

Sponsored by: Lindsey

**CITY OF MARATHON, FLORIDA
RESOLUTION 2016-03**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING A CHANGE ORDER TO THE CONTRACT BETWEEN THE CITY OF MARATHON AND 3RD GENERATION PLUMBING, INC. INCREASING THE AMOUNT BY \$43,622.00 FOR A TOTAL CONTRACT AMOUNT OF \$110,357.00 FOR MULTIPLE SEWER CONNECTIONS #3 PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in November of 2015, the City Council approved Resolutions 2015-131, awarding a contract to 3rd Generation Plumbing for “Multiple Sewer Connections #3 Project; and

WHEREAS the City of Marathon (the “City”) issued a Change Order #01 to the Multiple Sewer Connections #3 contract on December 2, 2015 to install the portion of the future vacuum main and new collection system to service the new homes at “Anglers at Sombrero Beach Road”; and

WHEREAS, this change order reflects the cost to service the seven (lots) presently under construction at the subdivision.

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

Section 1. The City Council hereby approves change order 01 to the 3rd Generation Plumbing contract increasing the amount by \$43,622 for a total contract amount of \$110,357.00.

Section 2. 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 12TH DAY OF JANUARY, 2016.

THE CITY OF MARATHON, FLORIDA



Mayor Mark Senmartin

AYES: Bartus, Coldiron, Zieg, Senmartin
NOES: None
ABSENT: Kelly
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:



David Migut, City Attorney

EXHIBIT "C"
CHANGE ORDER

CHANGE ORDER NO. 01

TO: City of Marathon

PROJECT: Multiple Sewer Connection #3, 2015-131

CONTRACTOR: 3rd Generation Plumbing, Inc.

DATE: December 2, 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 \$66,735.00 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.

CONSENT OF SURETY TO CHANGE ORDER

The Surety Agrees that this change order is not a cardinal change and if the Change Order includes an increase in the Contract amount, then the penal amount of the payment and performance bond issued for this Contract is increased by the dollar amount of this Change Order.

Surety's Name and Corporate Seal (Seal)

By: Charles Lindsey
Charles Lindsey, City Manager
City of Marathon

Attest: James Massaro
James Massaro, President
3rd Generation Plumbing, Inc.

By: Diane Clavie
Name: Diane Clavie
Title: City Clerk

By: Diane Clavie
Name: Diane Clavie
Title: City Clerk

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	\$66,735.00
(2)	Current Contract Price (Adjusted by Previous Change)	\$66,735.00
(3)	Total Proposed Change in Contract Price	\$43,622.00
(4)	New Contract Price (Item 2 + Item 3)	\$110,357.00
(5)	Original Contract Time	60 days
(6)	Proposed Change in Contract Time	14 days
(6)	Current Contract Time (Adjusted by Previous Change)	60 days
(7)	Total Proposed Change in Contract Time	14 days
(8)	New Contract Time (Item 6 ± Item 7)	74 days
(9)	Original Contract Substantial Completion Date	_____
(10)	New Contract Substantial Completion Date	_____

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	\$66,735.00	\$43,622.00	\$0.00	\$43,622.00	14 days
Total					\$43,622.00	14 days

The Change Order is a result of: installation of sewer connections for the “Anglers at Sombrero, Sombrero Beach Road” lots 231-237. _____

_____.

The cost breakdown is as follows: SEE ATTACHED SCOPE OF WORK

WORK ITEM DESCRIPTION	PRICE
231-237 Anglers at Sombrero	\$43,622.00
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
TOTAL	\$43,622.00