

**RESOLUTION NUMBER 24-91**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING CHANGE ORDER #1 OF CONTRACT ITB-23-17-PW BETWEEN THE TOWN AND AMERICAN INFRASTRUCTURE SERVICES. TO INSTALL STREET SIGNS ON ESTERO ISLAND FOR AN ADDITIONAL COST OF \$11,952; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, the Town of Fort Myers Beach recognizes the importance of the signage uniformity on Estero Island

**WHEREAS**, the Town Council approved Contract ITB-23-17-PW with American Infrastructure Services for \$158,240; and

**WHEREAS**, additional work to add 55 “No Outlet” panels has been identified; and

**WHEREAS**, cost for the additional work is in the amount of \$11,952; and

**WHEREAS**, it is in the best interest of the Town to approve the requested Change Order #1 of Contract ITB-23-17-PW

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:**

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council hereby approves Change Order #1 of Contract ITB-23-17-PW between the Town and American Infrastructure Services for \$11,952. A copy of the Change Order #1 of Contract ITB-23-17-PW is attached hereto as Attachment “A”.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Woodson and seconded by Council Member Safford, and upon being put to a vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 6<sup>th</sup> day of May 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

**FORT MYERS BEACH TOWN COUNCIL**



Dan Allers, Mayor

**ATTEST:**



Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE  
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

  
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 13<sup>th</sup> day of May 2024.

**PART E  
FMB:011 - CONSTRUCTION CONTRACT  
CHANGE ORDER**

No.: 1

(A Change Order requires approval by the Finance Director and Town Manager for expenditures under \$25,000, approval by the Town Council for expenditures over \$25,000).

CONTRACT/PROJECT NAME: Road Signs

CONTRACTOR: American Infrastructure Services (AIS) PROJECT NO.: \_\_\_\_\_

CONTRACT NO.: ITB-23-17-PW BID NO.: ITB-23-17-PW

CHANGE REQUESTED BY: Town of Fort Myers Beach DATE OF REQUEST: 1/5/2024

Upon the completion and execution of this Change Order by both parties to the Contract the Contractor is authorized to and shall proceed to make the following changes in the Contract Documents:  
(If you need space other than what has been provided, please attach additional sheets.)

Description: The addition of 50 "NO OUTLET" sing panels for street signs. Per verbal discussion during field meeting on 01/05/2024 - 2:00pm at corner of Old San Carlos and Estero Blvd. This information was relayed to our Project Manager for preparation of CO-1. Due to an internal miscommunication, the CO was not generated and sent to the town for approval. As an act of good faith towards the verbal agreement, the work was completed. J. Arroyo-AIS)

Purpose of Change Order: The Town was seeking uniformity across all road signs on side streets for the entire 7-mile stretch of Estero Island. (During initial quoting period, efforts utilizing Google earth shown inconsistent signage, which led to the discrepancy in what was installed. J. Arroyo-AIS)

Attachments: (List documents supporting change) Summary on next page.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price <u>\$158,240.00</u>	Original Contract Time Calendar Days
Previous Change Order No. <u>N/A</u> to No. <u>N/A</u> <u>\$0</u>	Net Change from previous Change Orders _____ Calendar Days
Contract Price prior to this Change Order <u>\$158,240.00</u>	Contract Time prior to this Change Order Calendar Days
Net Increase (Decrease) of this Change Order <u>\$ 11,952.20</u>	Net Increase (Decrease) of this Change Order Calendar Days
Contract Price with all approved Change Orders <u>\$ 170,192.20</u>	Contract Time with all approved Change Orders Calendar Days

It is understood and agreed that the acceptance of this modification by the CONTRACTOR constitutes an accord and satisfaction, and represents payment in full (both time and money) for all costs arising out of, or incidental to, the above mentioned change.

RECOMMENDED:

By: \_\_\_\_\_ Date \_\_\_\_\_  
Consultant (if applicable)

By: \_\_\_\_\_ Date \_\_\_\_\_  
Department Director  
Frank Kropacek  
Contracts Management

APPROVED: \_\_\_\_\_ Date \_\_\_\_\_  
Town Attorney

ACCEPTED  
By: \_\_\_\_\_  
Contractor  
Date Accepted: 5-14-24



TOWN APPROVAL:  
By: Joe Ruych  
Finance Director (Under \$25,000)  
Date Approved: \_\_\_\_\_  
By: Andrew Hvatt  
Town Manager (Under \$25,000)

Date Approved: \_\_\_\_\_  
By: \_\_\_\_\_  
Mayor, Town Council  
(Over \$25,000)  
Date Approved: \_\_\_\_\_