

COUNCIL AGENDA STATEMENT



Meeting Date: March 9, 2021  
To: Honorable Mayor & Members of the City Council  
From: Dan Saus, Utilities Director  
Through: George Garrett, City Manager

Agenda Item: **Resolution 2021-24**, Approving Change Order #2 To The Contract With Key Honey Contracting LLC In An Amount Not To Exceed \$201,244.00 For The Emergency Repairs To The Service Area 6 Vacuum Main Near 120<sup>th</sup> Street And US1, And For Force Main Modifications Within The Service Area 3 WWTP; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

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BACKGROUND & JUSTIFICATION:

Due to the length of the vacuum main leading from the City in Service Area 6 WWTP out to US1 and westerly to 120<sup>th</sup> Street we have had performance issues. This line is very long and was problematic in the past. With increased maintenance and attention to detail this line has functioned well over the past 5-7 years but now has presented more challenges. In order to increase the performance in this line staff recommends an emergency re-routing of the piping to avoid a direct conflict with existing FDOT storm water infrastructure. This will decrease the static losses and should increase the functionality of the entire line.

The second portion of this change order is to extend the ending point for the force main inside the Area 3 WWTP to the exact spot where we now have the Area 3 to 4 pump station located. This exact location was unknown at the start of the project. It simplifies things to do this now instead of finishing the line in the future with a different contractor. It also simplifies testing and certifications.

Staff recommends approval of Change Order #2 to the contract for Key Honey Contracting LLC for the installation of the above described work in an amount not to exceed \$201,244.00.

CONSISTENCY CHECKLIST:

	Yes	No
1. Comprehensive Plan	<u>X</u>	_____
2. Other – 2010 Sewer Mandate	<u>X</u>	_____
3. Not applicable	<u>X</u>	_____

FISCAL NOTE:

The adopted FY21 Wastewater Utility budget includes appropriations of \$1,050,00 for the SA3 to SA4 project (\$73,850 of this change order). This portion of the project is currently funded by FDEP grant LPA0080. The remainder of this change order for the work in SA6 will require an appropriation of \$127,394 in the FY21 Wastewater Utility budget.

RECOMMENDATION: Approval of Resolution.

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2021-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER #2 TO THE CONTRACT FOR THE INSTALLATION OF A SERVICE AREA 3 TO SERVICE AREA 4 FORCE MAIN TO KEY HONEY CONTRACTING LLC., IN AN AMOUNT NOT TO EXCEED \$201,244.00; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, in accordance the City's competitive bidding procedures, the Service Area 3 to Service Area 4 Force Main Project was competitively bid on May 15<sup>th</sup> and bids received until June 18<sup>th</sup> and,

**WHEREAS**, the lowest responsive and responsible bid was received by Key Honey Contracting LLC. In an amount not to exceed \$419,415.00 and approved by Council,

**WHEREAS**, the Staff now recommends the City Council to approve Change Order #2 for the aforementioned work to the contract with Key Honey Contracting LLC., in an amount not to exceed \$210,244.00, as provided on Exhibit "C",

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

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

**Section 2.** 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 MARCH, 2021.**

**THE CITY OF MARATHON, FLORIDA**

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**Luis Gonzalez, 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:**

\_\_\_\_\_  
Steve Williams, City Attorney

**EXHIBIT "C"  
CHANGE ORDER**

**CHANGE ORDER NO. 2**

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**TO: City of Marathon**

**PROJECT: Marathon Area 3 to 4 Force Main Project**

**CONTRACTOR: Key Honey**

**DATE: March 1, 2021**

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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 on **Exhibit "1"** attached hereto and by this reference made a part hereof.

This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages, and/or time adjustments of every kind that the Contractor may incur in connection with the above referenced changes in the Work, and any other effect on any of the Work under the Agreement. The Contractor acknowledges and agrees that (a) the Contract Price of \$493,001.00 under the Agreement will be **changed** by this Change Order, and (b) the schedule for performance of Work will be **changed** by this Change Order. Contractor 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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**CONSENT OF SURETY TO CHANGE ORDER**

The Surety Agrees that this change order is not a cardinal change and if the Change Order includes an increase in the Contract amount, then the penal amount of the payment and performance bond issued for this Contract is increased by the dollar amount of this Change Order.

\_\_\_\_\_(Seal)  
Surety's Name and Corporate Seal

By: \_\_\_\_\_  
Signature and Title  
**City of Marathon**

Attest: \_\_\_\_\_  
Signature and Title  
**Contractor**

By: \_\_\_\_\_

Name: - - - - -

Title: \_\_\_\_\_

By: \_\_\_\_\_

Name: - - - - -

Title: \_\_\_\_\_

Exhibit "1"

CHANGE ORDER SUMMARY

This Change Order is necessary to cover changes in the Work to be performed under this Agreement. Except as may be modified herein all of the provisions of the Agreement apply to and govern all Work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE AGREEMENT DOCUMENTS:

- |      |   |                                       |
|------|---|---------------------------------------|
| (1)  | Original Contract Price                                     | <u>\$ 419,415.00</u>                  |
| (2)  | Current Contract Price (Adjusted by Previous Change Orders) | <u>\$ 493,000.00</u>                  |
| (3)  | Total Proposed Change in Contract Price                     | <u>\$ 201,244.00</u>                  |
| (4)  | New Contract Price (Item 2 + Item 3)                        | <u>\$ 694,245.00</u>                  |
| (5)  | Original Contract Time (Days)                               | <u>90 Days</u>                        |
| (6)  | Current Contract Time (Adjusted by Previous Change Orders)  | <u>182 Days</u>                       |
| (7)  | Total Proposed Change in Contract Time                      | <u>61 Days</u>                        |
| (8)  | New Contract Time (Item 6 + Item 7)                         | <u>243 Days</u>                       |
| (9)  | Original Contract Substantial Completion Date               | <u>December 30<sup>th</sup>, 2020</u> |
| (10) | New Contract Substantial Completion Date                    | <u>May 31<sup>st</sup>, 2021</u>      |

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
I.	CO #1	\$419,415.00	\$73,586.00	\$0.00	\$73,586.00	92
II.	CO #2	\$493,001.00	\$201,244.00	\$0.00	\$201,244.00	61
Total					\$694,245.00	153

The Change Order is a result of: Additional labor, parts, and equipment required for Owner-desired emergency reroute of 6” vacuum main located between 120<sup>th</sup> Street and 122<sup>nd</sup> Street Gulf side in the US1 Corridor. This reroute is needed to correct ongoing issues with low vacuum in this area. In addition, Key Honey will be installing an additional influent line and revised tie in location for the Area 3-4 Repump Station. The cost for this includes all necessary bends, fittings, pipe, detectable tape, bedding, compaction, labor and equipment for proper installation, clearing, grubbing, hauling, restoration, removal and reinstallation of fencing as needed. Trench patching for pavement restoration (3’ wide) including milling for overcuts.

The cost breakdown is as follows:

Addition of 10 L.F 3” Vacuum Sewer	\$1,220.00
Addition of 10 L.F 4” Vacuum Sewer	\$1,490.00
Addition of 368 L.F 6” Vacuum Sewer	\$57,776.00
Addition of 3” Gate Valve	\$1,621.00
Addition of 4” Gate Valve	\$1,688.00
Addition of 6” Gate Valve	\$1,907.00
Addition of 3” Cap	\$513.00
Tie-in to Existing 4” Vacuum Main	\$8,500.00
Tie-in to Existing 6” Vacuum Main	\$9,000.00
Cap & Abandon Existing 6” Vacuum Sewer	\$6,612.00
Pavement Restoration	\$7,875.00
Sod Restoration	\$10,692.00
Mobilization	\$7,200.00
MOT	\$3,800.00
Surveying	\$7,500.00
Area 3&4 Force Main Interconnect Design Revision (Lump Sum)	\$73,850.00
<b>TOTAL</b>	<b>\$201,244.00</b>



9 Bay Drive \* Key West, FL 33040

(305) 852-5746

Plumbing CFC1430659 \* General Contractor CGC059081 \* Underground Utility & Excavation CUC056917  
Local, Licensed & Insured

February 24, 2021

Dan Saus  
Utilities Director  
City of Marathon  
9805 Overseas Hwy  
Marathon, FL 33050

Re: Area 3 & 4 Force Main Interconnect  
Vacuum Main Repair – RFP No. 02  
\$127,394.00

Dan,

Attached is our quote to repair the vacuum main on Overseas Highway between 120<sup>th</sup> St Gulf and 122<sup>nd</sup> St Gulf for your review and consideration. Thank you for the opportunity to provide you with this proposal.

Sincerely,

Key Honey Contracting, LLC

Stephanie Bruno, COO



## 120<sup>th</sup> Vacuum Main Repair

	Quantity	Unit	Unit Cost	Total Cost
1	10	LF	\$ 122.00	\$ 1,220.00
2	10	LF	\$ 149.00	\$ 1,490.00
3	368	LF	\$ 157.00	\$ 57,776.00
4	1	EA	\$ 1,621.00	\$ 1,621.00
5	1	EA	\$ 1,688.00	\$ 1,688.00
6	1	EA	\$ 1,907.00	\$ 1,907.00
7	1	EA	\$ 513.00	\$ 513.00
8	1	EA	\$ 8,500.00	\$ 8,500.00
9	1	EA	\$ 9,000.00	\$ 9,000.00
10	1	LS	\$ 6,612.00	\$ 6,612.00
11	75	SY	\$ 105.00	\$ 7,875.00
12	486	SY	\$ 22.00	\$ 10,692.00
13	1	LS	\$ 7,200.00	\$ 7,200.00
14	1	LS	\$ 3,800.00	\$ 3,800.00
15	1	LS	\$ 7,500.00	\$ 7,500.00
<b>Bid Total</b>				<b>\$ 127,394.00</b>

Pricing based on: Plans from WEC dated 2/10/2021.

Inclusions: Labor, Equipment, Material, Bedding, Limerock Backfill, Pavement Restoration, Precon Video, Striping, Sod, Density Tests, Dewatering, Bond, MOT, Surveying, and Mobilization.

Exclusions: Permits, Engineering, Handling of Contaminated Materials, Injection Wells, Coatings, Erosion Control, or any other work not specifically mentioned above.



**21460 Overseas Highway, Unit 4,**

**Cudjoe Key, FL 33042**

*Plumbing CFC1429186 \* General Contractor CGC1515617 \* Underground Utility & Excavation  
CUC1223872  
Local, Licensed & Insured*

March 1, 2021

Dan Saus  
Utilities Director  
City of Marathon  
9805 Overseas Highway  
Marathon, FL 33050

Reference: Area 3 & 4 Force Main Interconnect  
Design Revision – RFP No. 03  
\$73,850.00

Dan,

We have completed review of the requested design revision relative to the future tie-in point located at the Area 3 Pump Station as well as the additional influent line. Below is our proposal for your review and consideration.

**Lump Sum Total: \$73,850.00**

Includes: All necessary bends, fittings, pipe, detectable tape, bedding, compaction, labor and equipment for proper installation, clearing, grubbing, hauling, restoration, removal and reinstallation of fencing as needed. Trench patching for pavement restoration (3' wide) including milling for overcuts.

Sincerely,  
Key Honey Contracting, LLC

Stephanie Bruno, COO