

COUNCIL AGENDA STATEMENT

Meeting Date: March 10, 2026
To: Honorable Mayor and Council Members
From: Dan Saus, Utility Director
Through: George Garrett, City Manager



Agenda Item: **Resolution 2026-33** Authorizing and Approving a change order to the contract for the construction of Phase 1 Force Main for the Deep Injection Well Project to DBE Utility Services in an amount Not to Exceed \$1,485,359.16; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

BACKGROUND & JUSTIFICATION:

The City began the Class 1 Deep Well project last year to include multiple phases requiring subsurface directional drilling. This addition to Phase 1 of the project adds the underwater bridge crossing beneath the Vaca Cut and Robert H. Dopp Bridge. This was not originally included in the bid as we did not yet have the required permits. The Dopp bridge is located on Coco Plum Dr.

The existing ACOE permit will expire on March 14th,2026 if we do not have a contractor under contract for the additional work. As DBE was the low bidder for Phase 1 it is recommended, we change order the project to include the new component for the subterranean bridge crossing.

This Change Order also incorporates the additional costs for the revision of the MOT and Temporary Traffic Control Plan to accommodate the 24 hour lane closure all newly required by FDOT. Staff recommends approval of this resolution.

CONSISTENCY CHECKLIST:

	Yes	No
1. Comprehensive Plan	_____	_____
2. Other –Sewer Mandate	_____	_____

FISCAL NOTE:

The adopted FY26 Wastewater Utility budget includes appropriations of \$7,500,000 for Deep Well Construction – Piping.

RECOMMENDATION:

Approve Resolution

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2026-33**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING A CHANGE ORDER #1 TO THE CONTRACT WITH DBE UTILITY SERVICES FOR CONSTRUCTION OF THE DEEP INJECTION WELL FORCE MAIN PHASE 1 IN AN AMOUNT NOT TO EXCEED \$1,485,359.16; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the city wishes to move forward with the Bridge Crossing for the Construction of Phase 1 Force Main for the Class 1 Deep Injection Well Project, and this bridge crossing is critical to meet the existing deadlines;

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 hereby authorizes the City Manager to enter into an agreement and expend budgeted funds on behalf of the City for Construction of Phase 1 Force Main for the Class 1 Deep Injection Well Project Change Order #1 with DBE Utility Services in an amount not to exceed \$1,485,359.16

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 10th DAY OF MARCH 2026.

THE CITY OF MARATHON, FLORIDA

Mayor Lynny Del Gaizo

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

EXHIBIT "C"
CHANGE ORDER

CHANGE ORDER NO. 1

TO: City of Marathon

PROJECT: Deep Injection Well Phase 1 Transmission Main

CONTRACTOR: DBE Utility Services

DATE: February 27, 2026

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 \$5,321,846.32 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.

_____(Seal)
Surety's Name and Corporate Seal

By: _____
Signature and Title

Attest: _____
Signature and Title

City of Marathon
By: _____
Name: George Garrett
Title City Manager

Contractor
By: _____
Name: Dustin Ertle
Title President

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	\$5,321,846.32
(2)	Current Contract Price (Adjusted by Previous Change Orders)	\$5,321,846.32
(3)	Total Proposed Change in Contract Price	\$1,485,359.16
(4)	New Contract Price (Item 2 + Item 3)	\$6,807,205.48
(5)	Original Contract Time (Days)	580 Days
(6)	Current Contract Time (Adjusted by Previous Change Orders)	580 Days
(7)	Total Proposed Change in Contract Time	280 Days
(8)	New Contract time (Item 6 + Item 7)	860 Days
(9)	Original Contract Substantial Completion	December 25, 2025
(10)	New Contract Substantial Completion	October 1, 2027

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1	CO #1	\$5,321,846.32	\$1,485,359.16	\$0.00	\$1,485,359.16	280 Days
Total					\$1,485,359.16	280 Days

This Change Order incorporates additional costs required for the revision of the Maintenance of Traffic (MOT) and Temporary Traffic Control Plan (TTCP) to accommodate a 24-hour lane closure and includes the credit of the approved substitution of gate valves for plug valves. Additionally, this change order is for the addition of the bridge crossing installations for the transmission main across Vaca Cut Bridge and the Robert H. Dopps Bridge located on Coco Plum Drive. The revised FDOT MOT requirements necessitated additional traffic engineering coordination and supplemental MOT devices beyond the original contract assumptions, with a corresponding credit applied for valving adjustments. The bridge crossing scope is being incorporated to satisfy ACOE permitting requirements and secure a one-year permit extension prior to expiration. This Change Order includes all labor, materials, equipment, and coordination necessary to complete the added work.

The cost breakdown is as follows:

Maintenance of Traffic Revisions w/ Valve Credit Proposal	\$138,736.16
Vaca Cut & Robert H. Dopps Bridge Crossings Proposal	\$1,346,623.00
TOTAL	\$1,485,359.16



MEMORANDUM

To: George Garrett – City Manager, City of Marathon
From: Steve Suggs, P.E.
Date: February 27, 2026
Re: COM Deep Injection Well Transmission Main – Change Order #1

This memorandum documents Change Order #1 for the Deep Injection Well Phase I Transmission Main Project. This change order incorporates (1) additional costs required for the revision of the Maintenance of Traffic (MOT) and Temporary Traffic Control Plan (TTCP) to accommodate a 24-hour lane closure and includes credit of the approved substitution of gate valves in lieu of plug valves (2) the addition of bridge crossing installations for the transmission main located at Vaca Cut Bridge on U.S. 1 and the Robert H. Dopps Bridge located on Coco Plum Drive. Both items are necessary to maintain regulatory compliance and ensure continuity of permitting for the project.

FDOT MOT Lane Closure Requirements

During the lane closure permit application process, FDOT established extensive requirements that exceeded the originally anticipated MOT provisions prepared by the Contractor's traffic control consultant (DBE) in order to obtain a 24-hour lane closure which is required to perform the scope of work for the project.

Following multiple coordination meetings and discussions between FDOT, the Contractor, and the City's project team, a compromise was reached regarding the minimum acceptable traffic control measures required to safely maintain vehicular flow along U.S. 1 and associated roadways.

This change order authorizes implementation of the revised FDOT-approved MOT plan, which includes additional traffic engineering coordination and revisions, and supplemental MOT devices and barriers required by FDOT. The cost associated with this portion of the change order reflects the increased traffic engineering effort and the procurement and installation of the additional MOT barrier systems. It should be noted that a credit is being applied to this item associated with valving modifications originally anticipated in the contract. As a result, this item reflects a net change from the original valving cost allocation.

Bridge Crossings – Vaca Cut & Coco Plum Drive

The U.S. Army Corps of Engineers (ACOE) General Permit for the DIW Phase 1 Transmission Main Project is set to expire on March 14, 2026. Pursuant to ACOE requirements, to obtain a one (1) year permit extension, the bridge crossing phase of the project must be under contract prior to the permit expiration date.



To preserve the validity of the permit and avoid re-permitting delays, this change order incorporates the transmission main bridge crossings at Vaca Cut and Coco Plum Drive into the DIW Phase 1 Transmission Main construction contract.

The cost associated with this portion of the change order includes all labor, materials, equipment, traffic control, coordination, and specialty installation efforts necessary to complete the bridge crossing scope in accordance with permit requirements and applicable standards.

Incorporating this scope at this time ensures regulatory compliance with ACOE permitting requirements and protects the City from potential project delays and additional permitting costs.

Cost Summary

The table below outlines the cost impact to be incorporated into the construction contract as Change Order #1. Detailed proposals for these relocations can be found in Exhibit A & B.

Cost Summary	
FDOT MOT Lane Closure Requirements w/Valve Credit	\$138,736.16
Transmission Main Bridge Crossings	\$1,346,623.00
Total Change Order #1 Amount	\$1,485,359.16
Original Contract Price	\$5,321,846.32
New Contract Price	\$6,807,205.48

Requested Time Extension

Extended coordination efforts with FDOT regarding revised MOT lane closure and TTCP requirements delayed the anticipated start of certain construction activities within the FDOT right-of-way. The time required to revise and obtain approval of the updated TTCP directly impacted the project schedule. Additionally, the incorporation of the bridge crossings at Vaca Cut Bridge (U.S. 1) and Robert H. Dopps Bridge on Coco Plum Drive represents an expansion of the original Phase 1 Transmission Main scope and introduces additional construction activities not included in the original contract duration. The table below outlines how these requested extensions affect the overall construction schedule.

Contract Scheduling	
Original Contract Time	580 days
Total Proposed Change in Contract Time	280 days
Original Contract Substantial Completion Date	December 25, 2026
New Contract Substantial Completion Date	October 1, 2027

Attachments

- Exhibit A: Maintenance of Traffic Revisions w/ Valve Credit Proposal
- Exhibit B: Vaca Cut & Robert H. Dopps Bridge Crossings Proposal



**Exhibit A: Maintenance of Traffic Revisions Proposal w/ Valve
Credit**



DBE UTILITY SERVICES

13387 Bryan Rd. • Loxahatchee, FL 33470 • 561.508.3708 • www.dbehdd.com

DIRECTIONAL BORING SERVICES

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February 24, 2026

Dear Weiler Engineering Team,

Please find attached our Change Order #1 Request for the City of Marathon – Deep Injection Well – Phase 1 project, for the revision of the Maintenance of Traffic (MOT) and Temporary Traffic Control Plan (TTCP) to accommodate a 24-hour lane closure and includes the credit of the approved substitution of gate valves for plug valves.

DBE has elected to absorb the cost of the temporary pedestrian path to avoid pedestrian flagging costs; this item is not included in the change order amount.

Should the Project Team dispute any portion of the change order, DBE respectfully requests identification of the specific cost components and contractual basis for review so they may be addressed accordingly.

Thank you for your continued coordination and support.

Sincerely,
Sarah Grimsley
Project Manager
DBE Utility Services, LLC
303-886-5000
sgrimsley@dbehdd.com



Exhibit B: Vaca Cut & Robert H. Dopps Bridge Crossings Proposal



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February 27, 2026

Greg Wright
Senior Project Manager
Apex Companies, LLC
6805 Overseas Hwy
Marathon, FL 33050
Mobile: (305) 393-9874

Dear Mr. Wright,

Please see DBE Utility Services' pricing for the **Vaca Cut Bridge Channel Crossing** and the **Robert H. Dopps Memorial Bridge Channel Crossing**.

As part of this pricing submission, DBE is formally requesting a **time addition of 280 calendar days**, with the duration to begin upon receipt of the FDEP permit.

Please let us know if any additional documentation or clarification is needed to support this request. We appreciate the opportunity to provide this proposal and look forward to working together on these crossings.

Thank you,

Sarah Grimsley
Project Manager
DBE Utility Services
sgrimsley@dbehdd.com
303-886-5000

**City of Marathon - Deep Injection Well Transmission Main Vaca Cut / Channel / Robert H. Dopps Memorial Bridge
Channel Crossing - DBE Utility Services**

Item	Description	Quantity	Unit	Unit Price	Total Cost
1	Mobilization and Demobilization (not to exceed 5%)	1	LS	\$ 47,641.00	\$ 47,641.00
2	Bonds & Insurance (not to exceed 2.5%)	1	LS	\$ 24,675.00	\$ 24,675.00
3	As-Built Survey (signed & sealed by surveyor/engineer)	1	LS	\$ 29,100.00	\$ 29,100.00
4	Maintenance of Traffic	1	LS	\$ 56,500.00	\$ 56,500.00
5	Erosion Controls/BMPs	1	LS	\$ 6,710.00	\$ 6,710.00
6	Provide & Install 16" DR9 HDPE Transmission Main Piping Sta. 324+70 - 334+50 Vaca Cut Bridge	980	LF	\$ 350.00	\$ 343,000.00
7	Provide & Install 16" Gate Valves	2	EA	\$ 32,890.00	\$ 65,780.00
8	Provide & Install CAV Assemblies & Structures	2	EA	\$ 46,567.00	\$ 93,134.00
9	Provide & Install Fittings for Emergency By-Pass	2	EA	\$ 12,252.00	\$ 24,504.00
10	Restoration of Disturbed Areas	1	LS	\$ 46,970.00	\$ 46,970.00
11	Maintenance of Traffic	1	LS	\$ 56,511.00	\$ 56,511.00
12	Erosion Controls/BMPs	1	LS	\$ 6,710.00	\$ 6,710.00
13	Provide & Install 16" DR9 HDPE Transmission Main Piping Sta. 10+50 - 19+05	900	LF	\$ 350.00	\$ 315,000.00
14	Provide & Install 16" Gate Valves	2	EA	\$ 32,890.00	\$ 65,780.00
15	Provide & Install CAV Assemblies & Structures	2	EA	\$ 46,567.00	\$ 93,134.00
16	Provide & Install Fittings for Emergency By-Pass	2	EA	\$ 12,252.00	\$ 24,504.00
17	Restoration of Disturbed Areas	1	LS	\$ 46,970.00	\$ 46,970.00
					\$ 1,346,623.00