

RESOLUTION NO. 10-1977

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF SURFSIDE, FLORIDA
AUTHORIZING EXECUTION OF WEST
CONSTRUCTION CHANGE ORDER NO. 3
PAINTING THE INTERIOR AND EXTERIOR OF
TOWN HALL; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, on December 15, 2009, by Resolution 09-1913, the Town Commission ratified the selection of West Construction, Inc. ("West") as the lowest most responsive bidder as the General Contractor for the Community Center; and

WHEREAS, the Town Commission pursuant to Section 3-12 of the Code, may authorize the waiver of competitive bidding procedures upon the recommendation of the Town Manager that it is in the Town's best interest to do so, to obtain goods and services which cannot be acquired through the normal purchasing process due to insufficient time, the nature of the goods or services, or other factors. Purchases authorized by waiver process shall be acquired after conducting a good faith review of available sources and negotiation as to price, delivery and terms; and

WHEREAS, the Town Manager has conducted a good faith review of available sources and negotiation as to price, delivery and terms; and

WHEREAS, the Town Manager has determined it is in the best interest of the Town to coordinate the painting of Town Hall with the painting of the Community Center; and

WHEREAS, West has agreed to paint and clean the interior and exterior of Town Hall for the amount of \$24,364.23 per a Change Order No. 3; and

WHEREAS, the Town Commission has decided it is in the best interest of the Town to waive the competitive bidding procedures and authorizes the Town Manager to accept West's

Change Order No. 3.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Approval. The Town Commission approves West Change Order No. 3 attached hereto as Exhibit "A" between the Town of Surfside and West Construction, Inc.

Section 3. Authorization. The Town Commission authorizes the Town Manager pursuant to Section 3-12 of the Code of Surfside to execute and do whatever is necessary to effectuate the terms of the Change Order No. 3.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9 day of November, 2010

motion by Commissioner Graubart, second by Commissioner Karukin

FINAL VOTE ON ADOPTION

Commissioner Michael Karukin
Commissioner Edward Kopelman
Commissioner Marta Olchyk
Vice Mayor Joseph Graubart
Mayor Daniel Dietch

Yes
Graubart
Yes
Yes
Yes

Daniel Dietch

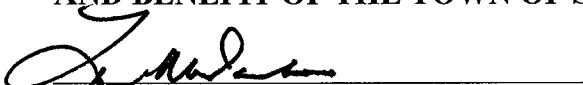
Daniel Dietch, Mayor

ATTEST:



Debra E. Eastman, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Lynn M. Dannheisser
Town Attorney

CHANGE ORDER NO. 3

TO: Town of Surfside

PROJECT: Town of Surfside Community Center Project No. CC5355

CONTRACTOR: WEST CONSTRUCTION, INC.

DATE: October 27, 2010

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 "A" (West CPR).

This Change Order constitutes full, final, and complete compensation to the Contractor for all costs, expenses, overhead, and profit, and any damages 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 this Agreement. The Contractor acknowledges and agrees that (a) the Guaranteed Maximum Price of \$4,074,525.00 under the Agreement will be changed by this Change Order by the amount shown in Exhibit "A", and (b) the schedule for performance of Work will be unchanged 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.

WEST CONSTRUCTION, INC.,
a Florida corporation

TOWN OF SURFSIDE,
a Florida municipal corporation

By: _____
Name: _____
Title: _____

By: _____
Town Manager



Change Proposal Request (CPR)

Project Information	
Project #	10-1068
Title	SURFSIDE COMMUNITY CENTER
Address	9301 COLLINS AVE
City, State, Zip	33154

Change Proposal Request	
CPR #	001
Issue Date	Oct 18, 2010
Subject	Painting of City Hall

Prime Contract Company	
Contact	...
Company	WEST CONSTRUCTION, INC.
Address	318 SOUTH DIXIE HWY. SUITE 4 & 5
City, State, Zip	33460
Phone	561-588-2027
Fax	561-582-9419

Owner	
Contact	PAUL -
Company	TOWN OF SURFSIDE-BLDG DEPT
Address	9293 HARDING AVE
City, State, Zip	33154
Phone	305-861-4863
Fax	

Description of the proposed change:

Paint existing City Hall Building Interior and Exterior unit.

Net Amount of this Proposed Change: \$24,364.23

The Contract Time due to this Change Proposal Request is to be determined at a later date.

This document, when fully executed as accepted, shall constitute authorization to proceed with the work described herein.

Submitted By _____ Response: Accept Do Not Accept
 WEST CONSTRUCTION, INC. _____ TOWN OF SURFSIDE-BLDG DEPT
 Company _____ Company _____

By _____ Date _____ By _____ Date _____

Company Financial and Schedule Impact Details					
Item No.	Item Description	Quantity	Unit	Unit Price	Total Price
1	Painting	1	LS	\$21,715.00	\$21,715.00
2	OH&P	1	LS	\$2,171.50	\$2,171.50
3	Bond	1	LS	\$477.73	\$477.73

CPR Financial Impact = \$24,364.23

CC: Change Order file