

RESOLUTION NUMBER 25-256

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING THE CONTRACT RATIFIED AND APPROVED AUGUST 4, 2025 WITH ANDREW SITEWORK, FOR THE ADDITIONAL PURCHASE AND REPLACEMENT OF 18 NON-OPERABLE FIRE HYDRANTS LOCATED THROUGHOUT THE TOWN FOR AN ADDITIONAL COST NOT TO EXCEED \$145,256, FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$435,768; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, on August 4, 2025, the Town Council of the Town of Fort Myers Beach approved Resolution 25-236 to ratify approval of an emergency purchase by contract, with an attached addendum, between the Town of Fort Myers Beach and Andrew Sitework, LLC, for the replacement of thirty-six (36) fire hydrants deemed unsafe within the Town, at a not-to-exceed amount of \$290,512.00 (“the Contract”); and

WHEREAS, the Town recently became aware of the existence of eighteen (18) additional unsafe fire hydrants within the Town of Fort Myers Beach, which require replacement; and

WHEREAS, the cost to replace the additional eighteen (18) unsafe fire hydrants is estimated not-to-exceed \$145,256.00; and

WHEREAS, the parties desire to amend the existing Contract to add the additional eighteen (18) unsafe fire hydrants to the scope of work and to increase the not to exceed amount of the existing Contract by \$145,256 for a total amount of \$435,768 inclusive of the additional work; and

WHEREAS, because the value of the amendment to the Contract is in excess of the authority of the Town Manager, the amendment requires approval by the Town Council, as provided in Section 2-480(b) of the Town of Fort Myers Beach Code of Ordinances; and

WHEREAS, approval of the amendment to the Contract is in the best interest of the Town for the safety and benefit of the citizens and visitors of the Town of Fort Myers Beach and to ensure compliance with minimum fire protection standards.

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

Section 1. The above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. This Resolution approves an amendment to the Contract with Andrew Sitework, LLC to provide for the total replacement of fifty-four (54) unsafe fire hydrants at a total not-to-exceed amount of \$435,768.00. A copy of the amendment to the Contract is attached as Exhibit A.

Section 3. This Resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Woodson 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 11th day of September 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Dan Allers

Dan Allers (Oct 22, 2025 14:41:03 EDT)
Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker (Oct 24, 2025 10:49:48 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 (Oct 22, 2025 20:15:58 EDT)

Nancy Stuparich, Town Attorney

This Resolution was filed in the Office of the Town Clerk on: Oct 24, 2025.

**FIRST AMENDMENT TO CONTRACT BETWEEN
ANDREW SITEWORK LLC AND THE TOWN OF FORT MYERS BEACH**

THIS FIRST AMENDMENT is made to that certain contract by and between Andrew Sitework LLC and the Town of Fort Myers Beach, as ratified and approved by the Town Council on August 4, 2025 in Resolution 25-236 (“the Contract”).

WITNESSETH

WHEREAS, the Contract was ratified and approved by the Town Council on August 4, 2025 in the amount of \$290,512.00 on an emergency basis shortly after the Town became aware that 36 fire hydrants located throughout the Town were inoperable; and

WHEREAS, since that time, the Town Council has become further aware of the existence of eighteen (18) additional unsafe fire hydrants within the Town of Fort Myers Beach, which similarly require replacement for the safety and wellbeing of the Town’s residents and visitors and to ensure compliance with minimum fire protection standards; and

WHEREAS, the cost to replace the additional unsafe fire hydrants is estimated to not exceed \$145,256.00; and

WHEREAS, the parties desire to amend the Contract to authorize the replacement of the additional 18 fire hydrants and associated costs as stated herein.

NOW, THEREFORE, in consideration of the covenants set forth herein, the parties agree to amend the Contract as follows:

1. **AMENDMENT OF SCHEDULE OF VALUES.** The Contract shall allow for the replacement of a total of 54 fire hydrants for a total amount not to exceed \$435,768.00.
2. **REMAINING TERMS.** All other terms and conditions of the Contract, and its Addendum, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment of the Contract as of the date last signed below.

WITNESSES:



1st Witness Signature

Janna Dale

1st Witness Print Name



2nd Witness Signature

Karla Livingston

2nd Witness Print Name

ANDREW SITEWORK LLC



Print Name: Ralph C. Andrew III

Date: 10/20/2025

TOWN OF FORT MYERS BEACH



Dan Allers (Oct 22, 2025 14:41:03 EDT)
Dan Allers, Mayor of Fort Myers Beach

Date: Oct 22, 2025

ATTEST:



Amy Baker (Oct 24, 2025 10:49:48 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 Spach (Oct 22, 2025 20:15:58 EDT)
Vose Law Firm, Town Attorney