

COUNCIL AGENDA STATEMENT



Meeting Date: September 14, 2021  
To: Honorable Mayor & Members of the City Council  
From: Dan Saus, Utilities Director  
Through: George Garrett, City Manager

Agenda Item: **Resolution 2021-82**, Approving Change Order #5 to the contract with Key Honey Contracting LLC in An Amount Not to Exceed \$68,111.14 for the RELOCATION of the emergency repairs to the Service Area 6 vacuum main near 120<sup>th</sup> Street and US1; Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date.

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BACKGROUND & JUSTIFICATION:

After the redesign was completed to lower the vacuum system losses on this vacuum main, and after construction had begun, the underground conditions varied widely from the predicted existing utilities and expected underground conditions. The extra work included extensive exploratory excavations, an additional 132 feet of 6” vacuum main, and an additional 4” division valve with installation. I feel this is a fair price for what they had to accomplish to achieve our desired result. Change Order #5 is Attached as Exhibit 1.

Staff recommends approval of Change Order #5 to the contract for Key Honey Contracting LLC for the installation of the above described work in an amount not to exceed \$68,111.14.

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 FY 21 Adopted Wastewater Utility Budget includes appropriations of \$1,580,000 for wastewater improvements. This particular item was not contemplated when the budget was formulated.

RECOMMENDATION: Approval of Resolution.

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2021-82**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER #5 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 \$68,111.14; 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 #5 for the work described in Change Order #5 to the contract with Key Honey Contracting LLC., in an amount not to exceed \$68,111.14, as provided on Exhibit “1”,

**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 14<sup>TH</sup> DAY OF SEPTEMBER, 2021.**

**THE CITY OF MARATHON, FLORIDA**

\_\_\_\_\_  
**Luis Gonzalez, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

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

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Steve Williams, City Attorney

**EXHIBIT "C"  
CHANGE ORDER**

**CHANGE ORDER NO. 5**

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**TO: City of Marathon**

**PROJECT: Area 3 to 4 Force Main Repump**

**CONTRACTOR: Key Honey Contracting, LLC**

**DATE: August 10, 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 **\$701,725.00** 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	\$ 419,415.00
(2)	Current Contract Price (Adjusted by Previous Change Orders)	\$ 701,725.00
(3)	Total Proposed Change in Contract Price	\$ 68,111.14
(4)	New Contract Price (Item 2 + Item 3)	\$ 769,836.14
(5)	Original Contract Time	90 Days
(6)	Proposed Change in Contract Time	48 Days
(7)	Current Contract Time (Adjusted by Previous CO)	287 Days
(8)	Total Change in Contract Time	245 Days
(9)	New Contract Time (Item 6 ± Item 7)	335 Days
(10)	Original Contract Substantial Completion Date	December 30 <sup>th</sup> , 2020
(I 1)	New Contract Substantial Completion Date	Sept.1st, 2021

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
III.	CO #3	\$694,625.00	\$7,480.00	\$0.00	\$7,480.00	14
IV.	CO #4	\$701,725.00	\$0.00	\$0.00	\$0.00	30
V.	CO #5	\$701,725.00	\$68,111.14	\$0.00	\$68,111.14	48
Total					<b>\$350,421.14</b>	<b>245</b>

The Change Order is a result of: In ground conditions differing from records which resulted in modification of design and additional piping work. Additionally, some exploratory digging was required in order to determine the most beneficial design approach. The cost is related to that exploratory work as well as an additional 132ft of 6" pipe, pavement restoration, additional branch line connection, and 4" valve. A detailed breakdown is attached for reference.

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21460 Overseas Highway, Unit 4,

Cudjoe Key, FL 33042

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

July 28, 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. 05  
REV1  
\$68,111.14

Dan,

We have completed review of the requested design revision for the vacuum reroute portion of the project. The cost for the design changes as well as the additional exploratory work and delays are below and attached. A time extension of 60 days is requested for this change.

**Lump Sum Total: \$68,111.14**

Includes: All necessary bends, fittings, pipe, detectable tape, bedding, compaction, labor and equipment for proper installation and pavement restoration.

Sincerely,  
Key Honey Contracting, LLC

Stephanie Bruno, COO

Key Honey RFP. No. 05

City of Marathon – Area 3&4 Interconnect/Vacuum Reroute

Proposal Summary

7/3/2021

REVISED 08/04/21

	<b>Quantity</b>	<b>Unit</b>	<b>Unit Cost</b>	<b>Total Cost</b>
ADD'L 6" VACUUM SEWER	132	LF	\$ 157.00	\$ 20,724.00
ADD'L TIE INTO EXISTING 4" VACUUM SEWER	1	EA	\$ 8,500.00	\$ 8,500.00
ADD'L PAVEMENT RESTORATION	153	SY	\$ 105.00	\$ 16,065.00
ADD'L MOT	1	LS	\$ 1,520.00	\$ 1,520.00
	1	LS	\$ 1,500.00	\$ 1,500.00
ADD'L SURVEYING				
ELM REIMBURSEMENT FOR EXPLORATORY EXCAVATION AND DELAYS AWAITING DESIGN REVISIONS AND ALSO TIE-IN NIGHT WORK	1	LS	\$ 19,802.14	\$ 19,802.14
<b>Proposal Total</b>				<b>\$68,111.14</b>

Proposal based on revised plans received from WEC on 6/23/2021.

Key Honey Contracting, LLC  
 9 Bay Drive  
 Key West, FL 33040  
 Date: 07-02-21  
 Revised

7/28/2021



PROJECT: City of Marathon Vacuum Reroute  
 DESCRIPTION: Reimbursement for ELM for exploratory excavation and time delays

QTY	LABOR TITLE	TOTAL	WAGE	OT HRS	OT WAGE	STRAIGHT TIME	OVER TIME	
		DAILY						
		HRS						
1	PROJECT MANAGER	10	\$57.50			\$575.00	\$0.00	
	SUPERINTENDENT	57.5	\$57.50	6		\$3,306.25	\$0.00	
	FOREMAN		\$46.00	4		\$0.00	\$0.00	
	OPERATOR	57.5	\$25.00		\$37.50	\$1,437.50	\$0.00	
	PIPELAYER	115	\$23.00		\$34.50	\$2,645.00	\$0.00	
	LABORER		\$19.00	12	\$28.50	\$0.00	\$342.00	
	FLAGMEN		\$18.00		\$27.00	\$0.00	\$0.00	
	TRUCK DRIVER		\$22.00		\$33.00	\$0.00	\$0.00	
	TOTAL LABOR	240		22		TOTAL DIRECT LABOR	\$8,305.75	
	<b>MACHINERY &amp; EQUIPMENT</b>	<b>HRS</b>	<b>HOURLY RATE</b>	<b>HRS</b>	<b>HOURLY OPERATING RATE</b>			
	CAT 365 EXCAVATOR 3.61CY 404HP V1		\$225.00		\$145.35	\$0.00		
	CAT 330 DL EXCAVATOR V1	57.5	\$145.00		57.50	\$87.95	\$8,337.50	
	CAT 305 E2 MINI EXCAVATOR	0	\$110.00	0	\$68.10	\$0.00		
	CAT 321DL EXCAVATOR V1		\$83.00		\$50.00	\$0.00		
	CAT 307C EXCAVATOR V1		\$45.00		\$22.45	\$0.00		
	KOMATSU PC-308 USLC-3 EXCAVATOR V1		\$120.00		\$67.35	\$0.00		
	KOMATSU PC 78 US-6 EXCAVATOR V1		\$40.00		\$22.00	\$0.00		
	TAKEUCHI TB14 MINI EXCAVATOR 13.8 PC12R		\$60.00		\$44.90	\$0.00		
	TAKEUCHI TB 290 O.W., 19K LBS PC200 V2		\$9.00		\$6.40	\$0.00		
	JOHN DEER 50G EXCAVATOR 38.0 HP V2		\$22.00		\$13.40	\$0.00		
	CAT 420 BACKHOE/LOADER 1.25CY 93HP		\$36.00		\$25.60	\$0.00		
	CAT 906H LOADER WITH FORKS		\$26.00		\$19.75	\$0.00		
	CAT 950H/G LOADER		\$62.00		\$42.40	\$0.00		
	CAT 924GZ LOADER		\$34.00		\$28.45	\$0.00		
	KOMATSU WA200-6 LOADER		\$36.00		\$27.65	\$0.00		
	JOHN DEER 524 K-11 LOADER		\$44.00		\$31.50	\$0.00		
	VOLVO EC-140 EXCAVATOR		\$64.00		\$32.75	\$0.00		
	VOLVO BL60 COMBINATION 83.0 HP		\$29.00		\$22.65	\$0.00		
	KOMATSU D21A-8 DOZER		\$37.00		\$21.30	\$0.00		
	GALION A550 GRADER VOL G940 175.0 HP		\$83.00		\$45.35	\$0.00		
	LEE CHAMPION G440 GRADER 175.0 HP		\$83.00		\$45.35	\$0.00		
	CAT CS-433E ROLLER		\$35.00		\$26.00	\$0.00		
	CAT CB-24 31.8 HP, DOUBLE DRUM ROLLER		\$26.00		\$10.50	\$0.00		
	PLATE COMPACTOR BW55E	0	\$10.00	0	\$4.65	\$0.00		
	ASPHALT ZIPPER A2360 W/OUT LOADER		\$100.00		\$90.00	\$0.00		
	ASPHALT MILL PM-102 209.0 HP		\$220.00		\$121.90	\$0.00		
	ASPHALT PAVER AP255/600D 165.0 HP		\$220.00		\$98.25	\$0.00		
	PETERBUILT TRACTOR 380.0 HP		\$35.00		\$51.35	\$0.00		
	TRAIL KING LOWBOY		\$10.31		\$6.95	\$0.00		
	FREHAUF DUMP TRAILER	0	\$8.44	0	\$2.85	\$0.00		
	CAT D250-E OFFROAD TRUCK		\$85.00		\$48.60	\$0.00		
	PETERBUILT TRIAXLE DUMP 70,000LBS		\$47.00		\$63.65	\$0.00		
	JOHN DEER 4520 BROOM		\$7.67		\$3.95	\$0.00		
	WATER TRUCK 2,500 GAL		\$20.00		\$23.50	\$0.00		
	MAGNUM 750GAL/MIN WATER TRAILER 30T		\$15.00		\$6.65	\$0.00		
	DIESEL PICKUP TRUCK 1.5T, LIGHT DUTY	0	\$11.00	0	\$19.40	\$0.00		
1	GAS PICKUP TRUCK 1T, LIGHT DUTY	20	\$8.00	20	\$20.80	\$576.00		
	12" WELL POINT CENTRIFUGAL PUMP		\$35.00		\$27.10	\$0.00		
	8" WELL POINT CENTRIFUGAL PUMP		\$25.00		\$21.05	\$0.00		
	4" HEAVY DUTY JET PUMP		\$14.00		\$22.35	\$0.00		
	3" TRASH PUMP 23,000 GAL SELF PRIMING		\$3.00		\$5.50	\$0.00		
	LIGHTWEIGH CENT/PRESSURE PUMP 2.0"		\$5.00		\$3.80	\$0.00		
	DISCHARGE HOSES 25LF		\$1.00		\$0.05	\$0.00		
	SUCTION HOSES WITH COUPLINGS		\$0.30		\$0.00	\$0.00		
	GENERATOR XQ30 45KW ENCLOSED		\$12.00		\$19.50	\$0.00		
	GENERATOR 5500W		\$2.00		\$5.00	\$0.00		
	COMPRESSOR 175 CU FT		\$6.00		\$24.00	\$0.00		
	ELECTRIC/HYDRAULIC IMPACT WRENCHES		\$9.00		\$2.80	\$0.00		
	TRENCH BOX		\$12.63		\$0.00	\$0.00		
	STEEL PLATES		\$6.25		\$0.00	\$0.00		
	CUT OFF SAW 14		\$4.00		\$2.02	\$0.00		
	CEMENT MIXER 8 CU FT		\$3.00		\$2.75	\$0.00		
	MOT DEVICES	0	\$50.00		\$0.00	\$0.00		
						TOTAL EQUIPMENT:	\$8,913.50	
	TOTAL LABOR		\$8,305.75		MATERIALS / SUBS		\$0.00	
							\$0.00	
	TOTAL EQUIPMENT		\$8,913.50					
	OH/P 15%		\$2,582.89					
	TOTAL LABOR, EQUIPMENT, & MATERIALS		\$19,802.14					
	5% OH/P on Subcontractors		\$0.00					
						TOTAL MATERIALS & SUBS	\$0.00	
	<b>TOTAL AMOUNT DUE</b>		<b>\$19,802.14</b>					
	** AN EXTENSION OF TIME IS REQUESTED **							
	** ALL CONTRACT UNIT PRICES TO APPLY **							