

**CITY OF MARATHON, FLORIDA
RESOLUTION 2012-131**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN THE CITY AND CEB IN THE ORIGINAL AMOUNT OF \$136,975.00 FOR THE REPAVING OF COMMUNITY PARK WEST PARKING AREA; INCREASING THE CONTRACT IN THE AMOUNT OF \$38,550.00 FOR THE RECONSTRUCTION OF AN EXISTING SIDEWALK, REPLACEMENT OF SUBGRADE MATERIAL AND ADDING OTHER MISCELLANEOUS PAVING; ADDING 24 DAYS TO THE CONTRACT TIME; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND APPROPRIATING FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Marathon (the “City”) entered into a contract with CEB Construction, Inc., (“CEB”) for the Repaving of Community Park West Parking Area (the “Project”) in August of 2012 (the “Contract”); and

WHEREAS, several changes to the Project (removal and disposal of unsuitable material, replacement of deteriorating sidewalk and additional paving work) has resulted in an increase in the cost of the Project in an amount not to exceed \$23,800.00 and extending the Project’s substantial completion date by 24 days and the final completion date by 24 days.

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. Change Order No. 1 to the Contract between the City and CEB 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 13th DAY OF NOVEMBER, 2012.

THE CITY OF MARATHON, FLORIDA



Mayor Mike Cinque

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

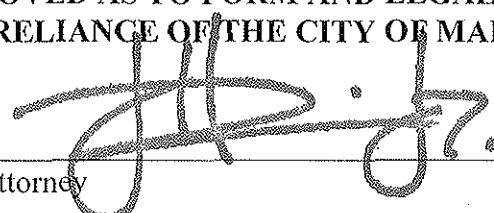
ATTEST:



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 # 1

TO: City of Marathon

PROJECT: Community Park West Parking Area Re-Paving Project

ENGINEER: City of Marathon

CONTRACTOR: CEB construction, Inc

DATE: October 29, 2012

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

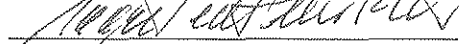
The Work as set forth in the Agreement is hereby amended to include the items set forth in Exhibits "A" attached hereto and by this reference made a part hereof.

This Change Order constitutes full, final, and complete compensation to **CEB Construction, Inc** for all costs, expenses, overhead, and profit, and any damages of every kind that **CEB Construction, Inc.** may incur in connection with the above referenced changes in the Construction Work under this Agreement. **CEB Construction, Inc.** acknowledges and agrees that (a) the Guaranteed Maximum Price of **\$136,975.00** under the Agreement will be **changed** by this Change Order. **CEB Construction, Inc.** 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.

CITY OF MARATHON

a Florida municipal corporation

By: 

Name: Roger Hernstadt

Title: City Manager

CEB construction, Inc

By: 

Name: Art Senti

Title: Project Manager

Exhibit "A"

CHANGE ORDER SUMMARY

Change Order No. 1
 Project Title **City of Marathon – Community Park West Parking Area Re-Paving Project**
 Bid No. N/A
 Owner: City of Marathon
 Contractor: **CEB Construction, Inc**
 Agreement Date: August 14, 2012

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>\$136,975.00</u> |
| (2) | Current Contract Price (Adjusted by Previous Change Orders) | <u>\$136,975.00</u> |
| (3) | Total Proposed Change in Contract Price | <u>\$38,450.00</u> |
| (4) | New Contract Price (Item 2 + Item 3) | <u>\$175,425.00</u> |
| (5) | Original Contract Time | <u>35 Days</u> |
| (6) | Proposed Change in Contract Time | <u>24 Days</u> |
| (6) | Current Contract Time (Adjusted by Previous Change Orders) | <u>35 Days</u> |
| (7) | Total Proposed Change in Contract Time | <u>24 Days</u> |
| (8) | New Contract Time (Item 6 + Item 7) | <u>59 Days</u> |
| (9) | Original Contract Substantial Completion Date | <u>October 28, 2012</u> |
| (10) | New Contract Substantial Completion Date | <u>November 21, 2012</u> |

SOMBRERO BEACH ROAD EXTENSION CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1.	Total Contract Price	\$136,975.00	\$38,550.00	\$0	\$38,450.00	24 Days
Total					\$38,450.00	24 Days

The change order is a result of adding the reconstruction of the sidewalk adjacent to the tennis and basketball courts, and the removal and stabilization of unsuitable material encountered in the project area. The change order also includes asphalt patching at various locations throughout the City as a result of utility repairs and other pavement repairs required. The cost for the additional off-site pavement repairs are budgeted in the Wastewater Utility budget and the Street Maintenance Budget. The breakdown of the costs are as follows:

WORK ITEM DESCRIPTION	PRICE
REPLACEMENT OD ASPHALT SIDEWALK	\$9,940.00
REMOVAL AND STABILIZATION OF UNSUITABLE MATERIAL	\$13,860.00
ASPHALT PATCH REPAIR BRUCE CT. 36 SF	\$800.00*
STIRRUP KEY DR. 81 SF	\$1,500.00*
ASPHALT PATCH SOMBRERO BLVD. SHOULDER 90 SF	\$1,500.00*
ASPHALT PATCH BIKE PATH AT FISHERMAN'S HOSPITAL 160 SF	\$1,800.00*
ASPHALT PATCH 107 TH ST. SHOULDER REPAIR 275 SF	\$2,500.00**
ASPHALT PATCH SOMBRERO BCH RD BIKE PATH 999SF	\$6,550.00*
TOTAL	\$38,450.00

*Cost allocated to Wastewater Utility

** Cost Allocated to Street Maintenance