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**CITY OF MARATHON, FLORIDA
RESOLUTION 2015-33**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AN AMENDMENT TO THE ORIGINAL CONTRACT WITH DAVID DOUGLAS AND ASSOCIATES, INC. FOR UTILITY DESIGN AND PERMITTING SERVICES PREVIOUSLY APPROVED BY RESOLUTION 2014-84 DATED AUGUST 12, 2014; INCREASING THE CONTRACT AMOUNT FROM \$21,137 TO \$30,037.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution 2014-84, the City and DDAI entered into a contract for Utility Design And Permitting Services for Avenue L (“Contract”); and

WHEREAS, differences between actual elevations and those on previously approved permits as well as power pole locations installed after the initial survey require additional services to redesign and resubmit a South Florida Water Management District permitting, which were unforeseen and not originally anticipated at the time the Contract was entered into, and requires additional services of \$8,900.00 in excess of the original Contract amount of \$21,137; and

WHEREAS, the City and DDAI desire to amend the Contract as set forth herein to increase the total contract amount by \$8,900.00, from \$21,137 to \$30,037.00.

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. The Amendment to the Contract attached as Exhibit “A” is hereby approved together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney is approved. The City Manager is authorized to execute the Amendment on behalf of the City and expend budgeted funds for the services set forth in the Contract.

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 14th day of April, 2015.

THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Keating, Kelly, Senmartin, Zieg, Bull
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

**AMENDMENT
TO CONTRACT BETWEEN THE CITY OF MARATHON, FLORIDA
AND DAVID DOUGLAS & ASSOCIATES, INC.**

This Amendment to the Contract for Engineering, Design And Construction Services for Avenue L between the City of Marathon, Florida, a municipal corporation of the State of Florida (“City”) and David Douglas & Associates, Inc. (“DDAI” or “Contractor”), a Florida corporation, (“Amendment”).

WHEREAS, pursuant to Resolution 2014-84, the City and DDAI entered into a contract for Utility Design And Permitting Services for Avenue L (“Contract”). A copy of the Contract is attached hereto as Exhibit “1” and incorporated by this reference; and

WHEREAS, differences between actual elevations and those on previously approved permits as well as power pole locations installed after the initial survey require additional services to redesign and resubmit a South Florida Water Management District permitting, which were unforeseen and not originally anticipated at the time the Contract was entered into, and requires additional services of \$8,900 in excess of the original Contract amount of \$21,137; and

WHEREAS, the City and DDAI desire to amend the Contract as set forth herein to increase the total contract amount by \$8,900, from \$21,137 to \$30,037.

NOW THEREFORE, in consideration of the mutual covenants set forth in this Amendment, the parties agree as follows:¹

Section 1. Amendment to Section IV of the Contract to add subsection (e). The parties hereby amend Section 3 of the Contract to add subsection (e) to read as follows:

IV. Amount, Basis and Method of Compensation

City agrees to pay Consultant compensate for performance of all services described in Exhibit “2” at Consultant’s hourly rate as set forth in Exhibit “3” up to a maximum amount not to exceed ~~\$20,937.00~~ \$30,037.00, plus reimbursable expenses not to exceed \$200.00.


¹ / Additions to existing text are shown by underline, and deletions are shown as ~~strikethrough~~.
\\DDAI_Avenue_L.doc

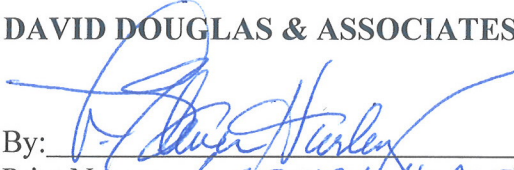
EXCEPT AS PROVIDED HEREIN, all other terms and conditions of the Contract dated July 21, 2014, remain in force and effect.

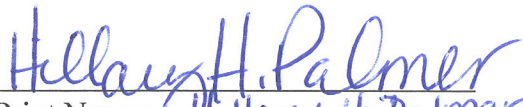
DATED this 20 day of April, 2015.

WITNESSES:

DAVID DOUGLAS & ASSOCIATES, INC.


Print Name: Libby Frazier

By: 
Print Name: L. STEVEN HURLEY
Title: President


Print Name: Hillary H. Palmer

THE CITY OF MARATHON, FLORIDA

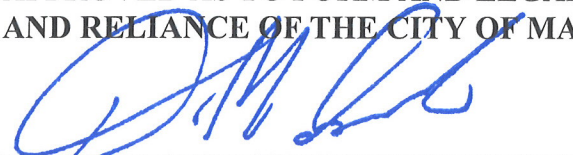

Michael Puto, City Manager

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