

Sponsored by: Lindsey

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2019-70**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN THE CITY AND XGD SYSTEMS, LLC. IN THE ORIGINAL AMOUNT OF \$118,500.00.00 FOR THE RE-SODDING OF THE SOCCER FIELDS AT COMMUNITY PARK; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$84,444 FOR THE RE-SODDING OF THE BASEBALL FIELDS AND THE DOG PARK AT OCEANFRONT PARK; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND EXPEND APPROPRIATED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Marathon (the “City”) entered into contract with XGD Systems, LLC for re-sodding the soccer fields at Community Park (the “Project”) in March of 2019; and

**WHEREAS**, the City wishes to take advantage of the pricing and re-sod the baseball fields and dog park at Oceanfront Park, which are both in need of Re-sodding; and

**WHEREAS**, the cost of the dog park sodding is covered 100% by a TDC grant; and

**WHEREAS**, the City recommends that the Council authorize the City to enter into a change order with XGD Systems, LLC, and expend and appropriate funds in the amount of \$84,444.00

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

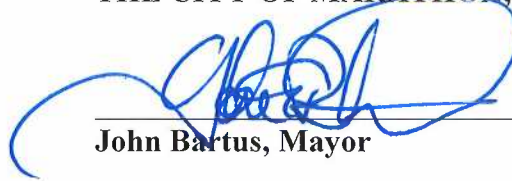
**Section 1.** The foregoing recitals are true and correct and are incorporated herein by this reference.

**Section 2.** Change Order #1 is attached hereto, 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 execute the change order and expend appropriated 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 9<sup>TH</sup> DAY OF JULY, 2019.**

**THE CITY OF MARATHON, FLORIDA**



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**John Bartus, Mayor**

AYES: Cook, Gonzalez, Senmartin, Zieg, Bartus  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**



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Diane Clavier, City Clerk  
(City Seal)

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



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David Migut, City Attorney

CHANGE ORDER # 1 –

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TO: City of Marathon  
PROJECT: Soccer Fields Refurbishment  
ENGINEER: City of Marathon  
CONTRACTOR: XGD Systems, LLC.  
DATE: July 11, 2019

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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 in Exhibits "B" attached hereto and by this reference made a part hereof.

This Change Order constitutes full, final, and complete compensation to **XGD Systems, LLC.** for all costs, expenses, overhead, and profit, and any damages of every kind that **XGD Systems, LLC.** may incur in connection with the above referenced changes in the Construction Work under this Agreement. **XGD Systems, LLC.** acknowledges and agrees that (a) the Guaranteed Maximum Price of \$118,500.00 under the Agreement will be **changed** by this Change Order. **XGD Systems, LLC.** 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.

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CITY OF MARATHON  
a Florida municipal corporation

By: 

Name: Charles Lindsey

Title: City Manager

XGD Systems, LLC.

By: 

Name: Geoff Corlett

Title: CEO

**Exhibit "A"**

**CHANGE ORDER SUMMARY**

Change Order No. 1  
Project Title **Community Park Soccer Field Reburshment**  
Bid No. 2019-002  
Owner: City of Marathon  
Contractor: **XGD Systems,**  
Agreement Date: **LLC. March 7, 2019**

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

**THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:**

(1)	Original Contract Price	<u>\$118,500.00</u>
(2)	Current Contract Price (Adjusted by Previous C.O.)	<u>\$118,500.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$84,444.00.</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$202,944.00</u>
(5)	Original Contract Time	<u>45 Days</u>
(6)	Proposed Change in Contract Time	<u>95 Days</u>
(6)	Current Contract Time (Adjusted by Previous C.O.)	<u>45 Days</u>
(7)	Total Proposed Change in Contract Time	<u>95 Days</u>
(8)	New Contract Time (Item 6 + Item 7)	<u>140 Days</u>
(9)	Original Contract Final Completion Date	<u>May 27,2019</u>
(10)	New Contract Final Completion Date	<u>August 30, 2019</u>

**COMMUNITY PARK SOCCER FIELD REBURBISHMENT  
CHANGE ORDER HISTORY**

Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1.		<u>\$118,500.00</u>	<u>\$84,444.00</u>	\$0	<u>\$84,444.00</u>	95 Days
<b>Total</b>		<b>\$118,500.00</b>	<u><b>\$84,444.00</b></u>	<b>\$0</b>	<b>\$84,444.00</b>	<b>95 Days</b>

**Exhibit "B"**

## **CHANGE ORDER JUSTIFICATION**

The City wishes to extend to contract and re-sod the baseball fields at Community Park, and the enclosed dog park at Oceanfront Park. The contractor provided pricing for the request based on the conditions, and additional services requested, applying a pre-emergent to prevent germination of weed seeds. Option 1 is selected.

# XGD SYSTEMS LLC

415 NW Flagler Ave., Unit 302, Stuart, FL 34994

Tel: 772-286-3419 Fax: 772-286-2855

[www.xgd.systems](http://www.xgd.systems)

## Community Park Soccer/Amphitheater Fields Refurbishment

City of Marathon, Florida

### CHANGE ORDER PROPOSAL #1

**TO:** City of Marathon, Attn.: Carlos A. Solis, PE; Director of Public Works; via Email: [solisc@ci.marathon.fl.us](mailto:solisc@ci.marathon.fl.us)

**FROM:** XGD Systems, LLC  
Attn.: Bruce Sheldon; via Email: [bsheldon@xgd.systems](mailto:bsheldon@xgd.systems)

**DATE:** May 22, 2019

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~ Costs associated with the addition of one additional application of Round-Up on approximately half of the site as requested by the City of Marathon ~

#### Scope of Work:

Add one additional application of Round-Up on approximately half of the site.

**Total (Add):            = \$ 2,407.30**

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- A Change Order will be issued upon approval of this change order proposal. The value of the Change Order will be \$2,407.30.
  - The value of the contract will increase by \$2,407.30.
  - The contract time will increase by two (2) working days.
  - Notification of acceptance or denial of this Change Order Proposal is requested within 5 days to maintain the project's schedule.
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Bruce Sheldon, Operations Manager

May 22, 2019

City of Marathon, Florida

Date



# XGD SYSTEMS LLC

415 NW Flagler Ave., Unit 302, Stuart, FL 34994

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## Change Order Proposal

**PROPOSAL FOR:**

**City of Marathon, FL**

**Attention:** Carlos Solis

**email:** Solisc@ci.marathon.fl.us

**FROM:**

**XGD Systems LLC d/b/a Eco Blue Systems**

**Attention:** Bruce Sheldon

**email:** bsheldon@xgd.systems

**RE:**

Additional work – Community Park Sports Fields

**DATE:**

June 26, 2019 *revised July 2, 2019*

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### Scope of Work:

XGD Systems LLC, dba Eco Blue Systems will re-sod two baseball fields and the enclosed dog park at Oceanfront Park. The sites are summarized as follows:

1. North Baseball Field	34,900 sf
2. South Baseball Field	36,000 sf
3. Oceanfront Park Dog Field	17,563 sf
<b>TOTAL</b>	<b>88,463 sf</b>

We have held our unit pricing consistent with our original bid, but with the following differences:

- Our original pricing was based on utilizing our Spader unit to pulverize and rototill the fields in one operation. We discovered that the site is too rocky to use this strategy, so we are pricing this additional work using more traditional turf removal methods.
- Our original unit prices were based on the scope of work taking place on 1 large site. This additional work is for 3 separate areas.
- The sod used on the original scope was immature and tender making it very difficult to install. This resulted in abnormally high occurrences of tearing and patching. We have approached a different vendor who will provide more mature turf that shouldn't fall apart when handled. The result is a slight increase in price for the new sod.





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## Additional Work - Pricing

Spray RoundUp - 2 Applications (88,463 sf @ \$0.05/sf)	\$7,500.00
Remove Existing Turf (88,463 sf @ \$0.02/sf)	\$1,769.26
Dispose Existing Turf (88,463 sf @ \$0.07/sf)	\$6,192.41
Roll & Apply 1 Application of Fert. (88,463 sf @ \$0.02/sf)	\$1,769.26
Rototill Existing subgrade (88,463 sf @ \$0.03/sf)	\$2,653.89
Finish Grading w/ Laser Grader (88,463 sf @ 0.10/sf)	\$8,846.30
Supply & Install Celebration Sod (88,463 sf @ 0.61/sf)	\$53,962.43
<b>TOTAL ADDITIONAL WORK</b>	<b>\$79,616.70</b>
Option 1 - Application of of Ronstar G @ 200 lbs per acre	\$ 2,420.00
Total with option 1	<b>\$82,036.70</b>
Option 2 – Application of 15-0-15 fert with .67% Ronstar @ 300 lbs per acre	\$ 2,200.00
Total with option 2	<b>\$81,816.70</b>





