

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2024-109**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CHANGE ORDER #2 TO THE CONTRACT WITH REYNOLDS CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$11,413.33 FOR THE POWER CONDITIONING PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Change Order #2 is attached as Exhibit “A” details the Scope of Work and cost breakdown for the required work changes in the SA7 Filter Upgrade project; and

**WHEREAS**, the Staff recommends the City Council to approve Change Order #2 for the additional work described to the proposal from Reynolds Construction, in an amount not to exceed \$11,413.33, as provided on Exhibit “A.”

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

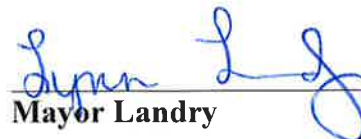
**Section 1.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.** Change Order #2, between the City and the Reynolds construction for the SA 7 Filter Upgrade Project 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 #2 on behalf of the City and expend budgeted funds.

**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 12<sup>TH</sup> DAY OF NOVEMBER 2024.**

**THE CITY OF MARATHON, FLORIDA**

  
\_\_\_\_\_  
Mayor Landry

AYES: DelGaizo, Matlock, Smith, Still, Landry  
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

## CHANGE ORDER

### CHANGE ORDER NO. 2

**TO: City of Marathon**

**PROJECT: City of Marathon A7 Filter Upgrades Project**

**CONTRACTOR: Reynolds Construction, LLC**

**DATE: September 25, 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 \$ 1,225,000.00 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

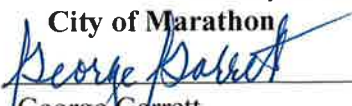
By: 

Signature and Title William A. Kantlehner, III  
Attorney-in-Fact




Attest: 

Signature and Title Elizabeth Dawson  
Attorney-in-Fact

By:   
Name: George Garrett  
Title: City Manager  
Date: \_\_\_\_\_

City of Marathon

By:   
Name: Josh Vondersaar  
Title: VP  
Date: 10/3/2024

**Contractor: Reynold's Construction LLC**

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 ..... \$1,225,000.00
- ( 2 ) Current Contract Price (Adjusted by Previous Change Orders) ..... \$1,225,000.00
- ( 3 ) Total Proposed Change in Contract Price ..... \$11,413.33
- ( 4 ) New Contract Price (Item 2 + Item 3) ..... \$1,236,413.33
- ( 5 ) Original Contract Time (Days)..... 300 Days
- ( 6 ) Current Contract Time (Adjusted by Previous Change Orders) ..... 387 Days
- ( 7 ) Total Proposed Change in Contract Time ..... 100 Days
- ( 8 ) New Contract Time (Item 6 ± Item 7) ..... 487 Days
- ( 9 ) Original Contract Substantial Completion Date ..... April 27, 2024
- (10) New Contract Substantial Completion Date ..... October 31, 2024

CHANGE ORDER HISTORY						
Item No.	Description	Current Contract Amount	Additive Change	Deductive Change	Net Change In Contract Price	Net Change Contract Time
1.	Time Extension	\$1,225,000.00	N/A	N/A	\$0.00	87
2.	CO2	\$1,225,000.00	\$11,413.33	N/A	\$11,413.33	100
Total					\$0.00	87

The Change Order is a result of:

**This change order is a result of the impacts of reversed grating and filter orientation. Additionally, this change order covers the modifications to the generator stairs platform, to position the spiral staircase on the West side of the filter platform. This request was made by the City to address access concerns. These unforeseen additions to have resulted in additional time to complete the project.**

The Cost Breakdown is as follows:

WORK ITEM DESCRIPTION	PRICE
<b>PCO1</b>	<b>\$ 11,413.33</b>
	\$
	\$
	\$
	\$
	\$
	\$
	\$
<b>TOTAL</b>	<b>\$ 11,413.33</b>

**Reynolds Construction**300 East Broad St  
Fairburn, GA 30213**CHANGE PROPOSAL  
SUMMARY NO.:**

PROJECT NAME	Area 7 WWTP Headworks & Filter Upgrades	PROJ. NO.:	
LOCATION:	Marathon, FL	DATE:	08/26/24
OWNER:	City of Marathon	DRAWING NO.:	
ENGINEER:		SPEC. SECTION:	

REFERENCE PCO NO.: 001 FIELD DIRECTIVE NO.: N/A RFI NO.: N/A OTHER:

**DESCRIPTION:**

Generator Stair Relocation &amp; 6" Check Valve Install

This proposal is inclusive of all labor, equipment, &amp; materials for the relocation of the existing generator stair &amp; the installation of the 6" Kennedy check valve supplied by the City of Marathon.

**PRICING INFORMATION**

		SKILL/TRADE	MAN-HOURS	RATE	COST
1. DIRECT LABOR	1.A PRODUCT LABOR:	See backup sheet for breakdown	60		\$ 4,440.60
	1.B <input type="checkbox"/> FOREMAN <input type="checkbox"/> SUPERINTENDENT	Safety	0	\$ 88.24	\$ -
		QA/QC	0	\$ 86.28	\$ -
	1.C OFFICE ENGINEERING:	Superintendent - (JL)	0	\$ 98.74	\$ -
		Project Engineer	0	\$ 86.28	\$ -
		Project Manager - (JB)	3	\$ 98.74	\$ 296.22
		Labor Burden (included in Rates)			\$ -
	1.D BURDEN				\$ 4,736.82

		DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	COST
2. MATERIALS AND EQUIPMENT	2.A INCORPORATED IN WORK:	See Detail Break Down	1	LS	\$ 4,401.36	\$ 4,401.36
						\$ -
						\$ -
	2.B CONSUMED IN PERFORMANCE:	Small Tools and Expendables (5% of field labor)				\$ 222.03
		-(STC pending task)				
	2.C EQUIPMENT:	See Backup Sheet	1	LS	\$ -	\$ -
	2.D DIRECT COSTS:	Fuel and Service 20% of Equip Cost	1	LS	\$ -	\$ -
						\$ 4,623.39
						\$ 346.75
						\$ 4,970.14
	2.E SALES TAX: 7.5%					

		NAME	DESCRIPTION OF WORK	COST
3. SUBCONTRACTORS	3.A DIRECT:	See Detail Sheet		\$ -
	3.B LOWER TIER:			\$ -

Contract Time Extension Costs		Days Requested	Daily Rate	COST
Contractor Extension Costs		0	0	\$ -
Subcontractor Extension Costs		0	0	\$ -
(daily rate is subject to change per actual OH items)				Total Time Extension Costs \$ -

EXTENSION OF CONTRACT TIME:	
* Each location will have approx. two days added. Metals may add additional days.	
CONFIRMED	This Proposal does not include any \$ for extension or acceleration but the right to ask for these costs at a later date is expressly reserved if determined to be necessary.
N/A	Extension cost is included in this proposal
N/A	Acceleration cost to maintain project schedule are included in this proposal. *

5. FEE STRUCTURE	Rate	COST	Overhead 10%	SUBTOTAL
<b>A. Contractor</b>				
1. Direct Labor:		\$ 4,736.82	15%	\$ 5,447.34
2. Material & Equipment:		\$ 4,970.14	15%	\$ 5,715.66
3. Subcontractors:		\$ -	5%	\$ -
4. Bond & Insurance:	1.95%	\$ 217.68	15%	\$ 250.33
TOTAL COST OF THIS CHANGE PROPOSAL (All deductions shown in parentheses):				\$ 11,413.33

RECORD DOCUMENTS:	
As part of this Change Proposal, the Contractor shall provide applicable record drawing information affected by this change.	
Signed: Jason Brownlee	Josh Vondersaar - 19 Nov 2024
Title: Project Manager	Date: 08/26/24
Contractor: Reynolds Construction, LLC	

ACCEPTANCE BY OWNER	
Signature of Owner's Authorized Representative: _____ Date: _____	
Engineer to prepare necessary change order	Engineer to Re-negotiate change proposal as noted above
OWNER:	CONTRACTOR: Reynolds Construction
ENGINEER:	FIELD:
	OTHER:
	PROJECT NO.:
	DATE:

**CHARLEY TOPPINO & SONS, INC.**

P. O. BOX 787

KEY WEST, FL 33041

Ph: (305)296-5606

Fax: (305)296-1207

Contractor's License No:

**Customer Information****REYNOLDS CONSTRUCTION, LLC**

300 EAST BROAD STREET

FAIRBURN, GA 30213

Phone:

Fax:

**Invoice**

Inv No: 55569

Date: 6/20/2024

Page 1 of 1

**Invoice Description**

PO #22307 - DOT CRUSHED ROCK - PICK UP

Item No	Date	Description of Work	Units	Unit Cost	Amount
1	06/20/2024	DOT CRUSHED LIMEROCK BASE	4.57	72.10	329.50 *
2	06/20/2024	TICKET #191731 CUSTOMER ACCOUNT TERMS: Payment Terms are Net 30 Days, 5% Late Fees assessed to all Past Due Invoices, Past Due Invoices accrue interest until paid (18% per annum) Terms are subject to change. Please refer to your Customer Account Terms Notice for additional information.	0.00	0.00	0.00
3		Sales Tax @ 7.50%	0.00	0.00	24.71
Total Invoice Amount:					\$354.21

Total Amount Due This Invoice: \$354.21

**RECEIVED**By **Freddye.Churbock** at 1:43 pm, Jun 24, 2024



**MONROE CONCRETE PRODUCTS, INC.**

P.O. DRAWER 1149  
KEY WEST, FL 33041

**Invoice**

Invoice No: 205106 Date 02/15/2024

Page 1 of 1

(305)296-5606

Fax: (305)296-1207

**Billing Information:**

REYNOLDS CONSTRUCTION, LLC  
300 EAST BROAD STREET  
FAIRBURN, GA 30213

(877) 770-0127

Fax:

**Invoice Description:**

59255 OVERSEAS HWY - 5089 PUMPMIX

Item	Date	Description of Work	Units	Unit Cost	Amount
1	02/15/2024	5000 PSI WITH ASTM #89 PEA ROCK - PUMP MIX MARATHON PLANT - TICKETS #14763 & 14765	4.00	210.50	842.00 *
2	02/15/2024	FUEL SURCHARGE-MARATHON PLANT	2.00	10.00	20.00 *
3	02/15/2024	ENVIRONMENTAL FEE-MARATHON PLANT	2.00	8.00	16.00 *
4	02/15/2024	CUSTOMER ACCOUNT TERMS: Payment Terms are Net 30 Days, 5% Late Fees assessed to all Past Due Invoices, Past Due Invoices accrue interest until paid (18% per annum) Terms are subject to change. Please refer to your Customer Account Terms Notice for additional information.			
5		Sales Tax @ 7.50 %			65.85
Total Invoice Amount					943.85

**RECEIVED**

FEB 28 2024

BY: .....