

**CITY OF MARATHON, FLORIDA
RESOLUTION 2010-33**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO CONTRACT DATED DECEMBER 8, 2009 WITH THE REDLAND COMPANY FOR CONSTRUCTION OF SERVICE AREA 1 WASTEWATER AND STORMWATER COLLECTION PROJECT (IN THE AMOUNT OF \$430,746.00) INCREASING CONTRACT PAYMENT IN AN AMOUNT NOT TO EXCEED \$1,791,161.50; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER ON BEHALF OF THE CITY AND TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon (the “City”) entered into a contract with the Redland Company (“Redland”) for construction of service area 1 wastewater and stormwater project (the “Project”) in December of 2009 (the “Contract”); and

WHEREAS, the City desires to expand the Project’s scope of work to include a portion of service area 3; and

WHEREAS, Change Order No. 1 is an additive change order to the Contract Price in the amount of \$1,791,161.50, and an increase of the Contract Time of the Project of an additional 22 calendar days for completion of the revised scope of work of the Project. The revised Project will maximize the City’s federal funding reimbursement potential.

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 Change Order No. 1, to the Contract with The Redland Company attached hereto as “Exhibit A,” is hereby approved. The City Manager is authorized to execute the Change Order on behalf of the City and expend budgeted 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 23RD DAY OF MARCH, 2010.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

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

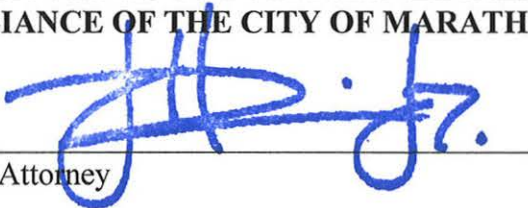
ATTEST:



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

EXHIBIT "A"
CHANGE ORDER

CHANGE ORDER NO. 1

TO: City of Marathon

PROJECT: City of Marathon Service Area 1 Wastewater and Stormwater Project Contract dated October 29 2009 , in the amount of \$430,746.00

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: The Redland Company, Inc.

DATE: March 23, 2010

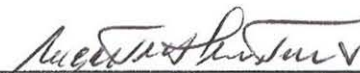
This Change Order will authorize the following change to the Agreement:

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.

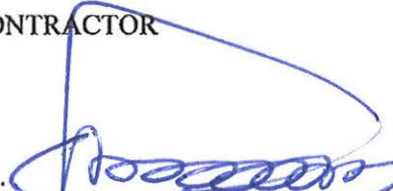
This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under this Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$ 430,746.00 under the Agreement will be **changed** 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

By: 
Name: Roger Hennstadt
Title: City Manager

CONTRACTOR

By: 
Name: C.P. Myers
Title: President

END OF SECTION

EXHIBIT A

Backup to Proposed Change Order Number 1 to the Redland Company Area 1 Wastewater and Stormwater Project Contract

Item Narrative

The City wishes to accelerate the work on the sanitary and storm sewer projects throughout the City to take advantage of funding opportunities and to complete the projects in a timely manner. The City intends to award a portion of the Service Area 3 project to The Redland Company, Inc., allowing both Conquest Engineering Group, the original Area 3 contractor, and The Redland Company, Inc. to work concurrently in Area 3, thereby achieving the desired acceleration.

At the City's request, Weiler Engineering has identified a section of Area 3 to be removed from the Conquest Engineering Group Company scope of work. That area has been identified as Phase 1 and consists of the eastern end of the project area from 25th Street eastward. The quantities and costs to be added to the Area 1 contract are tabulated below.

Area 1 Change Order No. 1

Item #	Description	Quantity	Units	Redland	
				Proposed Prices	
SANITARY SEWER					
Vacuum Main					
1	4-nch SDR 21 PVC Pipe for Vacuum Sewer line, complete, in place.	508	LF	\$52.00	\$26,416.00
2	6-inch SDR 21 PVC Pipe for Vacuum Sewer line, complete, in place.	1,995	LF	\$62.00	\$123,690.00
3	8-nch SDR 21 PVC Pipe for Vacuum Sewer line, complete, in place.	1,767	LF	\$75.00	\$132,525.00
4	10-inch SDR 21 PVC Pipe for Vacuum Sewer line, complete, in place.	6,807	LF	\$83.00	\$564,981.00
9	Concrete Encasement	930	LF	\$60.00	\$55,800.00
Gate Valves					
10	3-inch Gate Valve, complete, in place.	3	Each	\$899.00	\$2,697.00
11	4-inch Gate Valve, complete, in place.	4	Each	\$940.00	\$3,760.00

12	6-inch Gate Valve, complete, in place.	4	Each	\$1,040.00	\$4,160.00
13	8-inch Gate Valve, complete, in place.	1	Each	\$1,690.00	\$1,690.00
14	10-inch Gate Valve, complete, in place.	3	Each	\$2,000.00	\$6,000.00
	Service				
15	Vacuum Service Pits, Type A, complete, in place.	9	Each	\$3,950.00	\$35,550.00
16	Vacuum Service Pits, Type B, complete, in place.	5	Each	\$7,550.00	\$37,750.00
17	Vacuum Service Pits, Type D, complete, in place.	2	Each	\$6,300.00	\$12,600.00
18	3-inch Vacuum Service with Crossover connection, complete, in place.	281	LF	\$65.00	\$18,265.00
19	3-inch Vacuum Service Piping complete, in place.	291	LF	\$45.00	\$13,095.00
20	4-inch Vacuum Service Piping complete, in place.	57	LF	\$47.00	\$2,679.00
21	6-inch Vacuum Service Piping complete, in place.	31	LF	\$49.00	\$1,519.00
22	6-inch Gravity Service Lateral, complete, in place	182	LF	\$56.00	\$10,192.00
23	6-inch Gravity Service Cleanout, complete, in place.	21	Each	\$480.00	\$10,080.00
25	Buffer Tank, single valve, complete in place	1	Each	\$10,500.00	\$10,500.00
	Stormwater				
26	18-inch Perforated ADS Piping in Trench Drain, complete, in place. Type A	1,030	LF	\$86.00	\$88,580.00
27	18-inch Perforated ADS Piping in Trench Drain, complete, in place. Type B	124	LF	\$88.00	\$10,912.00
34	Drain Inlet structure, complete, in place	12	Each	\$3,700.00	\$44,400.00
35	Concrete curbing, 6" complete, in place	50	LF	\$16.50	\$825.00

35	Concrete Sidewalk, 4' wide	15	LF	\$54.50	\$817.50
	General				
36	1 inch roadway overlay, Type S3, complete, in place.	8,980	SY	\$13.10	\$117,638.00
	Community Park Directional Drill	490	LF	\$45.00	\$22,050.00
	US 1 Costs				
	Maintenance of Traffic	1	LS	\$68,000.00	\$68,000.00
	Limerock, 10" thick	1,200	SY	\$20.00	\$24,000.00
	Asphalt 2" SP 12.5	9,000	SY	\$24.00	\$216,000.00
	Striping	8000	LF	\$2.75	\$22,000.00
	General Conditions				
	Bonds & Insurance	1	LS	\$16,990.00	\$16,990.00
	Mobilization	1	LS	\$85,000.00	\$85,000.00
				Total Additive Change	\$1,791,161.50

In addition to the Contract price adjustment above, the Contract Time will also be adjusted. Substantial completion of the work is required no later than July 31, 2010. Contract Time will be adjusted as shown below.

AREA 1	Days to Substantial Completion	Days to Final Completion	Substantial Completion Date	Final Completion Date
Original Time	150	195	July 8, 2010	August 23, 2010
Revised Time: All Change Orders	173	203 - 217	July 23, 2010 July 31, 2010	August 30, 2010

[Handwritten signatures and initials in blue ink]