



City of Marathon Special Call City Council Agenda
9805 Overseas Hwy., Marathon, FL
Monday, January 22, 2023 5:15 pm

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Resolution for Adoption**

A. Resolution 2024-14, Approving Replacement Playground Equipment At Sombrero Beach; Authorizing The City Manager To Execute A Contract With Play By Design Via Sourcewell And Expend Budgeted Funds And Appropriate Funds In The Amount Of \$245,250.00; And Providing For An Effective Date.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Council with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based. ADA Assistance: Anyone needing special assistance at the City Council hearing due to disability should contact the City of Marathon City Attorney at (305) 289-4130 at least five days prior thereto. Please contact the City Clerk at claviecd@ci.marathon.fl.us if you would like to receive any of the items on the agenda by email.

COUNCIL AGENDA STATEMENT



Meeting Date: January 22, 2023

To: Honorable Mayor and City Councilmembers

From: Paul Davis, Parks and Recreation Director

Through: George Garrett, City Manager

Agenda Item: **Resolution 2024-14**, Approving Replacement Playground Equipment At Sombrero Beach; Authorizing The City Manager To Execute A Contract With Play By Design Via Sourcewell And Expend Budgeted Funds And Appropriate Funds In The Amount Of \$245,250.00; And Providing For An Effective Date.

BACKGROUND & JUSTIFICATION:

The playground equipment at Sombrero Beach was replaced in fall 2019 after the destruction of the playground after Hurricane Irma in 2017. The playground that was installed in 2019 was not able to withstand the elements (sun, salt, water, oil, etc.) and began to deteriorate. The playground equipment became unsafe for anyone playing on the equipment and needed to be replaced. We (the City) submitted a grant to the Tourist Development Council (TDC) to receive funds to replace the playground equipment. We were awarded the grant for the project to be completed by September 2024.

Play by Design was the company that was responsible for rebuilding the Rotary Children's Playground in the summer of 2022 here in Marathon. Play by Design has a history of building quality playgrounds, and they use materials that can withstand the elements (wind, salt, sun, oil, etc.) that we face here in the keys. With Play by Design (via Sourcewell) having done work here in Marathon there was no need to go out for bid for this project.

Play-by-Design created a budget of the cost to build the playground that we agreed would be the best fit for that area. We are looking for the Council to approve funds in the amount of \$ 245,250.00.

CONSISTENCY CHECKLIST:

Yes	No
XX	_____

1. Comprehensive Plan

FISCAL NOTE:

RECOMMENDATION: Council approve Resolution

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2024-14**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING REPLACEMENT PLAYGROUND EQUIPMENT AT SOMBRERO BEACH; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PLAY BY DESIGN VIA SOURCEWELL AND EXPEND BUDGETED FUNDS IN THE AMOUNT OF \$245,250.00; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon submitted a grant request to the Tourist Development Council's FY2024 Brick and Mortar Capital Program. SourceWell is a public agency that offers competitively solicited purchasing contracts for products and equipment to member agencies, so those members do not have to duplicate the solicitation process; and

WHEREAS, the City of Marathon (the "City") qualifies to take advantage of the cooperative purchasing contract 010521-BUR (SourceWell) with Play By Design; and

WHEREAS, the City recommends that the Council authorizes the purchase of playground equipment in the amount of \$245,250.00 to install new playground equipment at Sombrero Beach

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 incorporated herein.

Section 2. The City Council authorizes the purchase of playground equipment in the amount of \$245,250.00, a copy of the proposal which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the City Manager and approved as to form by the City Attorney, is hereby approved. The City Manager is authorized to 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 22nd DAY OF JANUARY, 2024.

THE CITY OF MARATHON, FLORIDA

Robyn Still, 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:**

Steve Williams, City Attorney



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/19/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Kelly White & Associates Insurance, LLC 1622 Hickman Road Jacksonville FL 32216		CONTACT NAME: HOUSE PHONE (A/C No. Ext): 904-880-8881 E-MAIL ADDRESS: kelly@kwhiteinsurance.com FAX (A/C No.): INSURER(S) AFFORDING COVERAGE INSURER A: James River Insurance Company INSURER B: Travelers Property & Casualty Company INSURER C: Evanston Insurance Co INSURER D: American Interstate Ins Co INSURER E: Kinsale Insurance Company INSURER F:		NAIC #
INSURED Coral Construction Company Po Box 500582 Marathon Shores FL 33050				

COVERAGES**CERTIFICATE NUMBER:** CORA24011915333456**REVISION NUMBER:**


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	X	001363021	10/31/2023	05/26/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			BA4P029528	01/16/2024	01/16/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP \$ 10,000
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			XOBW9841723-16797244	10/31/2023	05/26/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input checked="" type="checkbox"/> N	N / A	AVWCFL3213762023	12/12/2023	12/12/2024	<input checked="" type="checkbox"/> PER STATUTE <input checked="" type="checkbox"/> OTH-ER USL&H 6006F E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Contractors Pollution			0100119011-3	06/24/2023	06/24/2024	Per Occurrence \$1,000,000 Aggregate \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The certificate holder is an additional insured for General Liability and Auto Liability as required by written contract. Waiver of Subrogation applies to Worker's Comp in favor of certificate holder. A 30 day notice of cancellation will be provided except in the event due to non-payment then a 10day notice will be provided, per Florida State statutes.

CERTIFICATE HOLDER

City of Marathon 9805 Overseas Hwy Marathon FL 33050	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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