



COUNCIL AGENDA STATEMENT

Date: October 8, 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 2019-107, Approving Change Order No. 1 To The Contract Between The City of Marathon and Florida Keys Irrigation In The Original Amount Of \$10,790.00 For The Irrigation Upgrade Of The Soccer Fields At Community Park; Increasing The Contract In An Amount Not To Exceed \$35,555.00 For Additional Repairs To The Soccer Fields And Upgrades To The Baseball Field; 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:

The City entered into a contract with Florida Keys Irrigation on April 15, 2019 for the irrigation upgrade of the soccer Fields at Community Park. The upgrade consisted of increasing the pressure in the system and replacing all the heads to increase the coverage to the fields. We were aware that upon increasing the pressure, we would experience breaks in the line and some old fittings, but could not estimate this work. Subsequent to the installation it was evident that other upgrades would be required to complete the system. An hourly rate was established in the initial contract for this work. The total cost of \$32,175.00, which includes \$21,385.00 of additional work on the soccer fields, is 100% reimbursable from the TDC

The City also decided to re-sod the baseball fields, and upgrades to that irrigation system is also needed to insure proper coverage. The same unit pricing is used for this work. The total cost of this work is \$14,170, which is not TDC reimbursable, is paid for out of the City's maintenance budget. Staff therefore recommends approval of the change order.

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:

Finance Director: _____

RECOMMENDATION:

Approval of Resolution

**CITY OF MARATHON, FLORIDA
RESOLUTION 2019-107**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN THE CITY OF MARATHON AND FLORIDA KEYS IRRIGATION IN THE ORIGINAL AMOUNT OF \$10,790.00 FOR THE IRRIGATION UPGRADE OF THE SOCCER FIELDS AT COMMUNITY PARK; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$35,555.00 FOR ADDITIONAL REPAIRS TO THE SOCCER FIELDS AND UPGRADES TO THE BASEBALL FIELD; 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”) entered into contract with Florida Keys Irrigation for irrigating the soccer fields at Community Park (the “Project”) in April of 2019; and

WHEREAS, the City wishes to upgrade the system to have a complete system, which is reimbursable from the Tourist Development Commission Grant; and

WHEREAS, the City recommends that the Council authorize the City to enter into a change order with Keys Irrigation, and expend and appropriate funds in the amount of \$35,555.00

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 8TH DAY OF OCTOBER, 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 LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

David Migut, City Attorney

CHANGE ORDER # 1 –

TO: City of Marathon
PROJECT: Community Park Amphitheater/Fields Irrigation
ENGINEER: City of Marathon
CONTRACTOR: Florida Keys irrigation.
DATE: October 2, 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 **Florida Keys Irrigation** for all costs, expenses, overhead, and profit, and any damages of every kind that **Florida Keys Irrigation** may incur in connection with the above referenced changes in the Construction Work under this Agreement. **Florida Keys Irrigation** acknowledges and agrees that (a) the Guaranteed Maximum Price of \$10,790.00 under the Agreement will be **changed** by this Change Order. **Florida Keys Irrigation** 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

Florida Keys Irrigation

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Exhibit "A"

CHANGE ORDER SUMMARY

Change Order No. 1
Project Title **Community Park Amphitheater/Fields Irrigation**
Bid No. _____
Owner: City of Marathon
Contractor: **Florida Keys Irrigation**
Agreement Date: April 15, 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>\$10,790.00</u>
(2)	Current Contract Price (Adjusted by Previous C.O.)	<u>\$10,790.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 35,555.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$46,345.00</u>
(5)	Original Contract Time	<u>180 Days</u>
(6)	Proposed Change in Contract Time	<u>90 Days</u>
(6)	Current Contract Time (Adjusted by Previous C.O.)	<u>180 Days</u>
(7)	Total Proposed Change in Contract Time	<u>90 Days</u>
(8)	New Contract Time (Item 6 + Item 7)	<u>270 Days</u>
(9)	Original Contract Final Completion Date	<u>October 12, 2019</u>
(10)	New Contract Final Completion Date	<u>January 10, 2020</u>

**COMMUNITY PARK AMPHITHEATER/FIELDS IRRIGATION
CHANGE ORDER HISTORY**

Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1.		<u>\$10,790.00</u>	<u>\$35,555.00</u>	\$0	<u>\$35,555.00</u>	90 Days
Total		\$10,790.00	\$35,555	\$48,600.00	\$35,555	90 Days

Exhibit "B"

CHANGE ORDER JUSTIFICATION

As part of the re-sodding of the Amphitheater/Soccer Fields, the irrigation system was revised and repaired to insure proper coverage of the fields. We were aware that once the pressure in the system was upgraded, several repairs would be required. We could not estimate these prior to the work, so the initial contract established an hourly rate for the repairs. As part of the repair several more heads were replaced, and repairs were also required in the secondary supply cross connection from Phase 1 of the park to insure we had sufficient water supply. The total for the additional repairs is \$21,385.00. This cost along with the original estimate is 100% reimbursable from the TDC

The City also decided to re-sod the two baseball fields. Prior to re-sodding these fields, the irrigation system also needs to be upgraded to insure proper coverage. The cost for this work is based on the established unit cost to replace the heads and add new ones. The \$14,170.00 cost is not TDC reimbursable, and covered under the City's maintenance cost.