FLORIDA
RESOLUTION 2009-181**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER #1 TO WORK AUTHORIZATION #1 WITH THE CRAIG COMPANY FOR LANDSCAPE ARCHITECTURE SERVICES FOR US 1 HIGHWAY 1 AIRPORT TREE PLANTING PROJECT IN AN AMOUNT NOT TO EXCEED \$4,352.50; APPROPRIATING FUNDS; AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE THE CHANGE ORDER ON BEHALF OF THE CITY AND EXPEND THE APPROPRIATED FUNDS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Craig Company has a continuing services agreement with the City of Marathon (the City) for Landscaping Architecture services; and

WHEREAS, the City has executed Work Authorization #1 for the Marathon Airport beautification project; and

WHEREAS, the City approved the expanded Airport Planting Project Plans and authorized submission of the plans to the Department of Environmental Protection (DEP); and

WHEREAS, the DEP directed changes will increase the total cost of work associated with the work authorization to greater than \$10,000; and

WHEREAS, change order #1 to work authorization #1 for the Overseas Highway Airport Tree Planting Project for \$4,352.50 which will cover the additional expenses of the expanded project for the Craig Company and secure the \$120,000 in stimulus funds for the City project.

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 approves Change Order No. 1, to work authorization #1 with the Craig Company for the Project attached hereto as "Exhibit A", in an amount not to exceed \$4,352.50; together with such non-material changes as may be acceptable to the Acting City Manager and approved as to form and legality by the City Attorney is hereby approved. The City Council hereby appropriates funds for this change order and The Acting City Manager is authorized to execute the change order on behalf of the City and expend the appropriated funds.

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 8th day of December, 2009.


THE CITY OF MARATHON, FLORIDA



Mayor Ginger Snead

AYES: Ramsay, Worthington, Keating, Snead
NOES: None
ABSENT: Cinque
ABSTAIN: None

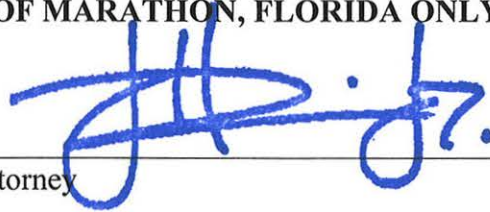
ATTEST:



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

TO: City of Marathon

PROJECT: US Highway 1 Tree Planting Project Airport Terminal to Little Venice Sewage Treatment Plant

CONSULTANT: The Craig Company

DATE: March 12, 2009

CONTRACT AMOUNT: \$7975

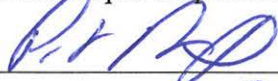
This Change Order will authorize the following change to the Agreement:

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 Craig Company for all costs, expenses, overhead, and profit, and any damages of every kind that The Craig Company may incur in connection with the above referenced changes in the Landscape Architecture Services under this Agreement. The Craig Company acknowledges and agrees that (a) the Guaranteed Maximum Price of \$7,975 under the Agreement will be changed by this Change Order, and (b) the schedule for performance of Design Work will be changed by this Change Order. The Craig Company 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: 

Name: Peter Rosasco

Title: CITY MANAGER

THE CRAIG COMPANY

By: 

Name: Donald Craig

Title: Pres: Dist - The
Craig Company

EXHIBIT A

Projected cost is \$4,352.50. This includes development of the additional base plans, field locating existing plant material as required, modifying the design to remove any new planting from Monroe County land, adding Department of Environmental Protection Office of Greenways and Trails edits, and providing the signed and sealed drawings as required.