

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2024-38**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER #4 FOR CHEMICAL FEED SYSTEMS UPGRADES PROJECT TO REYNOLDS CONSTRUCTION, LLC IN AN AMOUNT NOT TO EXCEED \$55,791.53; APPROVING A TIME ONLY INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon (the “City”) and Reynolds Construction, LLC (the “Contractor”) have entered into a Contract for the Chemical Feed System Upgrades; and

WHEREAS, the City staff wish to enter into this Change Order #4, which will add piping modifications, flushing ports, and increase the time of completion due to the changes as well as supply chain issues.

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.

Section 2. Change Order #4 is attached hereto as Exhibit “1”

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 9th DAY OF APRIL 2024.

THE CITY OF MARATHON, FLORIDA



Robyn Still, Mayor

AYES: Gonzalez, Matlock, Smith, Landry, Still
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Hillary Palmer, Deputy 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

**EXHIBIT "C"
CHANGE ORDER**

CHANGE ORDER NO. 04

TO: City of Marathon

PROJECT: City of Marathon Chemical Upgrades Project

CONTRACTOR: Reynold's Construction, LLC

DATE: 27 March 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 **\$2,814,131.55** 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.

Travelers Casualty and Surety Company of America (Seal)
Surety's Name and Corporate Seal



By:
Signature and Title William A. Kantlehner, III
City of Marathon Attorney-in-Fact

Attest:
Signature and Title Elizabeth Dawson
Contractor Attorney-in-Fact

By:
Name: George Garrett
Title: City Manager

By:
Name: Joshua R. Vondersaar
Title: VP of Facilities

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	\$2,715,000.00
(2)	Current Contract Price (Adjusted by Previous Change Orders)	\$2,814,131.55
(3)	Total Proposed Change in Contract Price	\$55,791.53
(4)	New Contract Price (Item 2 + Item 3)	\$2,869,923.08
(5)	Original Contract Time	365 Days
(6)	Proposed Change in Contract Time	277 Days
(7)	Current Contract Time (Adjusted by Previous CO)	707 Days
(8)	Total Change in Contract Time	619 Days
(9)	New Contract Time (Item 6 ± Item 7)	984 Days
(10)	Original Contract Substantial Completion Date	Dec 24, 2022
(I 1)	New Contract Substantial Completion Date	September 2 nd , 2024

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change Contract Price	Net Change Contract Time
I.	CO #1	\$2,715,000.00	\$58,291.77	\$0	\$58,291.77	0
II	CO #2	\$2,773,291.77	\$30,303.40	\$0	\$30,303.40	188 days
III	CO #3	\$2,803,595.17	\$10,536.38	\$0	\$10,536.38	154 days
IV	CO#4	\$2,814,131.55	\$55,791.53	\$0	55,791.53	277 days
V						
VI						
Total					\$154,923.08	619 days

The Change Order is a result of: The proposed changes involve supply and installation of carrier conduits for the chemical piping as well as replacement of piping with a PEX system, inclusive of all necessary fittings and hardware. This transition to a carrier system with PEX is anticipated to enhance both the serviceability, lifespan of the system and reduce the potential for leaks in the future. Additionally, staff has requested the installation of priming ports to aid in the priming process in the event of an outage at the chemical skids. As a result of these modifications, additional time will be allocated to accommodate the procurement of materials and labor.

The cost breakdown is as follows:

WORK ITEM DESCRIPTION	PRICE
Priming Ports	\$20,941.53
Chemical Piping Changes	\$34,850.00
TOTAL	\$55,791.53