

COUNCIL AGENDA STATEMENT



Meeting Date: February 14, 2023
To: Honorable Mayor & Members of the City Council
From: Dan Saus, Utilities Director
Through: George Garrett, City Manager

Agenda Item: **Resolution 2023-21**, Approving Change Order #2 to the contract with Reynolds Construction in An Amount Not to Exceed \$30,303.40 for the addition of piping access points, platform improvements, additional coatings, and a signal converter; Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date.

BACKGROUND & JUSTIFICATION:

Staff has requested additional access points in the new chemical feed lines to facilitate maintenance in the future. Staff as also requested minor platform changes and additional coatings to help with corrosion resistance. The addition of a signal converter is also required for the SCADA tie-in to be up to date technologically. The additional time is required due to COVID and supply related issues. Change Order Attached as Exhibit 1.

Staff recommends approval of Change Order #2 to the contract for Reynolds Construction for the additional work and equipment as described in the change order in an amount not to exceed \$30,303.40.

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 approval of this resolution will appropriate funds in the FY23 Wastewater budget for the additional cost for this project.

RECOMMENDATION: Approval of Resolution.

**CITY OF MARATHON, FLORIDA
RESOLUTION 2023-21**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER #2 TO THE CONTRACT FOR THE INSTALLATION OF ADDITIONAL PIPING, COATINGS, AND SIGNAL CONVERTER TO REYNOLDS CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$30,303.40; 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 Chemical Upgrades Project was competitively bid on September 8, 2021 and bids received until November 5th and,

WHEREAS, the lowest responsive and responsible bid was received by Reynolds Construction In an amount not to exceed \$3,945,000.00 and approved by Council,

WHEREAS, the Staff now recommends the City Council to approve Change Order #2 for the work described in Change Order #2 to the contract with Reynolds Construction., in an amount not to exceed \$3,945,000, 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 14TH DAY OF FEBRUARY 2023.

THE CITY OF MARATHON, FLORIDA

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. 02

TO: City of Marathon

PROJECT: City of Marathon Chemical Upgrades Project

CONTRACTOR: Reynold’s Construction, LLC

DATE: 31 Jan 2023

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 **\$2,773,291.77** 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.

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.

Surety's Name and Corporate Seal (Seal)

By: _____
Signature and Title
City of Marathon

Attest: _____
Signature and Title
Contractor

By: _____
Name: George Garrett
Title: City Manager


By:  _____ 1.31.23
Name: Joshua R. Vondersaar
Title: Project Manager

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	\$2,715,000.00
(2)	Current Contract Price (Adjusted by Previous Change Orders)	\$2,773,291.77
(3)	Total Proposed Change in Contract Price	\$30,303.40
(4)	New Contract Price (Item 2 + Item 3)	\$2,803,595.17
(5)	Original Contract Time	365 Days
(6)	Proposed Change in Contract Time	188 Days
(7)	Current Contract Time (Adjusted by Previous CO)	365 Days
(8)	Total Change in Contract Time	188 Days
(9)	New Contract Time (Item 6 ± Item 7)	553 Days
(10)	Original Contract Substantial Completion Date	Dec 24, 2022
(I 1)	New Contract Substantial Completion Date	June 30, 2023

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
I.	CO #1	\$2,715,000.00	\$58,291.77	\$0	\$58,291.77	0
II	CO #2	\$2,773,291.77	\$30,303.40	\$0	\$30,303.40	188 days
III						
IV						
V						
VI						
Total					88,595.17	188 days

The Change Order is a result of: Changes are a result of staff requested additional piping unions for ease of chemical line service and aesthetic improvements of the platforms as well as additional protection from the elements. Additionally, the signal converter is to provide better SCADA integration of the system with a more readily available and serviceable converter.

The cost breakdown is as follows:

WORK ITEM DESCRIPTION	PRICE
PCO 4- Time Extension/ Platform Coating/ Signal Converter	\$30,303.40
TOTAL	\$30,303.40



Reynolds Construction

300 East Broad St
Fairburn, GA 30213

CHANGE PROPOSAL
SUMMARY NO:

PROJECT NAME	City of Marathon - Maintenance & Service Agreement	PROJ. NO.:	
LOCATION:	Marathon, FL	DATE:	01/20/23
OWNER:	City of Marathon	DRAWING NO.:	
ENGINEER:		SPEC. SECTION:	

REFERENCE PCO NO.: 004 FIELD DIRECTIVE NO.: N/A RFI NO.: N/A OTHER:

DESCRIPTION: Platform Painting & Union Additions

This proposal is inclusive of all additional labor, material, & equipment for the addition of CPVC unions in the chemical lines.
This proposal is inclusive of all additional labor, material, & equipment for the painting of all 5 structures.
This proposal is inclusive of the protocol converters required for Areas 3, 4, 6, & 7.

PRICING INFORMATION

	SKILL/TRADE	MAN-HOURS	RATE	COST
1. DIRECT LABOR	See backup sheet for breakdown	225		\$ 16,575.26
1.A PRODUCT LABOR:				
1.B <input type="checkbox"/> FOREMAN <input type="checkbox"/> SUPERINTENDENT	Safety	0	\$ 88.24	\$ -
	QA/QC	0	\$ 86.28	\$ -
1.C OFFICE ENGINEERING:	Superintendent - (JL)	0	\$ 98.74	\$ -
	Project Engineer	0	\$ 86.28	\$ -
	Project Manager - (JB)	8	\$ 98.74	\$ 789.92
1.D BURDEN	Labor Burden (included in Rates)			\$ -
				\$ 17,365.18

	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	COST
2. MATERIALS AND EQUIPMENT					
2.A INCORPORATED IN WORK:	See Detail Break Down	1	LS	\$ 6,992.30	\$ 6,992.30
					\$ -
					\$ -
2.B CONSUMED IN PERFORMANCE:	Small Tools and Expendables (5% of field labor)				\$ 828.76
	- (STC pending task)				
2.C EQUIPMENT:	See Backup Sheet	1	LS	\$ -	\$ -
	Fuel and Service 20% of Equip Cost	1	LS	\$ -	\$ -
2.D DIRECT COSTS:					\$ 7,821.06
2.E SALES TAX: 7.5%					\$ 586.58
					\$ 8,407.64

	NAME	DESCRIPTION OF WORK	COST
3. SUBCONTRACTORS			
3.A DIRECT:	See Detail Sheet		\$ -
3.B LOWER TIER:			\$ -

Contract Time Extension Costs	Days Requested	Daily Rate	COST
Contractor Extension Costs	0	0	\$ -
Subcontractor Extension Costs	0	0	\$ -
*(daily rate is subject to change per actual OH items)			Total Time Extension Costs \$ -

EXTENSION OF CONTRACT TIME:

** Each location will have approx. two days added. Metals may add additional days.*

CONFIRMED	This Proposal does not include any \$ for extension or acceleration but the right to ask for these costs at a later date is expressly reserved if determined to be necessary.
N/A	Extension cost is included in this proposal
N/A	Acceleration cost to maintain project schedule are included in this proposal. *

5. FEE STRUCTURE	Rate	COST	Overhead 10%	SUBTOTAL
A. Contractor				
1. Direct Labor:		\$ 17,365.18	15%	\$ 19,969.96
2. Material & Equipment:		\$ 8,407.64	15%	\$ 9,668.79
3. Subcontractors:		\$ -	10%	\$ -
4. Bond & Insurance:	1.95%	\$ 577.96	15%	\$ 664.65
TOTAL COST OF THIS CHANGE PROPOSAL (All deductions shown in parentheses):				\$ 30,303.40

RECORD DOCUMENTS: As part of this Change Proposal, the Contractor shall provide applicable record drawing information affected by this change. ✓

Signed: Jason Brownlee
 Title: Project Manager Date: 01/20/23
 Contractor: Reynolds Construction, LLC

ACCEPTANCE BY OWNER

Signature of Owner's Authorized Representative: _____ Date: _____
 Engineer to prepare necessary change order Engineer to Re-negotiate change proposal as noted above Other as above

OWNER:	CONTRACTOR: Reynolds Construction	PROJECT
ENGINEER:	FIELD:	NO.:
	OTHER:	DATE:

Proposal: 4
 Description: Platform Painting & Union Additions
 Date: 01/20/23

Description	QTY	UOM	Unit Cost Labor	Total Labor	Unit Cost Material	Total Material	Unit Cost Subcontractor	Total Sub	Equipment Rate	Total Equipment	Totals
Paint Area 3 Platform (Columns & Elevated Deck Only)											
Foreman - Carlos Ferna	✓ 14	MH	88.28	\$ 1,235.92							\$ 1,235.92
Laborer - Tarod Snead	14	MH	59.74	\$ 836.36							\$ 836.36
Paint Area 4 Platform											
Foreman - Carlos Ferna	16	MH	88.28	\$ 1,412.48							\$ 1,412.48
Laborer - Tarod Snead	16	MH	59.74	\$ 955.84							\$ 955.84
Paint Area 5 Platform											
Foreman - Carlos Ferna	16	MH	84.50	\$ 1,352.00							\$ 1,352.00
Laborer - Tarod Snead	16	MH	57.25	\$ 916.00							\$ 916.00
Paint Area 6 Platform											
Foreman - Carlos Ferna	16	MH	88.28	\$ 1,412.48							\$ 1,412.48
Laborer - Tarod Snead	16	MH	59.74	\$ 955.84							\$ 955.84
Paint Area 7 Platform											
Foreman - Carlos Ferna	32	MH	88.28	\$ 2,824.96							\$ 2,824.96
Laborer - Tarod Snead	32	MH	59.74	\$ 1,911.68							\$ 1,911.68
Additional Unions											
Foreman - Carlos Ferna	16	MH	84.50	\$ 1,352.00							\$ 1,352.00
Laborer - Tarod Snead	16	MH	57.25	\$ 916.00							\$ 916.00
Sup't-Jacob Long	✓ 5	MH	98.74	\$ 493.70							\$ 493.70
Material											
Tnemec Series 156	40	Gal			\$ 81.92	\$ 3,276.80					\$ 3,276.80
CPVC Unions	70	EA			\$ 10.95	\$ 766.50					\$ 766.50
Freight	1	LS			\$ 135.00	\$ 135.00					\$ 135.00
Applicators	1	LS			\$ 350.00	\$ 350.00					\$ 350.00
ICI Protocal Converters	1	LS			\$ 2,464.00	\$ 2,464.00					\$ 2,464.00
Subcontractor											
None											
TOTALS											
		MH	225	\$ 16,575.26		\$ 6,992.30		\$ -		\$ -	\$ 23,567.56

