

Sponsored by: Hernstadt

**CITY OF MARATHON, FLORIDA
RESOLUTION 2012-31**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 4 TO THE CONTRACT DATED JANUARY 11, 2011, BETWEEN THE CITY AND LANZO CONSTRUCTION, CO. IN THE ORIGINAL AMOUNT OF \$2,327,662 FOR THE CONSTRUCTION OF THE SERVICE AREA 7 WASTEWATER TREATMENT PLANT; DECREASING THE CONTRACT PRICE BY \$22,936.60 AS A FINAL BALANCING CHANGE ORDER FOR THE PROJECT; EXTENDING SUBSTANTIAL COMPLETION BY 17 DAYS AND FINAL COMPLETION BY 17 DAYS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Marathon (the "City") entered into a contract with Lanzo Construction Company ("Lanzo") for Construction of the Service Area 7 Wastewater Treatment Plant (the "Project") in January of 2011 (the "Contract"); and

WHEREAS, proposed Change Order Number 4 with Lanzo is to close out the Contract.

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

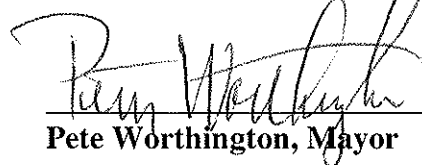
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Change Order No.4 to the Contract between the City and Lanzo attached hereto as "Exhibit A," is hereby approved. The City Manager is authorized to execute the Change Order 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 MARCH, 2012.

THE CITY OF MARATHON, FLORIDA



Pete Worthington, Mayor

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

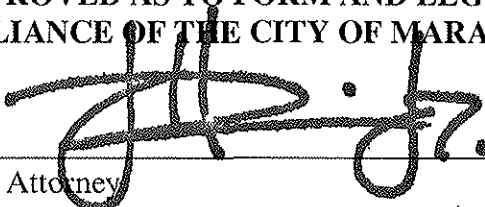
ATTEST:



Hillary Palmer, Acting City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND
RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



City Attorney

EXHIBIT "A"
CHANGE ORDER

CHANGE ORDER NO. 4

TO: City of Marathon

PROJECT: City of Marathon Service Area 7 Waste Water Treatment Facility Contract Change Order Assignment and Assumption dated January 11, 2011, in the amount of \$2,327,662.00.

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Lanzo Construction Co.

DATE: March 2, 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 on Exhibit "A" attached hereto and by this reference made a part hereof.

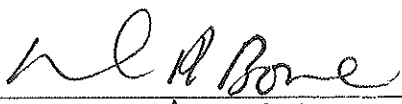
This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under this Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$2,327,662.00 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: 
Name: Roger Hernstadt
Title: City Manager

By: 
Name: Michael A Bone
Title: Vice President

END OF SECTION

CHANGE ORDER SUMMARY

Change Order No. 4
Project Title Service Area 7 WWTP Completion
Bid No. N/A
Owner: City of Marathon
Contractor: Lanzo Construction Company, Florida
Agreement Date: January 11, 2011

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:

(1)	Original Contract Price	<u>\$2,327,662.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$2,365,234.76</u>
(3)	Total Proposed Change in Contract Price	<u>-\$22,936.60</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$2,342,298.16</u>
(5)	Original Contract Time (Substantial)	<u>270 Days</u>
(6)	Original Contract Time (Final)	<u>330 Days</u>
	<u>Adjustments by Previous Change Orders:</u>	
(7)	Substantial Completion	<u>365 Days</u>
(8)	Final Completion	<u>397Days</u>
(9)	Total Proposed Change in Contract Time	<u>17 Days</u>
(10)	New Substantial Contract Time (Item 7 + Item 9)	<u>382 Days</u>
(11)	New Final Contract Time (Item 8 + Item 10)	<u>414 Days</u>
(12)	Original Contract Substantial Completion Date	<u>November 25, 2011</u>
(13)	Original Contract Final Completion Date	<u>January 24, 2012</u>
(14)	New Contract Substantial Completion Date	<u>March 16, 2012</u>
(15)	New Contract Final Completion Date	<u>April 17, 2012</u>

EXHIBIT "A"

CHANGES ORDERED

ITEM 1 – Area 7 WWTP Filter By-pass Piping

Description of Change: Purchase and installation of all materials to provide a by-pass of the filter unit directly into to chlorine contact chamber as described on Lanzo RFP cc 40070, Filter By-pass Piping.

Reason for Change: The city requested the by-pass piping be included to allow for bypassing the filter unit during/after possible future storm related events.

Change in Contract Price: **\$5,167.91**

Change in Contract Time: **0 Days**

ITEM 2 – Area 7 WWTP Primary Power Feed and Transformer Pad Modifications

Description of Change: Purchase and installation of additional conduit, wiring, transformer support pad and appurtenances as described on Lanzo RFP cc 40090, FKEC Electrical Feed.

Reason for Change: FKEC changed the primary electrical service configuration once the proposed fire station was added to the installation. These changes will provide the primary power connection for the WWTP as well as the proposed fire station.

Change in Contract Price: **\$30,850.12**

Change in Contract Time: **17 Days**

ITEM 3 – Area 7 Clearwell Piping Changes

Description of Change: Purchase and installation of additional piping, valves, fittings and provide foot valves and priming apparatus to the reuse pumping system.

Reason for Change: These items are required to have a functional reuse pumping system. The Siemens scope of work did not include these items and they were also not included Lanzo’s original scope of work.

Change in Contract Price: **\$2,051.34**

Change in Contract Time: **0 Days**

ITEM 4 – Area 7 Landscaping, Sod, and Irrigation Deletion

Description of Change: The landscaping, sodding, and irrigation system were removed for the contract.

Reason for Change: These items have been removed from this contract and will be bid separately by the city inclusive of the fire station project. The landscaping and irrigation for both the Area 7 WWTP and proposed fire station will be performed by the successful contractor.

Change in Contract Price: **-\$72,698.38**

Change in Contract Time: **0 Days**

ITEM 5 – Area 7 Electrical Changes

Description of Change: Purchase and installation of additional conduit, wiring and appurtenances for the relocation of various items to accommodate the relocated generator for the fire station, the addition of several items required the City’s building department, and installation of additional lighting since the layout had to be changed due to the generator relocation. As described

Reason for Change: These items are required to make the equipment functional in altered locations, to comply with building department requests, and to service the altered layout caused by the generator upsizing and relocation to accommodate the proposed fire station.

Change in Contract Price: **\$9,123.28**

Change in Contract Time: **0 Days**
