

**RESOLUTION NO. 24-09-99**

**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 ASAP, INC. RELATED TO THE GREEN TURTLE HAMMOCK PRESERVE BASIN IMPROVEMENT 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 October 24, 2024, Islamorada, Village of Islands (the "Village"), entered into an Agreement with ASAP Inc. (the "Contractor") to construct a new kayak launch, seawall, and shoreline stabilization at the Village's Green Turtle Hammock Nature Preserve; 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 August 2024 at the Village's request, the Contractor presented Village staff with a quote for Change Order #1 for additional work to complete the basin improvement project through replacement of the existing dock; 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 Manger and approved as to form and legality by the Village Attorney.

**Section 3. Authorization of Village Officials.** The Village Manager or 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 Mark Gregg, seconded by Elizabeth Jolin.

**FINAL VOTE AT ADOPTION**  
**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

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

**PASSED AND ADOPTED THIS 10th DAY OF SEPTEMBER, 2024.**

Signed by:  
*Joseph B. Pinder III*  
F0EB3A00BD794EF...  
\_\_\_\_\_  
JOSEPH B. PINDER III, MAYOR

ATTEST:

DocuSigned by:  
*Marne K. McGrath*  
008BA9A9B2704D5...  
\_\_\_\_\_  
MARNE MCGRATH, VILLAGE CLERK

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

Signed by:  
*[Signature]*  
362BFAA7FDD417...  
\_\_\_\_\_  
JOHN J. QUICK, VILLAGE ATTORNEY



## EXHIBIT "A"

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### CHANGE ORDER NO. 1

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

**COMPANY:** ASAP, Inc.

**PROJECT:** Green Turtle Hammock Preserve Basin Improvement Project

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**DATE:** September 10, 2024

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 Preserve Basin Improvement 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**

Page 2 of 2

**VILLAGE/OWNER**

ISLAMORADA, VILLAGE OF ISLANDS

By:   
Name: Robert Cole  
Title: Village Manager

Date Executed: 9.10.24

ATTEST:


  
Village Clerk

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

  
Village Attorney

**COMPANY:**

ASAP, INC.

By:   
Name: JAY FRANKS  
Title: 9/10/2024

Date Executed: \_\_\_\_\_

**CHANGE ORDER #1**

ITEM	QUANTITY	AMOUNT	COST/CHANGE TO CONSTRUCTION CONTRACT
<b>ADDED TO SCOPE</b> Removal and Replacement of Wooden Dock with an 8' x 20' Dock Constructed with Three by Lumber and Composite Decking.	1	\$39,950.00	\$39,950.00
<b>TOTAL NET CHANGE</b>			<b>\$39,950.00</b>

Exhibit 'B'

**ASAP INC.**  
**MARINE CONSTRUCTION**  
**P.O. BOX 804**  
**TAVERNIER, FL. 33070**  
**305-852-4554**  
[office@asapmarineconstruction.com](mailto:office@asapmarineconstruction.com)  
[www.asapmarineconstruction.com](http://www.asapmarineconstruction.com)

**August 8, 2024**

**Islamorada, Village of Islands**  
**86800 Overseas Hwy**  
**Islamorada, FL 33036**

**Re: Green Turtle Hammock Preserve**

**QUOTE**

**Our price to remove and replace the wood dock adjacent to the dock recently completed, with an 8'x 20' dock constructed with 3 by lumber and composite decking is**

**\$39,950.00**

**Shop drawing will be supplied.**

**Price does not include electric, water, permits or related fees.**

**Jay Frins**  
**ASAP INC**

3"x10" PT LUM  
BENT

STRIPPER 3"x10" PT LUMBER

20'-0" (+/-)

(-+) 4'-0" ±

9'-0"

9'-0"

1 1/2" COMPOSITE DECKING

STRIPPER  
W/STRAP

10" WOOD PILING

BENT

EXISTING SEAWALL

PILE

5/8 SS ALLTHROD

EXISTING  
SEAWALL  
BENT  
X

