Sponsored by: Lindsey

#### CITY OF MARATHON, FLORIDA RESOLUTION 2016-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE REIMBURSEMENT OF FUNDS FOR THE SEWER LATERAL CONNECTION TO MARATHON OCEAN HOUSING, LLC FOR TARPON HARBOR PROJECT IN AN AMOUNT NOT TO EXCEED \$94,161.42; AUTHORIZING THE CITY MANAGER TO ISSUE THE REIMBURSEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS,** the City of Marathon (the "City") approved the Tarpon Harbor Project (the "Project") on July 22, 2014 proposed by Marathon Ocean Housing, LLC (the "Owner") and subsequently assessed \$440,482.00 in utility impact fees. The Project required an increase in size of the sewer service lateral to supply an adequate service lateral tap; and

WHEREAS, the shared cost between the City and the Owner was found to be reasonable for the Engineering and Construction of the work completed by Marathon Ocean Housing, LLC in the amount of \$94,161.42 for the portion of the work within the Right-of Way of the total cost of \$128,598.92; and

**WHEREAS**, the City staff wish to reimburse Marathon Ocean Housing, LLC for the work which will enable the City to provide the proper sewer lateral connection size to service the onsite sewer collection system for Tarpon Harbor.

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

- **Section 1.** The foregoing recitals are true and correct and are incorporated herein by this reference.
- **Section 2.** The invoice and supporting documents attached hereto as Exhibit "A", 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 hereby approved. The City Manager is authorized to issue the reimbursement 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 22<sup>nd</sup> DAY OF MARCH, 2016.

## THE CITY OF MARATHON, FLORIDA

Mark Senmartin, Mayor

AYES:

Bartus, Coldiron, Kelly, Zieg, Senmartin

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:

David Migut, City Attorney

## MARATHON OCEAN HOUSING, LLC 5604 PGA BOULEVARD, SUITE # 109 PALM BEACH GARDENS, FL 33418

Bill To

#### INVOICE

Date	Invoice #
3/10/2016	100

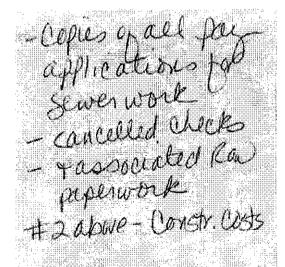
City of Marathon Utilities Department 9805 Overseas Highway Marathon, FL 33050

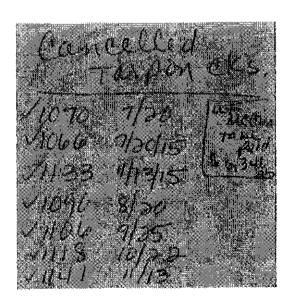
	Description	Amount
Cost related to Util	ity Reimbursement	
Construction Co	st for Tarpon Harbour Project	\$ 81,879.50
Engineering Cos	t <b>(1</b> 5%)	12,281.92
		01. Res 6 8
and the second s		TOTAL \$ 94,161.42
•		

#### TARPON HARBOUR

## SUMMARY TABLE OF MARATHON SEWER CONNECTION COSTS

1) Engine	ring (see attached spreadsheet & invoid	ce copies)	\$30,119.42		
2) Constru	ction Cost Summary				
00#5	\$24,250.00				
00.411	2) Lower Water Maln (FKAA initiative)				
CO#10	3) Mill & Replace US-1 Overseas High	าway	\$52,000.00		
	Sub	Total	\$97,379.50		
3) Final As	-Built Certification & Marathon & FKAA	Permit Close-Out	\$1,100.00		
	. Ci	otal Cost ity cost (within ROW) wner Cost	<b>\$128,598.92</b> \$94,161.42 \$34,437.50		





# Engineering total cost TARPON HARBOUR

## **U.S. 1 WASTE WATER SERVICE CONNECTION**

INVOICE#	INVOICE DATE	TOTAL INVOICE AMT	% ATTRIBUABLE TO CITY OF MARATHON FOR REIMB.	TOTAL AMT DUE FROM CITY OF MARATHON
0615011	06/11/15	\$5,750.00	0%	\$0.00
O615017	06/25/15	\$11,134.84	Varied	\$2,245.00
O615019	06/25/15	\$2,020.00	0%	\$0.00
0815001	07/31/15	\$2,287.50	100%	\$2,287.50
0915001	08/31/15	\$4,240.00	100%	\$4,240.00
0915214	09/23/15	\$6,898.75	100%	\$6,898.75
1015006	10/22/15	\$8,106.92	100%	\$8,106.92
1115009	11/19/15	\$6,341.25	100%	\$6,341.25
TOTAL A	AMOUNT DU	E FROM CITY	\$30,119.42	

#### Linda Sullivan

From: Sent: Bill McCain

Friday, October 30, 2015 9:46 AM

To:

Linda Sullivan

Subject:

Fwd: Tarpon Harbor Overseas hwy. Utility Costs

#### Sent from my iPhone

#### Begin forwarded message:

From: Frank Oconnor < fsowpb@gmail.com > Date: October 29, 2015 at 2:43:17 PM EDT

To: Bill McCain <william@wfmccain.com>, Jack Weir <iweir@eastwinddeygroup.com>

Ce: Andrew Toppino <ai toppino@gmail.com>

Subject: Tarpon Harbor Overseas liwy. Utility Costs

#### Bill:

Toppino's T&M cost came in this morning for lowering the waterline under Overseas Hwy. The following costs were incurred by Marathon Ocean Housing ,LLC. for the utility work required to connect to the sewer under Overseas Hwy.:

- 1. Initial vacuum sewer tie-in, incl. mot and road patch: \$ 24,250.00
- 2. Lower water main, incl. mot and road patch: \$21,129.50
- 3. Mill and re-pave Overseas Hwy. ( to be done): \$ 52,000.00

These items total \$ 97,379.50 exclusive of your engineering, supervision and inspection costs discussed last Friday.

Please put your report together so we can meet with George and discuss reimbursement.

Thank you

Frank OConnor

Sent from my iPad

#### Linda Sullivan

From: Sent: frank oconnor [fsowpb@gmall.com] Monday, November 09, 2015 3:12 PM

To:

Linda Sullivan; Bill McCain

Subject:

Fwd: CO # 5 TARPON HARBOR SS VACCUUM TIE IN

Attachments:

CO # 5 TARPON HARBOR SS TIE IN.pdf

#### LInda/Bill:

This is CO for the vacuum sewer line extension under Overseas Hwy.

----- Forwarded message -----

From: CHARLEY TOPPINO & SONS, INC. < topping@toppkw.com>

Date: Wed, Jun 17, 2015 at 4:00 PM

Subject: CO # 5 TARPON HARBOR SS VACCUUM TIE IN To: fsowpb ( fsowpb@gmail.com >, ajtoppino@gmail.com

#### FRANK;

ATTACHED IS CO # 5 FOR THE SS VACUUM TIE IN US 1. PLEASE SIGN AND EMAIL BACK TO ME.

**THANKS** 

RONALD J. ARMSTRONG

PROJECT/SAFETY MANAGER

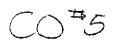
Charley Toppino & Sons

Office: (305)-296-5606

Fax: (305)-296-5189

Cell: 305 797-1006





P.O. BOX 787 KEY WEST, FLORIDA 33041 (305) 296-5606 FAX (305) 296-5189

#### QUOTE

TO: Tarpon Harbor

ATT: Frank O'Connor

FROM: Andrew Toppino, Charley Toppino & Sons Inc.

DATE: 6/16/15

JOB ID: Tarpon Harbor, US1 Sewer Tie-In

This document contains a quote for the Tarpon Harbor Project in Marathon FL. These prices are inclusive of all costs associated with the completion of work included in scope breakdown.

#### SCOPE:

- Maintenance of Traffic
- US1 Vacuum Sewer Tie-In (open cut method) +- 60 LF
- Trench Restoration

\*per plan C-10 received 6/10/15

#### JOB TOTAL: \$24,250.00

**Exclusions:** permits, permit fees, contaminant surveys, testing, remediation, utility disconnects, soil testing, bonding, pavers, temporary access to power/water, site security, site fencing, sodding, landscape work, watering, concrete flat work.

Authorized Acceptance:	Date:	
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CHARLEY TOPPING & SONS, INC. P.O. BOX 707			Subcor Number	ntract Change Order : 6		
KEY WEB	T, Fl. 33041	Phone; Fax:	305 298-5606 305 296-5189		Green and the second of the se	
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	Key West, Flor	ida 33041		COST CODE:	Englished Advantage Control of Co	months of the state of the stat
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RONA	LD J. ARMSTRONG, F Printed Name &		AGER	Join F. Weir Printed	Mauager of Manager Name & Title	
Date:	6/16/2015	The state of the s	Date:	6/41	15	- OT Entite

CHARLEY T	toppino & sons, inc.				Subcon	tract Cha	nge Order
P.O. BOX 71	87·				Number	:	10
key west.	FL 33041	Phone: Fax:	305 298-56 305 298-5			•	
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TO:	MARATHON OCEAN HOUSING, LLC 5604 PGA BOULEVARD SUITE 109				PROJECT #: COST CODE:	1411	
	PALM BEACH GARDENS, FL 33418 FION OF CHANGE: VING US I FOR WATERMAIN						The second se
ITEM	DESCRIPTION	UNIT	QUANT	UNIT PRICE			AMOUNT
I 2 3	REPAYING US 1	LS	t .	\$ 52,000.00			\$52,000.00
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_	Contract Sum was						\$ 2,154,405.00
-	oy Previously Authorized Requests & Changes						\$ 100,377.69 \$2,254,782.69
	Sum Will be Increased / Decreased						\$ 52,000.00
	ntract Sum Including This Change Order						\$2,306,782.69
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CHARLEY By:	TOPPING A SONS, INC.			<b>U.</b>	MARATHON OC	EAN HOU	
* pre	D J. ARMSTRONG, PROJECT MANAGER		_	<sub>By:</sub> Jol	ın F. Weir	Manag	ger of Manager
Date:	Printed Name & Title			Date:		Name & Ti	ile
	1 1744 224 137		in .				V-1

P.O. BOX 787 KEY WEST, FLORIDA 33041 (305) 296-5506 FAX (305) 296-5189

#### QUOTE

TO: East Wind Development LLC

ATT: Frank Oconner

FROM: Andrew Toppino, Charley Toppino & Sons Inc.

DATE: 8/12/15

JOB ID: Tarpon Harbour, Marathon

This document contains a quote for asphalt paving at Tarpon Harbor, as described below. These prices are inclusive of all costs associated with the completion of work included in scope breakdown below.

#### **SCOPE:**

- General Conditions (Mobilize, Maintenance of Traffic, Asphalt Testing, etc...)
- Mill (555 SY)
- Asphalt Paving (555 SY @ 1.5" SP 9.5) Per FDOT Specification
- Striping

Job Total: \$52,000.00

<u>Exclusions</u>: soil testing, remediation, permit fees, engineering, temporary access to power/water, site security, temp fencing, silt fencing, utility disconnects.

Authorized Acceptance:

Date:

Frank,

Please see backup for US1 asphalt pavement restoration.

\$40,000.00 (subcontracted work) \* 1.175 (OH&P) = \$47,000.00

\$5,000.00 (CT&S self performed MOT labor)

Total: \$52,000.00

Do you want me to send you something for the 5K that our MOT labor would entail?

Thanks,

[Quoted text hidden]

Bid Form (13).pdf 65K

fsowpb <fsowpb@gmail.com>

Fri, Aug 21, 2015 at 2:53 PM

Mon, Aug 31, 2015 at 7:39 AM

Mon, Aug 31, 2015 at 10:04 AM

To: Andrew Toppino <ajtoppino@gmail.com>

Cc: "Richard J. Toppino" <richarditoppino@aot.com>

Bcc: fsowpb@gmail.com

Yes please on Mot

Sent from: Frank OConnor Tele: (561) 722-9725 Email: fsowpb@gmail.com [Quoted text hidden]

<Bid Form (13).pdf>

Frank Oconnor <fsowpb@gmail.com>

To: Andrew Toppino <aitoppino@gmail.com>

Cc: "Richard J. Toppino" < richarditoppino@aol.com>

I need the Subcontractor and MOT backup before this can be signed off as a Change Order. Thanks

Sent from my iPad [Quoted text hidden]

Andrew Toppino <aitoppino@gmail.com>

To: Frank Oconnor <fsowpb@gmail.com>

Cc: "Richard J. Toppino" <richardjtoppino@aol.com>

Frank.

See backup quote from paving sub and our quote for MOT.

We think it will require 3 nights of paying to complete this restoration, per the hours in the MOT breakdown. The paving quote includes re-striping the roadway as well.



#### GENERAL ASPHALT CO., INC. 4850 NORTHWEST 72ND AVENUE MIAMI, FLORIDA 33166 TELEPHONE: (305) 592-3480 FAX: (305) 477-4675

To:	Charley Toppino & Sons		Contact:	Andrew	
Address:	PO Box 787		Phone:	(305) 296-5606	
	Key West, FL 33041		Fax:		
Project Na	me: Tarpon Harbor US-1		Bid Numbe	ers	
Project Lo	cation:		Bid Date:	B/21/2015	
Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	MOBILIZATION	1.00	EACH	\$10,000.00	\$10,000.00
2	1 Inch Mill & Resurface FC 9.5 PG 76-22 (100 X	45) 600.00	SY	\$40.00	\$24,000.00
3	MOT (Devices & Set Up For Paving)	00.1	EACH	\$6,000.00	\$6,000.00

Total Bid Price: \$40,000.00

#### Notes:

- The above prices do not include Performance and Payment Bond. Add 2% if bond is required.
- The above price does not include NOT.
- The above price does not inlude any Layout.
- The above price does not include Sawcutting
- The above price does not include any Testing.
- The above price does not include As Builts.
- The above price does not include Striping
- The above prices do not include Permits.
- The above prices do not include Protection of Brick Pavers or Stamped Concrete
- The above prices do not include Quality Control (QC)
- The above prices are good until
- New asphalt pavement is subject to tire tracks and marking. GAC is not responsible for these issues.
- Unless indicated otherwise, this proposal is based on average thickness of asphalt, not minimum thickness.
- This proposal is may be withdrawn by GAC if not accepted within (30) days.
- Final payment will be based upon actual quantities installed as determined by field measurement, after completion.
- GAC shall not be responsible for reflective cracking, birdbaths, drainage problems, or settlement of new asphalt overlay due to the existing asphalt.
- Any Punch List items must be submitted in writing. No repairs will be made until 90% of the invoice amount has been paid.
- GAC shall not be responsible for birdbaths or water flow when projects are designed with less than 1% fall.
- Customer agrees to pay asphalt over-runs at a price of \$ 150.00 per ton
- Customer agrees to pay for asphalt leveling at a price of \$ 175.00 per ton
- This quote is based on the bituminous and materials index from the Florida Department of Transporation for liquid asphalt. GAC shall be compensated for any increase in excess of the current month's index at the time of the asphalt placement.
- No Under Roof paying is included unless specifically stated in the proposal.
- No behind the curb paying is included unless specifically stated in the proposal.

	ACCEPTED:	CONFIRMED:
	The above prices, specifications and conditions are satisfactory and hereby accepted.	Your Company Name
	Buyer:	
	Signature:	Authorized Signature:
	Date of Acceptance:	Estimator:
1		

P.O. BOX 787 KEY WEST, FLORIDA 33041 (305) 296-5606 FAX (305) 296-5189

#### QUOTE

TO: East Wind Development LLC

ATT: Frank Oconner

FROM: Andrew Toppino, Charley Toppino & Sons Inc.

DATE: 8/31/15

JOB ID: Tarpon Harbour, Marathon

This document contains a quote for Maintenance of Traffic for asphalt paving at Tarpon Harbor, as described below. These prices are inclusive of all costs associated with the completion of work included in scope breakdown below.

## SCOPE:

Maintenance of Traffic

\*\*Quote Breakdown

- 1 Superintendent @ \$75.00/HR \* 18 HR = \$1,350.00
- 4 Flagmen @ \$35.00/HR = \$140.00 \* 18HR = \$2,520.00

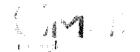
Additional MOT Devices @ \$63.00/HR \* 18HR = \$1,134.00

MOT Total: \$5,000.00

<u>Exclusions:</u> soil testing, asphalt testing, remediation, permit fees, engineering, temporary access to power/water, site security, temp fencing, silt fencing, utility disconnects.

Authorized Acceptance:

Date:



## CT&S - Tarpon Harbor - US1 Asphalt Pavement Restoration

Andrew Toppino <ajtoppino@gmail.com>

Wed, Aug 12, 2015 at 1:53 PM

To: frank oconnor <fsowpb@gmall.com>, "Richard J. Toppino" <richarditoppino@aol.com>

Frank.

Please see attached proposal for asphalt pavement restoration at Tarpon Harbor on US1.

Per FDOT specifications, we would need to shut down a lane per night and provide a full MOT crew, with flashing warning lights, barricades etc. (2 nights of milling/paving)

Let me know if you have any questions.

Thanks.

## **Andrew Toppino**

Estimator

Charley Toppino & Sons Office: (305)-296-5606 Fax: (305)-296-5189

Monroe Concrete Products Office: (305)-296-9934 Fax: (305)-296-2396

Cell: (305)-797-5839 AJToppino@gmail.com



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CT&S - Tarpon Harbor - US1 FDOT Asphalt Pavement Restoration.pdf

Indrew Toppino <ajtoppino@gmail.com>

Fri, Aug 21, 2015 at 2:10 PM

o: frank oconnor <fsowpb@gmail.com>, "Richard J. Toppino" <richardjtoppino@aol.com>

	CHARLE	Y TOPPI	NO & S	ONS, IN	C <b>.</b>			
CHARLI	ey toppino & sons, inc.				Subcon	tract Chan	_	
P.O. 80	×787				Number	:	11	
KEY WE	EST, FL 33041	Phone: Fax:	305 296-5 305 298-5					
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	MARATHON OCEAN HOUSING, LLC 5604 PGA BOULEVARD SUITE 109 PALM BEACH GARDENS, FL 33418 RIPTION OF CHANGE:				PROJECT #: COST CODE:	1411		and the control of th
ITEM	1 LOWER WATER MAIN DESCRIPTION	UNIT	QUANT	UNIT PRICE		,	AMOUNT	
1 2 3	LOWER EXIT WAY 10-12-15	LS	í	\$ 21,129.25			50.00 50.00 521,129.25	
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Net Chan	ige by Previously Authorized Requests & Changes,	*****					\$ 152,377,89	
The Cant	iract Sum Pelor to This Change Order was						\$ 2,108,782.69	
The Cent	ract Sum IVIII be Increased / Decreased	*******					\$ 21,129.25	
The New	Contract Sem Including This Change Order	********					\$ 2,327,911.94	
The Cont	ract Time Will / Will Not be Changed (Days)						0	
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Ву:	LEY TOPPING & SONS, INC.		· •	By:		Wein M	anager of Ma	nager
	Printed Name & Tills		-			Name & Till	2	
Date:	11/2/2015			Date:	-nLcL	15		



P.O. BOX 787 KEY WEST, FLORIDA 33041 (305) 296-5606 FAX (305) 296-5189

#### **QUOTE**

TO: East Wind Development LLC

ATT: Frank OConner

FROM: Andrew Toppino, Charley Toppino & Sons Inc.

DATE: 10/29/15

JOB ID: Tarpon Harbor, Marathon

This document contains a quote to East Wind Development for US1 water main work as described below. These prices are inclusive of all costs associated with the completion of work included in scope breakdown below.

#### SCOPE:

 T&M work related to lowering WM on US1 (See attached subcontractor backup)

#### CO TOTAL (NET CHANGE): \$21,129.25

<u>Exclusions:</u> contaminant surveys, soil testing, concrete testing, remediation, concrete work, new construction, temporary access to power/water, site security, temp fencing, silt fencing, sodding, landscape work, tree removal, utility disconnects (power, water, sewer).

Authorized Acceptance:

Date:



1850 N.W. 15TH AVE., SUITE 225 POMPANO BEACH, FL. 33069

October 28, 2015 Charley Toppino & Sons Attn: Andrew Toppino

#### Change Order - US-1 Lowering Water Main Time & Material

	Quantity	Unit	Unit Cost		Total Cost	
DBF Construction Crew 10/12/15 7:30 PM -	_			4.000.00	_	<b>3</b> 00000
1 2:30 AM DBF Construction Crew 10/13/15 7:30 PM -	7	HR	\$	1,000.00	\$	7,000.00
2 1:30 AM	6	HR	\$	1,000.00	\$	6,000.68
3 Cold Patch (Home Depot)	1	LS	\$	320.75	\$	320.75
4 Onsite Surveyors	1	LS	\$	1,320.00	\$	1,320.00
5 Monroe Concrete	1	LS	\$	1,708.63	\$	1,706.83
Subtotal:					\$	16,347.58
10% Contractor Markup:					\$	1,634.76
Change Order Total:					\$	17,982.34

**DBF Construction LLC** 

Bob Henning, Project Manager