

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2024-22**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING A INCREASE IN THE PROJECT SPECIFIC AGREEMENTS AMOUNT OF \$57,041.20 TO WEILER ENGINEERING; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon (the “City”) and Weiler Engineering Corporation. (the “Contractor”) have entered into a Project Specific Agreement for the Utilities General Consulting; and

WHEREAS, the City staff wish to close out 2023 and approve the change orders listed above which will enable the City to continue to receive the consulting needed to compete specific ongoing projects; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

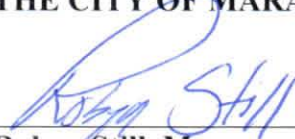
Section 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Backup memo dated January 18, 2024 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 approve the change orders to the Project Agreements 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 13th DAY OF FEBRUARY 2024.

THE CITY OF MARATHON, FLORIDA



Robyn Still, Mayor

AYES: Gonzalez, Matlock, Smith, Landry, Still
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:**



Steve Williams, City Attorney

WEILER ENGINEERING CORPORATION



201 WEST MARION AVENUE - SUITE 1306 | PUNTA GORDA | FL 33950
TEL 941-505-1700 | FAX 941-505-1702 | WWW.WEILERENGINEERING.ORG

6805 OVERSEAS HIGHWAY | MARATHON | FL 33050
TEL (305) 289-4161 | FAX(305) 289-4162

January 18, 2024

Mr. Dan Saus, Utilities Director
City of Marathon
9805 Overseas Highway
Marathon, Florida 33050

Re: Weiler Engineering Project Specific Agreements Change Orders

Mr. Saus,

The Weiler Engineering Corporation ("WEC") has entered into a number of Project Specific Agreements ("PSAs") over recent years. The PSAs are written with a not-to-exceed project amount. Billing against the not-to-exceed amounts in the PSA is prepared based on the WEC hourly rates and on reimbursable expenses, if any.

The attached table lists current PSAs that are either completed and can be closed out, or that are on-going but do not have adequate funding to complete the work. Some of the completed PSAs have remaining balances that will not be expended. These PSAs can be closed out and the remaining funds cleared from the City's budgets. The on-going PSA for which funding has been depleted are listed in the attached table, with the current overages and estimated budgets to complete the remaining work shown. The column titled "Change Order Amount" in the attached table shows both the positive and negative balances.

Per the City's direction, deductive change orders will not be prepared for completed PSAs that have remaining funds. These are the negative numbers shown in the Change Order Amount column.

The positive numbers in the Change Order Amount column represent the sum of overages to date plus the estimated funds needed to complete the work. For each of these PSAs, an additive Change Order and an explanatory memo have been prepared. These Change Orders will need to be approved by Council.

The attached table shows the sum of the residual funds for completed PSAs and the needed funds to complete the on-going PSAs. You will note that the sum shown on the table indicates a net additive amount of \$57,041.20. Of that sum, \$50,000.00 is for adding General Utilities Consulting services to cover the calendar year 2024 general

consulting services as your requested. Without the addition of \$50,000.00 for 2024 general consulting, the reconciliation of these PSAs yields a net increase of only \$7,041.20. This demonstrates that the estimated PSA amounts in aggregate were reasonable, with only a minor net additive change required.

WEC requests that you close out the PSAs indicated as such on the attached table and that you execute the additive change orders after approval by Council. In the meantime, WEC will continue to work in good faith on the PSAs for which additive change orders have been requested. Please let me know if you have any questions or if we can provide any additional supporting documentation.

Sincerely,

Edward R. Castle

Edward R. Castle, Vice President
The Weiler Engineering Corporation

Project Number	PSA Number	Description	Current Balance	Needed to Finish	Change Order Amount	Notes and Comments
20100.001	2020-24-WW	Chemical Upgrades	(\$13,302.50)	\$51,697.50	\$65,000.00	Construction delays, failed testing, re-testing. Estimated 4 months more construction.
21100.001	2021-02-WW	Area 3-4 Force Main CEI and Area 3 Well Challenge	\$27,835.05	\$0.00	(\$27,835.05)	Done with both. Area 3 Expansion permit NOI issued. CLOSE PROJECT
21100.003	2021-43-WW	Holiday Inn (Fairfield Inn) Pump Station	(\$5,463.75)	\$4,536.25	\$10,000.00	Landscaping remains to be done and project close-out.
21100.006	2021-83-WW	Area 4 & 6 Permit Renewals	\$9,217.50	\$0.00	(\$9,217.50)	Renewals were approved, NOI issued. CLOSE PROJECT
22100.001	2022-01-WW	Area 7 Filter and Headworks Design	(\$957.50)	\$0.00	\$0.00	We will waive the remainder. CLOSE PROJECT
22100.003	2022-80-WW	FOLKS Suit	\$42,498.75	\$0.00	(\$42,498.75)	Done. CLOSE PROJECT
23100.001	2023-02-WW	DPR and Effluent Disposal Options	(\$190.00)	\$0.00	\$0.00	We will waive the remainder. CLOSE PROJECT
23100.002	2023-05-WW	General Utility Consulting	(\$7,312.50)	\$50,000.00	\$57,312.50	This total includes recent billings plus \$50,000 for 2024 General Consulting.
23100.005	2023-20-WW	FDEP Compliance (Above-ground Storage Tanks)	\$7,970.00	\$0.00	(\$7,970.00)	Done. CLOSE PROJECT
23100.006	2024-02-WW	Area 3 Permit Renewal	(\$2,250.00)	\$10,000.00	\$12,250.00	Recently notified by FDEP of need for time extension and will request response to Maui decision.



January 9, 2024

Mr. Dan Saus, Utilities Director
City of Marathon
9805 Overseas Highway
Marathon, Florida 33050

Re: Weiler Engineering Project Specific Agreement 2020-24-WW
Chemical Upgrades at Areas 3, 4, 5, 6 & 7 WWTPs

Mr. Saus,

The Weiler Engineering Corporation ("WEC") entered into the above referenced project specific agreement ("PSA") in 2020. The original scope of work included design, permitting, and construction phase services for the installation of new chemical feed pump skids and storage tanks at the City's WWTP. The original amount of the PSA was \$150,500.00.

In 2022, the City approved Change Order No. 1 to the Chemical Upgrades PSA in the amount of \$87,000.00. This increase in engineering costs was needed to compensate WEC for the following:

1. Negotiate changes in the scope of work to reduce the construction cost to an amount equal to the available grant funding.
2. Re-design the structures associated with the chemical pump skids and storage tanks to comply with the proposed new FIRMs which will increase the Base Flood Elevation at the WWTPs.
3. Add additional time for construction inspections and contract administration due to the changes in scope for the project.

The \$87,000.00 additive change order increased the total PSA amount to \$237,500.00.

Proposed Change Order No. 2 to the Chemical Upgrades PSA will increase the PSA amount by \$65,000.00. The additional requested funds are needed to complete the construction and inspection (CEI) services due to the extended period of construction.

1. In large part, the time of construction was increased due to the Covid-19 pandemic, which was declared over in May 2023. During the pandemic, the global economy suffered and caused delays in production and delivery of materials needed to complete the project. The City's contractor was unable to procure the planned materials in a timely manner and was force to search for

alternative materials and equipment. This delayed construction and created a need for additional engineering reviews of revised shop drawings and equipment submittals.

2. The Contractor has encountered difficulties in constructing the chemical feed piping and has experienced numerous failures of pressure testing. This has caused an ongoing need for re-working of the chemical feed piping and multiple re-tests of the piping. WEC has prepared a memo rejecting the piping at all locations. This problem is not yet resolved. A meeting with the City, WEC, and the contractor was held on January 9, 2024 in an attempt to resolve the piping failures.

As of January 2024, the final chemical pump skid was just received for the Area 7 WWTP. Installation of this pump skid is scheduled to start this month. These delays slowed down construction however, construction continued at a reduced rate throughout the project. WEC was required to perform inspections, witness re-testing, attend progress meetings and negotiate resolution of the rejection of the chemical piping throughout the extended construction period.

It is anticipated that completion of the installation of the chemical pumping system at Area 7 and the removal and replacement of the chemical piping at all locations will not be completed until May 2024. For the above stated reasons, WEC requests that the City provide the needed additional engineering funding for the Chemical Upgrades Project in the amount of \$65,000.00, bringing the new project total to \$302,500.00.

WEC respectfully requests that the City approve Change Order No. 2 to the Chemical Upgrades Project in the amount of \$65,000.00.

Sincerely,

Edward R. Castle

Edward R. Castle, Vice President
The Weiler Engineering Corporation

EXHIBIT "C"
CHANGE ORDER

CHANGE ORDER NO. 2

TO: City of Marathon

PROJECT: Work Authorization 2020-24-WW
Chemical Upgrades at Area 3, 4, 5, 6 & 7 WWTPs

CONTRACTOR: Weiler Engineering Corporation

DATE: January 9, 2024

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 \$237,500.00 under the Agreement will be ~~unchanged~~ **changed** by this Change Order, and (b) the schedule for performance of Work will be ~~unchanged~~ **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.

Not Applicable _____ (Seal)
Surety's Name and Corporate Seal

By: George Garrett
Signature and Title
City of Marathon

Attest: _____
Signature and Title
Contractor

By: George Garrett
Name: George Garrett
Title: City Manager

By: Edward R. Castle
Name: Edward R. Castle
Title: Vice President, Weiler Engineering

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	\$150,500.00
(2)	Current Contract Price (Adjusted by Previous Change Orders)	\$237,500.00
(3)	Total Proposed Change in Contract Price	\$65,000.00
(4)	New Contract Price (Item 2 + Item 3)	\$302,500.00
(5)	Original Contract Time	N/A
(6)	Proposed Change in Contract Time	N/A
(6.1)	Current Contract Time (Adjusted by Previous Change Orders)	N/A
(7)	Total Proposed Change in Contract Time	N/A
(8)	New Contract Time (Item 6 ± Item 7)	N/A
(9)	Original Contract Substantial Completion Date	N/A
(10)	New Contract Substantial Completion Date	N/A

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1	Total Contract Price	\$150,500.00	\$87,000.00	\$0.00	\$87,000.00	N/A
2	Total Contract Price	\$237,500.00	\$65,000.00	\$0.00	\$65,000.00	N/A
Total					\$152,000.00	N/A

WEILER ENGINEERING CORPORATION



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January 9, 2024

Mr. Dan Saus, Utilities Director
City of Marathon
9805 Overseas Highway
Marathon, Florida 33050

Re: Weiler Engineering Project Specific Agreement 2021-43-WW
Holiday Inn Pump Station Design and Construction Phase Engineering

Mr. Saus,

The Weiler Engineering Corporation ("WEC") entered into the above referenced project specific agreement ("PSA") in 2021. The original scope of work included completing the design and providing bidding assistance for the Fairfield Inn (formerly Holiday Inn) pump station and to provide construction phase services for the installation of the pump station. The original amount of the PSA was \$34,978.00.

Proposed Change Order No. 1 to the Holiday Inn Pump Station PSA will increase the PSA amount by \$10,000.00. The additional requested funds are needed to complete the construction phase engineering services due to the need to re-bid the work and due to the extended period of construction.

The Invitation to Bid for this project was originally published in October 2021. Two bids were received which were both considerably higher than the Engineer's Estimate for the project. Therefore, both bids were rejected, causing a need to modify the Invitation to Bid, re-advertise the bid, conduct another pre-bid meeting, and analyze bids received. WEC notified qualified local contractors of the second round of bidding to encourage more bids. Four bids were received in this second round of bidding, and the project was awarded to Tropical Underground, the low bidder.

The Notice to Proceed was issued to Tropical Underground in July 2022. During construction, two change orders were issued to Tropical Underground: modifying the scope of work to include conversion of the existing buffer tank into a manhole and adding landscaping to the scope of work. Both of these change orders added scope and time to the construction project, increasing the needed construction engineering and inspection phase of services. Currently, the final startup of the pump station remains to be completed and the landscaping is yet to be completed.

The WEC PSA funds have been exceeded at this point, with the remaining work identified above yet to be completed. It is estimated that an additional 60 days will be needed to complete the remaining scope.

WEC respectfully requests that the City approve Change Order No. 1 to the Holiday Inn Pump Station PSA in the amount of \$10,000.00, increasing the total PSA amount to \$44,978.00.

Sincerely,

Edward R. Castle

Edward R. Castle, Vice President
The Weiler Engineering Corporation

EXHIBIT "C"
CHANGE ORDER

CHANGE ORDER NO. 1

TO: City of Marathon

**PROJECT: Work Authorization 2021-43-WW
Holiday Inn Pump Station Design & Construction Phase Engineering Services**

CONTRACTOR: Weiler Engineering Corporation

DATE: January 9, 2024

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 \$237,500.00 under the Agreement will be ~~unchanged~~ **changed** by this Change Order, and (b) the schedule for performance of Work will be ~~unchanged~~ **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.

Not Applicable _____ (Seal)

Surety's Name and Corporate Seal

By: George Garrett
Signature and Title
City of Marathon

Attest: _____
Signature and Title
Contractor

By: George Garrett
Name: George Garrett
Title: City Manager

By: Edward R. Castle
Name: Edward R. Castle
Title: Vice President, Weiler Engineering

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	<u>\$34,978.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$34,978.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$10,000.00</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$44,978.00</u>
(5)	Original Contract Time	<u>N/A</u>
(6)	Proposed Change in Contract Time	<u>N/A</u>
(6.1)	Current Contract Time (Adjusted by Previous Change Orders)	<u>N/A</u>
(7)	Total Proposed Change in Contract Time	<u>N/A</u>
(8)	New Contract Time (Item 6 ± Item 7)	<u>N/A</u>
(9)	Original Contract Substantial Completion Date	<u>N/A</u>
(10)	New Contract Substantial Completion Date	<u>N/A</u>

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1	Total Contract Price	\$34,978.00	\$10,000.00	\$0.00	\$10,000.00	N/A
Total					\$10,000.00	N/A

WEILER ENGINEERING CORPORATION



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January 17, 2024

Mr. Dan Saus, Utilities Director
City of Marathon
9805 Overseas Highway
Marathon, Florida 33050

Re: Weiler Engineering Project Specific Agreement 2023-05-WW
General Utilities Consulting

Mr. Saus,

The Weiler Engineering Corporation ("WEC") entered into the above referenced project specific agreement ("PSA") in 2023. The Agreement is used by the Utilities Department to authorize WEC to provide engineering assistance on an as-needed basis for small, unanticipated projects. Work under this PSA is performed only at the direction of the Utilities Director. The original amount of the PSA was \$30,000.00. The Agreement amount was increased to \$70,000.00 via Change Order No. 1 in May 2023.

The funds allocated have been exceeded at this point by \$7,312.50. WEC requests that this PSA be increased by \$7,312.50 to allow for payment of the already-performed work, and at your recommendation we request an additional increase of \$50,000.00 to cover general utility consulting work in calendar year 2024.

WEC respectfully requests that the City approve Change Order No. 2 to the General Utilities Consulting PSA in the amount of \$57,312.50, increasing the total PSA amount to \$127,312.50.

Sincerely,

A handwritten signature in black ink that reads 'Edward R. Castle'.

Edward R. Castle, Vice President
The Weiler Engineering Corporation

EXHIBIT "C"
CHANGE ORDER

CHANGE ORDER NO. 2

TO: City of Marathon

PROJECT: Work Authorization PSA-2023-05-WW

CONTRACTOR: Weiler Engineering Corporation

DATE: January 17, 2024

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 \$30,000.00 under the Agreement will be [~~unchanged~~] [**changed**] by this Change Order, and (b) the schedule for performance of Work will be [~~unchanged~~] [**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.

Not Applicable _____ (Seal)

Surety's Name and Corporate Seal

By: George Bassett
Signature and Title
City of Marathon

Attest: _____
Signature and Title

Contractor

By: George Bassett
Name: George Bassett
Title: City Manager

By: Edward R. Castle
Name: Edward R. Castle
Title: Vice President, Weiler Engineering

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	\$30,000.00
(2)	Current Contract Price (Adjusted by Previous Change Orders)	\$70,000.00
(3)	Total Proposed Change in Contract Price	\$57,312.50
(4)	New Contract Price (Item 2 + Item 3)	\$127,312.50
(5)	Original Contract Time	N/A
(6)	Proposed Change in Contract Time	N/A
(6.1)	Current Contract Time (Adjusted by Previous Change Orders)	N/A
(7)	Total Proposed Change in Contract Time	N/A
(8)	New Contract Time (Item 6 ± Item 7)	N/A
(9)	Original Contract Substantial Completion Date	N/A
(10)	New Contract Substantial Completion Date	N/A

CHANGE ORDER HISTORY						
C/O No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1.	Total Contract Price	\$30,000.00	\$40,000.00	\$0.00	\$40,000.00	N/A
2.	Total Contract Price	\$70,000.00	\$57,312.50	\$0.00	\$57,312.50	N/A
Total					\$97,312.50	N/A

WEILER ENGINEERING CORPORATION



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January 10, 2024

Mr. Dan Saus, Utilities Director
City of Marathon
9805 Overseas Highway
Marathon, Florida 33050

Re: Weiler Engineering Project Specific Agreement 2024-02-WW
Area 3 WWTP Permit Renewal

Mr. Saus,

The Weiler Engineering Corporation ("WEC") entered into the above referenced project specific agreement ("PSA") in May of 2023. The original scope of work included completing the WWTP permit renewal application and the permit renewals for two shallow injection wells. The renewal application package was submitted and a response to the FDEP's Request for Additional Information was submitted per the requirements of the PSA.

Since that time, the FDEP Southeast District has asked for and was granted an extension of the time limit for further action by FDEP. When requesting the time extension, the FDEP representative stated that they were not ready to issue the permit at this point and indicated that they intend to request that the City demonstrate that the Area 3 shallow wells are not the functional equivalent of a direct discharge and that the facility is therefore not subject to the US Supreme Court ruling in the Maui Decision.

The City previously fell under the jurisdiction of the South District for FDEP permitting. WEC and the City had adequately demonstrated to the South District's satisfaction that the Maui Decision was not applicable to the Marathon shallow wells for the Area 3 WWTP expansion permit, the Area 4 WWTP permit renewal, and the Area 6 WWTP permit renewal. The Southeast District was informed of this but is still requiring demonstration to their satisfaction that the Maui Decision does not apply to the Area 3 shallow wells for the WWTP renewal.

Although the two- and three-dimensional modeling of groundwater movement performed for the Area 3 WWTP is available and does not need to be re-run, along with other supporting documentation, the response to the Southeast District's Request for Additional Information will require updating of information, re-formatting of responses, and

potentially providing further relevant documentation. These additional requirements from FDEP will warrant additional engineering efforts.

WEC respectfully requests that the City approve Change Order No. 1 to the Area 3 WWTP Permit Renewal PSA in the amount of \$12,250.00, increasing the total PSA amount to \$39,750.00.

Sincerely,

Edward R. Castle

Edward R. Castle, Vice President
The Weiler Engineering Corporation

EXHIBIT "C"
CHANGE ORDER

CHANGE ORDER NO. 1

TO: City of Marathon

PROJECT: Work Authorization 2024-02-WW
Area 3 WWTP Operating Permit Renewal

CONTRACTOR: Weiler Engineering Corporation

DATE: January 10, 2024

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 \$27,500.00 under the Agreement will be [~~unchanged~~] [changed] by this Change Order, and (b) the schedule for performance of Work will be [~~unchanged~~] [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.

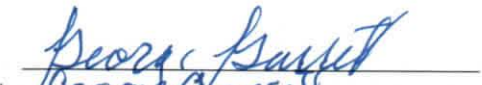
CONSENT OF SURETY TO CHANGE ORDER

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.

Not Applicable (Seal)
Surety's Name and Corporate Seal

By: 
Signature and Title
City of Marathon

Attest: _____
Signature and Title
Contractor

By: 
Name: George Garrett
Title: City Manager

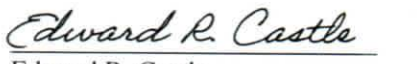
By: 
Name: Edward R. Castle
Title: Vice President, Weiler Engineering

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	\$27,500.00
(2)	Current Contract Price (Adjusted by Previous Change Orders)	\$27,500.00
(3)	Total Proposed Change in Contract Price	\$12,250.00
(4)	New Contract Price (Item 2 + Item 3)	\$39,750.00
(5)	Original Contract Time	N/A
(6)	Proposed Change in Contract Time	N/A
(6.1)	Current Contract Time (Adjusted by Previous Change Orders)	N/A
(7)	Total Proposed Change in Contract Time	N/A
(8)	New Contract Time (Item 6 ± Item 7)	N/A
(9)	Original Contract Substantial Completion Date	N/A
(10)	New Contract Substantial Completion Date	N/A

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
1	Total Contract Price	\$27,500.00	\$12,250.00	\$0.00	\$12,250.00	N/A
Total					\$12,250.00	N/A