

**CITY OF MARATHON, FLORIDA
RESOLUTION 2011-113**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 5 TO THE CONTRACT DATED OCTOBER 26, 2010, WITH THE REDLAND COMPANY INC., IN THE ORIGINAL AMOUNT OF \$2,894,418.96, FOR THE CONSTRUCTION OF THE LITTLE VENICE PHASE I STORMWATER AND PAVING PROJECT; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$59,000.00; 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 The Little Venice Phase I Stormwater and Repaving Project (the "Project") in October of 2010 (the "Contract"); and

WHEREAS, Change Order No. 5 increases the Contract sum in an amount not to exceed \$59,000.00 and will enable Redland to take necessary measures to repair trenches and prepare the roadways for paving overlays. The Contract completion date will not be changed by this Change Order.

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

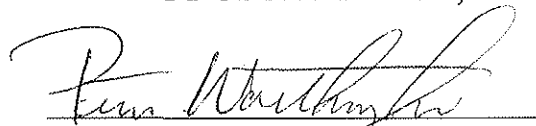
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Change Order No.5 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 and expend budgeted funds 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 22nd DAY OF NOVEMBER, 2011.

THE CITY OF MARATHON, FLORIDA


Pete Worthington, Mayor

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

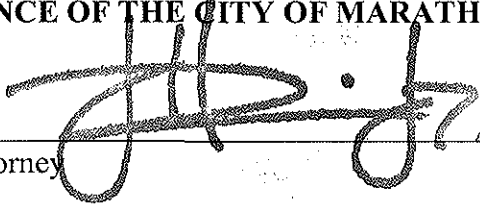
ATTEST:



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. 5

TO: City of Marathon

PROJECT: City of Marathon Little Venice Phase 1 Storm water Contract dated October 26th, 2010 in the amount of \$2,894,418.96.

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Redland Company

DATE: November 11, 2011

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

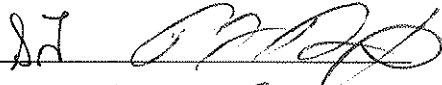
The Work as set forth in the Agreement is hereby amended to include the items set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

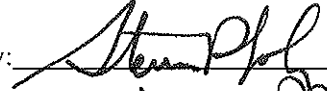
This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under this Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$ 2,894,418.96 under the Agreement will be **changed** by this Change Order, and (b) the schedule for performance of Work will be **unchanged** 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

By: 
Name: Peter Rosato
Title: Acting City Manager

By: 
Name: Steven Pish
Title: Construction Manager

END OF SECTION

CHANGE ORDER SUMMARY

Change Order No. 5
Project Title Little Venice Phase I Storm water Improvements
Bid No. N/A
Owner: City of Marathon
Contractor: The Redland Company
Agreement Date: November 11, 2011

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>\$ 2,894,418.96</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$ 2,972,645.65</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 59,000.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$ 3,031,645.65</u>
(5)	Original Contract Time (Substantial)	<u>300 Days</u>
(6)	Original Contract Time (Final)	<u>330 Days</u>
	<u>Adjustments by Previous Change Orders:</u>	
(7)	Substantial Completion	<u>0 Days</u>
(8)	Final Completion	<u>0 Days</u>
(9)	Total Proposed Change in Contract Time	<u>0 Days</u>
(10)	Revised Substantial Contract Time (Item 7 + Item 9)	<u>300 Days</u>
(11)	Revised Final Contract Time (Item 8 + Item 9)	<u>330 Days</u>
(12)	Original Contract Substantial Completion Date	<u>Oct. 30, 2011</u>
(13)	Original Contract Final Completion Date	<u>Nov. 29, 2011</u>
(14)	Revised Contract Substantial Completion Date	<u>Oct. 30, 2011</u>
(15)	Revised Contract Final Completion Date	<u>Nov. 29, 2011</u>

EXHIBIT "A"

CHANGES ORDERED

ITEM 1 – Additional asphalt mill & patch

Description of Change:	Additional mill and asphalt patch quantities.
Reason for Change:	Due to pre-existing alligator cracking, broken edges of pavement and other asphalt deficiencies, there is a need for asphalt repair on the streets in the Little Venice Phase 1 project area. The unit cost of asphalt mill and patch for the Redland Company is \$20 per square yard. After evaluation of the remaining streets left to install asphalt overlay in Little Venice Phase I, it was determined that mill & patch asphalt is necessary to correct the current road conditions in the estimated amount of 1,900 square yards. Weiler Engineering recommends adding additional mill & patch quantities in the amount of \$38,000.00.
Scope of Work:	Mill out damaged areas and repair existing trenches Add additional asphalt in milled areas to perform patch work at a unit cost of \$20 per square yard for milling and patch
Change in Contract Price:	\$38,000.00 (to be paid from Street Maintenance fund)
Change in Contract Time:	N/A

ITEM 2 – Asphalt Leveling Course Tonnage

Description of Change:	Provide funds for asphalt leveling course at a cost of \$350.00 per ton
Reason for Change:	Many of the streets in the Little Venice project area suffer from subsidence of trenches for water mains, water service lines, sewer mains and sewer service lines. In order to prevent these deficiencies from showing through the planned overlay, additional asphalt must be added to bring the subsided trench up to the same level as the rest of the street. Redland will place and compact the asphalt leveling course at a cost of \$350 per ton. Weiler Engineering estimates that up to 60 tons may be needed.
Scope of Work:	Apply leveling course to subsided trenches as directed by Engineer
Change in Contract Price:	\$21,000.00 (to be paid from Street Maintenance fund)
Change in Contract Time:	N/A

Little Venice Phase 1 CHANGE ORDER 5 SUMMARY

Item No.	Description	Change in Contract Price	Change in Contract Time
<i>1</i>	<i>Additional mill & patch</i>	<i>\$38,000.00</i>	<i>0 Days</i>
<i>2</i>	<i>Asphalt leveling course tonnage</i>	<i>\$21,000.00</i>	<i>0 Days</i>
	Total	\$59,000.00	0 Days

Little Venice Phase 1 CHANGE ORDER HISTORY

Change Order No.	Description	Change in Contract Price	Change in Contract Time
<i>1</i>	<i>Additional asphalt work</i>	<i>\$9,500.00</i>	<i>0 Days</i>
<i>2</i>	<i>Relocate catch basin</i>	<i>\$6,533.00</i>	<i>0 Days</i>
<i>3</i>	<i>97th Street repairs</i>	<i>\$52,300.00</i>	<i>0 Days</i>
<i>4</i>	<i>Adjustment of Bid Quantities and Miscellaneous Work</i>	<i>\$9,893.69</i>	<i>0 Days</i>
<i>5</i>	<i>Correction of pre-existing asphalt deficiencies prior to overlay</i>	<i>\$59,000.00</i>	<i>0 Days</i>
TOTAL	TOTAL	\$137,226.69	0 Days