

**CITY OF MARATHON, FLORIDA
RESOLUTION 2016-120**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN THE CITY AND ENERGY SYSTEMS GROUP, LLC. IN THE ORIGINAL AMOUNT OF \$200,000.00 FOR US 1 STREET LIGHTING RETROFIT PROJECT; DECEASING THE CONTRACT IN THE AMOUNT OF \$188,700.000 FOR ELIMINATING THE BALANCE OF THE WORK UNDER THE CONTRACT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon and Energy Systems Group LLC (ESG) contracted with the City in July of 2013 to perform a photometric study of the U.S. 1 corridor lighting and to replace several light poles with decorative light poles; and

WHEREAS, replacing the light poles was budgeted and contracted as a pilot project; and

WHEREAS, to continue to decorative poles all along US1 in Marathon was deemed to be of excessive costs and not a good use of our limited resources; and

WHEREAS, the City desires to approve change order 1 which will close out the contract.

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. Based upon the recommendation of the City Manager the City Council approves change order 1, a copy of which is attached hereto as Exhibit "A," together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is hereby approved. The City Manager is authorized to execute the change order 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 13th DAY OF DECEMBER, 2016.

THE CITY OF MARATHON, FLORIDA



Mayor Daniel Zieg

AYES: Bartus, Coldiron, Cook, Senmartin, Zieg
NOES: None
ABSENT: None
ABSTAIN: None

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:**



David Migut, City Attorney



Document G701™ – 2001

Change Order

PROJECT (Name and address): City of Marathon 9805 Overseas Highway Marathon, FL 33050	CHANGE ORDER NUMBER: 01 DATE: 4/27/2015	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input type="checkbox"/> CONTRACTOR: <input type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Energy Systems Group, LLC. 4655 Rosebud Lane Newburgh, IN 47630	ARCHITECT'S PROJECT NUMBER: CONTRACT DATE: 8/12/2013 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)
Deductive Change Order 01 per the attached Exhibit A

The original Contract Sum was	\$	200,000.00
The net change by previously authorized Change Orders	\$	
The Contract Sum prior to this Change Order was	\$	200,000.00
The Contract Sum will be decreased by this Change Order in the amount of	\$	188,700
The new Contract Sum including this Change Order will be	\$	11,300.00

The Contract Time will be unchanged by () days.
The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

N/A	Energy Systems Group, LLC.	City of Marathon
ARCHITECT (Firm name)	CONTRACTOR (Firm name)	OWNER (Firm name)
ADDRESS	4655 Rosebud Lane Newburgh, IN 47630	9805 Overseas Highway, Marathon FL
BY (Signature)	<i>Steve Pride</i>	<i>George Barrett</i>
(Typed name)	Steven D. Pride, Senior Vice President	George Barrett
DATE	12-20-16	11/29/2016

APPROVED AS TO FORM.
BY: *[Signature]* 12-19-16

EXHIBIT A

The following items have satisfactorily been performed or provided by the contractor and are hereby accepted.

1.	Establish Equipment Specifications and Performance Criteria for New Lights and Poles	\$1,300.00
2.	Identify Potential Lights and Poles	\$1,500.00
3.	Site Visit to Verify Readily Observable Conditions	\$3,500.00
4.	Develop Sample Photometric Plans Utilizing Various Lighting Sources and Systems	<u>\$5,000.00</u>
	Total	\$11,300.00

The following items and associated values are hereby deducted from the contract.

<u>Item No.</u>	<u>Description of Work</u>	<u>Value</u>
5.	Coordinate with FDOT to Review Light Levels Along US I	1,700.00
6.	Evaluate Existing Concrete Poles	4,000.00
7.	100% Signed and Sealed Plans	4,500.00
8.	Bid Package for Material and Labor	1,000.00
9.	Manage FDOT Review Process	1,500.00
10.	Maintenance of Traffic Plans	1,000.00
11.	Order Materials	110,000.00
12.	Secure Permits	2,500.00
13.	Remove Old Lights and Poles	5,000.00
14.	Install New Lights and Poles	50,500.00
15.	Provide Project As-builts	3,500.00
16.	Provide O&M Manuals	500.00
17.	Review Post Illumination Requirements	2,000.00
18.	Provide Final Project Assessment Report	<u>1,000.00</u>
	Total	\$188,700.00

The parties agree:

- 1) All work completed to date is fully accepted and fulfills all obligation by the contractor under this contract. No further performance is required of either party.
- 2) The final contract price is \$11,300.00, which Contractor acknowledges has been paid in full.