

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-109**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN THE CITY AND CEKRA, INC. IN THE CURRENT AMOUNT OF \$526,127.00 FOR THE REHABILITATION OF SEVERAL BRIDGES; INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$514,450.00 FOR REPAIRS TO THREE ADDITIONAL BRIDGES, YELLOWTAIL AVE, FLAMINGO ISLE, AND 25<sup>TH</sup> STREET BRIDGES AND THE PARTIAL COST FOR THE REPLACEMENT OF THE COCO PLUM BRIDGE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Marathon (the “City”) approved a contract for the Bridge Rehabilitation of the Coco Plum Bridge, 116<sup>th</sup> Street Bridge, and 112<sup>th</sup> Street Bridge (the “Project”) in November of 2021; and

**WHEREAS**, during the execution of the work, the City received the latest bridge inspection reports for the three additional bridges: Yellowtail Avenue, Flamingo Isle and 25<sup>th</sup> Street; and

**WHEREAS**, the scope of work covered under the change orders closely follows the recommendations in the FDOT report at the established unit prices of the current contract; and

**WHEREAS**, it was determined that the replacement of the coco plum bridge is in the est interest of the city in lieu of repair of this bridge; and

**WHEREAS**, to expedite the replacement prior to the full design being completed, the new beams will e placed into production; and

**WHEREAS**, the City Council finds that it would be in the City’s best interest to provide the recommended repairs of the remaining bridges noted, thereby expanding the life of the bridges, and order the beams for the replacement of the coco Plum Bridge.

**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 change order to the contract between the City and CEKRA, Inc. for

rehabilitation of the additional bridges and the procurement of the new beams to be used for the replacement of the Coco Plum bridge in a total amount not to exceed \$514,450.00, a copy of 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 execute Change Order 1 and 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 13<sup>th</sup> DAY OF SEPTEMBER, 2022.**

**THE CITY OF MARATHON, FLORIDA**



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**Mayor John Bartus**

AYES: Cook, Still, Gonzalez, Zieg, Bartus  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

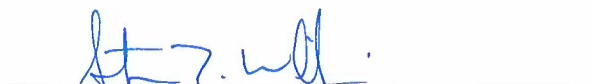


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Diane Clavier, City Clerk

(CITY SEAL)

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



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City Attorney, Steven T. Williams



CHANGE ORDER # 1--

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TO: City of Marathon

PROJECT: **Rehabilitation of Bridge Nos 904510, 904512, and 904540**

CONTRACTOR: CEKRA, Inc

DATE: August 31, 2022

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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 in Exhibits "B" attached hereto and by this reference made a part hereof.

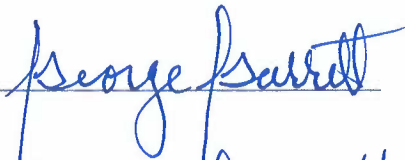
This Change Order constitutes full, final, and complete compensation to **CEKRA, Inc.** for all costs, expenses, overhead, and profit, and any damages of every kind that **CEKRA, Inc.** may incur in connection with the above referenced changes in the Construction Work under this Agreement. **CEKRA, Inc.** acknowledges and agrees that (a) the Guaranteed Maximum Price of \$526,127.00 under the Agreement will be **changed** by this Change Order. **CEKRA, Inc.** 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.

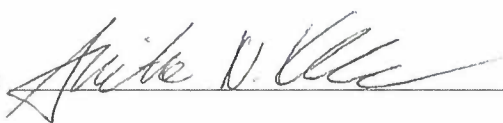
By signing below the parties indicate acceptance of this Change Order as set forth herein.

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CITY OF MARATHON  
A Florida municipal corporation

CEKRA, Inc.

By: 

By: 

Name: George Garrett

Name: Anita N Kratsa

Title: City Manager

Title: President

**Exhibit "A"**

**CHANGE ORDER SUMMARY**

Change Order No. 1

**Project Title: Rehabilitation of Bridge Nos 904510, 904512, and 904540**

Bid No. 2021-006

Owner: City of Marathon

Contractor: **CEKRA, Inc.**

Agreement Date: November 15, 2021

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

**THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:**

(1)	Original Contract Price	<u>\$526,127.00</u>
(2)	Current Contract Price (Adjusted by Previous C.O.)	<u>\$526,127.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$514,450.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$1,04,0577.00</u>
(5)	Original Contract Time	<u>200 Days</u>
(6)	Proposed Change in Contract Time	<u>190 Days</u>
(6)	Current Contract Time (Adjusted by Previous C.O.)	<u>200 Days</u>
(7)	Total Proposed Change in Contract Time	<u>190 Days</u>
(8)	New Contract Time (Item 6 + Item 7)	<u>390 Days</u>
(9)	Original Contract Final Completion Date	<u>June 24, 2022</u>
(10)	New Contract Final Completion Date	<u>December 31, 2022</u>

Rehabilitation of Bridge Nos 904510, 904512, and 904540

CHANGE ORDER HISTORY

Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change in Contract Time
I.	CO 1	<u>\$526,127.00</u>	<u>\$604,450.00</u>	<u>\$90,000.00</u>	<u>\$514,450.00</u>	190 Days
Total		\$526,127.00	\$604,450.00	<\$90,000.00>	\$514,450.00	190 Days

## **Exhibit "B"**

### **CHANGE ORDER JUSTIFICATION**

The initial contract for the bridges rehabilitation project consisted of the repair and rehabilitation of the Coco Plum Bridge, 116<sup>th</sup> Street Bridge, and the 112<sup>th</sup> Street Bridge. During the repair of the Coco Plum Bridge, it was determined that the condition of the bridge was such that repairs would be too costly, considering that it would only extend the bridge life a few years. It was therefore decided that replacement of the bridge decking is in the best interest of the city and its residents. Part of this change order is for the new beams to replace the existing beams for the bridge decking, which that portion of the design is complete. As the design for the rest of the work is complete, an additional change order will be processed, however, for expediency, the beams are being placed into production, while the remainder of the plans are being completed.

In addition to the additional work proposed on the Coco Plum bridge, we recently received the most current inspection reports for three of our other bridges. While the bridges are still in relatively good conditions, the report outlines recommendation for repairs to extend the longevity of the bridges. We have requested that our contractor perform the recommended repairs accordingly.

