

**CITY OF MARATHON, FLORIDA
RESOLUTION 2009-86**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO CHANGE ORDER # 1 WITH GONZALEZ BROTHERS LANDSCAPING, INC., FOR (2) ONE YEAR EXTENSIONS UNDER THE SAME TERMS AND CONDITIONS AS THE ORIGINAL CONTRACT FOR LANDSCAPE AND FACILITIES MAINTENANCE OF CITY PARKS IN AN AMOUNT NOT TO EXCEED \$350,000, PLUS AN ADDITIONAL SCOPE OF WORK IN THE AMOUNT OF \$8,400 FOR BOAT RAMP MAINTENANCE ANNUALLY FOR A TOTAL OF \$358,400.00

WHEREAS, the City published an invitation to bid for landscape and facilities maintenance of City parks with the bid opening on June 22, 2007; and

WHEREAS, Gonzalez Brothers Landscaping, Inc. was the sole bidder, whose bid came in at \$350,000 annually as a total bid for Marathon Community Park, Marathon Marina, Sombrero Beach, Coco Plum Beach, Rotary Park, and Jesse Hobbs Park.; and

WHEREAS, the terms of the current contract are an initial two (2) year term with two (2) additional one (1) year extensions; and

WHEREAS, this change order is for two (1) year extensions at the same terms and conditions, plus an additional scope of work to lock, unlock and sanitize the 33rd Street Boat Ramp public restrooms on a daily basis for \$8,400 annually. This brings the change order to a total of \$358,400 annually.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The City Council hereby approves Change Order #1 between Gonzalez Landscaping, Inc. and the City, a copy of which is attached hereto as Exhibit "A," for (2) one year extensions to the landscape and facilities maintenance contract plus an additional scope of work to include securing and sanitizing the public restrooms at the 33rd Street Boat Ramp in an additional amount of \$8,400 annually.

Section 2. The City Manager is authorized to execute change order #1 on behalf of the City.

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 14th day of July, 2009.

THE CITY OF MARATHON, FLORIDA



Mayor Mike Cinque

AYES: Snead, Ramsay, 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

#1

TO: City of Marathon

PROJECT: Landscape and Facilities Maintenance of City Parks and Marina

CONTRACTOR: Gonzalez Brothers Landscaping, Inc.

DATE: October 1, 2007

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 Gonzalez Brothers Landscaping, Inc. for all costs, expenses, overhead, and profit, and any damages of every kind that Gonzalez Brothers Landscaping, Inc. may incur in connection with the above referenced changes in the Landscaping Services or any other effect on any of the Landscaping Services under this Agreement. Gonzalez Brothers Landscaping, Inc. acknowledges and agrees that (a) the Guaranteed Maximum Price of \$350,000 under the Agreement will be changed by this Change Order, and (b) the schedule for performance of Landscaping Services will be changed by this Change Order. Gonzalez Brothers Landscaping, Inc. 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: CLYDE BURNETT

Title: CITY MANAGER

GONZALEZ BROTHERS LANDSCAPING,
INC.

By: 

Name: Luis Gonzalez

Title: President

Schedule "A" of changes to contract to Change Order # 1 between The City of Marathon and Gonzalez Brothers Landscaping, Inc. dated July 14, 2009

Paragraph 2.1. **SCOPE OF WORK**

Daily locking and unlocking the 33rd Street Boat Ramp bath facility at dusk and dawn as well as stocking and cleaning 3 times weekly.
All other detailed specifications remain unchanged.

Paragraph 2.3. **TERM**

This agreement shall be effective from October 1, 2009, through September 30, 2011.

Paragraph 2.2. **COMPENSATION/PAYMENT**

Sub-para: 2.2.3.

Contractor shall be paid an additional \$8,400 dollars annually for additional scope of work referenced in Paragraph 2.1 above for a total annual amount of \$358,400