

**CITY OF MARATHON, FLORIDA
RESOLUTION 2009-64**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO CHANGE ORDER #3 FOR A 90 DAY EXTENSION OF CONTRACT TIME FOR THE AREA 6 WASTEWATER TREATMENT PLANT PROJECT TO CONTRACT DATED NOVEMBER 13, 2007 WITH LANZO CONSTRUCTION COMPANY FOR CONSTRUCTION OF SERVICE AREA 6 WASTEWATER TREATMENT PLANT (IN AN AMOUNT NOT TO EXCEED \$3,507,886.24), AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Marathon (the “City”), pursuant to Resolution 2007-165, approved a contract with Lanzo Construction for Service Areas 4 & 6 collection systems for wastewater on November 13, 2007 (the “Agreement”); and

WHEREAS, the original contract agreement stated December 17, 2007 as the start date with “Substantial Completion” in 700 calendar days. This change order will extend that for 90 calendar days; and

WHEREAS, the 90 day extension of the contract is necessary due to delays by Siemens Manufacturing in their submittals of shop drawings and delays enacted by the City’s request to complete Area 4 reclaimed water components early to be eligible for grant funding.

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.

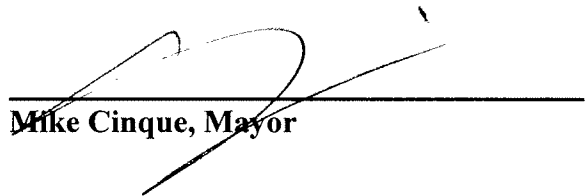
Section 2. The City Council hereby authorizes Change Order # 3 a copy of which is attached hereto as “Exhibit A”, for a 90 day extension for Construction of Service Area 6 wastewater treatment plant project in the City of Marathon.

Section 3. The City Council hereby authorizes the City Manager to execute Change Order #3 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 23rd day of June, 2009.


THE CITY OF MARATHON, FLORIDA



Mike Cinque, Mayor

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

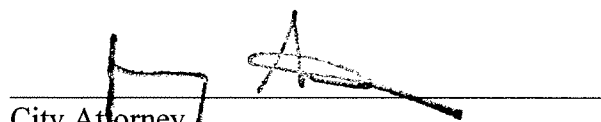
ATTEST:



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. 3

TO: City of Marathon

PROJECT: City of Marathon Service Area 6 WWTP Project Contract Dated November 13, 2007

CONTRACTOR: Lanzo Construction Company, Florida

DATE: 6/11/09

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 Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor 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 Contractor acknowledges and agrees that (a) the Contract Price of \$ 3,507,886.24* under the Agreement will be **unchanged** by this Change Order, and (b) the schedule for performance of Work will be **changed** by this Change Order. Contractor 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.

THE CITY OF MARATHON
a Florida municipal corporation

CONTRACTOR
Lanzo Construction Company, Florida

By: Clyde Burnett
Name: CLYDE BURNETT
Title: CITY MANAGER

By: Dean T. Naylor
Name: DEAN NAYLOR
Title: PROJ MAN

END OF SECTION

***The current Contract amount between the City of Marathon and Lanzo Construction Co, of \$8,152,099.24 for the Area 4 & 6 WWTPs will be unchanged by this Change Order. The time extension is applied only to the Area 6 WWTP Project.**

CHANGE ORDER SUMMARY

Change Order No. 3
Project Title Area 6 WWTP Project
Bid No. N/A
Owner: City of Marathon
Contractor: Lanzo Construction Company, Florida
Agreement Date: November 13, 2007

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:

(1)	Original Contract Price	<u>\$3,502,806.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$3,507,886.24*</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 0.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$3,507,886.24*</u>
(5)	Original Contract Time	<u>360 Days</u>
(6)	Current Contract Time (Adjusted by Previous Change Orders)	<u>360 Days</u>
(7)	Total Proposed Change in Contract Time	<u>90 Days</u>
(8)	New Contract Time (Item 6 + Item 7)	<u>450 Days</u>
(9)	Original Contract Substantial Completion Date	<u>April 11, 2009</u>
(10)	New Contract Substantial Completion Date	<u>July 07, 2009</u>

***The current Contract amount between the City of Marathon and Lanzo Construction Co, of \$8,152,099.24 for the Area 4 & 6 WWTPs will be unchanged by this Change Order. The time extension is applied only to the Area 6 WWTP Project.**

CHANGES ORDERED

ITEM 1

Description of Change: 90 day extension of contract time

Reason for Change: Delays be Siemens in submittal of shop drawings, delays caused by City's request to complete Area 4 reclaimed water components early to be eligible for grant funding.

Change in Contract Price: \$0.00

Change in Contract Time: 90 days

CHANGE ORDER SUMMARY

No.	Description	Change in Contract Price	Change in Contract Time
1	Release of Bonds and Insurance early payment	\$ 0.00	0 Days
2	Misc changes described in change order	\$ 5,080.24	0 Days
3	Time extension	\$ 0.00	90 Days
4			
5			
6			
TOTAL		\$ 0.00	90 Days