

RESOLUTION NUMBER 2025-121

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE CHANGE ORDER #1 TO CONTRACT ITB-23-18-UT BETWEEN THE TOWN OF FORT MYERS BEACH AND ANDREW SITEWORK LLC. TO ADD ADDITIONAL WATER AND STORMWATER IMPROVEMENTS NEEDED ALONG GULF ISLAND DRIVE, BAYSIDE ROAD, CORAL ROAD, DOLPHINE LANE AND COQUINA ROAD; APPROVING AN INCREASE TO THE PROJECT COST IN THE AMOUNT OF \$757,545.41 TO COMPLETE THESE ADDITIONAL IMPROVEMENTS; 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 is committed to completing necessary water and stormwater system improvements for the Town residents, businesses, and visitors; and

WHEREAS, the Town Council approved Contract ITB-23-18-UT with Andrew Sitework LLC. for \$23,009,179.00 to construct the Tier 1 Water and Stormwater Improvements Project; and

WHEREAS, it is in the best interest of the Town to approve the requested Change Order #1 of Contract ITB-23-18-UT to increase the contract amount by \$757,545.41 to continue water and stormwater improvements along Gulf Island Drive, Bayside Road, Coral Road, Dolphin Land and Coquina Road.

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-23-18-UT between the Town of Fort Myers Beach and Andrew Sitework LLC, increasing the contract amount by \$757,545.41. A copy of Change Order #1 of Contract ITB-23-18-UT is attached hereto as Attachment "A".

Section 3. The Town Manager is authorized to execute the Change Order.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Safford and seconded by Council Member King and upon being put to a roll call 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 5th day of May 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers

Dan Allers (May 21, 2025 13:21 EDT)

Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker (May 21, 2025 14:44 EDT)

Amy Baker, Town Clerk

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

Nancy Stuparich

Nancy Stuparich (May 21, 2025 22:55 EDT)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 20th day of May 2025.

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: TIER 1 SIDE STREETS WATER AND STORMWATER IMPROVEMENTS
CONTRACTOR: Andrew Sitework, LLC PROJECT NO.: ITB-23-18-UT
CONTRACT NO.: ITB-23-18-UT BID NO.: ITB-23-18-UT
CHANGE REQUESTED BY: Utilities Department DATE OF REQUEST: 3/12/25

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: Extending 890 LF of 6" PVC water main on 3 streets (Coral, Dolphin, and Coquina) and extending 1140 LF of 8" PVC water main on 2 streets (Bayside and Gulf Island). These streets were not in the original project scope but after further review the existing water mains were undersized and needed to be replaced.

Purpose of Change Order: Water Main Extensions for Coral Rd, Dolphin Ln, Coquina Rd, Bayside Rd, and Gulf Island Dr including all restoration efforts and miscellaneous items to complete the work.

Attachments: (List documents supporting change) Andrew Sitework Proposal and SOV Dated 3/11/25

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price <u>\$23,009,179.00</u>	Original Contract Time <u>1470</u> Calendar Days
Previous Change Order No. <u>0</u> to No. <u>1</u> <u>\$0</u>	Net Change from previous Change Orders <u>0</u> Calendar Days
Contract Price prior to this Change Order <u>\$23,009,179.00</u>	Contract Time prior to this Change Order <u>1470</u> Calendar Days
Net Increase (Decrease) of this Change Order <u>\$757,545.41</u>	Net Increase (Decrease) of this Change Order <u>0</u> Calendar Days
Contract Price with all approved Change Orders <u>\$23,766,724.41</u>	Contract Time with all approved Change Orders <u>1470</u> 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: Jeff Glavin _____
Jeff Glavin (May 21, 2025 11:46 EDT)
Department Director Date _____
Deb Glavin
Deb Glavin (May 21, 2025 13:31 EDT)
Contracts Management
APPROVED: Nancy Stuparich
Nancy Stuparich (May 21, 2025 22:35 EDT)
Town Attorney Date _____

ACCEPTED
By: _____ General Manager
Contractor
Date Accepted: 05/20/25



TOWN APPROVAL:
By: _____
Finance Director (Under \$25,000)
Date Approved: _____
By: _____
Town Manager (Under \$25,000)
Date Approved: _____
By: Dan Allers
Dan Allers (May 21, 2025 13:21 EDT)
Mayor, Town Council
(Over \$25,000)
Date Approved: May 21, 2025



Andrew Sitework LLC.

2511 Palm Avenue

Fort Myers, FL 33916

Ph 239.226.1606 Fax 239.226.1605

March 11, 2025,

Tier 1 Side Streets

Change Order #1

Summary of work

Change Order #1 Summary:

During the execution of our Tier 1 contract obligations, our teams identified multiple streets with undersized water mains. During our Tier 1 progress meetings, Andrew Sitework proposed an upgrade of the existing water mains, increasing their diameter from 2 inches up to 8 inches.

The streets highlighted in this report are located within Group C (Gulf Island and Bayside) and Group D (Coral Dolphin and Coquina). The accompanying documentation outlines the total costs associated with the replacement and restoration of service, encompassing all necessary restoration efforts between Right of way to Right of way.



ANDREW SITEWORK LLC.

TO



JOB

**Tier 1 Side Streets
Change Order #1**

CONTACT: Mark Ashton

DATE: March 11, 2025

PHONE: (239) 765-0202

PROPOSAL TO BE VALID FOR: 30 Days

Email: mashton@fmbgov.com

TERMS: As Stated in Contract

PROJECT SUMMARY PER ATTACHED SCHEDULE:

Change Order #1 Total: \$757,545.41

PROPOSED BY:

Andrew Sitework

Ralph C Andrew III
Project Manager

ACCEPTED BY:

SIGN: _____

NAME: _____

TITLE: _____

DATE: _____

**TIER 1 SIDE STREETS
ADDED QUANTITIES CO#1**

Tier 1 Side Streets Water & Storm Improvements
FINAL QUANTITIES - March 11, 2025

	Unit	Quantity	Unit Price	Total
CORAL ROAD FINAL COST (D)				
DOLPHIN LANE FINAL COST (D)				
COQUINA RD FINAL COST (D)				
Item #	Description			
20	F&I 6" C900 DR-14 PVC WM	EA	890.00	\$ 62,300.00
23	Reconnect/Install New Water Meters	EA	23.00	\$ 10,833.00
24	1" Water Service (Short)	EA	10.00	\$ 16,000.00
25	1" Water Service (Long)	EA	13.00	\$ 27,625.00
42	Fire Hydrant Assembly	EA	3.00	\$ 8,893.00
41	6" Gate Valve with Valve Box	EA	3.00	\$ 2,483.00
9	Replace Asphalt Pavement (Full Depth)	SY	193.00	\$ 18,335.00
10	Mill Existing Asphalt Pavement	SY	2052.00	\$ 13,338.00
11	Asphalt Pavement	TN	280.00	\$ 66,640.00
17	Restoration	LF	450.00	\$ 7,650.00
12	R&R Concrete Driveways	SF	832.00	\$ 15,808.00
13	R&R Paver Driveways	SF	912.00	\$ 16,416.00
15	R&R Unpaved Driveways	SF	2034.00	\$ 4,068.00
2	General Requirements	%	2.50%	\$ 293,141.00
7	Maintenance of Traffic	%	2.50%	\$ 293,141.00
79	Dewatering	%	2.50%	\$ 293,141.00
				\$ 315,126.58

BAYSIDE TO GULF-ISLAND (C.)				
Item #	Description			
19	F&I 8" C900 DR-14 PVC WM	EA	1140.00	\$ 101,460.00
21	Connection to Existing 8" Water Main	EA	2.00	\$ 4,356.00
23	Reconnect/Install New Water Meters	EA	25.00	\$ 11,775.00
24	1" Water Service (Short)	LF	14.00	\$ 22,400.00
25	1" Water Service (Long)	EA	11.00	\$ 23,353.00
31	8" x 8" Tee/Wye	EA	1.00	\$ 2,100.00
36	8" Cap	EA	2.00	\$ 806.00
40	8" Gate Valve with Valve Box	EA	2.00	\$ 3,634.00
42	Fire Hydrant Assemblies	EA	3.00	\$ 8,617.00
9	Replace Asphalt Pavement (Full Depth)	SY	165.00	\$ 11,550.00
10	Mill Existing Asphalt Pavement	SY	2200.00	\$ 12,100.00
11	Asphalt Pavement	TN	285.00	\$ 61,560.00
17	Swale Grading & Restoration	LF	430.00	\$ 5,160.00
12	R&R Concrete Driveways	SF	2906.00	\$ 56,376.40
13	R&R Paver Driveways	SF	3405.00	\$ 54,480.00
15	R&R Unpaved Driveways	SF	1159.00	\$ 5,795.00
2	General Requirements	%	2.50%	\$ 411,552.40
7	Maintenance of Traffic	%	2.50%	\$ 411,552.40
79	Dewatering	%	2.50%	\$ 411,552.40
				\$ 442,418.83

Change Order #1 Total Costs **\$ 757,545.41**



GROUPING FIGURE

Legend

- = Group A
- = Group B
- = Group C
- = Group D
- = Streets for CO#1