

**RESOLUTION NO. 23-07-58**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS AND CBT CONSTRUCTION AND DEVELOPMENT, INC., RELATED TO THE GREEN TURTLE HAMMOCK PRESERVE HANDICAP ACCESS PROJECT; AUTHORIZING THE VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF CHANGE ORDER NO. 1; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on November 15, 2022, Islamorada, Village of Islands (the "Village"), entered into an Agreement with CBT Construction and Development Inc. (the "Contractor") to construct a handicap parking space and access ramps at the Village's Green Turtle Hammock Nature Preserve buildings; and

**WHEREAS**, Article 9 "Change to Scope of Work and Additional Work" of the Agreement provides for changes, modifications, and additions to the Agreement; and

**WHEREAS**, in May 2023, the Contractor presented Village staff with Change Order #1 for necessary additional work to complete the handicap access ramps; and

**WHEREAS**, Change Order No. 1 provides for changes to Scope of Services to reflect the additional work and to adjust the Agreement cost; and

**WHEREAS**, the Village Council finds that approval of Change Order No. 1 to the Agreement between the Village and the Contractor is in the best interest of the Village.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

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

**Section 2. Approval of Change Order.** The Village Council of Islamorada, Village of Islands, hereby approves Change Order No. 1 between the Village and the Contractor, a copy of which is attached hereto as Exhibit "A", together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

**Section 3. Authorization of Village Officials.** The Village Manager or his designee and the Village Attorney are authorized to take all necessary and expedient action to implement the terms and conditions of Change Order No. 1.

**Section 4. Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of Change Order No. 1.

**Section 5. Execution of Change Order.** The Village Manager is authorized to execute Change Order No. 1 on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of Change Order No. 1 and to authorize any further acts necessary to implement the terms thereof, subject to approval as to form and legality by the Village Attorney.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

Motion to adopt by Jolin, seconded by Pinder.

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

Mayor Joseph B. Pinder III	<u>Yes</u>
Vice Mayor Sharon Mahoney	<u>Yes</u>
Councilman Mark Gregg	<u>Yes</u>
Councilwoman Elizabeth Jolin	<u>Yes</u>
Councilman Henry Rosenthal	<u>Yes</u>

**PASSED AND ADOPTED THIS 6th DAY OF JULY, 2023.**

  
JOSEPH B. PINDER III, MAYOR

ATTEST:

  
MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF  
ISLAMORADA, VILLAGE OF ISLANDS:

  
JOHN J. QUICK, VILLAGE ATTORNEY

## EXHIBIT "A"

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### CHANGE ORDER NO. 1

**VILLAGE/OWNER:** Islamorada, Village of Islands

**COMPANY:** CBT Construction and Development, Inc.

**PROJECT:** Green Turtle Hammock Handicap Access

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**DATE:** May 31, 2023

This Change Order will authorize the following changes to the Agreement:

The construction work as set forth in the Agreement is hereby amended as set forth in Exhibit "A" attached hereto and by this reference made a part hereof for all purposes.

This Change Order constitutes full, final, and complete compensation to the Company for all costs, expenses, overhead, and profit that the Company may incur in connection with the above referenced changes to the Agreement, and any other effect on any of the work under the Agreement. The Company acknowledges and agrees that the Agreement Price as reflected in the Agreement will be changed by this Change Order and the Project Schedule and Contract Time for completion of the Green Turtle Hammock Handicap Access Project will be unchanged by this Change Order. 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 changes in the construction 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.

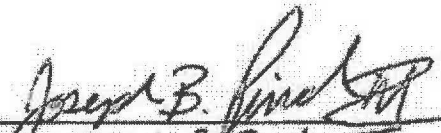
**[Signatures Follow on the Next Page]**

**Change Order No. 1**

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**VILLAGE/OWNER**

ISLAMORADA, VILLAGE OF ISLANDS

By:   
Name: Joseph B. Pinder III  
Title: Mayor


Date Executed: 7-6-2023

ATTEST:



Village Clerk

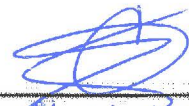
Approved as to form and legal sufficiency for  
the use and benefit of Islamorada, Village of  
Islands:



Village Attorney

**COMPANY:**

CBT CONSTRUCTION AND  
DEVELOPMENT INC.

By:   
Name: Christopher Trentine  
Title: Pres.

Date Executed: 7/14/23

### CHANGE ORDER #1

ITEM	QUANTITY	AMOUNT	COST/CHANGE TO CONSTRUCTION CONTRACT
<b>ADDED TO SCOPE</b> DEMOLITION OF EXISTING STAIRS AND CONSTRUCTION OF NEW STAIRS AND LANDING AND CONNECTION TO NEW HANDICAP RAMP INTO THE CLASSROOM BUILDING.	1	\$3,000.00	\$3,000.00
<b>TOTAL NET CHANGE</b>			<b>\$3,000.00</b>