

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2011-114**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 6 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 \$70,625.00, 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. 6 increases the Contract sum in an amount not to exceed \$70,625.00.

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

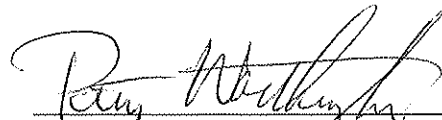
**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** Change Order No.6 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 22<sup>nd</sup> 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. 6

TO: City of Marathon

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

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Redland Company

DATE: November 14, 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 **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

By: [Signature]  
Name: Peter Rossio  
Title: Acting City Manager

By: [Signature]  
Name: Steven P. Gh  
Title: Construction Manager

END OF SECTION

**CHANGE ORDER SUMMARY**

Change Order No. 6  
Project Title Little Venice Phase I Storm water Improvements  
Bid No. N/A  
Owner: City of Marathon  
Contractor: The Redland Company  
Agreement Date: November 14, 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>\$ 3,031,645.65</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 70,625.00</u>
(4)	<b>Revised Contract Price (Item 2 + Item 3)</b>	<b><u>\$ 3,102,270.65</u></b>
(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>TBD Days</u>
(10)	<b>Revised Substantial Contract Time (Item 7 + Item 9)</b>	<b><u>TBD Days</u></b>
(11)	<b>Revised Final Contract Time (Item 8 + Item 9)</b>	<b><u>TBD Days</u></b>
(12)	Original Contract Substantial Completion Date	<u>Oct.30, 2011</u>
(13)	Original Contract Final Completion Date	<u>Nov.29, 2011</u>
(14)	<b>Revised Contract Substantial Completion Date</b>	<b><u>TBD</u></b>
(15)	<b>Revised Contract Final Completion Date</b>	<b><u>TBD</u></b>

# EXHIBIT "A"

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## CHANGES ORDERED

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### ITEM 1 – Sidewalk Replacement

**Description of Change:** Sidewalk Replacement on 96<sup>th</sup> Street Ocean

**Reason for Change:** Due to incorrect as-built plans from FKAA, Weiler Engineering designed two catch basins in the current location of the water main on 96<sup>th</sup> Street Ocean. Therefore, the two catch basins had to be relocated west of the water main in the sidewalk area. To install the catch basins it was necessary to remove approximately 31 square yards of concrete and replace it. There were line items in the alternate bid items that included a cost for sidewalk replacement. Weiler Engineering has reviewed those unit costs and recommends approval of this change order in the amount of \$2,325.00.

**Scope of Work:**

- Remove two sections of existing sidewalk around two catch basins, add lime rock and compact in sidewalk area, perform density testing of lime rock for sidewalk prior to concrete pour, install form for concrete, pour concrete for sidewalks.

**Change in Contract Price:** \$2,325.00

**Change in Contract Time:** N/A

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### ITEM 2 – Rework and Re-grade Roadway at 110<sup>th</sup> Street Ocean

**Description of Change:** Rework of asphalt and grading towards drainage structures on 110<sup>th</sup> Street Ocean

**Reason for Change:** While excavating for drainage structures, petroleum contamination was encountered on 110<sup>th</sup> Street Ocean near the US 1 intersection. This site is not a designated contaminated area. When the contamination was discovered, the excavation was stopped and the material was replaced in the hole. The design of the drainage was modified to eliminate the two planned drainage inlets in the contaminated area by proposed re-grading of the roadway to direct flow to inlets in a non-contaminated area. The cost of the project includes payment for two pre-drilled inlets (\$1,800.00) plus 190 SY of mill & patch (\$3,800.00) and 6 tons of asphalt leveling course (\$2,100.00)

**Scope of Work:** Mill out existing asphalt, rework graded to plan elevations, apply hot patch and leveling asphalt to direct storm water flow to existing catch basins.

**Change in Contract Price:** \$7,700.00

**Change in Contract Time:** N/A

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**ITEM 3 – 112<sup>th</sup> Street Drainage Revisions**

**Description of Change:** Modify drainage plan to accommodate existing FDOT drainage pipe located north of bridge on 112<sup>th</sup> Street Ocean.

**Reason for Change:** There was a revision to the drainage plan for 112<sup>th</sup> Street issued on September 9<sup>th</sup>, 2011 due to the location of an FDOT drainage outfall pipe at approximate station 1+50. The FDOT storm drain was not identified by FDOT during design.

**Scope of Work:**

- Install additional 24 linear feet of Type A trench on 112<sup>th</sup> Street Ocean for \$105.00/linear foot.
- Install additional catch basin on 112<sup>th</sup> Street Ocean for \$3,500.00.
- Add concrete encasement for 17 linear feet of 18” storm water pipe for \$60.00/linear foot to be installed shallow over top of existing storm water pipe for FDOT.
- Install 10 linear feet of Miami curb and gutter for \$45.50/linear foot to promote drainage to our storm water system.

**Change in Contract Price:** \$7,495.00

**Change in Contract Time:** N/A

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**ITEM 4 – Deduct A trench and Storm Inlet and add C trench and Injection Well**

**Description of Change:** Add Type C trench quantities and deduct Type A trench quantities.

**Reason for Change:** Due to unforeseen existing locations of water main trenches, vacuum main trenches, and AT&T utilities located in the narrow right-of-way areas and incorrect as-built information from 112<sup>th</sup> Street Ocean through 117<sup>th</sup> Street Ocean, it is not possible to install the original planned type A storm water trenches on these streets. Therefore, the storm water plans were modified by reducing type A trench quantities from these streets and adding type C trenches as approved by SFWMD. Weiler Engineering revised the Little Venice Storm water plans to reflect these changes on September 9<sup>th</sup>, 2011.

**Scope of Work:**

- Deduct 3,119 linear feet of type A trench at \$105.00/linear foot from 112<sup>th</sup> Street Ocean through 117<sup>th</sup> Street Ocean (-\$327,495.00)
- Add 3400 linear feet of type C trench at \$105.00/linear foot from 112<sup>th</sup> Street Ocean through 117<sup>th</sup> Street Ocean (+\$357,000.00).
- Add 1 8” injection well and well control structure (+27,100.00)
- Deduct 1 Nyloplast inlet (-\$3,500.00)

**Change in Contract Price:** +\$53,105.00

**Change in Contract Time:** N/A

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**ITEM 5 –Time Extension Request**

**Description of Change:** None at this time.

**Reason for Change:** Due to the change in scope and the delays in issuance of final drawings related to SFWMD permitting, the Contractor is entitled to additional time for completion of the project. The City prefers to have the Contractor remobilize and begin work to determine a rate of production before issuing the extension of contract time. Weiler Engineering agrees that an assessment of the rate of production prior to extending time is prudent and recommends that the time extension be determined after completion of the first two streets.

**Scope of Work:** N/A

**Change in Contract Price:** N/A

**Change in Contract Time:** TBD days

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<b>Little Venice Phase 1 CHANGE ORDER 6 SUMMARY</b>			
<b>Item No.</b>	<b>Description</b>	<b>Change in Contract Price</b>	<b>Change in Contract Time</b>
<i>1</i>	<i>96<sup>th</sup> Street Sidewalk replacement</i>	<i>\$2,325.00</i>	<i>0 Days</i>
<i>2</i>	<i>Re-grade roadway at 110<sup>th</sup> Street Ocean</i>	<i>\$7,700.00</i>	<i>0 Days</i>
<i>3</i>	<i>112<sup>th</sup> Street drainage</i>	<i>\$7,495.00</i>	<i>0 Days</i>

4	<i>Deduct type A and add type C trench</i>	\$53,105.00	0 Days
5	<i>Contract Times Adjustment</i>	\$0.00	TBD Days
	<b>Total</b>	<b>\$70,625.00</b>	<b>TBD Days</b>

<b>Little Venice Phase 1 CHANGE ORDER HISTORY</b>			
<b>Change Order No.</b>	<b>Description</b>	<b>Change in Contract Price</b>	<b>Change in Contract Time</b>
1	<i>Additional asphalt work</i>	\$9,500.00	0 Days
2	<i>Relocate catch basin</i>	\$6,533.00	0 Days
3	<i>97<sup>th</sup> Street repairs</i>	\$52,300.00	0 Days
4	<i>Adjustment of Bid Quantities and Miscellaneous Work</i>	\$9,893.69	0 Days
5	<i>Correction of pre-existing asphalt deficiencies prior to overlay</i>	\$59,000.00	0 Days
6	<i>Type C trench revision and other minor changes</i>	\$70,625.00	TBD Days
<b>TOTAL</b>	<b>TOTAL</b>	<b>\$207,851.69</b>	<b>TBD Days</b>