

Sponsored by: Hernstadt

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2012-49**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 7 TO THE CONTRACT DATED OCTOBER 26, 2010, BETWEEN THE CITY AND THE REDLAND COMPANY INC., IN THE ORIGINAL AMOUNT OF \$2,894,418.96, FOR THE CONSTRUCTION OF THE LITTLE VENICE PHASE I STORMWATER AND PAVING PROJECT; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$8,451.47, AND EXTENDING THE SUBSTANTIAL AND FINAL COMPLETION DATES BY 205 DAYS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Marathon (the "City") entered into a contract with the Redland Company ("Redland") for The Little Venice Phase I Stormwater and Repaving Project (the "Project") in October of 2010 (the "Contract"); and

**WHEREAS**, Change Order No. 7 increases the Contract sum in an amount not to exceed \$8,451.47 and adds 205 days to the substantial and final completion dates.

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

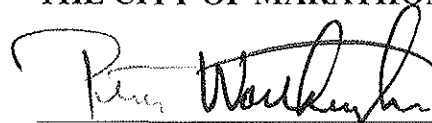
**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** Change Order No.7 to the Contract between the City and Redland attached hereto as "Exhibit A," is hereby approved. The City Manager is authorized to execute the Change Order and expend budgeted funds on behalf of the City.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 8<sup>th</sup> DAY OF MAY, 2012.**

**THE CITY OF MARATHON, FLORIDA**

  
\_\_\_\_\_  
Pete Worthington, Mayor

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

**ATTEST:**

  
\_\_\_\_\_  
Diane Clavier, City Clerk

(City Seal)

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

  
\_\_\_\_\_  
City Attorney

EXHIBIT "A"  
CHANGE ORDER

CHANGE ORDER NO. 7

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TO: City of Marathon

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

ENGINEER: Weiler Engineering Corporation

CONTRACTOR: Redland Company

DATE: May 8, 2012

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

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

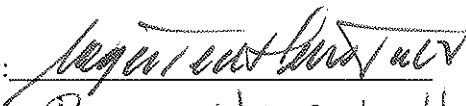
This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under this Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$ 2,894,418.96 under the Agreement will be **changed** by this Change Order, and (b) the schedule for performance of Work will be **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.

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THE CITY OF MARATHON  
a Florida municipal corporation

CONTRACTOR

By:   
Name: Roger Herrstadt  
Title: City manager

By:   
Name: Steven Pfah  
Title: Construction Manager

END OF SECTION

**CHANGE ORDER SUMMARY**

Change Order No. 7  
Project Title Little Venice Phase I Stormwater Improvements  
Bid No. N/A  
Owner: City of Marathon  
Contractor: The Redland Company  
Agreement Date: May 8, 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>\$ 2,894,418.96</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$ 3,102,270.65</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 8,451.47</u>
(4)	<b>Revised Contract Price (Item 2 + Item 3)</b>	<b><u>\$ 3,110,722.12</u></b>
(5)	Original Contract Time (Substantial)	<u>300 Days</u>
(6)	Original Contract Time (Final)	<u>330 Days</u>
	<u>Adjustments by Previous Change Orders:</u>	
(7)	Substantial Completion	<u>0 Days</u>
(8)	Final Completion	<u>0 Days</u>
(9)	Total Proposed Change in Contract Time	<u>205 Days</u>
(10)	<b>Revised Substantial Contract Time (Item 7 + Item 9)</b>	<b><u>505 Days</u></b>
(11)	<b>Revised Final Contract Time (Item 8 + Item 9)</b>	<b><u>535 Days</u></b>
(12)	Original Contract Substantial Completion Date	<u>Oct.30, 2011</u>
(13)	Original Contract Final Completion Date	<u>Nov.29, 2011</u>
(14)	<b>Revised Contract Substantial Completion Date</b>	<b><u>May 22, 2012</u></b>
(15)	<b>Revised Contract Final Completion Date</b>	<b><u>June 21, 2012</u></b>

# EXHIBIT "A"

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## CHANGES ORDERED

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### ITEM 1 – Add Type D Trench

<b>Description of Change:</b>	Add 967 linear feet of Type D trench to replace the removed Type C trench
<b>Reason for Change:</b>	Unstable soil conditions in the areas of 116th St, 117 <sup>th</sup> St and on 105 <sup>th</sup> St. required the replacement of sections of Type A and Type C trench with Type D trench to avoid trench wall collapse.
<b>Scope of Work:</b>	Install approximately 967 feet of Type D trench in lieu of Type C trench.
<b>Change in Contract Price:</b>	<b>\$89,602.22</b>
<b>Change in Contract Time:</b>	N/A

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### ITEM 2 – Asphalt Grading Changes

<b>Description of Change:</b>	Remove asphalt, regrade road base, install 1.5" Type S 1 asphalt, add leveling course as directed.
<b>Reason for Change:</b>	Provide positive drainage to inlets that were relocated due to utility conflicts and to prevent potential water flow onto private properties
<b>Scope of Work:</b>	<ul style="list-style-type: none"><li>• Saw cut and remove asphalt, grade existing subbase, install 1.5" Type S 1 asphalt base course on 6<sup>th</sup> Ave at 116<sup>th</sup> St. (\$3,836.70)</li><li>• Saw cut and remove asphalt, grade existing subbase, install 1.5" Type S 1 asphalt base course and install additional swale on 5<sup>th</sup> Ave at 117<sup>th</sup> St. (\$4,516.05)</li><li>• Asphalt leveling Course (\$420.00)</li></ul>
<b>Change in Contract Price:</b>	<b>\$8,772.75</b>
<b>Change in Contract Time:</b>	N/A

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### ITEM 3 – Add Two 8" Injection Wells and Control Structures

**Description of Change:** Add 2 8" injection wells and two well control structures at the bid prices, add mobilization and demobilization charges for well driller due to permitting delays.

**Reason for Change:** Due to conflicts with existing unmarked utilities, the exfiltration trenches could not be placed on 112<sup>th</sup> St. north of the bridge or on 6<sup>th</sup> Avenue East off 112<sup>th</sup> St. Wells are needed for disposal of the collected stormwater.

**Scope of Work:** Install 8" injection well and control structure on 112<sup>th</sup> St. north of the bridge. Install 8" injection well and control structure on 6<sup>th</sup> Ave East off 112<sup>th</sup> St. and tie in adjacent inlet. Cost is added to the wells for remobilization due to permitting delays.

**Change in Contract Price:**

Description	Units	Unit Price	Qty	Extended Price
Install 8" Injection Well	EA	\$19,000.00	2	\$38,000.00
Install Well Control Structures	EA	\$8,100.00	2	\$16,200.00
Mobilization	LS	\$7,003.50	1	\$7,003.50

**Total \$61,203.50**

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

**ITEM 4 – Adjust Miscellaneous Quantity Over- and Under-runs**

**Description of Change:** Adjust quantities not needed to finish contract.

**Reason for Change:** To balance quantities

**Scope of Work:** N/A

**Change in Contract Price:**

Description	Qty	Units	Unit Price	Extended Price
Type A Trench	-672	LF	\$105.00	-\$70,560.00
Type B Trench	5	LF	\$74.00	\$370.00
Type C Trench	-600	LF	\$105.00	-\$63,000.00
Roadway Striping	-12018	LF	\$0.82	-\$9,854.76
Miami Curb & Gutter	-135	LF	\$155.00	-\$20,925.00
Catch Basins	-5	EA	\$3,500.00	-\$17,500.00
Roadway Reconstruction	-988	SY	\$23.50	-\$23,218.00
Mill & Patch	-1190	SY	\$20.00	-\$23,800.00
Asphalt Leveling Course	181.2	TON	\$350.00	\$63,420.00

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

**Total -\$165,067.76**

**ITEM 5 – Price Increase on Nyloplast Catch Basins**

**Description of Change:** Increase unit cost of Nyloplast catch basins by \$303.06 each for 46 basins purchased after January 1, 2012

**Reason for Change:** Due to delays beyond the Contractor's control, the cost paid by the Contractor for Nyloplast catch basins increased. With taxes and contractor markup allowed by the contract, the materials cost to the City increased by \$303.06 per basin.

**Scope of Work:** N/A

**Change in Contract Price:** \$13,940.76

**Change in Contract Time:** 0 Days

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**ITEM 6 – Add Days to Contract Times**

**Description of Change:** Add 205 calendar days to the contract times

**Reason for Change:** Unstable soil conditions and the proximity of utility trenches caused a need for a re-design and re-permitting of portions of the project. The Contractor had to demobilize and wait for the design and permitting to be completed.

**Scope of Work:** N/A

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

**Change in Contract Time:** 205 Days

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**Little Venice Phase 1 CHANGE ORDER 6 SUMMARY**

<b>Item No.</b>	<b>Description</b>	<b>Change in Contract Price</b>	<b>Change in Contract Time</b>
1	<i>Add Type D Trench</i>	\$89,602.22	0 Days
2	<i>Misc Asphalt Work</i>	\$8,772.75	0 Days
3	<i>Add Injection Wells and Control Structures</i>	\$61,203.50	0 Days
4	<i>Adjust Quantity Over- and Under-runs</i>	-\$165,067.76	0 Days
5	<i>Price Increase for Nyloplast Catch Basins</i>	\$13,940.76	0 Days
6	<i>Add Days to Contract Times</i>	\$0.00	205 Days
	<b>Total</b>	<b>\$8,451.47</b>	<b>205 Days</b>

**Little Venice Phase 1 CHANGE ORDER HISTORY**

<b>Change Order No.</b>	<b>Description</b>	<b>Change in Contract Price</b>	<b>Change in Contract Time</b>
1	<i>Additional asphalt work</i>	\$9,500.00	0 Days
2	<i>Relocate catch basin</i>	\$6,533.00	0 Days
3	<i>97<sup>th</sup> Street repairs</i>	\$52,300.00	0 Days
4	<i>Adjustment of Bid Quantities and Miscellaneous Work</i>	\$9,893.69	0 Days
5	<i>Changes needed to accommodate unknown underground utilities potential trench collapse</i>	\$59,000.00	0 Days
6	<i>Type C trench revision and other minor changes</i>	\$70,625.00	0 Days
7	<i>Type D trench, Injection Wells and Qty Adjustments</i>	\$8,451.47	205 Days
<b>TOTAL</b>	<b>TOTAL</b>	<b>\$216,303.16</b>	<b>205 Days</b>