

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2011-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT DATED JULY 27, 2010, WITH WHARTON-SMITH, INC. IN THE ORIGINAL AMOUNT OF \$4,227,000.00 FOR THE CONSTRUCTION OF THE SERVICE AREA 5 WASTEWATER TREATMENT PLANT; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$70,471.00, AND AN ADDITIONAL 30 DAYS ADDED TO THE TERM OF THE CONTRACT; 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 Wharton-Smith, Inc., ("Wharton-Smith") for construction of the Service Area 5 wastewater treatment plant expansion project (the "Contract") in July of 2010; and

**WHEREAS**, after issuing the notice to proceed to Wharton-Smith the City experienced a thirty (30) day delay in obtaining the required FAA permit authorizing the City and Wharton-Smith to work at the Marathon Airport. Thus, resulting in an increase in the Contract cost in an amount not to exceed \$70, 471.00, and new substantial and final completion dates of October 24, 2011 and November 23, 2011, respectively.

**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. 1 to the Contract between the City and Wharton-Smith 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 24<sup>th</sup> DAY OF MAY, 2011.

THE CITY OF MARATHON, FLORIDA

  
\_\_\_\_\_  
Ginger Snead, Mayor

AYES: Ramsay, Keating, Cinque, 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

CHANGE ORDER NO. 1

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: April 27, 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 **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: Roger T. Herustadt  
Title: City Manager

By: [Signature]  
Name: Phillip Minter  
Title: Project Manager

END OF SECTION

[Signature]

## CHANGE ORDER SUMMARY

Change Order No.              1            
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>\$4,227,000.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 70,471.00</u>
(4)	<b>New Contract Price (Item 2 + Item 3)</b>	<b><u>\$4,297,471.00</u></b>
(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>330 Days</u>
(8)	Final Completion	<u>360 Days</u>
(9)	Total Proposed Change in Contract Time	<u>30 Days</u>
(10)	<b>New Substantial Contract Time (Item 7 + Item 9)</b>	<b><u>360 Days</u></b>
(11)	<b>New Final Contract Time (Item 8 + Item 9)</b>	<b><u>390 Days</u></b>
(12)	Original Contract Substantial Completion Date	<u>September 24, 2011</u>
(13)	Original Contract Final Completion Date	<u>October 24, 2011</u>
(14)	<b>New Contract Substantial Completion Date</b>	<b><u>October 24, 2011</u></b>
(15)	<b>New Contract Final Completion Date</b>	<b><u>November 23, 2011</u></b>

# EXHIBIT "A"

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## CHANGES ORDERED

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### ITEM 1: Contract Extension due to FAA Permit delay

**Description of Change:** The acquisition of the FAA permit delayed the start of the project.

**Reason for Change:** Wharton-Smith requested the change due to the above condition.

**Change in Contract Price:** \$0.00

**Change in Contract Time:** 30 Days

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### ITEM 2: WS Proposal No. 2 Rev 1 - MCCA Changes

**Description of Change:** MCCA is an existing motor control center and will be reworked in this contract. An additional motor control "bucket" and related hardware are to be installed in MCCA during the expansion.

**Reason for Change:** Due to the identification of an additional required motor for the fine screening unit during the submittal process.

**Change in Contract Price:** \$17,888.00

**Change in Contract Time:** 0 Days

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### ITEM 3: WS Proposal No. 4 Rev 1 – Electrical Feeder Riser Changes & Transformer Pad

**Description of Change:** A transformer pad must be installed and the electrical feeder riser must be re-located and modified to match with the required pad mounted transformer.

**Reason for Change:** The FKEC has determined that the facility transformers for the expansion are too large for pole mounting (they are currently pole mounted). They must therefore be pad mounted as opposed to pole mounted.

**Change in Contract Price:** \$32,725.00

**Change in Contract Time:** 0 Days

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**ITEM 4: WS Proposal No. 6 Rev 2 – Digester Slab on Grade Revisions**

**Description of Change:** The digester slab was modified by raising one end of the foundation slightly. This allows the existing underground electrical duct banks to be left in place and functional throughout the construction period.

**Reason for Change:** Underground electrical duct banks were encountered during excavation for the new tank. They need to remain active until the new equipment and wiring is installed.

**Change in Contract Price:** **\$13,476.00**

**Change in Contract Time:** **0 Days**

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**ITEM 5: WS Proposal No. 9 – Deletion of Molasses and Alum Storage Tank and Clamp-on Mixer**

**Description of Change:** Deletion of the molasses and alum tank and mixer from the scope of the project.

**Reason for Change:** Chemical supplier will supply these items at no additional cost when the chemicals are purchased.

**Change in Contract Price:** **(\$2,260.00)**

**Change in Contract Time:** **0 Days**

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**ITEM 6: WS Proposal No. 10 Rev 1 – 10 Inch EMO Automatic Valves**

**Description of Change:** Replace the original automatic control valves with ARRA approved units.

**Reason for Change:** The automatic valves for diverting non-conforming re-use water to the disposal wells were found to be non-conforming to the ARRA requirements. The replacement valves are conforming but have slightly different wiring requirements.

**Change in Contract Price:** **\$5,689.00**

**Change in Contract Time:** **0 Days**

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March 22, 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. 02 Rev 1 – MCCA Changes

Dear Mr. Mashtakov:

Per your attached email dated September 28, 2010 we are please to provide our scope and proposal for the **installation of the additional MCCA structure and associated electrical scope for the conveyor motors.**

The above referenced proposal for the amount of \$17,888.00 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 installation of the additional MCCA structure and associated electrical scope for the conveyor motors.

We have attached a detailed Proposal Summary 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 Authority, 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:

Email from Engineer  
W-S Proposal

File / 10-041 / C-8A # 02





**CHANGE ORDER COST PROPOSAL NO. 02**  
**MARATHON AREA 5 WWTP**  
**PROPOSAL SUMMARY**

#	DESCRIPTION	NOTES		
1	Furnish all necessary labor, materials, tools, equipment and supervision required for the installation of the additional MOCA structure per the attached Engineer email dated, September 28, 2010 and attached Carey & Knuth scope.			
2				
3				
4				
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9				
10	The duration for the additional work outlined in this proposal is 60 calendar days.			
11	The Contract Time Extension due to this <u>Change Order</u> is <u>TO BE DETERMINED</u> calendar days.			
12	<b>MATERIALS</b>	<b>TOTAL</b>		
13	From Page 2	\$ -		
14	Tax 7.5%	\$ -		
15	P & O 20.0%	\$ -		
16		\$ -		
17				
18	<b>LABOR</b>	<b>HRS</b>	<b>AVG \$ / HR</b>	<b>TOTAL</b>
19	From Page 3	12	\$ 80.83	\$ 970.00
20	P & O 20.0%		\$ 194.00	\$ 1,164.00
21				\$ 1,164.00
22				
23	<b>TOOLS &amp; EQUIPMENT</b>	<b>TOTAL</b>		
24	From Page 4	\$ 50.80		
25	Tax 7.5%	\$ 3.81		
26	P & O 20.0%	\$ 10.92		
27		\$ 65.53		
28				
29	<b>SUBCONTRACTS</b>	<b>INV</b>	<b>TOTAL</b>	
30	From Page 5		\$ 13,705.00	
31			\$ -	
32				
33				
34		Subtotal	\$ 13,705.00	
35		P & O 20.0%	\$ 2,741.00	
36			\$ 16,446.00	
37				
38	<b>OTHER</b>	<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
39	Additional Insurance	0.55%	M + L + T&E + S \$ 17,675.53	\$ 97.22
40	Additional Bond	0.45%	M + L + T&E + S \$ 17,675.53	\$ 79.54
41			Subtotal	\$ 176.76
42			P & O 20.0%	\$ 35.35
43				\$ 212.11
44				
45		<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
46	Extended Overhead		\$ 17,888.00	\$ -
47	Overhead cost		0.0% \$ 17,888.00	\$ -
48				\$ -
49				
50	<b>FINAL QUOTE TOTAL</b>		<b>TOTAL</b>	
51			\$ 17,888.00	
52				
53			\$ 17,888.00	



**CHANGE ORDER COST PROPOSAL NO. 02**  
**MARATHON AREA 5 WWTP**  
**MATERIAL ESTIMATE**

Revision 01

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1						\$ -	
2						\$ -	
3						\$ -	
4						\$ -	
5						\$ -	
6						\$ -	
7						\$ -	
8						\$ -	
9						\$ -	
10						\$ -	
11						\$ -	
12						\$ -	
13						\$ -	
14						\$ -	
15						\$ -	
16						\$ -	
17						\$ -	
18						\$ -	
19						\$ -	
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21						\$ -	
22						\$ -	
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24						\$ -	
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26						\$ -	
27						\$ -	
28						\$ -	
29						\$ -	
30						\$ -	
31						\$ -	
32						\$ -	
33						\$ -	
34						\$ -	
35						\$ -	
36						\$ -	
37						\$ -	
38	MATERIAL SUBTOTAL					TOTAL	
39						\$ -	
40					\$ -		





**CHANGE ORDER COST PROPOSAL NO. 02  
MARATHON AREA 5 WWTP  
EQUIPMENT ESTIMATE**

Revision 01

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL
1	Small Tools	4% Labor Cost	\$ 970		4%	\$ 38.80
2	Consumables	\$1.00 / Labor Hr	12.0		\$ 1.00	\$ 12.00
3						\$ -
4						\$ 50.80
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	<b>EQUIPMENT SUBTOTAL</b>					<b>TOTAL</b>
33						\$ 50.80
34						
35					<b>\$ 50.80</b>	



**CHANGE ORDER COST PROPOSAL NO. 02**  
**MARATHON AREA 5 WWTP**  
**SUBCONTRACT ESTIMATE**

#	SUBCONTRACTOR	SCOPE	INV	TOTAL	NOTES
1	Carey & Knuth	MCCA Changes		\$ 13,705.00	Attached Carey & Knuth proposal
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
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29					
30					
31					
32					
33					
34					
35					
36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39				\$ 13,705.00	
40				\$ 13,705.00	





March 22, 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. 04 Rev 1 – Electrical Feeder Riser Changes and Transformer pad

Dear Mr. Mashtakov:

The attached electrical sheets E-1, E-2 and transformer sheets S-202 were provided to W-S via email on 12-15-10 and 01-04-11 from Weiler Engineering Corporation. Upon review of the documents, there are several changes to the electric riser diagram and added a transformer pad that require additional cost therefore, we are please to provide our scope and proposal for all modifications to the electrical riser service.

The above referenced proposal for the amount of \$ 32,725.00 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 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 Authority, 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

Attachment:  
W-S Proposal  
Plans Pages E-1, E-3 & S-202  
Carey & Knuth Proposal dated 12-20-10

File / 10-041 / C-8A # 03

CHANGE ORDER COST PROPOSAL NO. 04



MARATHON AREA 5 WWTP  
PROPOSAL SUMMARY

#	DESCRIPTION	NOTES
1	Change order to cover additional scope of work depicted on new riser sheets E1, E3 and transformer pad details on S-202	
2		
3		
4		
5		
6		
7		
8		
9		
10	The duration for the additional work outlined in this proposal is 45 calendar days.	
11	The Contract Time Extension due to this Change Order is TO BE DETERMINED calendar days.	
12	<b>MATERIALS</b>	<b>TOTAL</b>
13	From Page 2	\$ 1,770.00
14	Tax 7.5%	\$ 132.75
15	P & O 20.0%	\$ 380.55
16		<b>\$ 2,283.30</b>
17		
18	<b>LABOR</b>	<b>HRS</b> <b>AVG \$ / HR</b> <b>TOTAL</b>
19	From Page 3	64 \$ 56.36 \$ 3,608.00
20	P & O 20.0%	\$ 721.60
21		<b>\$ 4,329.60</b>
22		
23	<b>TOOLS &amp; EQUIPMENT</b>	<b>TOTAL</b>
24	From Page 4	\$ 1,286.72
25	Tax 7.5%	\$ 95.00
26	P & O 20.0%	\$ 272.34
27		<b>\$ 1,634.07</b>
28		
29	<b>SUBCONTRACTS</b>	<b>INV</b> <b>TOTAL</b>
30	From Page 5	\$ 20,075.00
31		\$ -
32		
33		
34	Subtotal	\$ 20,075.00
35	P & O 20.0%	\$ 4,015.00
36		<b>\$ 24,090.00</b>
37		
38	<b>OTHER</b>	<b>QTY</b> <b>REFERENCE</b> <b>TOTAL</b>
39	Additional Insurance 0.55%	M + L + T&E + S \$ 32,336.97 \$ 177.85
40	Additional Bond 0.45%	M + L + T&E + S \$ 32,336.97 \$ 145.52
41	Subtotal	\$ 323.37
42	P & O 20.0%	\$ 64.67
43		<b>\$ 388.04</b>
44		
45		<b>QTY</b> <b>REFERENCE</b> <b>TOTAL</b>
46	Extended Overhead	\$ -
47	Overhead cost 0.0%	\$ -
48		\$ -
49		
50	<b>FINAL QUOTE TOTAL</b>	<b>TOTAL</b>
51		\$ 32,725.00
52		
53		<b>\$ 32,725.00</b>



**CHANGE ORDER COST PROPOSAL NO. 04**

Revision 01



**MARATHON AREA 5 WWTP**

**MATERIAL ESTIMATE**

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1	Reinforcing Steel for Transformer Pad		1	LS	\$ 90.00	\$ 90.00	Attached Southwestern proposal
2	5000 PSI Concrete for Transformer Pad		6.00	CY	\$ 180.00	\$ 1,080.00	
3	Miscellaneous materials- Form works, concrete accessories		1	LS	\$ 600.00	\$ 600.00	
4						\$ -	
5						\$ -	
6						\$ -	
7						\$ -	
8						\$ -	
9						\$ -	
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31						\$ -	
32						\$ -	
33						\$ -	
34						\$ -	
35						\$ -	
36						\$ -	
37						\$ -	
38	<b>MATERIAL SUBTOTAL</b>					<b>TOTAL</b>	
39						\$ 1,770.00	
40					<b>\$</b>	<b>1,770.00</b>	





**CHANGE ORDER COST PROPOSAL NO. 04  
MARATHON AREA 5 WWTP  
EQUIPMENT ESTIMATE**

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL
1	Small Tools	4% Labor Cost	\$ 3,608		4%	\$ 144.32
2	Consumables	\$1.00 / Labor Hr	64.0		\$ 1.00	\$ 64.00
3						\$ -
4						\$ 208.32
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		1.00	Day	\$ 465.00	\$ 465.00
21	Concrete Pump		0.50	Day	\$ 960.00	\$ 480.00
22	Excavator			Day	\$ 465.00	\$ -
23	40 Ton Crane			Day	\$ 1,000.00	\$ -
24	Core Drill			Day	\$ 85.00	\$ -
25						\$ 945.00
26						
#	FUEL	DESCRIPTION		Rate	REF	TOTAL
28	Equipment Fuel	12% Fueled Equipment Cost		12%	\$ 945.00	\$ 113.40
29						\$ 113.40
30						
31						
32	<b>EQUIPMENT SUBTOTAL</b>					<b>TOTAL</b>
33						\$ 1,266.72
34						
35					<b>\$</b>	<b>1,266.72</b>



**CHANGE ORDER COST PROPOSAL NO. 04  
MARATHON AREA 5 WWTP  
SUBCONTRACT ESTIMATE**

#	SUBCONTRACTOR	SCOPE	INV	TOTAL	NOTES
1	Electrical	Primary Electrical Feed Change Changes		\$ 19,875.00	
2	Concrete Analysis & testing Lab	Concrete testing		\$ 200.00	
3					
4					
5					
6					
7					
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36					
37					
38	<b>SUBCONTRACT SUBTOTAL</b>			<b>TOTAL</b>	
39				\$ 20,075.00	
40				<b>\$ 20,075.00</b>	





March 22, 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. 06 Rev 2 – Digester Slab on grade revisions

Dear Mr. Mashtakov:

Per the attached RFI 007 response dated December 21, 2010 we are please to provide our scope and proposal for the **installation of the Digester slab on grade based on revisions.**

The above referenced proposal for the amount of \$13,476.00 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 **installation of the Digester slab on grade based on the revisions.**

We have attached a detailed Proposal Summary 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 Authority, 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

Attachment:  
W-S Proposal  
RFI No.007 Response

File / 10-041 / C-8A # 03

**CHANGE ORDER COST PROPOSAL NO. 06**



Wharton-Smith, Inc.  
CONSTRUCTION GROUP

**MARATHON AREA 5 WWTP**

**PROPOSAL SUMMARY**

#	DESCRIPTION	NOTES
1	Installation of Digester slab per the the attached RFI 007 response and revised Drawing No.S-203.	
2		
3		
4		
5		
6		
7		
8		
9		
10	The duration for the additional work outlined in this proposal is 60 calendar days.	
11	The Contract Time Extension due to this Change Order is TO BE DETERMINED calendar days.	
12	<b>MATERIALS</b>	<b>TOTAL</b>
13	From Page 2	\$ 2,985.00
14	Tax 7.50%	\$ 223.88
15	P & O 20.0%	\$ 641.78
16		\$ 3,850.65
17		
18	<b>LABOR</b>	<b>HRS</b>
19	From Page 3	126
20		AVG \$ / HR \$ 54.73
21	P & O 20.0%	\$ 1,379.20
22		\$ 8,275.20
23	<b>TOOLS &amp; EQUIPMENT</b>	<b>TOTAL</b>
24	From Page 4	\$ 922.64
25	Tax 7.50%	\$ 69.20
26	P & O 20.0%	\$ 198.37
27		\$ 1,190.21
28		
29	<b>SUBCONTRACTS</b>	<b>INV</b>
30	From Page 5	
31		\$ -
32		\$ -
33		
34	Subtotal	\$ -
35	P & O 20.0%	\$ -
36		\$ -
37		
38	<b>OTHER</b>	<b>QTY</b>
39	Additional Insurance	0.55%
40	Additional Bond	0.45%
41		REFERENCE
42		\$ 13,316.06
43		\$ 59.92
44		\$ 133.16
45		\$ 26.63
46		\$ 159.79
47		
48		
49		
50	<b>FINAL QUOTE TOTAL</b>	<b>TOTAL</b>
51		\$ 13,476.00
52		
53		\$ 13,476.00

CHANGE ORDER COST PROPOSAL NO. 06

Revision 02



MARATHON AREA 5 WWTP

MATERIAL ESTIMATE

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1	Additional Rebars per the Digester revisions		1	LS	\$ 2,685.00	\$ 2,685.00	
2	Additional misc.Form work materials		1	LS	\$ 300.00	\$ 300.00	
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	MATERIAL SUBTOTAL					TOTAL	
39						\$ 2,985.00	
40					\$	2,985.00	







**CHANGE ORDER COST PROPOSAL NO. 06  
MARATHON AREA 5 WWTP  
EQUIPMENT ESTIMATE**

Revision 02

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL	
1	Small Tools	4% Labor Cost	\$ 6,896		4%	\$ 275.84	
2	Consumables	\$1.00 / Labor Hr	126.0		\$ 1.00	\$ 126.00	
3						\$ -	
4						\$ 401.84	
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	\$ 150.00	\$ -	
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		1.00	Day	\$ 465.00	\$ 465.00	Rework, additional rebar unloading
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						\$ 465.00	
26							
#	FUEL	DESCRIPTION		Rate	REF	TOTAL	
28	Equipment Fuel	12% Fueled Equipment Cost		12%	\$ 465.00	\$ 55.80	
29						\$ 55.80	
30							
31							
32	EQUIPMENT SUBTOTAL					TOTAL	
33						\$ 922.64	
34						\$	922.64
35							



**CHANGE ORDER COST PROPOSAL NO. 06**  
**MARATHON AREA 5 WWTP**  
**SUBCONTRACT ESTIMATE**

#	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			\$		

Labor Breakdown	Quantity	Unit	Duration (Days)	Hours													Totals		
				Project Manager	Asst. Project Manager	Project Engineer	Superintendent	Asst. Superintendent	Surveyor	Craft Foreman	Operator	Rebarster	Carpenter	Pipfitter	Plumber	Finisher		Laborer	Welder
				4															0
Coordination and change order administration				4															8
Reinforcing steel installation: 2.1 ton							4												28
Additional Form work installation and removal																		4	12
Additional rebar unloads onsite																		2	4
As-Built changes								2											2
																			0
																			0
																			0
																			0
<b>Rework onsite:</b>																			0
Layout Changes, Pile relocation, Coordination with Engineer for revising the drawing							24												72
																		48	0
																			0
																			0
																			0
																			0
																			0
				4	0	6	28	0	0	0	0	0	0	0	0	0	0	0	0
																			0
																			0
																			0
																			0
																			0
				4	0	6	28	0	0	0	0	0	0	0	0	0	0	54	126



**Wharton-Smith, Inc.**  
CONSTRUCTION GROUP

February 28, 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. 09 Rev 0 – Deletion of scope of supply Molasses and Alum storage tank and Clam-on Mixer

Dear Mr. Mashtakov:

Per the attached Engineer comments on Submittal No. 11430-001 we are please to provide our scope and proposal for the deletion of scope of supply all equipment associated with storage of Molasses and Alum, together with Clam-On Mixer and Stand.

The above referenced proposal for the amount of \$2,260.00 credit 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 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 Authority, 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

Attachment:  
W-S Proposal  
WEC email dated 10-28-10 with submittal review comments  
EnPro email dated 11-02-10

File / 10-041 / C-8A # 03



**CHANGE ORDER COST PROPOSAL NO. 09**  
**MARATHON AREA 5 WWTP**  
**PROPOSAL SUMMARY**

#	DESCRIPTION	NOTES		
1	Deductive Change order for the removal from supply of scope all equipment associated with storage of Molasses ad Alum, together with Clam-On Mixer and Stand per Engineer comments on Submittal No. 11430-001.			
2				
3				
4				
5				
6				
7				
8				
9				
10	The duration for the additional work outlined in this proposal is 0 calendar days.			
11	The Contract Time Extension due to this <u>Change Order</u> is <u>TO BE DETERMINED</u> calendar days.			
12	<b>MATERIALS</b>	<b>TOTAL</b>		
13	From Page 2	\$ (2,830.00)		
14	Tax 7.5%	\$ (212.25)		
15	Markup	\$ (3,042.25)		
16		\$ (3,042.25)		
17				
18	<b>LABOR</b>	<b>HRS</b>	<b>AVG \$ / HR</b>	<b>TOTAL</b>
19	From Page 3	10	\$ 74.00	\$ 740.00
20	Markup		\$ -	\$ 740.00
21				\$ 740.00
22				
23	<b>TOOLS &amp; EQUIPMENT</b>	<b>TOTAL</b>		
24	From Page 4	\$ 39.60		
25	Tax 7.5%	\$ 2.97		
26	Markup	\$ 42.57		
27		\$ 42.57		
28				
29	<b>SUBCONTRACTS</b>	<b>INV</b>	<b>TOTAL</b>	
30	From Page 5		\$ -	
31			\$ -	
32				
33				
34	Subtotal		\$ -	
35	Markup 10.0%		\$ -	
36			\$ -	
37				
38	<b>OTHER</b>	<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
39	Additional Insurance		M + L + T&E + S \$ (2,259.68)	\$ -
40	Additional Bond		M + L + T&E + S \$ (2,259.68)	\$ -
41	Subtotal			\$ -
42	Markup 10.0%			\$ -
43				\$ -
44				
45		<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
46	Extended Overhead		\$ (2,260.00)	\$ -
47	Overhead cost	1	0.0% \$ (2,260.00)	\$ -
48				\$ -
49				
50	<b>FINAL QUOTE TOTAL</b>		<b>TOTAL</b>	
51			\$ (2,260.00)	
52				
53			\$ (2,260.00)	



**CHANGE ORDER COST PROPOSAL NO. 09**  
**MARATHON AREA 5 WWTP**  
**MATERIAL ESTIMATE**

Revision 0

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1	Deductive Change order for the removal from supply of scope all equipment associated with storage of Molasses ad Alum, together with Clam-On Mixer and Sland per Engineer		1	LS	\$ (2,830.00)	\$ (2,830.00)	Attached email from Enpro dated November 02, 2010.
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	MATERIAL SUBTOTAL					TOTAL	
39						\$ (2,830.00)	
40					\$	(2,830.00)	







**CHANGE ORDER COST PROPOSAL NO. 09  
MARATHON AREA 5 WWTP  
EQUIPMENT ESTIMATE**

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL	
1		4% Labor Cost	\$ 740		4%	\$ 29.60	
2	Consumables	\$1.00 / Labor Hr	10.0		\$ 1.00	\$ 10.00	
3						\$ -	
4						\$ 39.60	
5							
#	EQUIPMENT	DESCRIPTION	QTY	UNIT	RATE	TOTAL	
7	Pickup Truck			Day	\$ 43.50	\$ -	
8	Air Compressor			Day	\$ 350.00	\$ -	
9	Backhoe			Day	\$ 465.00	\$ -	
10	Loader			Day	\$ 465.00	\$ -	
11	Generator			Day	\$ 68.50	\$ -	
12	Compactor			Day	\$ 150.00	\$ -	
13						\$ -	
14							
#	RENTALS	DESCRIPTION	QTY	UNIT	RATE	TOTAL	
16	Welder			Day	\$ 150.00	\$ -	
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	<b>EQUIPMENT SUBTOTAL</b>					<b>TOTAL</b>	
33						\$ 39.60	
34							
35						<b>\$ 39.60</b>	



**CHANGE ORDER COST PROPOSAL NO. 09**  
**MARATHON AREA 5 WWTP**  
**SUBCONTRACT ESTIMATE**

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





March 23, 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. 10 Rev 1 – 10" EMO valves electrical modifications per RFI No. 019

Dear Mr. Mashtakov:

Per the attached RFI 019 response dated March 4, 2011 we are please to provide our scope and proposal for the installation of the electrical conduit, power and control wires for the two electrical actuators.

The above referenced proposal for the amount of \$5,689.00 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 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 Authority, 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.

  
Phillip Mintzer  
Project Manager

Attachment:  
W-S Proposal  
Carey & Knuth proposal  
RFI 019

File / 10-041 / C-8A # 03

Summary



**CHANGE ORDER COST PROPOSAL NO. 10**  
**MARATHON AREA 5 WWTP**  
**PROPOSAL SUMMARY**

Revision 1

#	DESCRIPTION	NOTES		
1	Change order to cover the Installation of electrical conduit, power and control wires for the two 10" EMO valves per the RFI No. 019 response.			
2				
3				
4				
5				
6				
7				
8				
9				
10	The duration for the additional work outlined in this proposal is 15 calendar days.			
11	The Contract Time Extension due to this <u>Change Order</u> is <u>TO BE DETERMINED</u> calendar days.			
12	<b>MATERIALS</b>	<b>TOTAL</b>		
13	From Page 2	\$ -		
14	Tax 7.5%	\$ -		
15	P & O 20.0%	\$ -		
16		\$ -		
17				
18	<b>LABOR</b>	<b>HRS</b>	<b>AVG \$ / HR</b>	<b>TOTAL</b>
19	From Page 3	10	\$ 86.00	\$ 860.00
20	P & O 20.0%		\$ 172.00	\$ 1,032.00
21				\$ 1,032.00
22				
23	<b>TOOLS &amp; EQUIPMENT</b>	<b>TOTAL</b>		
24	From Page 4	\$ 44.40		
25	Tax 7.5%	\$ 3.33		
26	P & O 20.0%	\$ 9.55		
27		\$ 57.28		
28				
29	<b>SUBCONTRACTS</b>	<b>INV</b>	<b>TOTAL</b>	
30	From Page 5		\$ 3,777.00	
31			\$ -	
32				
33				
34		Subtotal	\$ 3,777.00	
35		P & O 20.0%	\$ 755.40	
36			\$ 4,532.40	
37				
38	<b>OTHER</b>	<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
39	Additional Insurance	0.55%	M + L + T&E + S \$ 5,621.68	\$ 30.92
40	Additional Bond	0.45%	M + L + T&E + S \$ 5,621.68	\$ 25.30
41			Subtotal	\$ 56.22
42			P & O 20.0%	\$ 11.24
43				\$ 67.46
44				
45		<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
46	Extended Overhead			\$ -
47	Overhead cost			\$ -
48				\$ -
49				
50	<b>FINAL QUOTE TOTAL</b>	<b>TOTAL</b>		
51		\$ 5,689.00		
52				
53		\$ 5,689.00		



**CHANGE ORDER COST PROPOSAL NO. 10**  
**MARATHON AREA 5 WWTP**  
**MATERIAL ESTIMATE**

Revision 1

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	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	MATERIAL SUBTOTAL					TOTAL	
39						\$ -	
40					\$	-	





**CHANGE ORDER COST PROPOSAL NO. 10  
MARATHON AREA 5 WWTP  
EQUIPMENT ESTIMATE**

Revision 1

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL
1		4% Labor Cost	\$ 860		4%	\$ 34.40
2	Consumables	\$1.00 / Labor Hr	10.0		\$ 1.00	\$ 10.00
3						\$ -
4						\$ 44.40
5						
#	EQUIPMENT	DESCRIPTION	QTY	UNIT	RATE	TOTAL
7	Pickup Truck			Day	\$ 43.50	\$ -
8	Air Compressor			Day	\$ 350.00	\$ -
9	Backhoe			Day	\$ 465.00	\$ -
10	Loader			Day	\$ 465.00	\$ -
11	Generator			Day	\$ 68.50	\$ -
12	Compactor			Day	\$ 150.00	\$ -
13						\$ -
14						
#	RENTALS	DESCRIPTION	QTY	UNIT	RATE	TOTAL
16	Welder			Day	\$ 150.00	\$ -
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	<b>EQUIPMENT SUBTOTAL</b>					<b>TOTAL</b>
33						\$ 44.40
34						
35					<b>\$ 44.40</b>	





**CHANGE ORDER COST PROPOSAL NO. 10**  
**MARATHON AREA 5 WWTP**  
**SUBCONTRACT ESTIMATE**

Revision 1

#	SUBCONTRACTOR	SCOPE	INV	TOTAL	NOTES
1	Carey & Knuth	Additonal electrical scope for the two 10" bypass valve		\$ 3,777.00	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
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25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39				\$ 3,777.00	
40				\$ 3,777.00	





April 12, 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. 11 Rev 0 – Additional Hatch and Davit Crane Support Bases

Dear Mr. Mashtakov:

Per your email dated 4/12/11, we are pleased to provide our scope and proposal for the installation of one new 36" x 36" aluminum hatch and two davit crane support bases.

The above referenced proposal for the amount of \$ 2,953.00 includes furnishing all necessary labor, materials, tools, equipment, and supervision required for the items of work shown in the Wharton-Smith, Inc. Proposal Summary No. 11. One additional day will be required for the installation of this work.

We have attached a detailed Proposal Summary 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.

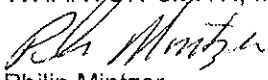
Please be advised that the work outlined in this proposal is a change to the original contractual scope of work. At the present time we are unable to determine the schedule impact of this changed work. Upon receipt of a written Construction Directive, activities for the altered work will be incorporated 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 Authority, 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

Attachment:

W-S Proposal #11  
Alpha Metals Hatch Quotation Dated 3-30-11  
Fastenal E-Mail Dated 4-12-11

File / 10-041 / C-8A # 03

CHANGE ORDER COST PROPOSAL NO. 11



MARATHON AREA 5 WWTP

PROPOSAL SUMMARY

#	DESCRIPTION	NOTES		
1	Installation of new 36" x 36" Aluminum Hatch and bases for portable cranes.			
2				
3				
4				
5				
6				
7				
8				
9				
10	The duration for the additional work outlined in this proposal is 20 calendar days.			
11	The Contract Time Extension due to this <u>Change Order</u> is <u>TO BE DETERMINED</u> calendar days.			
12	<b>MATERIALS</b>	<b>TOTAL</b>		
13	From Page 2	\$ 1,219.00		
14	Tax 7.50%	\$ 91.43 \$ 1,310.43		
15	Markup 20.0%	\$ 262.09 \$ 1,572.51		
16		<b>\$ 1,572.51</b>		
17				
18	<b>LABOR</b>	<b>HRS</b>	<b>AVG \$ / HR</b>	<b>TOTAL</b>
19	From Page 3	15	\$ 44.73	\$ 671.00
20	Markup 20.0%		\$ 134.20	\$ 805.20
21				<b>\$ 805.20</b>
22				
23	<b>TOOLS &amp; EQUIPMENT</b>			<b>TOTAL</b>
24	From Page 4			\$ 41.84
25	Tax 7.50%		\$ 3.14	\$ 44.98
26	Markup 20.0%		\$ 9.00	\$ 53.97
27				<b>\$ 53.97</b>
28				
29	<b>SUBCONTRACTS</b>	<b>INV</b>		<b>TOTAL</b>
30	From Page 5			\$ -
31				\$ -
32				
33				
34			Subtotal	\$ -
35			Markup 20.0%	\$ -
36				<b>\$ -</b>
37				
38	<b>OTHER</b>	<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
39	Additional Insurance	0.55%	M + L + T&E + S \$ 2,431.68	\$ 13.37
40	Additional Bond	0.45%	M + L + T&E + S \$ 2,431.68	\$ 10.94
41			Subtotal	\$ 24.32
42			Markup 20.0%	\$ 4.86
43				<b>\$ 29.18</b>
44				
45		<b>QTY</b>	<b>REFERENCE</b>	<b>TOTAL</b>
46	Extended Overhead		\$ 2,437.00	\$ - To be determined
47	Overhead cost	1	20.0% \$ 2,461.00	\$ 492.20
48				<b>\$ 492.20</b>
49				
50	<b>FINAL QUOTE TOTAL</b>			<b>TOTAL</b>
51				\$ 2,953.00
52				
53			<b>\$</b>	<b>2,953.00</b>

**CHANGE ORDER COST PROPOSAL NO. 11**

Revision 00



**MARATHON AREA 5 WWTP**

**MATERIAL ESTIMATE**

#	MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1	36" x 36" Aluminum Hatch		1	ea	\$ 552.00	\$ 552.00	
2	8" x 8" Thern Bases 522SSF		2	ea	\$ 257.00	\$ 514.00	
3	Base Caps TK2P		2	ea	\$ 50.00	\$ 100.00	
4	Freight on Bases		1	ls	\$ 13.00	\$ 13.00	
5	Anchor Bolts		8	ea	\$ 5.00	\$ 40.00	
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	<b>MATERIAL SUBTOTAL</b>					<b>TOTAL</b>	
39						\$ 1,219.00	
40					<b>\$</b>	<b>1,219.00</b>	





**CHANGE ORDER COST PROPOSAL NO. 11**  
**MARATHON AREA 5 WWTP**  
**EQUIPMENT ESTIMATE**

Revision 00

#	TOOLS	DESCRIPTION	REF		RATE	TOTAL	
1	Small Tools	4% Labor Cost	\$ 671		4%	\$ 26.84	
2	Consumables	\$1.00 / Labor Hr	15.0		\$ 1.00	\$ 15.00	
3						\$ -	
4						\$ 41.84	
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	<b>EQUIPMENT SUBTOTAL</b>					<b>TOTAL</b>	
33						\$ 41.84	
34							
35					<b>\$</b>	<b>41.84</b>	

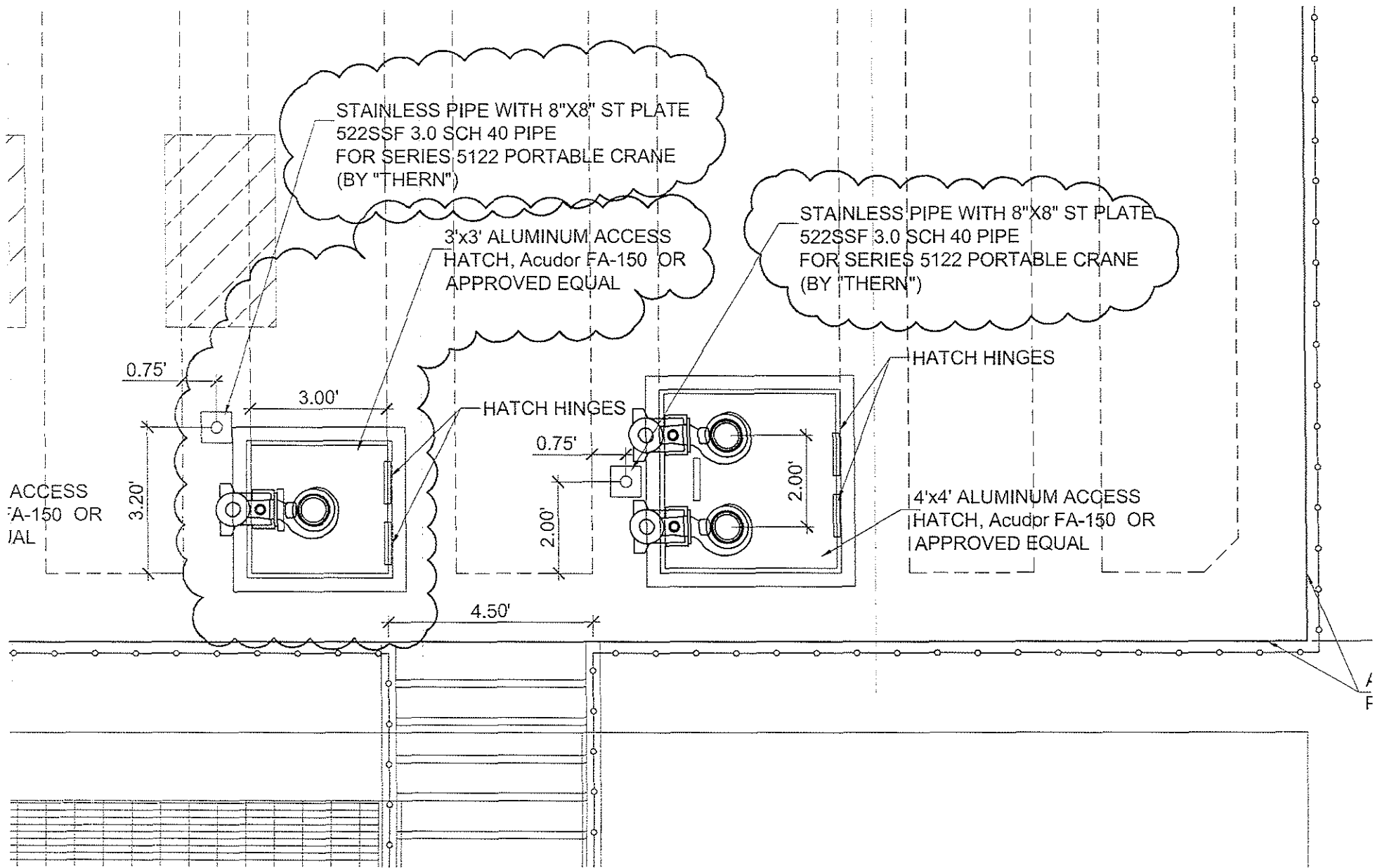


**CHANGE ORDER COST PROPOSAL NO. 11**  
**MARATHON AREA 5 WWTP**  
**SUBCONTRACT ESTIMATE**

#	SUBCONTRACTOR	SCOPE	INV	TOTAL	NOTES
1					
2					
3					
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31					
32					
33					
34					
35					
36					
37					
38	SUBCONTRACT SUBTOTAL			TOTAL	
39			\$	-	
40			\$	-	







**RIDER**

To be attached to and form a part of Payment & Performance Bond Bond No. 929510353

dated 08/19/2010, issued by the Western Surety Company, as Surety, on behalf of Wharton-Smith, Inc., as Principal, in the penal sum of FOUR MILLION TWO HUNDRED TWENTY-SEVEN THOUSAND AND NO/100THS Dollars (\$ 4,227,000.00),

and in favor of City of Marathon for work described as CITY OF MARATHON SERVICE AREA 5 WASTEWATER TREATMENT PLANT EXPANSION, 506 106th Street Gulf, City of Marathon, Monroe County, Florida

In consideration of the premium charged for the attached bond, it is hereby agreed that the attached bond be amended as follows:

Bond Penalty is amended from: \$4,227,000.00 to \$4,297,471.00 to incorporate changes to the contract through and including Change Order No. 1.

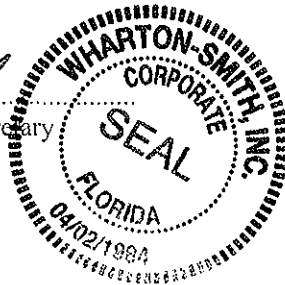
Provided, however, that the attached bond shall be subject to all its agreements, limitations and conditions except as herein expressly modified, and further that the liability of the Surety under the attached bond and the attached bond as amended by this rider shall not be cumulative.

This rider shall become effective as of 05/31/2011

Signed, sealed and dated 05/31/2011

ATTEST:

William C. Robinson, Jr.  
William C. Robinson, Jr., Corporate Secretary



ACCEPTED: City of Marathon

PRINCIPAL

Wharton-Smith, Inc.

By Ronald E. Davoli  
Ronald E. Davoli, President/CEO

Western Surety Company

By April L. Lively  
April L. Lively, Attorney-In-Fact & Florida Licensed Resident Agent  
Inquiries: (407) 834-0022

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**J W Guignard, Bryce R Guignard, M Gary Francis, April L Lively, Paul J Ciambriello, Jennifer L McCarta, Margie L Morris, Peggy Snow, Allyson Foss, Individually**

of Longwood, FL, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 23rd day of August, 2010.



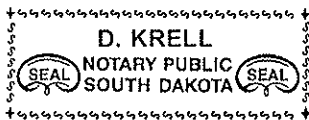
WESTERN SURETY COMPANY

Paul T. Bruffat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 23rd day of August, 2010, before me personally came Paul T. Bruffat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires  
November 30, 2012



D. Krell, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 31st day of May, 2011.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary