

**CITY OF MARATHON, FLORIDA
RESOLUTION 2011-123**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING COMPOSITE CHANGE ORDER NO. 6 THROUGH 9 TO THE CONTRACT DATED JULY 27, 2010 WITH WHARTON-SMITH, INC., IN THE ORIGINAL AMOUNT OF \$4,227,000.00 FOR THE EXPANSION OF THE SERVICE AREA 5 WASTEWATER TREATMENT PLANT; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$30,904.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDERS 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 Wharton-Smith, Inc., ("Wharton-Smith") for construction of the Service Area 5 wastewater treatment plant expansion project (the "Project") in July 2010 (the "Contract"); and

WHEREAS, these Change Orders encompass several unanticipated construction issues associated with the Project resulting in an increase in the Contract cost in an amount not to exceed \$30,904.00, but no changes in the Project timeline.

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 are incorporated herein by this reference.

Section 2. Composite Change Orders No. 6 through 9 to the Contract between the City and Wharton-Smith attached hereto as "Exhibit A," are hereby approved. The City Manager is authorized to execute the Change Orders 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 13th DAY OF DECEMBER, 2011.

THE CITY OF MARATHON, FLORIDA



Pete Worthington, Mayor

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

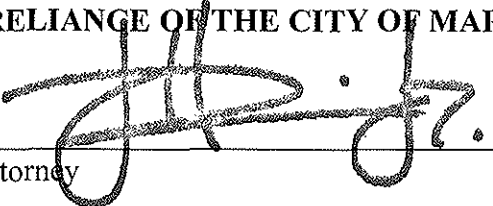
ATTEST:



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

CHANGE ORDER NO. 6

TO: City of Marathon

PROJECT: City of Marathon Service Area 5 WWTP Expansion
Resolution 2010-78 dated July 27, 2010, in the amount of \$4,227,000

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Wharton-Smith Inc.

DATE: October 30, 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 \$4,227,000.00 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: [Signature]
Name: Roger Hemstadt
Title: City manager

By: [Signature]
Name: Phil Martin
Title: PROJECT MANAGER

END OF SECTION

CHANGE ORDER SUMMARY

Change Order No. 6
Project Title Service Area 5 WWTP Expansion
Bid No. N/A
Owner: City of Marathon
Contractor: Wharton-Smith Inc.
Agreement Date: July 27, 2010

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>\$4,227,000.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$4,401,750.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 9,895.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$4,411,645.00</u>
(5)	Original Contract Time (Substantial)	<u> 330 Days</u>
(6)	Original Contract Time (Final)	<u> 360 Days</u>
	<u>Adjustments by Previous Change Orders:</u>	
(7)	Substantial Completion *	<u> 360 Days</u>
(8)	Final Completion *	<u> 390 Days</u>
(9)	Total Proposed Change in Contract Time	<u> 0 Days</u>
(10)	Revised* Substantial Contract Time (Item 7 + Item 9)	<u> 360 Days</u>
(11)	Revised* Final Contract Time (Item 8 + Item 9)	<u> 390 Days</u>
(12)	Original Contract Substantial Completion Date	<u>September 24, 2011</u>
(13)	Original Contract Final Completion Date	<u>October 24, 2011</u>
(14)	Revised* Contract Substantial Completion Date	<u>October 24, 2011</u>
(15)	Revised* Contract Final Completion Date	<u>November 23, 2011</u>

* Revised by Resolution 2011-40

EXHIBIT "A"

CHANGES ORDERED

ITEM 1 – Feed Forward Pump Check Valves

Description of Change: Installation of check valves for feed forward pumps: WS proposal #31.

Reason for Change: Provide the needed flow path and required separation between the three (3) feed forward pumps that feed the three MBR basins.

Scope of Work: Installation of 3 each, 6" check valves, one for each feed forward pump to the MBR tanks, are now required because as built conditions required the planned piping header to be modified and each discharge line separated.

Change in Contract Price: \$5,018.00

Change in Contract Time: 0 Days

ITEM 2 – Fine Screen And Splitter Box Piping Modifications

Description of Change: Installation of modified fine screen piping to splitter box: WS proposal #30.

Reason for Change: Because of the construction of the fine screen unit, splitter box unit, and required footprint available, extra piping is required in order to connect the two units with the desired hydraulic characteristics.

Scope of Work: Installation of modified piping and fittings required as described above and outline in WS Proposal #30.

Change in Contract Price: \$4,877.00

Change in Contract Time: 0 Days

Area 5 WWTP Change Order #6 Summary		Price	Add'l Days
Item # 1: Wharton-Smith Proposal #31: Check Valves		\$5,018.00	0
Item # 2: Wharton-Smith Proposal #30: Modified Piping		\$4,877.00	0
TOTAL: Change Order #6		\$9,895.00	0

AREA 5 WWTP CHANGE ORDER HISTORY			
Change Order#	Description	Change in Contract Price	Change in Contract Time
1	FAA permit delay, WS proposals 2,4,6,9,10 &11	\$70,471.00	30 Days
2	WS Proposals 13,16, & 17	\$9,997.00	0 Days
3	WS Proposal #14 rev1 Relocation of Fire/Water lines	\$9,990.00	0 Days
4	WS Proposals #15 & #18	\$9,352.00	0 Days
5	WS Proposal #27A Mag anodes & resealing and WS Proposal #26 New Odor Control Unit	\$74,940.00	0 Days
6	WS Proposals #30 and #31	\$9,895.00	0 Days
TOTAL		\$184,645.00	30 Days



September 28, 2011

Mr. Daniel Saus, PE
The Weiler Engineering Corporation
6805 Overseas Highway
Marathon, FL 33050

Phone: (305) 289-4161
Fax: (305) 289-4162

RE: Marathon Area 5 Waste Water Treatment Plant Expansion
W-S Proposal No. 31 – Feed Forward Pump Check Valves

Dear Mr. Saus;

Attached to this letter you will find Wharton-Smith's Cost Proposal #31 for the installation of three 6" flange check valves.

The above referenced proposal for the amount of \$5,018.00 includes furnishing all necessary labor, materials, tools, equipment, and supervision required for the items of work shown in the Wharton-Smith, Inc. Proposal Summary.

We have attached a detailed Proposal Summary No. 31 to further define our scope of work. Only the items listed in the Proposal Summary are to be considered as included in our scope of work. No cost allowance has been made for items of work not contained in the Proposal Summary, and are specifically excluded from this proposal.

Per our conversation this morning, we have already placed the order for the materials required to complete this change. Please be advised that the work outlined in this proposal is a change to the original contractual scope of work. At the present time we are unable to determine the schedule impact of this changed work. Upon receipt of a written Construction Directive, activities for the altered work will be incorporated into our schedule to determine impacts, if any, and the overall effect on the project completion date.

At this time, you are requested to issue a Construction Directive, or recommend issuance of a Change Authorization from the City of Marathon, so we may proceed with the work identified in our Proposal Summary.

If there are any questions concerning this matter, do not hesitate to call.

Sincerely,

WHARTON-SMITH, INC.

Philip Mintzer
Project Manager

Attachments:
W-S Proposal No. 31

File / 10-041 / C-8A # 031



CHANGE ORDER COST PROPOSAL NO. 31
MARATHON AREA 5 WWTP
PROPOSAL SUMMARY

#	DESCRIPTION	NOTES
1	This proposal includes all cost associated with the furnishing 3-6" FI x FI Check valves complete with accessories as required	
2		
3		
4		
5		
6		
7		
8		
9		
10	The duration for the additional work outlined in this proposal is XX calendar days.	
11	The Contract Time Extension due to this Change Order is TO BE DETERMINED calendar days.	
12	MATERIALS	TOTAL
13	From Page 2	\$ 3,467.40
14	Tax 7.50%	\$ 260.08 \$ 3,727.46
15	P&O 20.0%	\$ 745.49 \$ 4,472.95
16		\$ 4,472.95
17		
18	LABOR	AVG \$ / HR
19	From Page 3	32 \$ 11.10 \$ 355.20
20	P&O 20.0%	\$ 71.04 \$ 426.24
21		\$ 426.24
22		
23	TOOLS & EQUIPMENT	TOTAL
24	From Page 4	\$ 46.21
25	Tax 7.50%	\$ 3.47 \$ 49.67
26	P&O 20.0%	\$ 9.93 \$ 59.61
27		\$ 59.61
28		
29	SUBCONTRACTS	TOTAL
30	From Page 5	\$ -
31		\$ -
32		
33		
34	Subtotal	\$ -
35	P&O 20.0%	\$ - \$ -
36		\$ -
37		
38	OTHER	QTY
39	Additional Insurance	0.56% M + L + T&E + S \$ 4,958.79 \$ 27.27
40	Additional Bond	0.45% M + L + T&E + S \$ 4,958.79 \$ 22.31
41	Subtotal	\$ 49.59
42	P&O 20.0%	\$ 49.59 \$ 9.92
43		\$ 59.51
44		
45		QTY
46	Extended Overhead	\$ 5,018.00 \$ - To be determined
47	Overhead cost	0.0% \$ 5,018.00 \$ -
48		\$ -
49		
50	FINAL QUOTE TOTAL	TOTAL
51		\$ 6,018.00
52		
53		\$ 5,018.00

CHANGE ORDER COST PROPOSAL NO. 31

Revision 00



MARATHON AREA 5 WWTP

MATERIAL ESTIMATE

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1						\$ -	
2	6" Domestic Swing Check Valves		3	ea	\$ 1,045.80	\$ 3,137.40	
3	6" PVC Vanstone Flanges		6	ea	\$ 20.00	\$ 120.00	
4	6" Flange Accessory Sets		6	ea	\$ 35.00	\$ 210.00	
5						\$ -	
6						\$ -	
7						\$ -	
8						\$ -	
9						\$ -	
10						\$ -	
11						\$ -	
12						\$ -	
13						\$ -	
14						\$ -	
15						\$ -	
16						\$ -	
17						\$ -	
18						\$ -	
19						\$ -	
20						\$ -	
21						\$ -	
22						\$ -	
23						\$ -	
24						\$ -	
25						\$ -	
26						\$ -	
27						\$ -	
28						\$ -	
29						\$ -	
30						\$ -	
31						\$ -	
32						\$ -	
33						\$ -	
34						\$ -	
35						\$ -	
36						\$ -	
37						\$ -	
38	MATERIAL SUBTOTAL					TOTAL	
39						\$ 3,467.40	
40						\$ 3,467.40	



**CHANGE ORDER COST PROPOSAL NO. 31
MARATHON AREA 5 WWTP
EQUIPMENT ESTIMATE**

Revision 00

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL
1	Small Tools	4% Labor Cost	\$ 355		4%	\$ 14.21
2	Consumables	\$1.00 / Labor Hr	32.0		\$ 1.00	\$ 32.00
3						\$ -
4						\$ 46.21
5						
6	EQUIPMENT	DESCRIPTION	QTY	UNIT	RATE	TOTAL
7	Pickup Truck			Day	\$ 43.50	\$ -
8	Air Compressor			Day	\$ 350.00	\$ -
9	Backhoe/Loader			Day	\$ 465.00	\$ -
10	Loader			Day	\$ 465.00	\$ -
11	Generator			Day	\$ 68.50	\$ -
12	Compactor			Day	\$ 1,500.00	\$ -
13						\$ -
14						
15	RENTALS	DESCRIPTION	QTY	UNIT	RATE	TOTAL
16	Welder			Day	\$ 74.80	\$ -
17	Trencher			Day	\$ 245.00	\$ -
18	Lift			Day	\$ 47.50	\$ -
19	Loader			Day	\$ 465.00	\$ -
20	Backhoe/Forklift		-	Day	\$ 465.00	\$ -
21	Concrete Pump			Day	\$ 960.00	\$ -
22	Excavator			Day	\$ 465.00	\$ -
23	40 Ton Crane			Day	\$ 1,000.00	\$ -
24	Core Drill			Day	\$ 85.00	\$ -
25						\$ -
26						
27	FUEL	DESCRIPTION		Rate	REF	TOTAL
28	Equipment Fuel	12% Fueled Equipment Cost		12%	\$ -	\$ -
29						\$ -
30						
31						
32	EQUIPMENT SUBTOTAL					TOTAL
33						\$ 46.21
34						
35						\$ 46.21



CHANGE ORDER COST PROPOSAL NO. 31
MARATHON AREA 5 WWTP
SUBCONTRACT ESTIMATE

Revision 00

#	SUBCONTRACTOR	SCOPE	INV #	TOTAL	NOTES
1					
2					
3					
4					
5					
6					
7					
8					
9					
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26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39			\$	-	
40			\$	-	



Wharton-Smith, Inc.
CONSTRUCTION GROUP

September 29, 2011

Serge Mashtakov, P.E., LEED AP
The Weiler Engineering Corporation
6805 Overseas Highway
Marathon, FL 33050

Phone: (305) 289-4161
Fax: (305) 289-4162

RE: Marathon Area 5 Waste Water Treatment Plant Expansion
W-S Proposal No. 30 - Fine Screen Piping Splitter Box Intake Piping

Dear Mr. Mashtakov:

Per WEC Email dated June 24, 2011 we are please to provide our scope and proposal for the installation of 8" piping between the fine screen and the splitter box.

The above referenced proposal for the amount of \$4,877.00 includes furnishing all necessary labor, materials, tools, equipment, and supervision required for the items of work shown in the Wharton-Smith, Inc. Proposal Summary.

We have attached a detailed Proposal Summary No. 30 to further define our scope of work. Only the items listed in the Proposal Summary are to be considered as included in our scope of work. No cost allowance has been made for items of work not contained in the Proposal Summary, and are specifically excluded from this proposal.

Please be advised that the work outlined in this proposal is a change to the original contractual scope of work. At the present time we are unable to determine the schedule impact of this changed work. Upon receipt of a written Construction Directive, activities for the altered work will be incorporated into our schedule to determine impacts, if any, and the overall effect on the project completion date.

At this time, you are requested to issue a Construction Directive, or recommend issuance of a Change Authorization from the City of Marathon, so we may proceed with the work identified in our Proposal Summary.

If there are any questions concerning this matter, do not hesitate to call.

Sincerely,

WHARTON-SMITH, INC.

Philip Mintzer
Project Manager

Attachments:
W-S Proposal No. #30

File / 10-041 / C-8A # 030

Summary



CHANGE ORDER COST PROPOSAL NO. 30
MARATHON AREA 5 WWTP
PROPOSAL SUMMARY

Revision 00

#	DESCRIPTION	NOTES
1	This proposal includes all cost associated with the installation of Sch 80 PVC piping between the fine screen and the fine screen splitter box.	
2		
3		
4		
5		
6		
7		
8		
9		
10	The duration for the additional work outlined in this proposal is XX calendar days.	
11	The Contract Time Extension due to this Change Order is TO BE DETERMINED calendar days.	
12	MATERIALS	TOTAL
13	From Page 2	\$ 2,301.05
14	Tax 7.50%	\$ 172.58 \$ 2,473.63
15	P&O 20.0%	\$ 494.73 \$ 2,968.35
16		\$ 2,968.35
17		
18	LABOR	TOTAL
19	From Page 3	112 HRS \$ 12.17 \$ 1,363.20
20	P&O 20.0%	\$ 272.64 \$ 1,635.84
21		\$ 1,635.84
22		
23	TOOLS & EQUIPMENT	TOTAL
24	From Page 4	\$ 166.53
25	Tax 7.50%	\$ 12.49 \$ 179.02
26	P&O 20.0%	\$ 35.80 \$ 214.82
27		\$ 214.82
28		
29	SUBCONTRACTS	TOTAL
30	From Page 5	\$ -
31		\$ -
32		
33		
34	Subtotal	\$ -
35	P&O 20.0%	\$ -
36		\$ -
37		
38	OTHER	TOTAL
39	Additional Insurance 0.55%	M + L + T&E + S \$ 4,819.02 \$ 26.50
40	Additional Bond 0.45%	M + L + T&E + S \$ 4,819.02 \$ 21.69
41		Subtotal \$ 48.19
42	P&O 20.0%	\$ 48.19 \$ 9.64
43		\$ 57.83
44		
45		TOTAL
46	Extended Overhead	\$ 4,877.00 \$ - To be determined
47	Overhead cost 0.0%	\$ 4,877.00 \$ -
48		\$ -
49		
50	FINAL QUOTE TOTAL	TOTAL
51		\$ 4,877.00
52		
53		\$ 4,877.00

CHANGE ORDER COST PROPOSAL NO. 30

Revision 00



MARATHON AREA 5 WWTP

MATERIAL ESTIMATE

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1						\$ -	
2	8" Vanstone Flange		1	ea	\$ 25.35	\$ 25.35	
3	8" Sch 8 PVC 30° Ell		1	ea	\$ 70.00	\$ 70.00	
4	8" Sch 80 PVC Pipe		20	lf	\$ 10.40	\$ 208.00	
5	8" Sch 80 PVC Cap		1	ea	\$ 51.00	\$ 51.00	
6	8" x 4" Saddles		3	ea	\$ 135.00	\$ 405.00	
7	4" Sch 80 PVC 90° Ells		5	ea	\$ 7.20	\$ 36.00	
8	4" Vanstone Flanges		3	ea	\$ 9.90	\$ 29.70	
9	4" Sch 80 PVC Pipe		20	lf	\$ 3.60	\$ 72.00	
10	Freight		1	ls	\$ 100.00	\$ 100.00	
11	8" Flange Accessory Set		1	ea	\$ 35.00	\$ 35.00	
12	4" Flange Accessory Set		3	ea	\$ 25.00	\$ 75.00	
13						\$ -	
14	Concrete Pipe Supports		3	ea	\$ 150.00	\$ 450.00	
15						\$ -	
16	8" MJ 90° Ells		3	ea	\$ 146.00	\$ 438.00	
17	8" Megalugs		6	ea	\$ 51.00	\$ 306.00	
18						\$ -	
19						\$ -	
20						\$ -	
21						\$ -	
22						\$ -	
23						\$ -	
24						\$ -	
25						\$ -	
26						\$ -	
27						\$ -	
28						\$ -	
29						\$ -	
30						\$ -	
31						\$ -	
32						\$ -	
33						\$ -	
34						\$ -	
35						\$ -	
36						\$ -	
37						\$ -	
38	MATERIAL SUBTOTAL					TOTAL	
39						\$ 2,301.05	
40					\$	2,301.05	



**CHANGE ORDER COST PROPOSAL NO. 30
MARATHON AREA 5 WWTP
EQUIPMENT ESTIMATE**

Revision 00

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL
1	Small Tools	4% Labor Cost	\$ 1,363		4%	\$ 54.53
2	Consumables	\$1.00 / Labor Hr	112.0		\$ 1.00	\$ 112.00
3						\$ -
4						\$ 166.53
5						
#	EQUIPMENT	DESCRIPTION	QTY	UNIT	RATE	TOTAL
7	Pickup Truck			Day	\$ 43.50	\$ -
8	Air Compressor			Day	\$ 350.00	\$ -
9	Backhoe/Loader			Day	\$ 465.00	\$ -
10	Loader			Day	\$ 465.00	\$ -
11	Generator			Day	\$ 68.50	\$ -
12	Compactor			Day	\$ 1,500.00	\$ -
13						\$ -
14						
#	RENTALS	DESCRIPTION	QTY	UNIT	RATE	TOTAL
16	Welder			Day	\$ 74.80	\$ -
17	Trencher			Day	\$ 245.00	\$ -
18	Lift			Day	\$ 47.50	\$ -
19	Loader			Day	\$ 465.00	\$ -
20	Backhoe/Forklift			Day	\$ 465.00	\$ -
21	Concrete Pump			Day	\$ 960.00	\$ -
22	Excavator			Day	\$ 465.00	\$ -
23	40 Ton Crane			Day	\$ 1,000.00	\$ -
24	Core Drill			Day	\$ 85.00	\$ -
25						\$ -
26						
#	FUEL	DESCRIPTION	Rate	REF	TOTAL	
28	Equipment Fuel	12% Fueled Equipment Cost	12%	\$ -	\$ -	
29					\$ -	
30						
31						
32	EQUIPMENT SUBTOTAL					TOTAL
33						\$ 166.53
34						
35						\$ 166.53



CHANGE ORDER COST PROPOSAL NO. 30
MARATHON AREA 5 WWTP
SUBCONTRACT ESTIMATE

Revision 00

#	SUBCONTRACTOR	SCOPE	INV #	TOTAL	NOTES
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
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26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39			\$	-	
40			\$	-	

Area 5 WWTP Change Order #6 Summary		Price	Add'l Days
Item # 1: Wharton-Smith Proposal #31: Check Valves		\$5,018.00	0
Item # 2: Wharton-Smith Proposal #30: Modified Piping		\$4,877.00	0
TOTAL: Change Order #6		\$9,895.00	0

AREA 5 WWTP CHANGE ORDER HISTORY			
Change Order#	Description	Change in Contract Price	Change in Contract Time
1	FAA permit delay, WS proposals 2,4,6,9,10 &11	\$70,471.00	30 Days
2	WS Proposals 13,16, & 17	\$9,997.00	0 Days
3	WS Proposal #14 rev1 Relocation of Fire/Water lines	\$9,990.00	0 Days
4	WS Proposals #15 & #18	\$9,352.00	0 Days
5	WS Proposal #27A Mag anodes & resealing and WS Proposal #26 New Odor Control Unit	\$74,940.00	0 Days
6	WS Proposals #30 and #31	\$9,895.00	0 Days
TOTAL		\$184,645.00	30 Days

CHANGE ORDER NO. 7

TO: City of Marathon

PROJECT: City of Marathon Service Area 5 WWTP Expansion
Resolution 2010-78 dated July 27, 2010, in the amount of \$4,227,000

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Wharton-Smith Inc.

DATE: November 4, 2011

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

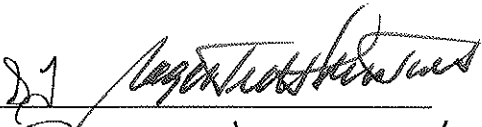
The Work as set forth in the Agreement is hereby amended to include the items set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

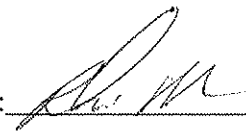
This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under this Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$4,227,000.00 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: Roger Herrstadt
Title: City manager

By: 
Name: Anna M. ...
Title: Project Manager

END OF SECTION

CHANGE ORDER SUMMARY

Change Order No. 7
Project Title Service Area 5 WWTP Expansion
Bid No. N/A
Owner: City of Marathon
Contractor: Wharton-Smith Inc.
Agreement Date: July 27, 2010

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>\$4,227,000.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$4,411,645.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 6,281.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$4,417,926.00</u>
(5)	Original Contract Time (Substantial)	<u> 330 Days</u>
(6)	Original Contract Time (Final)	<u> 360 Days</u>
	<u>Adjustments by Previous Change Orders:</u>	
(7)	Substantial Completion *	<u> 360 Days</u>
(8)	Final Completion *	<u> 390 Days</u>
(9)	Total Proposed Change in Contract Time	<u> 0 Days</u>
(10)	Revised* Substantial Contract Time (Item 7 + Item 9)	<u> 360 Days</u>
(11)	Revised* Final Contract Time (Item 8 + Item 9)	<u> 390 Days</u>
(12)	Original Contract Substantial Completion Date	<u> September 24, 2011</u>
(13)	Original Contract Final Completion Date	<u> October 24, 2011</u>
(14)	Revised* Contract Substantial Completion Date	<u> October 24, 2011</u>
(15)	Revised* Contract Final Completion Date	<u> November 23, 2011</u>

* Revised by Resolution 2011-40

EXHIBIT "A"

CHANGES ORDERED

ITEM 1 – Relocation of Existing Winches

Description of Change: Relocation of Existing Winches as described in WS proposal #35.

Reason for Change: Existing winches were located around the top of the Aquastore tanks for the old air diffusers. The change will have WS relocate them to the needed locations for use with the new mixer installations. The winches can then be used for removal and installation of the units for routine maintenance.

Scope of Work: Removal and re-installation of existing winches at the required locations to support the new equipment installations.

Change in Contract Price: \$6,281.00

Change in Contract Time: 0 Days

Area 5 WWTP Change Order #7 Summary	Price	Add'l Days
Item # 1: Wharton-Smith Proposal #35: Winch Relocations	\$6,281.00	0
TOTAL: Change Order #7	\$6,281.00	0

AREA 5 WWTP CHANGE ORDER HISTORY			
Change Order#	Description	Change in Contract Price	Change in Contract Time
1	FAA permit delay, WS proposals 2,4,6,9,10 &11	\$70,471.00	30 Days
2	WS Proposals 13,16, & 17	\$9,997.00	0 Days
3	WS Proposal #14 rev1 Relocation of Fire/Water lines	\$9,990.00	0 Days
4	WS Proposals #15 & #18	\$9,352.00	0 Days
5	WS Proposal #27A Mag anodes & resealing and WS Proposal #26 New Odor Control Unit	\$74,940.00	0 Days
6	WS Proposals #30 and #31	\$9,895.00	0 Days
7	WS Proposal #35 Relocation of Existing Winches	\$6,281.00	0 Days
TOTAL		\$190,926.00	30 Days



October 25, 2011

Mr. Daniel Saus, PE
The Weiler Engineering Corporation
6805 Overseas Highway
Marathon, FL 33050

Re: Marathon Area 5 Wastewater Treatment Plant Expansion
W-S Proposal No. 35 Relocation of Existing Winches

Dear Mr. Saus:

As directed by WEC we are please to provide our scope and proposal for the relocation of the existing diffuser wenches to accommodate the ne pre-aeration mixers

The above referenced proposal for the amount of \$6,281.00 includes furnishing all necessary labor, materials, tools, equipment, and supervision required for the items of work shown in the Wharton-Smith, Inc. Proposal Summary required for the wench relocation.

We have attached a detailed Proposal Summary No. 35 to further define our scope of work. Only the items listed in the Proposal Summary are to be considered as included in our scope of work. No cost allowance has been made for items of work not contained in the Proposal Summary, and are specifically excluded from this proposal. This Lump Sum proposal is valid for 5 calendar days.

Please be advised that the work outlined in this proposal is a change to the original contractual scope of work. At the present time we are unable to determine the schedule impact of this changed work. Upon receipt of a written Construction Directive, activities for the altered work will be incorporated into our schedule to determine impacts, if any, and the overall effect on the project completion date.

At this time, you are requested to issue a Construction Directive, or recommend issuance of a Change Authorization from the City of Marathon, so we may proceed with the work identified in our Proposal Summary.

If there are any questions concerning this matter, do not hesitate to call.

Sincerely,
Wharton-Smith, Inc.

Philip Mintzer
Project Manager

Attachments:
W-S Proposal No. 35

File / 10-041 / C-8A # 35

Summary



CHANGE ORDER COST PROPOSAL NO. 35
MARATHON AREA 5 WWTP
PROPOSAL SUMMARY

Revision 00

#	DESCRIPTION	NOTES
1	Relocate 4 existing wenchers for Preperation Mixers.	
2		
3		
4		
5		
6		
7		
8		
9		
10	The duration for the additional work outlined in this proposal is XX calendar days.	
11	The Contract Time Extension due to this <u>Change Order</u> is <u>TO BE DETERMINED</u> calendar days.	
12	MATERIALS	TOTAL
13	From Page 2	\$ 2,913.00
14	Tax 7.50%	\$ 218.48 \$ 3,131.48
15	P&O 20.0%	\$ 626.30 \$ 3,757.77
16		\$ 3,757.77
17		
18	LABOR	HRS AVG \$ / HR TOTAL
19	From Page 3	128 \$ 11.10 \$ 1,420.80
20	P&O 20.0%	\$ 284.16 \$ 1,704.96
21		\$ 1,704.96
22		
23	TOOLS & EQUIPMENT	TOTAL
24	From Page 4	\$ 576.83
25	Tax 7.50%	\$ 43.26 \$ 620.09
26	P&O 20.0%	\$ 124.02 \$ 744.11
27		\$ 744.11
28		
29	SUBCONTRACTS	INV TOTAL
30	From Page 5	\$ -
31		\$ -
32		
33		
34	Subtotal	\$ -
35	P&O 20.0%	\$ -
36		\$ -
37		
38	OTHER	QTY REFERENCE TOTAL
39	Additional Insurance	0.55% M + L + T&E + S \$ 6,206.84 \$ 34.14
40	Additional Bond	0.45% M + L + T&E + S \$ 6,206.84 \$ 27.93
41	Subtotal	\$ 62.07
42	P&O 20.0%	\$ 62.07 \$ 12.41
43		\$ 74.48
44		
45		QTY REFERENCE TOTAL
46	Extended Overhead	\$ 6,281.00 \$ - To be determined
47	Overhead cost	0.0% \$ 6,281.00 \$ -
48		\$ -
49		
50	FINAL QUOTE TOTAL	TOTAL
51		\$ 6,281.00
52		
53		\$ 6,281.00



CHANGE ORDER COST PROPOSAL NO. 35
MARATHON AREA 5 WWTP
MATERIAL ESTIMATE

Revision 00

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1						\$ -	
2	Misc bolts and hardware		1	ea	\$ 50.00	\$ 50.00	
3	Wall mounting channels		1	ls	\$ 2,863.00	\$ 2,863.00	
4						\$ -	
5						\$ -	
6						\$ -	
7						\$ -	
8						\$ -	
9						\$ -	
10						\$ -	
11						\$ -	
12						\$ -	
13						\$ -	
14						\$ -	
15						\$ -	
16						\$ -	
17						\$ -	
18						\$ -	
19						\$ -	
20						\$ -	
21						\$ -	
22						\$ -	
23						\$ -	
24						\$ -	
25						\$ -	
26						\$ -	
27						\$ -	
28						\$ -	
29						\$ -	
30						\$ -	
31						\$ -	
32						\$ -	
33						\$ -	
34						\$ -	
35						\$ -	
36						\$ -	
37						\$ -	
38	MATERIAL SUBTOTAL					TOTAL	
39						\$ 2,913.00	
40					\$	2,913.00	



CHANGE ORDER COST PROPOSAL NO. 35
MARATHON AREA 5 WWTP
EQUIPMENT ESTIMATE

Revision 00

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL	
1	Small Tools	4% Labor Cost	\$ 1,421		4%	\$ 56.83	
2	Consumables	\$1.00 / Labor Hr	128.0		\$ 1.00	\$ 128.00	
3						\$ -	
4						\$ 184.83	
5							
#	EQUIPMENT	DESCRIPTION	QTY	UNIT	RATE	TOTAL	
7	Pickup Truck			Day	\$ 43.50	\$ -	
8	Air Compressor			Day	\$ 350.00	\$ -	
9	Backhoe/Loader			Day	\$ 465.00	\$ -	
10	Loader			Day	\$ 465.00	\$ -	
11	Generator			Day	\$ 68.50	\$ -	
12	Compactor			Day	\$ 1,500.00	\$ -	
13						\$ -	
14							
#	RENTALS	DESCRIPTION	QTY	UNIT	RATE	TOTAL	
16	Welder			Day	\$ 74.80	\$ -	
17	Trencher			Day	\$ 245.00	\$ -	
18	Lift			Day	\$ 47.50	\$ -	
19	Loader			Day	\$ 465.00	\$ -	
20	Backhoe/Forklift		-	Day	\$ 465.00	\$ -	
21	Concrete Pump			Day	\$ 960.00	\$ -	
22	Excavator			Day	\$ 465.00	\$ -	
23	40 Ton Crane		1.00	Day	\$ 350.00	\$ 350.00	
24	Core Drill			Day	\$ 85.00	\$ -	
25						\$ 350.00	
26							
#	FUEL	DESCRIPTION		Rate	REF	TOTAL	
28	Equipment Fuel	12% Fueled Equipment Cost		12%	\$ 350.00	\$ 42.00	
29						\$ 42.00	
30							
31							
32	EQUIPMENT SUBTOTAL					TOTAL	
33						\$	576.83
34						\$	576.83
35						\$	576.83



CHANGE ORDER COST PROPOSAL NO. 35
MARATHON AREA 5 WWTP
SUBCONTRACT ESTIMATE

Revision 00

#	SUBCONTRACTOR	SCOPE	INV #	TOTAL	NOTES
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
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22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39			\$	-	
40			\$	-	

CHANGE ORDER NO. 8

TO: City of Marathon

PROJECT: City of Marathon Service Area 5 WWTP Expansion
Resolution 2010-78 dated July 27, 2010, in the amount of \$4,227,000

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Wharton-Smith Inc.

DATE: November 8, 2011

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

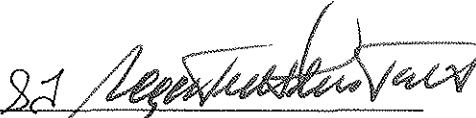
The Work as set forth in the Agreement is hereby amended to include the items set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

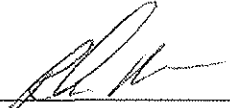
This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under this Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$4,227,000.00 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: Roger Hernstadt
Title: City Manager

By: 
Name: PHILIP MANTZEN
Title: Project Manager

END OF SECTION

CHANGE ORDER SUMMARY

Change Order No. 8
Project Title Service Area 5 WWTP Expansion
Bid No. N/A
Owner: City of Marathon
Contractor: Wharton-Smith Inc.
Agreement Date: July 27, 2010

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>\$4,227,000.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$4,417,926.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 7,472.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$4,425,398.00</u>
(5)	Original Contract Time (Substantial)	<u>330 Days</u>
(6)	Original Contract Time (Final)	<u>360 Days</u>
<u>Adjustments by Previous Change Orders:</u>		
(7)	Substantial Completion *	<u>360 Days</u>
(8)	Final Completion *	<u>390 Days</u>
(9)	Total Proposed Change in Contract Time	<u>0 Days</u>
(10)	Revised* Substantial Contract Time (Item 7 + Item 9)	<u>360 Days</u>
(11)	Revised* Final Contract Time (Item 8 + Item 9)	<u>390 Days</u>
(12)	Original Contract Substantial Completion Date	<u>September 24, 2011</u>
(13)	Original Contract Final Completion Date	<u>October 24, 2011</u>
(14)	Revised* Contract Substantial Completion Date	<u>October 24, 2011</u>
(15)	Revised* Contract Final Completion Date	<u>November 23, 2011</u>

* Revised by Resolution 2011-40

EXHIBIT "A"

CHANGES ORDERED

ITEM 1 – Thern Davit Crane

Description of Change: Purchase and installation of davit crane and mounting bases as described in WS proposal #36.

Reason for Change: The new davit crane will provide the ability to access, install, and remove various pieces of equipment for maintenance at ten different locations around the facility.

Scope of Work: Purchase of one davit crane and ten (10) base mounts. Installation of all 10 of the davit bases at pre-selected locations around the facility.

Change in Contract Price: \$7,472.00

Change in Contract Time: 0 Days

Area 5 WWTP Change Order #8 Summary	Price	Add'l Days
Item # 1: Wharton-Smith Proposal #36: Thern Davit Crane and Bases	\$7,472.00	0
TOTAL: Change Order #8	\$7,472.00	0

AREA 5 WWTP CHANGE ORDER HISTORY			
Change Order#	Description	Change in Contract Price	Change in Contract Time
1	FAA permit delay, WS proposals 2,4,6,9,10 &11	\$70,471.00	30 Days
2	WS Proposals 13,16, & 17	\$9,997.00	0 Days
3	WS Proposal #14 rev1 Relocation of Fire/Water lines	\$9,990.00	0 Days
4	WS Proposals #15 & #18	\$9,352.00	0 Days
5	WS Proposal #27A Mag anodes & resealing and WS Proposal #26 New Odor Control Unit	\$74,940.00	0 Days
6	WS Proposals #30 and #31	\$9,895.00	0 Days
7	WS Proposal #35 Relocation of Existing Winches	\$6,281.00	0 Days
8	WS Proposal #36 Thern Davit Crane & Bases	\$7,472.00	0 Days
TOTAL		\$198,398.00	30 Days



October 25, 2011

Mr. Daniel Saus, PE
The Weiler Engineering Corporation
6805 Overseas Highway
Marathon, FL 33050

Re: Marathon Area 5 Wastewater Treatment Plant Expansion
W-S Proposal No. 36 Thern Davit Cranes

Dear Mr. Saus:

As directed by WEC we are please to provide our scope and proposal for the installation of 1 new Thern Davit Crane and 10 bases.

The above referenced proposal for the amount of \$7,472.00 includes furnishing all necessary labor, materials, tools, equipment, and supervision required for the items of work shown in the Wharton-Smith, Inc. Proposal Summary required for the wench relocation.

We have attached a detailed Proposal Summary No. 36 to further define our scope of work. Only the items listed in the Proposal Summary are to be considered as included in our scope of work. No cost allowance has been made for items of work not contained in the Proposal Summary, and are specifically excluded from this proposal. This Lump Sum proposal is valid for 5 calendar days.

Please be advised that the work outlined in this proposal is a change to the original contractual scope of work. At the present time we are unable to determine the schedule impact of this changed work. Upon receipt of a written Construction Directive, activities for the altered work will be incorporated into our schedule to determine impacts, if any, and the overall effect on the project completion date.

At this time, you are requested to issue a Construction Directive, or recommend issuance of a Change Authorization from the City of Marathon, so we may proceed with the work identified in our Proposal Summary.

If there are any questions concerning this matter, do not hesitate to call.

Sincerely,
Wharton-Smith, Inc.

Philip Mintzer
Project Manager

Attachments:
W-S Proposal No. 36
Fastenal Price Quote
Alpha Price Quote

File / 10-041 / C-8A # 35

Summary



CHANGE ORDER COST PROPOSAL NO. 36
MARATHON AREA 5 WWTP
PROPOSAL SUMMARY

Revision 00

#	DESCRIPTION	NOTES
1	Installation of new portable davit crane w/ mounting base and hardware.	
2		
3		
4		
5		
6		
7		
8		
9		
10	The duration for the additional work outlined in this proposal is XX calendar days.	
11	The Contract Time Extension due to this Change Order is TO BE DETERMINED calendar days.	
12	MATERIALS	TOTAL
13	From Page 2	\$ 5,252.63
14	Tax 7.50%	\$ 393.95 \$ 5,646.58
15	P&O 20.0%	\$ 1,129.32 \$ 6,775.89
16		\$ 6,775.89
17		
18	LABOR	HRS AVG \$ / HR TOTAL
19	From Page 3	40 \$ 11.10 \$ 444.00
20	P&O 20.0%	\$ 88.80 \$ 532.80
21		\$ 532.80
22		
23	TOOLS & EQUIPMENT	TOTAL
24	From Page 4	\$ 57.76
25	Tax 7.50%	\$ 4.33 \$ 62.09
26	P&O 20.0%	\$ 12.42 \$ 74.51
27		\$ 74.51
28		
29	SUBCONTRACTS	INV TOTAL
30	From Page 5	\$ -
31		\$ -
32		
33		
34	Subtotal	\$ -
35	P&O 20.0%	\$ -
36		\$ -
37		
38	OTHER	QTY REFERENCE TOTAL
39	Additional Insurance	0.55% M + L + T&E + S \$ 7,383.20 \$ 40.61
40	Additional Bond	0.45% M + L + T&E + S \$ 7,383.20 \$ 33.22
41	Subtotal	\$ 73.83
42	P&O 20.0%	\$ 73.83 \$ 14.77
43		\$ 88.60
44		
45		QTY REFERENCE TOTAL
46	Extended Overhead	\$ 7,472.00 \$ - To be determined
47	Overhead cost	0.0% \$ 7,472.00 \$ -
48		\$ -
49		
50	FINAL QUOTE TOTAL	TOTAL
51		\$ 7,472.00
52		
53		\$ 7,472.00



CHANGE ORDER COST PROPOSAL NO. 36

Revision 00

MARATHON AREA 5 WWTP

MATERIAL ESTIMATE

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES	
1						\$ -		
2	Thern Wall Mounted Bases		6	ea	\$ 285.00	\$ 1,710.00		
3	Thern Floor Mounted Bases		10	ea	\$ 145.74	\$ 1,457.40		
4	Thern Crane 5122M3 with SS hook and cable		1	ea	\$ 1,410.23	\$ 1,410.23		
5	Shipping		1	ea	\$ 625.00	\$ 625.00		
6	Anchor bolts/Mis Hardware		1	ls	\$ 50.00	\$ 50.00		
7						\$ -		
8						\$ -		
9						\$ -		
10						\$ -		
11						\$ -		
12						\$ -		
13						\$ -		
14						\$ -		
15						\$ -		
16						\$ -		
17						\$ -		
18						\$ -		
19						\$ -		
20						\$ -		
21						\$ -		
22						\$ -		
23						\$ -		
24						\$ -		
25						\$ -		
26						\$ -		
27						\$ -		
28						\$ -		
29						\$ -		
30						\$ -		
31						\$ -		
32						\$ -		
33						\$ -		
34						\$ -		
35						\$ -		
36						\$ -		
37						\$ -		
38	MATERIAL SUBTOTAL					TOTAL		
39						\$	5,252.63	
40						\$	5,252.63	



**CHANGE ORDER COST PROPOSAL NO. 36
MARATHON AREA 5 WWTP
EQUIPMENT ESTIMATE**

Revision 00

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL
1	Small Tools	4% Labor Cost	\$ 444		4%	\$ 17.76
2	Consumables	\$1.00 / Labor Hr	40.0		\$ 1.00	\$ 40.00
3						\$ -
4						\$ 67.76
5						
#	EQUIPMENT	DESCRIPTION	QTY	UNIT	RATE	TOTAL
7	Pickup Truck			Day	\$ 43.50	\$ -
8	Air Compressor			Day	\$ 350.00	\$ -
9	Backhoe/Loader			Day	\$ 465.00	\$ -
10	Loader			Day	\$ 465.00	\$ -
11	Generator			Day	\$ 68.50	\$ -
12	Compactor			Day	\$ 1,500.00	\$ -
13						\$ -
14						
#	RENTALS	DESCRIPTION	QTY	UNIT	RATE	TOTAL
16	Welder			Day	\$ 74.80	\$ -
17	Trencher			Day	\$ 245.00	\$ -
18	Lift			Day	\$ 47.50	\$ -
19	Loader			Day	\$ 465.00	\$ -
20	Backhoe/Forklift			Day	\$ 465.00	\$ -
21	Concrete Pump			Day	\$ 960.00	\$ -
22	Excavator			Day	\$ 465.00	\$ -
23	40 Ton Crane			Day	\$ 1,000.00	\$ -
24	Core Drill			Day	\$ 85.00	\$ -
25						\$ -
26						
#	FUEL	DESCRIPTION	Rate	REF	TOTAL	
28	Equipment Fuel	12% Fueled Equipment Cost	12%	\$ -	\$ -	
29					\$ -	
30						
31						
32	EQUIPMENT SUBTOTAL					TOTAL
33						\$ 57.76
34						
35						\$ 57.76



CHANGE ORDER COST PROPOSAL NO. 36
MARATHON AREA 5 WWTP
SUBCONTRACT ESTIMATE

Revision 00

#	SUBCONTRACTOR	SCOPE	INV #	TOTAL	NOTES
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39				\$	
40				\$	

CHANGE ORDER NO. 9

TO: City of Marathon

PROJECT: City of Marathon Service Area 5 WWTP Expansion
Resolution 2010-78 dated July 27, 2010, in the amount of \$4,227,000

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Wharton-Smith Inc.

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 \$4,227,000.00 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: Roger Hemstadt
Title: City Manager

By: 
Name: Paul Minter
Title: Project Manager

END OF SECTION

CHANGE ORDER SUMMARY

Change Order No. 9
Project Title Service Area 5 WWTP Expansion
Bid No. N/A
Owner: City of Marathon
Contractor: Wharton-Smith Inc.
Agreement Date: July 27, 2010

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>\$4,227,000.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$4,425,398.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 7,256.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$4,432,654.00</u>
(5)	Original Contract Time (Substantial)	<u>330 Days</u>
(6)	Original Contract Time (Final)	<u>360 Days</u>
	<u>Adjustments by Previous Change Orders:</u>	
(7)	Substantial Completion *	<u>360 Days</u>
(8)	Final Completion *	<u>390 Days</u>
(9)	Total Proposed Change in Contract Time	<u>0 Days</u>
(10)	Revised* Substantial Contract Time (Item 7 + Item 9)	<u>360 Days</u>
(11)	Revised* Final Contract Time (Item 8 + Item 9)	<u>390 Days</u>
(12)	Original Contract Substantial Completion Date	<u>September 24, 2011</u>
(13)	Original Contract Final Completion Date	<u>October 24, 2011</u>
(14)	Revised* Contract Substantial Completion Date	<u>October 24, 2011</u>
(15)	Revised* Contract Final Completion Date	<u>November 23, 2011</u>

* Revised by Resolution 2011-40

EXHIBIT "A"

CHANGES ORDERED

ITEM 1 – Fine Screen Starter Bucket

Description of Change:

Purchase and installation of a starter and motor bucket for the existing MCCA as described in WS proposal #34.

Reason for Change:

The new fine screen unit as supplied has four (4) motors associated with it whereas the original submittal had described only three (3). All motors must have a starter and associated bucket in which to mount the starter.

Scope of Work:

Purchase and installation of a starter and motor bucket for the fourth motor on the fine screen assembly to be placed in existing MCCA in the vacuum building.

Change in Contract Price:

\$7,256.00

Change in Contract Time:

0 Days

Area 5 WWTP Change Order #9 Summary	Price	Add'l Days
Item # 1: Wharton-Smith Proposal #34: Fine Screen Starter/Bucket	\$7,256.00	0
TOTAL: Change Order #9	\$7,256.00	0

AREA 5 WWTP CHANGE ORDER HISTORY			
Change Order#	Description	Change in Contract Price	Change in Contract Time
1	FAA permit delay, WS proposals 2,4,6,9,10 &11	\$70,471.00	30 Days
2	WS Proposals 13,16, & 17	\$9,997.00	0 Days
3	WS Proposal #14 rev1 Relocation of Fire/Water lines	\$9,990.00	0 Days
4	WS Proposals #15 & #18	\$9,352.00	0 Days
5	WS Proposal #27A Mag anodes & resealing and WS Proposal #26 New Odor Control Unit	\$74,940.00	0 Days
6	WS Proposals #30 and #31	\$9,895.00	0 Days
7	WS Proposal #35 Relocation of Existing Winches	\$6,281.00	0 Days
8	WS Proposal #36 Thern Davit Crane & Bases	\$7,472.00	0 Days
9	WS Proposal #34 Fine Screen Starter Bucket	\$7,256.00	0 Days
TOTAL		\$205,654.00	30 Days



October 24, 2011

Mr. Daniel Saus, PE
The Weiler Engineering Corporation
6805 Overseas Highway
Marathon, FL 33050

Re: Marathon Area 5 Waste Water Treatment Plant Expansion
W-S Proposal No. 34 Fine Screen Conveyor Motor Starter/Bucket

Dear Mr. Saus:

Per RFI #85 response dated October 3, 2011 we are please to provide our scope and proposal for the installation of one new starter/bucket in MCCA for the Fine Screen Conveyor Motor.

The above referenced proposal for the amount of \$7,256.00 includes furnishing all necessary labor, materials, tools, equipment, and supervision required for the items of work shown in the Proposal Summary required for the installation of one new starter/bucket in MCCA.

We have attached a detailed Proposal Summary No. 34 to further define our scope of work. Only the items listed in the Proposal Summary are to be considered as included in our scope of work. No cost allowance has been made for items of work not contained in the Proposal Summary, and are specifically excluded from this proposal. This Lump Sum proposal is valid for 5 calendar days.

Please be advised that the work outlined in this proposal is a change to the original contractual scope of work. At the present time we are unable to determine the schedule impact of this changed work. Upon receipt of a written Construction Directive, activities for the altered work will be incorporated into our schedule to determine impacts, if any, and the overall effect on the project completion date.

At this time, you are requested to issue a Construction Directive, or recommend issuance of a Change Authorization from the City of Marathon, so we may proceed with the work identified in our Proposal Summary.

If there are any questions concerning this matter, do not hesitate to call.

Sincerely,
Wharton-Smith, Inc.

Philip Mintzer
Project Manager

Attachments:
W-S Proposal No. 34
C&K Proposal

File / 10-041 / C-8A # 34

CHANGE ORDER COST PROPOSAL NO. 34
MARATHON AREA 5 WWTP
PROPOSAL SUMMARY



#	DESCRIPTION	NOTES
1	This proposal includes all cost associated with the installation of new electrical bucket to be installed in MCCA as required by WEC RFI # 85 response.	
2		
3		
4		
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6		
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10		The duration for the additional work outlined in this proposal is 15 calendar days.
11	The Contract Time Extension due to this Change Order is <u>TO BE DETERMINED</u> calendar days.	
12	MATERIALS	TOTAL
13	From Page 2	\$ -
14	Tax 7.50%	\$ -
15	P&O 20.0%	\$ -
16		\$ -
17		\$ -
18	LABOR	TOTAL
19	From Page 3	\$ -
20	P&O 20.0%	\$ -
21		\$ -
22		\$ -
23	TOOLS & EQUIPMENT	TOTAL
24	From Page 4	\$ -
25	Tax 7.50%	\$ -
26	P&O 20.0%	\$ -
27		\$ -
28		\$ -
29	SUBCONTRACTS	TOTAL
30	From Page 5	\$ 5,975.00
31		\$ -
32		\$ -
33		\$ -
34	Subtotal	\$ 5,975.00
35	P&O 20.0%	\$ 1,195.00
36		\$ 7,170.00
37		\$ -
38	OTHER	TOTAL
39	Additional Insurance 0.55% M + L + T&E + S	\$ 39.44
40	Additional Bond 0.45% M + L + T&E + S	\$ 32.27
41	Subtotal	\$ 71.70
42	P&O 20.0%	\$ 14.34
43		\$ 86.04
44		\$ -
45		\$ -
46	Extended Overhead	\$ 7,256.00
47	Overhead cost 0.0%	\$ -
48		\$ -
49		\$ -
50	FINAL QUOTE TOTAL	TOTAL
51		\$ 7,256.00
52		\$ -
53		\$ 7,256.00

CHANGE ORDER COST PROPOSAL NO. 34

Revision 00



MARATHON AREA 5 WWTP

MATERIAL ESTIMATE

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1						\$ -	
2						\$ -	
3						\$ -	
4						\$ -	
5						\$ -	
6						\$ -	
7						\$ -	
8						\$ -	
9						\$ -	
10						\$ -	
11						\$ -	
12						\$ -	
13						\$ -	
14						\$ -	
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30						\$ -	
31						\$ -	
32						\$ -	
33						\$ -	
34						\$ -	
35						\$ -	
36						\$ -	
37						\$ -	
38	MATERIAL SUBTOTAL					TOTAL	
39						\$ -	
40					\$	-	



CHANGE ORDER COST PROPOSAL NO. 34
MARATHON AREA 5 WWTP
EQUIPMENT ESTIMATE

Revision 00

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL		
1	Small Tools	4% Labor Cost	\$ -		4%	\$ -		
2	Consumables	\$1.00 / Labor Hr	-		\$ 1.00	\$ -		
3						\$ -		
4						\$ -		
5						\$ -		
#	EQUIPMENT	DESCRIPTION	QTY	UNIT	RATE	TOTAL		
7	Pickup Truck			Day	\$ 43.50	\$ -		
8	Air Compressor			Day	\$ 350.00	\$ -		
9	Backhoe/Loader			Day	\$ 465.00	\$ -		
10	Loader			Day	\$ 465.00	\$ -		
11	Generator			Day	\$ 68.50	\$ -		
12	Compactor			Day	\$ 1,500.00	\$ -		
13						\$ -		
14						\$ -		
#	RENTALS	DESCRIPTION	QTY	UNIT	RATE	TOTAL		
16	Welder			Day	\$ 74.80	\$ -		
17	Trencher			Day	\$ 245.00	\$ -		
18	Lift			Day	\$ 47.50	\$ -		
19	Loader			Day	\$ 465.00	\$ -		
20	Backhoe/Forklift			Day	\$ 465.00	\$ -		
21	Concrete Pump			Day	\$ 960.00	\$ -		
22	Excavator			Day	\$ 465.00	\$ -		
23	40 Ton Crane			Day	\$ 1,000.00	\$ -		
24	Core Drill			Day	\$ 85.00	\$ -		
25						\$ -		
26						\$ -		
#	FUEL	DESCRIPTION	Rate	REF	TOTAL			
28	Equipment Fuel	12% Fueled Equipment Cost	12%	\$ -	\$ -			
29						\$ -		
30						\$ -		
31						\$ -		
32	EQUIPMENT SUBTOTAL					TOTAL		
33						\$ -		
34					\$	-		
35								



CHANGE ORDER COST PROPOSAL NO. 34
MARATHON AREA 5 WWTP
SUBCONTRACT ESTIMATE

Revision 00

#	SUBCONTRACTOR	SCOPE	INV #	TOTAL	NOTES
1	C&K Electric	New Starter/Bucket		\$ 5,975.00	
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36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39				\$ 5,975.00	
40				\$ 5,975.00	

CAREY & KNUTH
ELECTRICAL CONTRACTORS, INC.
 221 SE 6th Ave.
 BOYNTON BEACH, FL 33435

(561) 733-5600
 Fax (561) 733-3379

TO WHARTON-SMITH INC.

CHANGE ORDER

3208

12 **ADDITIONAL WORK ORDER**

PHONE	DATE
	10/21/2011
JOB NAME / LOCATION	
WWTP5 MARATHON 3RD MOTOR FOR FINE SCREEN	
CONTRACT / JOB NUMBER	JOB PHONE

We hereby agree to the change(s) or additional work specified below:

SUPPLY & INSTALL ADDITIONAL COMBINATION STARTER/BUCKET, CONDUIT, WIRE, DISCONNECT, SEALTITE & FITTINGS FOR CONNECTION OF 3RD MOTOR FOR THE FINE SCREENS.

COST BREAKDOWN:	
STARTER/BUCKET	\$3535.00
CONDUIT, WIRE, DISCONNECT ETC.	\$1112.00
TOTAL MATERIAL	\$4647.00
LABOR:	
8 HRS FOREMAN @ 65.00	\$520.00
8 HRS ELECTRICIAN @ 50.00	\$400.00
8 HRS LABORER @ 40.00	\$320.00
TOTAL LABOR	\$1240.00
BOND:	\$88.00
TOTAL:	\$5975.00

NOTE: This Change Order becomes part of and in conformance with the existing contract.

We Agree hereby to make the change(s) specified above at this price	5,975.00
Date of agreement: _____ Authorized Signature _____ (CONTRACTOR)	PREVIOUS CONTRACT AMOUNT
	5,975.00
	REVISED CONTRACT TOTAL

Payment will be made as follows:
AS WORK PROGRESSES

Accepted — The above prices and specifications of this Change Order are satisfactory and are hereby accepted. All work to be performed under same terms and conditions as specified in original contract unless otherwise stipulated.

Authorized Signature _____ (OWNER)
 Date of acceptance: _____