

Sponsored by: Lindsey

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2020-28**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN THE CITY AND SHORELINE FOUNDATIONS, INC. IN THE ORIGINAL AMOUNT OF \$661,845.75 FOR THE REPAIRS OF CITY MARINA FROM HURRICANE IRMA DAMAGES; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$59,737.24 FOR ADDITION OF CONCRETE STAIRS, AND VARIOUS OTHER ITEMS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND APPROPRIATE FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Marathon (the "City") entered into contract with Florida Keys Irrigation Shoreline Foundations, Inc for the repairs of the City Marina for Hurricane Irma damages (the "Project") in March of 2020; and

**WHEREAS**, the proposed change order, attached as exhibit A, addresses several components that the City wishes to add to the project to replace components that will imminently fail due to their condition, as well as incorrect quantities in the bid documents; and

**WHEREAS**, the City recommends that the Council authorize the City to enter into a change order with Shoreline Foundation, and expend funds in the amount of \$59,737.24

**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 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 12<sup>TH</sup> DAY OF MAY, 2020.**

**THE CITY OF MARATHON, FLORIDA**


  
\_\_\_\_\_  
**Mayor Steven Cook**

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

**ATTEST:**

  
\_\_\_\_\_  
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:**

  
\_\_\_\_\_  
City Attorney

CHANGEORDER# 1-

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TO: City of Marathon  
**PROJECT: Marathon Marina Hurricane Irma Repair Project**  
CEI ENGINEER: City of Marathon  
CONTRACTOR: Shoreline Foundation, Inc.  
DATE: April 24, 2020

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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 **Shoreline Foundation, Inc.** for all costs, expenses, overhead, and profit, and any damages of every kind that **Shoreline Foundation, Inc.** may incur in connection with the above referenced changes in the Construction Work under this Agreement. **Shoreline Foundation, Inc.** acknowledges and agrees that (a) the Guaranteed Maximum Price of \$661,845.75 under the Agreement will be **changed** by this Change Order. **Shoreline Foundation, Inc.** 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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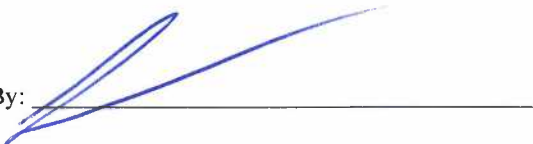
CITY OF MARATHON  
A Florida municipal corporation

By: 

Name: Charles Lindsey

Title: City Manager

Shoreline Foundation, Inc.

By: 

Name: John McGee

Title: V.P.

**Exhibit "A"**

**CHANGE ORDER SUMMARY**

Change Order No. 1

**Project Title:** Marathon Marina Hurricane Irma Repair Project

Bid No. 2010-007

Owner: City of Marathon

Contractor: **Shoreline Foundation, Inc.**

Agreement Date: March 24, 2020

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>\$661,845.75</u>
(2)	Current Contract Price (Adjusted by Previous C.O.)	<u>\$661,845.75</u>
(3)	Total Proposed Change in Contract Price	<u>\$59,737.24</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$721,582.99</u>
(5)	Original Contract Time	<u>150 Days</u>
(6)	Proposed Change in Contract Time	<u>0 Days</u>
(6)	Current Contract Time (Adjusted by Previous C.O.)	<u>150 Days</u>
(7)	Total Proposed Change in Contract Time	<u>0 Days</u>
(8)	New Contract Time (Item 6 + Item 7)	<u>150 Days</u>
(9)	Original Contract Final Completion Date	<u>August 29, 2020</u>
(10)	New Contract Final Completion Date	<u>August 29, 2020</u>

Marathon Marina Hurricane Irma Damage Repair Project

ORDER HISTORY

Item No.	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change in Contract Time
I.	\$661,845.75	\$112,015.99	<\$52,278.75>	\$59,737.24	0 Days
Total	\$661,845.75	\$112,015.99	<\$52,278.75>	\$59,737.24	0 Days

## **Exhibit "B"**

### **CHANGE ORDER JUSTIFICATION**

The proposed change order addresses several components that the City wishes to add to the project to replace components that will imminently fail due to their condition, as well as incorrect quantities in the bid documents. These include the following:

1. Replace all (438) existing EZ-Dock connector coupling that are in extreme poor condition from the impact of the storm.
2. Additional tie off rail that were not shown on the plans or bid form.
3. Replace two existing wood stairs in poor condition with permanent concrete stairs.
4. Correct bid quantities for concrete sidewalk.
5. Remove several items from plan there were over quantified or determined to be not required.

The attached information details the requested change order.