



COUNCIL AGENDA STATEMENT

Date: July 9, 2019
To: Honorable Mayor and City Council
From: Carlos A. Solis, P.E., Director of Public Works and Engineering
Through: Chuck Lindsey, City Manager

Agenda Item: Resolution 2019-68, Approving Change Order No. 2 To Contract Between The City And Discount Rock & Sand, Inc. In The Original Amount Of \$1,343,241.00 For The Reconstruction of Sombrero Beach From Hurricane Irma Damages; Increasing The Contract In An Amount Not To Exceed \$30,785.62 For Various Items Requested By The City As Part Of The Beach Reconstruction Project; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

BACKGROUND & JUSTIFICATION:

As part of the reconstruction of Sombrero Beach due to damages suffered from Hurricane Irma, the A few items have are being addressed that staff felt are an enhancement to the project that were not specifically addressed in the plans and specifications. The electrical service to the eastern portion of the beach is modified to be more efficient, resulting in a cost savings of the installation. The City also determined that the size of the Coconut trees specified in the plans were of insufficient size to make an immediate impact to the project, and requested that taller trees be installed.

The cost for the proposed additions were reviewed by the design team and the construction manager, and deemed to be reasonable for the proposed work. A detail summary of the cost is attached.

CONSISTENCY CHECKLIST:

Table with 3 columns: Item, Yes, No. Row 1: 1. Comprehensive Plan: Yes/No. Row 2: 2. Other: Yes/No. Row 3: 3. Not applicable: X

FISCAL NOTE:

The FY19 Capital Infrastructure budget includes appropriations of \$1,392,588 for the Sombrero Beach Irma Recovery Project, and \$400,000 for the Irma beach re-nourishment for both City beaches. A percentage of this project will be reimbursed by FEMA and the State of Florida.

RECOMMENDATION:

Approval of Resolution

**CITY OF MARATHON, FLORIDA
RESOLUTION 2019-68**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 2 TO CONTRACT BETWEEN THE CITY AND DISCOUNT ROCK & SAND, INC. IN THE ORIGINAL AMOUNT OF \$1,343,241.00 FOR THE RECONSTRUCTION OF SOMBRERO BEACH FROM HURRICANE IRMA DAMAGES; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$30,785.62 FOR VARIOUS ITEMS REQUESTED BY THE CITY AS PART OF THE BEACH RECONSTRUCTION PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon (the “City”) awarded the contract for the reconstruction of Sombrero Beach Project” (the “Project”) by Resolution 2019-15 on February 12, 2019; and

WHEREAS, as part of the reconstruction of Sombrero Beach due to damages suffered from Hurricane Irma, the City has identified a few items to enhance the project that were not specifically addressed in the plans and specifications; and

WHEREAS, the electrical service to the eastern portion of the beach is modified to be more efficient, resulting in a cost savings of the installation. The City also determined that the size of the Coconut trees specified in the plans were of insufficient size to make an immediate impact to the project, and requested that taller trees be installed; and

WHEREAS, change order #2 is found to be reasonable for the additional work requested by City staff to be performed by Discount Rock and Sand, as the General Contractor, in the amount of \$30,785.62.

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 #2 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 contract 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 9th DAY OF JULY, 2019.

THE CITY OF MARATHON, FLORIDA

John Bartus, Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

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

CHANGE ORDER # 2 –

TO: City of Marathon
PROJECT: Sombrero Beach Irma Reconstruction Project
ENGINEER: Weiler Engineering
CONTRACTOR: Discount Rock & Sand, Inc.
DATE: July 1, 2019

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 **Discount Rock & Sand, Inc.** for all costs, expenses, overhead, and profit, and any damages of every kind that **Discount Rock & Sand, Inc.** may incur in connection with the above referenced changes in the Construction Work under this Agreement. **Discount Rock & Sand, Inc.** acknowledges and agrees that (a) the Guaranteed Maximum Price of \$1,499,641.00 under the Agreement will be **changed** by this Change Order. **Discount Rock & Sand, 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.

CITY OF MARATHON
a Florida municipal corporation

Discount Rock & Sand, Inc.

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Exhibit "A"

CHANGE ORDER SUMMARY

Change Order No. 2
Project Title **City of Marathon City Hall Project**
Bid No. 2018-009
Owner: City of Marathon
Contractor: **Discount Rock & Sand, Inc.**
Agreement Date: February 26, 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>\$1,343,241.00</u>
(2)	Current Contract Price (Adjusted by Previous C.O.)	<u>\$1,500,641.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$30,785.62.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$1,531,426.62</u>
(5)	Original Contract Time	<u>180 Days</u>
(6)	Proposed Change in Contract Time	<u>0 Days</u>
(6)	Current Contract Time (Adjusted by Previous C.O.)	<u>180 Days</u>
(7)	Total Proposed Change in Contract Time	<u>21 Days</u>
(8)	New Contract Time (Item 6 + Item 7)	<u>201 Days</u>
(9)	Original Contract Final Completion Date	<u>September 18, 2019</u>
(10)	New Contract Final Completion Date	<u>October 9, 2019</u>

CITY OF MARATHON CITY HALL PROJECT CHANGE ORDER HISTORY

Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1.		<u>\$1,343,241.00</u>	<u>\$206,000.00</u>	\$48,600.00	<u>\$157,400.00</u>	0 Days
2		<u>1,500,641.00</u>	\$43,185.58	\$12,399.96	\$30,785.62	21 Days
Total		\$1,500,641.00	\$249,185.58	\$48,600.00	\$200,585.58	21 Days

Exhibit “B”

CHANGE ORDER JUSTIFICATION

The contractors electrical sub-contractor proposed a change to the design which reduced the size of a long run of electrical wire to service the eastern restroom , irrigation pump and pavilion, and replace with a new service with a shorter run resulting in a more efficient service at a reduce installation cost. We also determined that a booster for the speaker system is required for the extreme long run of speaker cable required to provide service to the far eastern portion of the beach.

It was also determined that a few items shown on the plans were not covered in the schedule of values for the project, and this change order addresses those items.

During Construction we discovered an underground pipe which provides some drainage relief to the eastern portion of the park. The CO includes the installation of two yard drains and 32 feet of pipe to connect to this system.

It is determined that the sizes of some of the proposed landscaping are too small to provide an immediate impact, therefore the sizes of the proposed Coconut trees is increased.

DISCOUNT ROCK & SAND, INC.

P.O. Box 504484 • Marathon, FL 33050
(305) 743-5680 Office • (305) 289-4200 Fax

Sombrero Beach Irma Recovery Project
P2019-0301

ELECTRICAL SYSTEM

CREDIT FOR 800" ELECTRICAL RUN (DUDCT) THIS RUN IS FOR RUNNING WIRE ONE SIDE OF THE BEACH TO CONNECT TO ONE PANEL	\$7,000.00
TOTAL DEDUCT	<\$7,000.00>

ADD ON

- | | |
|--|------------|
| 1. The cost for the second service, 200amp 3 phase gear, is | \$5,475.00 |
| 2. Install booster system for extreme long run of speaker cable
To far eastern pavilion to address loss of signal power in system | \$1,200.00 |

TOTAL ADD ON	\$6,675.00
--------------	------------

NET AMOUNT	< \$325.00 >
------------	---------------------

Time Implication	2 Days
------------------	--------

SITE UTILITY WORK

Unit Price Items

1-18" Drain field	\$2,307.00
1-Foot Wash Station	\$4,400.00

New Items

1-18" Vertical French Drain	\$2,300.00
1-24" Yard Drain Assembly	\$700.00
36 LF 12" ADS Pipe @ \$36.11/LF	\$1,300.00
1-Nyloplastic Drain	\$3,300.00
275 LF Relocated Fencing Pipe @ \$13.00/LF	\$3,575.00
1-4" Gate Valve	\$450.00

TOTAL ADD ONS	\$18,332.00
---------------	--------------------

NET AMOUNT **\$18,332.00**
Time Implication 12 Days

Site Fencing

1-Aluminum Decorative Door. \$900.00
1-Double Gate for Irrigation Enclosure Access \$450.00
2-6'Chainlink Gate to Access City Own House @ \$900.00 Each \$1,800.00
1464 LF of tension wire for bottom fence of 3' Wall @\$2.45/LF \$3,586.80

TOTAL ADD ON **\$6,736.80**

15% Profit & Overhead \$1,010.52

NET AMOUNT **\$7,747.32**

Time Implication 2 Days

Landscaping

Replace 243 18"x18" Horizontal Coco Plums with 243 Red Tip Coco Plums 30"x18" No Charge
Delete 13 Sable Palms @ \$351.92/ea <\$4,574.96>
Delete 11 Coconut Trees 7' Overall Height @ \$75/ea <\$825.00>
Add 17 Coconut Trees 16'-18' Overall Height @ \$575.00/ea \$9,775.00

TOTAL DEDUCT **<\$5,399.96>**
TOTAL ADD ON **\$9,775.00**

Net Amount **\$4,375.04**

15% Profit & Overhead \$656.26
NET AMOUNT **\$5,031.30**

Time Implication 2 Days

Additional Time Implication for Demobilization Due to 4th of July 3 Days

Total C.O. Amount **\$30,785.62**

Total Time Implication **21 Days**