

**CITY OF MARATHON, FLORIDA
RESOLUTION 2011-06**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 2 TO THE CONTRACT DATED OCTOBER 27, 2009, WITH THE REDLAND COMPANY IN THE ORIGINAL AMOUNT OF \$430,746.00 FOR THE CONSTRUCTION OF THE SERVICE AREA 1 STORMWATER AND WASTEWATER COLLECTION SYSTEM; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$85,770.70; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; 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 Stormwater and Wastewater Collection System Project (the "Project") in October of 2009(the "Contract"); and

WHEREAS, Change Order No. 2 increases the Contract sum in an amount not to exceed \$85,770.70 for various collection system construction changes.

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. Change Order No.2 to the Contract between the City and Redland 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 8th DAY OF FEBRUARY, 2011.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

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

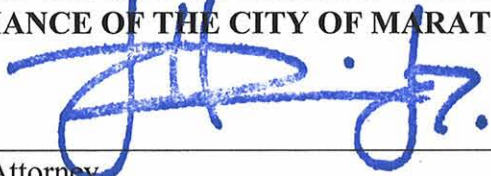
ATTEST:



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. 2

TO: City of Marathon

PROJECT: City of Marathon Service Area 1 Wastewater and Stormwater Project Contract dated October 27, 2009, in the amount of \$430,746.

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: The Redland Company, Inc.

DATE: February 8, 2011


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.

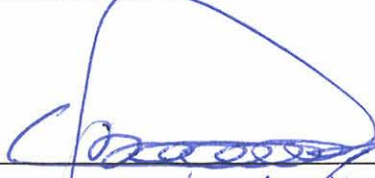
This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under 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 T. Hernstadt
Title: City Manager

CONTRACTOR

By: 
Name: Charles P. Munz
Title: President

END OF SECTION

CHANGE ORDER SUMMARY

Change Order No. 2
Project Title Area 1 Collection System Project
Bid No. N/A
Owner: City of Marathon
Contractor: The Redland Company, Inc.
Agreement Date: October 27, 2009

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>\$ 430,746.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$2,221,907.50</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 85,770.70</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$2,307,678.20</u>
(5)	Original Contract Time (Substantial)	<u>150 Days</u>
(6)	Original Contract Time (Final)	<u>180 Days</u>
	<u>Adjustments by Previous Change Orders:</u>	
(7)	Substantial Completion	<u>173 Days</u>
(8)	Final Completion	<u>203 Days</u>
(9)	Total Proposed Change in Contract Time	<u>272 Days</u>
(10)	New Substantial Contract Time (Item 7 + Item 9)	<u>445 Days</u>
(11)	New Final Contract Time (Item 8 + Item 9)	<u>475 Days</u>
(12)	Original Contract Substantial Completion Date	<u>July 8, 2010</u>
(13)	Original Contract Final Completion Date	<u>August 7, 2010</u>
(14)	New Contract Substantial Completion Date	<u>April 29, 2011</u>
(15)	New Contract Final Completion Date	<u>May 29, 2011</u>

EXHIBIT "A"

CHANGES ORDERED

Item 1 – Directional Drill 830' Re-use water line at City Park

Description of Change: Install directionally drilled 4" re-use water line to connect existing line to existing irrigation system near City Park office and restore fencing, landscaping, irrigation, and pavement to original or better condition.

Reason for Change: The discovery of a second irrigation pump station near the Community Park offices warrants connection by using the directional drilling method to install a 4" pipe under the soccer and softball fields. At the City's request, Weiler Engineering asked the Contractor to provide pricing for completion of this work, including restoration. Weiler Engineering has reviewed Redland's proposal and recommends approval for the amount of \$87,478.00 for this scope of work.

Scope:

- Install 4" HDPE pipe by horizontal directional drill method per Weiler Engineering drawing M1, date 5/17/10, Titled: Reuse Water Main, Marathon Area 3, Marathon Community Park.
- Includes 830 LF of 4" HDD, tie-ins to existing valve near US-1 by skate park, and tie-ins to irrigation facility within the fenced area near the park office.
- Restoration of fence, sod, and shrubs by office, sod at drill locations, and repair of asphalt and/or landscaping irrigation if needed.
- Operation of construction equipment in the park is required. Work areas will be barricaded to keep public out and ensure safety after work hours.

Change in Contract Price: **\$71,878.00 (Directional Drill Operation)**
 + \$15,600.00 (Landscape and Pavement Restoration)
 \$87,478.00 TOTAL

Change in Contract Time: **90 Days**

Item 2 – Replace Traffic Detector Signal Loop Damaged by Milling Operation

Description of Change: Replace traffic detector signal loop wire subsequent to the milling operation on 33rd St.

Reason for Change: Due to the limits of the milling operation on 33rd St., the reinstallation of a traffic signal wire that runs across the road within the existing pavement near the intersection of US-1 and 33rd St. is required. The City has asked Weiler Engineering to review the cost proposal of \$2,500.00 from the Redland Company for this scope of work, and Weiler recommends approval for this amount.

Scope:

- Sawcut new asphalt pavement after proper curing.
- Install signal loop wire.
- Seal sawcut joint.
- Connect wire to existing traffic detector system.

Change in Contract Price: \$2,500.00

Change in Contract Time: 2 Days

Item 3 – Tap Live Sewer Line on 37th St.

Description of Change: Tap into an existing live 6” sewer main to serve a property at the northern end of 37th St.

Reason for Change: At the project’s inception, the City had expectations that the property located at the northern end of 37th St. would connect to the central sewer system through the Marlin Bay Project’s vacuum system. Because construction for Marlin Bay was halted in 2009, it is now necessary to amend the sewer design on 37th St. to include this property.
The City of Marathon directed Weiler Engineering to design a connection point to the above property using the unit costs currently found in the Area 1 Contract. Weiler Engineering recommends approval in the amount of \$400.00 for this additional scope of work.

Scope:

- Install 150 ft. of 4” SDR 21 sewer pipe.
- Install 250 ft. of 3” vacuum service with crossover connection.
- Install one Type D vacuum pit.
- Install 60 ft. of 6” gravity service lateral.
- Install one 4” gate valve.

- Install one 6" gravity service clean-out.
- Tap existing 6" live line – Lump Sum =\$400.00.

Note: Contract unit prices will be utilized for all items above, excluding the live tap.

Change in Contract Price: \$400.00

Change in Contract Time: 0 Days

Item 4 – Additional Lift Arm Gate Loop Wiring – Kyle St. West

Description of Change: Add additional loop wiring for the lift arm gate on Kyle St. West.

Reason for Change: At the City's direction, Weiler Engineering asked the Contractor to provide pricing to add additional loop wiring for the lift arm gate to improve the gate's response time as motorists approach. Weiler Engineering has reviewed the cost proposal and recommends approval of this change in the amount of \$385.00

Change in Contract Price: \$385.00

Change in Contract Time: 0 Days

Item 5 – Area 1 Intermediate Contract Quantity Balancing Change

Description of Change: Intermediate balancing change between original contract quantities and final projected installed quantities. (See attached Table 1 for details)

Reason for Change: Toward the end of the project, several Contract line item quantities were either greater than or less than the original bid quantity estimates used to determine the Contract Price. This change will reconcile the original quantities versus the projected installed quantities and adjust the Contract Total Price.

Change in Contract Price: - \$4,992.30 (Deductive)

Change in Contract Time: 0 Days

Item 6 – Area 3 US 1 Corridor Easements

Description of Change: Additional 180 days added to Contract Time

Reason for Change: Unknown locations of water and communications lines in the US 1 right of way left no room for installation of vacuum pits within the right of way. The City is obtaining easements from property owners to allow for installation of the vacuum pits.

Change in Contract Price: \$0.00

Change in Contract Time: 180 Days

AREA 1 CHANGE ORDER HISTORY			
No.	Description	Change in Contract Price	Change in Contract Time
1	Addition of Service Area 3-1	\$ 1,791,161.50	23 Days
2	<i>Community Park Additional Re-Use Line</i>	\$ 87,478.00	90 Days
	<i>Replace Traffic Signal Loop</i>	\$ 2,500.00	2 Days
	<i>37th St. Sewer Line Tap (Barth Property)</i>	\$ 400.00	0 Days
	<i>Kyle St. Gate Arm Actuator Wiring</i>	\$ 385.00	0 Days
	<i>Area 1 Contract Quantity Balancing Change</i>	-\$ 4,992.30	0 Days
	<i>Delay for obtaining easements along US 1</i>	\$ 0.00	180 Days
TOTAL		\$1,876,932.20	295 Days

Table 1

**PROPOSED BALANCING CHANGES
AREA 1 SEWER/STORMWATER CONTRACT (THE REDLAND COMPANY)**

ITEM	UNIT	UNIT PRICE	CONTRACT QUANTITY	QUANTITY COMPLETED	QUANTITY REMAINING	CONTRACT TOTAL AMOUNT	TOTAL AMOUNT COMPLETED	AMOUNT REMAINING
AREA 1								
SEWER								
Clean out	EA	\$ 300.00	40	39	1	\$ 12,000.00	\$ 11,700.00	\$ 300.00
6" Lateral	LF	\$ 27.00	750	745	5	\$ 20,250.00	\$ 20,115.00	\$ 135.00
GENERAL								
1" S-3 Overlay	SY	\$ 12.00	1415	4200	-2785	\$ 16,980.00	\$ 50,400.00	\$ (33,420.00)
S-3 Skim Coat	TON	\$ 300.00	80	4	76	\$ 24,000.00	\$ 1,200.00	\$ 22,800.00
SEWER								
4" Main	LF	\$ 52.00	508	475	33	\$ 26,416.00	\$ 24,700.00	\$ 1,716.00
6" Main	LF	\$ 62.00	1995	979	1016	\$ 123,690.00	\$ 60,698.00	\$ 62,992.00
8" Main	LF	\$ 75.00	1767	1826	-59	\$ 132,525.00	\$ 136,950.00	\$ (4,425.00)
10" Main	LF	\$ 83.00	6807	6843	-36	\$ 564,981.00	\$ 567,969.00	\$ (2,988.00)
Concrete Encasement	LF	\$ 60.00	930	760	170	\$ 55,800.00	\$ 45,600.00	\$ 10,200.00
3" GV	EA	\$ 899.00	3	6	-3	\$ 2,697.00	\$ 5,394.00	\$ (2,697.00)
4" GV	EA	\$ 940.00	4	5	-1	\$ 3,760.00	\$ 4,700.00	\$ (940.00)
8" GV	EA	\$ 1,690.00	1	0	1	\$ 1,690.00	\$ -	\$ 1,690.00
A Pit	EA	\$ 3,950.00	9	9	0	\$ 35,550.00	\$ 35,550.00	\$ -
B Pit	EA	\$ 7,550.00	5	4	1	\$ 37,750.00	\$ 30,200.00	\$ 7,550.00
D Pit	EA	\$ 6,300.00	2	3	-1	\$ 12,600.00	\$ 18,900.00	\$ (6,300.00)
3" w/Whip	LF	\$ 65.00	281	546	-265	\$ 18,265.00	\$ 35,490.00	\$ (17,225.00)
3" Stub	LF	\$ 45.00	291	139	152	\$ 13,095.00	\$ 6,255.00	\$ 6,840.00
4" Stub	LF	\$ 47.00	57	133	-76	\$ 2,679.00	\$ 6,251.00	\$ (3,572.00)
6" Stub	LF	\$ 49.00	31	36	-5	\$ 1,519.00	\$ 1,764.00	\$ (245.00)
6" Lateral	LF	\$ 56.00	182	325	-143	\$ 10,192.00	\$ 18,200.00	\$ (8,008.00)
STORMWATER								
Type A Perf Pipe	LF	\$ 86.00	1030	1051	-21	\$ 88,580.00	\$ 90,386.00	\$ (1,806.00)
Type B Perf Pipe	LF	\$ 88.00	124	142	-18	\$ 10,912.00	\$ 12,496.00	\$ (1,584.00)
6" Curbing	LF	\$ 16.50	50	79	-29	\$ 825.00	\$ 1,303.50	\$ (478.50)
4" Sidewalk	LF	\$ 54.50	15	50	-35	\$ 817.50	\$ 2,725.00	\$ (1,907.50)
GENERAL								
1" S-3 Overlay	SY	\$ 13.10	8980	7102	1878	\$ 117,638.00	\$ 93,036.20	\$ 24,601.80
Direction Drill - Park	LF	\$ 45.00	490	526	-36	\$ 22,050.00	\$ 23,670.00	\$ (1,620.00)
US-1								
Limerock, 10"	SY	\$ 20.00	1200	2279	-1079	\$ 24,000.00	\$ 45,580.00	\$ (21,580.00)
2" SP12.5 Asphalt	SY	\$ 24.00	9000	9960	-960	\$ 216,000.00	\$ 239,040.00	\$ (23,040.00)
Striping	LF	\$ 2.75	8000	8726	-726	\$ 22,000.00	\$ 23,996.50	\$ (1,996.50)
								BALANCE
								\$ 4,992.30