

**CITY OF MARATHON, FLORIDA
RESOLUTION 2015-67**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AN AFTER THE FACT CHANGE ORDER TO CONTRACT DATED MAY 1, 2015 WITH 3RD GENERATION PLUMBING, INC., IN THE ORIGINAL AMOUNT OF \$66,710.00 FOR THE “MBR CONTAINMENT AND CLEANING SERVICES”; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$17,368.00; EXTENDING THE TIME FOR FINAL COMPLETION 25 DAYS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER THEREWITH; 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 3RD Generation Plumbing, Inc., (“3rd Generation”) for the MBR Containment and Cleaning Services at the Area 5 Little Venice Wastewater Plant (the “Project”) on May 1, 2015 (the “Contract”) in the original amount of \$66,710.00; and

WHEREAS, in accordance with Section 2-184(H)(1) of the Purchasing Ordinance, Change Order No. 1 was required so as not to delay the progress for membrane cleaning and utilize the existing Contract prices which increases the Contract sum in an amount not to exceed \$17,368.00 for additional labor and equipment to complete the MBR containment and cleaning work and extends the date for Final Completion by 25 days to June 11, 2015.

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 City Council hereby approves Change Order No. 1 between the City and 3RD Generation Plumbing, Inc. for the MBR Containment and Cleaning at the Area 5 Little Venice Wastewater Plant (the “Project”) a copy of which is attached as Exhibit “A,” together with such non-material changes as may be acceptable to the City Manager and approved as to form by the City Attorney, is hereby approved. The City Manager is authorized to execute the Change Order on behalf of the City and expend budgeted funds.

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 23rd DAY OF JUNE, 2015.

THE CITY OF MARATHON, FLORIDA



Mayor Chris Bull

AYES: Bull, Keating, Kelly, Senmartin, Zieg
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:



Dirk Smits, City Attorney

EXHIBIT "C"
CHANGE ORDER

CHANGE ORDER NO. 1

TO: City of Marathon

PROJECT: Resolution # 2015-49, Membrane Bioreactor Containment & Cleaning Services

CONTRACTOR: 3rd Generation Plumbing

DATE: May 27, 2015

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 "1"** 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, and/or time adjustments 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 the Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$66,710.00 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.

By: Michael H. Puto
Signature and Title
City of Marathon

Attest: James N. Massaro
Signature and Title
Contractor

By: Michael H. Puto
Name: Michael H. Puto
Title: City Manager

By: James N. Massaro
Name: JAMES N. MASSARO
Title: president

Attest: Diane Clavier
Signature and Title
Date: June 26, 2015

Exhibit "1"

CHANGE ORDER SUMMARY

This Change Order is necessary to cover changes in the Work to be performed under this Agreement. Except as may be modified herein all of the provisions of the Agreement apply to and govern all Work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE AGREEMENT DOCUMENTS:

(1)	Original Contract Price	\$66,710.00
(2)	Current Contract Price (Adjusted by Previous Change	\$66,710.00
(3)	Total Proposed Change in Contract Price	\$17,368.00
(4)	New Contract Price (Item 2 + Item 3)	\$84,078.00
(5)	Original Contract Time	
(6)	Proposed Change in Contract Time	14
(6)	Current Contract Time (Adjusted by Previous Change	14
(7)	Total Proposed Change in Contract Time	11
(8)	New Contract Time (Item 6 ± Item 7)	25
(9)	Original Contract Substantial Completion Date	June 11, 2015
(10)	New Contract Substantial Completion Date	N/A

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
I.	Total Contract Price	\$66,710.00	\$17,368.00	\$0.00	\$17,368.00	11
Total					\$17,368.00	11

The Change Order is a result of:

To remove and replace the six (6) MBR cartridges from MBR #3. Remove all filters from cartridges, clean and replace with cleaned or newly supplied filters from the City of Marathon, Utility Department.

The cost breakdown is as follows:

WORK ITEM DESCRIPTION	PRICE
Mobilization	\$ 500.00
Crane Service for 2 days	\$4,800.00
Provide Vactor Truck, remove and dispose of Sludge	\$ 920.00
Forklift for 2 days	\$ 950.00
All pumps for 2 days	\$1,500.00
Labor including travel time, cleanup and PPE for 2 days	\$8,120.00
Insurance & liability	\$ 578.00
TOTAL	\$17,368.00
	\$

**3RD GENERATION
PLUMBING**

Wastewater Services

License # CFC055680

3980 Overseas Highway

Marathon, FL 33050

(305) 743-4245

Fax (305) 743-4299

E-Mail:

jm@3rdgenerationplumbing.com

Website:

www.3rdgenerationplumbing.com

May 27, 2015

**City of Marathon
9805 Overseas Hwy
Marathon, FL 33050**

Re: Little Venice MBR Clean Out Project

We hereby submit estimate and proposal to supply all labor and materials to remove all MBR filters in tower #3, and clean or replace with new filters provided by the City of Marathon @ the above referenced location.

PRICE BREAKDOWN:

Mobilization.....	<u>\$ 500.00</u>
Crane Services for 2 days.....	<u>\$ 4,800.00</u>
Provide vector truck for the removal of sludge from the containment area while pumping sewage water back into the plant.....	<u>\$ 920.00</u>
Forklift.....	<u>\$ 950.00</u>
All pumps for 2 days.....	<u>\$ 1,500.00</u>
Labor including travel time, cleanup and PPE for 2 days.....	<u>\$ 8,120.00</u>
Insurance & liability.....	<u>\$ 578.00</u>

TOTAL PRICE TO BE: \$ \$17,368.00

Payment arrangements: \$17,368.00 due upon completion

Authorized Signature:



Daniel Massaro, as General Manager for 3rd Generation Plumbing, Inc.

I find the above satisfactory and agree to pay for same upon acceptance of proposal, and further agree to pay reasonable charges for collection including attorney fees in the event of my default. You are authorized to do the work as specified. Payment will be made as outlined above:

Acceptance of Proposal: _____ Date: _____