

**CITY OF MARATHON, FLORIDA
RESOLUTION 2012-66**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO WORK AUTHORIZATION NO. 42 TO CONTINUING SERVICES AGREEMENT DATED FEBRUARY 22, 2011, BETWEEN THE CITY AND WEILER ENGINEERING CORPORATION FOR THE DESIGN OF THE KEYS RV ON-SITE WASTEWATER COLLECTION SYSTEM IN THE ORIGINAL AMOUNT OF \$29,800.00, INCREASING THE WORK AUTHORIZATION IN THE AMOUNT OF \$34,961.40 FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES AT KEYS RV AND PAID BY KEYS RV; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Marathon, Florida (“City”) issued a Work Authorization to Weiler Engineering Corporation (“Weiler”) in February of 2011 for the design of the Keys RV on-site wastewater collection system and related construction administration services (“Project”); and

WHEREAS, Change Order No. 1 authorizes the expenditure of \$27,765.00 for Project construction inspection services, and \$7,196.40 for additional Project engineering services.

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

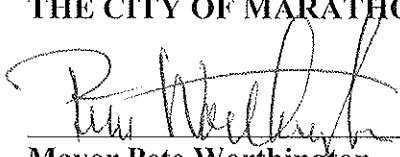
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Change Order No. 1 to Work Authorization No. 42, a copy of which is attached hereto as Exhibit “A,” is hereby approved. The City Manager is authorized to execute Change Order No. 1 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 26th DAY OF JUNE 2012.

THE CITY OF MARATHON, FLORIDA



Mayor Pete Worthington

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

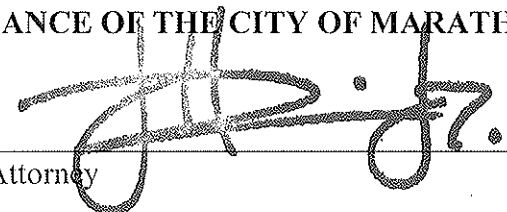
ATTEST:



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

#1

TO: City of Marathon

PROJECT: Work Authorization 42 - Design of the Keys RV On-site wastewater collection system

ENGINEER: Weiler Engineering

DATE: February 22, 2011

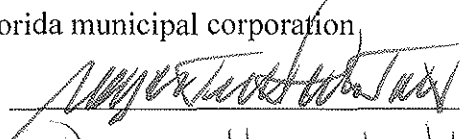
This Change Order will authorize the following change to the Agreement:

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.

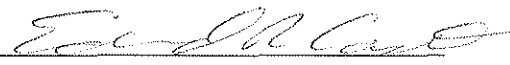
This Change Order constitutes full, final, and complete compensation to Weiler for all costs, expenses, overhead, and profit, and any damages of every kind that Weiler may incur in connection with the above referenced changes in the Design Work or any other effect on any of the Construction Management Work under this Agreement. Weiler acknowledges and agrees that (a) the Guaranteed Maximum Price of \$29,800 under the Agreement will be [changed] by this Change Order, and (b) the schedule for performance of Design Work will be [changed] by this Change Order. Weiler 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

WEILER ENGINEERING CORP.

By: 
Name: EDWARD R. CASTLE
Title: Vice President

The scope of services and payment schedule for Work Authorization #42 approved by Council by Resolution 2011-12 was as follows:

- Design a grinder pump and force main system to convey sewage from Keys RV to the Service Area 4 point of connection in the Prepare the FDEP collection/transmission system permit application. Permit application fees are not included in the lump sum price of this Work Authorization. Prepare bidding documents and construction documents.
- Assist CITY with bidding process including pre-bid meeting, response to bidder's requests for information, addenda, bid opening, bid evaluation and recommendation of award.
- Construction Phase services* include attending the pre-construction meeting and subsequent construction progress meetings, daily period inspections to ensure compliance with the requirements of the contract documents and relevant permit conditions, review of shop drawing and submittals, processing of application for progress payment from the contractor, responses to RFIs from the contractor, and preparation of change orders, certifications and other construction phase documentation.

* The expected duration of the construction phase of this project is 90 days to Substantial Completion. If, through no fault of the Engineer, the construction phase extends longer, the Engineer may be entitled to negotiate additional fees for construction phase services.

Payment Schedule

Progress payments will be made based on the percentage completion of the tasks defined below. Invoices for payment will be submitted on a monthly basis.

Design Drawings, and submittal of permit applications for project,.....	\$27,050.00
Preparation of bid documents	
Bidding Assistance from Advertising through Recommendation,.....	\$ 2,000.00
of Award (U.S. Highway 1 to Avenue G	
Construction Engineering and Inspection	\$27,765.00
Reimbursable Expenses.....	\$ 750.00
TOTAL.....	\$57,565.00

Council only authorized the design phase by Resolution 2011-12.

This change order authorizes the construction phase services of work authorization #42 in the amount of \$27,765.00 as well as adds \$7,196.40 for additional work requested by Keys RV and approved by Council at the April 24, 2012, Council meeting.

The total amount of change order # 1 is \$34,961.40