

RESOLUTION NO. 2009 – 010

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FIRST MODIFICATION TO THE AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA (TOWN) AND WELLMASTERS INC., (WELLMASTERS) FOR THE DRILLING OF FIRE PROTECTION WATER WELLS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO THE FIRST MODIFICATION TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 1, 2007, pursuant to Resolution 2007-036, the Town approved an Agreement with WellMasters for the Drilling of Fire Protection Water Wells ("Original Agreement"); and

WHEREAS, the Original Agreement was entered into on May 7, 2007; and

WHEREAS, although WellMasters is legally bound by its price commitment until May 7, 2009, due to changes in supply costs and the dramatic increase in the price of diesel fuel, WellMasters is seeking to amend its Original Agreement to reflect an increased price; and

WHEREAS, on September 30, 2008, the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau modified their Fire Well Installation Specifications; and

WHEREAS, the Town desires to modify its Fire Well Installation Specifications to conform with Broward Counties; and

WHEREAS, the Town also desires to amend the Original Agreement to extend its term for an additional two (2) years; and

WHEREAS, the Town Council has determined that it is in the best interest of the health, safety, and welfare of its residents to approve these two modifications.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: The above referenced recitals are true and correct and are incorporated herein by reference.

Section 2: The Town Council of the Town of Southwest Ranches hereby agrees to the First Amendment to the Agreement with WellMasters, in substantially the same form as that attached hereto as Exhibit "A".

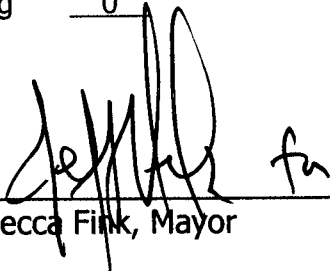
Section 3: The Town Council hereby authorizes the Mayor, Town Administrator, and Town Attorney to enter into the First Amendment to the Agreement in substantially the same form as that attached hereto as Exhibit "A" and to make such modifications, additions and/or deletions which they deem necessary to effectuate the intent of this Resolution.

Section 4: This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED ON this 2nd day of October, 2008 on a motion made by Council Member Steve Breitkreuz and seconded by Council Member Aster Knight.


Fink	<u>Y</u>
Nelson	<u>Y</u>
Breitkreuz	<u>Y</u>
Knight	<u>Y</u>
Maines	<u>Y</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>



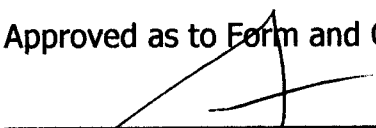
Mecca Fink, Mayor

ATTEST:



Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney

FTL_DB: 1147191_1

EXHIBIT A

FIRST MODIFICATION TO AGREEMENT

THIS FIRST MODIFICATION TO AGREEMENT entered into as of this ____ day of October, 2008 between the Town of Southwest Ranches, a municipal corporation of the State of Florida (the "Town") and WellMasters, Inc. of Florida, a Florida corporation a corporation ("Contractor"), for the purpose of amending the Drilling of Fire Protection Water Wells Agreement between the Town and Consultant dated May 7th 2007.

WITNESSETH:

WHEREAS, on February 1, 2007, pursuant to Resolution 2007-036, the Town approved an Agreement with WellMasters for the Drilling of Fire Protection Water Wells ("Original Agreement"); and

WHEREAS, the Original Agreement was entered into on May 7, 2007; and

WHEREAS, although WellMasters is legally bound by its price commitment until May 7, 2009, due to changes in supply costs and the dramatic increase in the price of diesel fuel, WellMasters is seeking to amend its Original Agreement to reflect an increased price; and

WHEREAS, on September 30, 2008, the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau modified their Fire Well Installation Specifications; and

WHEREAS, the Town & WellMasters desires to modify its Fire Well Installation Specifications to conform with Broward Counties; and

WHEREAS, the Town & WellMasters also desires to amend the Original Agreement to extend its term for an additional two (2) years; and

WHEREAS, the Town Council has determined that it is in the best interest of the health, safety, and welfare of its residents to approve these two modifications.

NOW THEREFORE, for and in consideration of the premises and for Ten Dollars (\$10.00) and for other good and valuable consideration the receipt and sufficiency whereof is hereby acknowledged, the parties hereto agree that the Original Agreement shall be amended as follows:

1. The foregoing recitals are true and correct.

2. The proposal pricing submitted by Contractor in the Original Agreement is hereby modified as specified in Exhibit "A", which is attached hereto and incorporated herein by reference.
3. The fire well installation specifications required of the Contractor in the Original Agreement are hereby modified as specified in Exhibit "B", which is attached hereto and incorporated herein by reference.
4. Section 2.1 shall be modified as follows:

Town and Service Provider agree that Service Provider shall perform all work under this Agreement for an initial term of ~~two (2)~~ four (4) years, with the option to renew the Agreement for up to two (2) additional two (2) year terms by mutual written agreement of Town and Service Provider on an as-needed basis.

5. All other terms and conditions not modified herein shall remain of full force and effect and binding on the parties.

IN WITNESS WHEREOF, this First Modification is accepted and executed as of this ____ day of October, 2008.

TOWN OF SOUTHWEST RANCHES

CONTRACTOR

Mecca Fink, Mayor

WellMasters, Inc.

Attest:

By: Print Name Above

Susan A. Owens, CMC, Town Clerk

(Corporate Seal)

Approved as to form and correctness:

Gary A. Poliakoff, Town Attorney

FTL_DB: 1147202_1

**WellMasters, Inc
1635 Industrial Park Rd.
Mulberry, Fl. 33860**

Town of Southwest Ranches
Mr. Christopher Russo
Town Administrator
6589 SW 160th Ave.
Southwest Ranches, Fl 33331

Dear Mr. Russo et al:

This letter is in reference to an outstanding contract between WellMasters, Inc. and the Town of Southwest Ranches for the installation of Firewells. The contracted price of \$4575.00 per unit was agreed to almost two years ago. WellMasters and the town have enjoyed a professional, beneficial relationship during this time period.

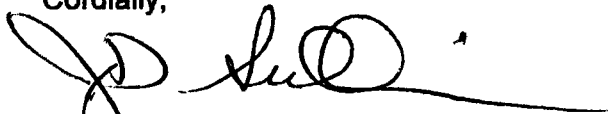
Unfortunately, recent events have lead to serious materials increases, specifically fuel and metals/steel prices.

I have enclosed both previous prices for and current prices for 6 inch schedule 40 Black steel pipe needed to complete the project. Prices have increased from \$10 per foot to \$17 per foot. In essence this plus diesel fuel have added \$300 per well to our cost's.

We would like to continue the project and complete it as quickly as possible so as to contain future increases. WellMasters, Inc. hereby requests approval from the town of Southwest Ranches to mutually modify our existng agreement to reflect these increased cost as of this date. Increases would be for upcoming rather than previously installed work.

Please review the attached and contact me with additional thoughts or questions..

Cordially,



JD Sullivan
Vice President, Operations
WellMasters, Inc.
863-425-0275

7/11/08

Rite-Flo Supply, Inc.

PHONE (863) 687-8315
 2011 W. MEMORIAL BLVD.
 P.O. BOX 3541
 LAKELAND, FL 33802-3541

INVOICE

INVOICE NUMBER
20833100

INVOICE DATE	PAGE
5/28/08	1

SOLD TO

WELLMASTERS, INC.
 1635 INDUSTRIAL PARK RD.
 MULBERRY, FL 33860

SHIP TO

WELLMASTERS, INC.
 1635 INDUSTRIAL PARK RD.
 MULBERRY, FL 33860

CUSTOMER NO.	CUSTOMER CO. NO.	ORDER DATE	SHIP DATE	SHIP VIA	TERMS
280147	W-9375	5/22/08	5/22/08	OUR TRUCK	2% 10TH / NET 20TH
QTY. ORD.	QTY. SHIPPED	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL
7	7	MX-GVP060B210	6" BI PIPE T&C <i>v 21 FT</i>	199.5000	1,396.50
			SUB TOTAL		1,396.50
			SALES TAX		97.76
			INVOICE TOTAL-->		1,494.26

RECEIVED

ENTERED
 JUN 23 2008

BY: _____

RITE-FLO SUPPLY, INC.

QUOTATION

4906 W. HANNA AVE.
P.O. BOX 15512
TAMPA, FL 33684
(813) 884-7335
FAX (813) 886-0295

2011 W. MEMORIAL BLVD.
P.O. BOX 3541
LAKE LAND, FL 33802
(863) 687-8315
FAX (863) 687-4755

1270 SAN CHRISTOPHER DR.
P.O. BOX 2091
DUNEDIN, FL 34697
(727) 734-9485
FAX (727) 733-2185

16640 BACHMANN AVE.
HUDSON, FL 34867
(727) 869-9855
FAX (727) 869-7492

3246 44th AVENUE N.
ST. PETE, FL 33714
(727) 526-0607
FAX (727) 526-1186

TO: WELLMASTER S

QUOTE DATE: 7-8-08

QUOTATION NO.: _____

JOB NAME: ADD: JD

THIS QUOTATION IS VALID ONLY:

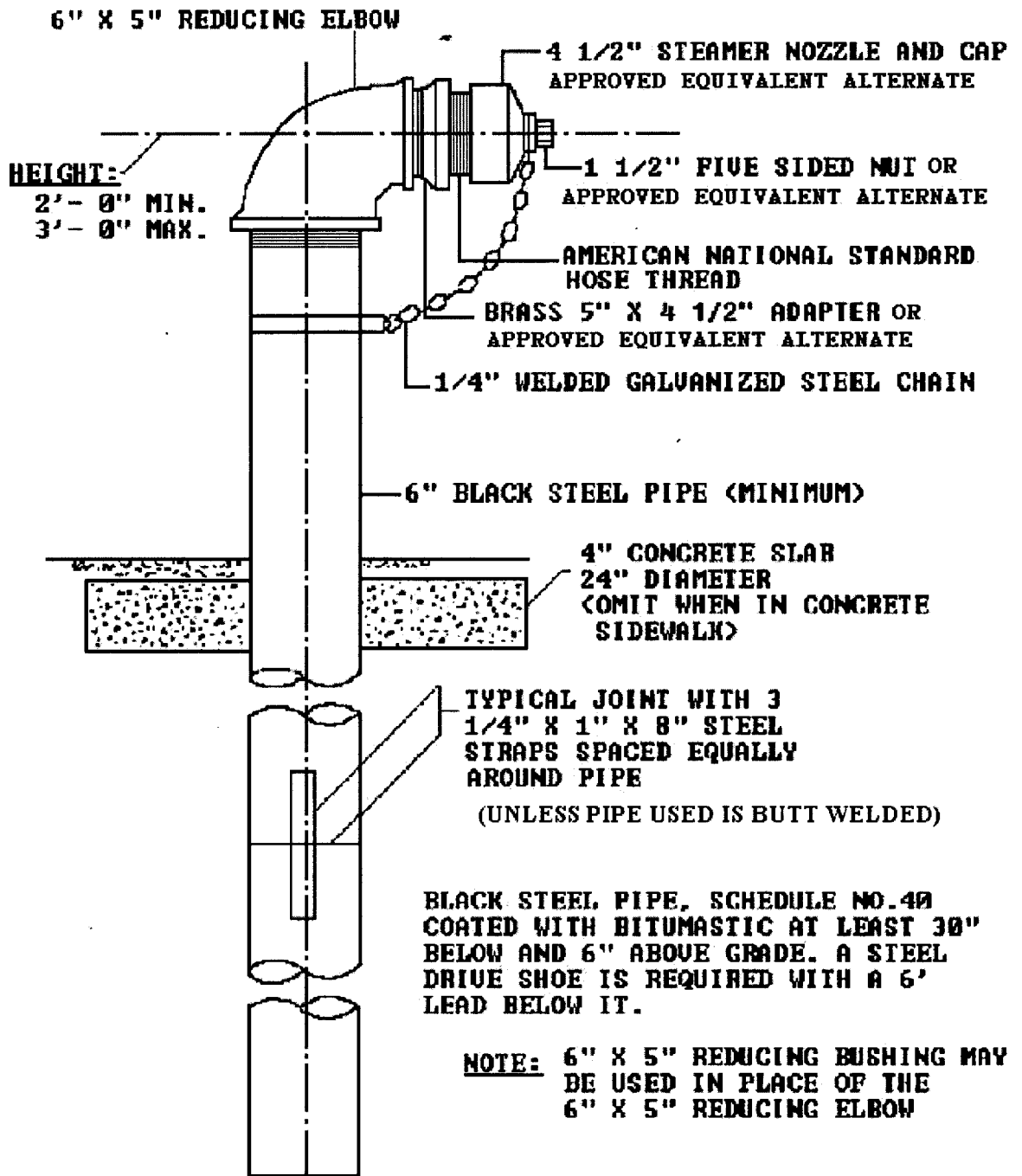
FROM _____ TO _____

ESTIMATED SHIPPING DATE	SHIPPED VIA	F.O.B.	TERMS	
QUAN	DESCRIPTION	UNIT PRICE	AMOUNT	
7 Pcs	6" X 21' BLUE STEEL PE PIPE - (147')	17.00/F	2499.00	
JD - I HAVE (1) LEFT OF PE + (1) LEFT OF T&C ON ORDER LET ME KNOW IF YOU WOULD NEED MORE				
THANKS				
SPECIAL INSTRUCTIONS:			SUB TOTAL	
QUOTED BY: <u>Jeff Ryan</u>			TAX	
			FREIGHT	
			TOTAL	

FIREWELL INSTALLATION SPECIFICATIONS

Specifications listed below are for the installation, testing, and repair of fire protection water wells to be located in areas of Broward County. Locations for installation of fire wells will be specified by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau, based upon fire protection needs. Contractor shall be responsible for determining suitability of well sites selected by Fire Marshal's Bureau.

1. Fire wells shall provide a minimum flow of six hundred and fifty (650) gallons per minute for design A firewell specifications, and provide a minimum flow of five hundred (500) gallons per minute for design B firewell specifications. The depth of the well is dependent upon providing the required gallons per minute flow output. In no case shall any firewell depth be less than fifty (50) feet for design A firewells and less than one hundred (100) feet for design B firewells.
2. Well casings shall be a minimum six inches (6") interior diameter, black steel pipe (minimum Schedule 40) and shall be bitumastic coated at least thirty inches (30") below and six inches (6") above grade level. A steel drive shoe is required with a six foot (6') lead below it.
3. Well discharge shall be free of rock, gravel and sand.
4. Maximum water draw down of four feet (4') during water delivery.
5. Wells shall be tested in the presence of an authorized fire official, and water delivery during testing shall be at a minimum flow of six hundred and fifty (650) gallons per minute for design A firewell specifications, and at a minimum flow of five hundred (500) gallons per minute for design B firewells specifications. The testing period shall be for a minimum of two (2) hours. Well reports (samples attached) shall be completed by the well contractor and submitted to the Fire Marshal's Bureau.
6. A 6" X 5" reducing elbow shall be provided as shown in the attached sketch, and the elbow shall be further provided with a brass four-and-one-half (4 ½") hose thread adapter (A.N.S.H.T.) or approved equivalent alternate method or material. A four-and-one-half (4 ½") inch hose thread approved cap shall be provided to prevent damage to threads. The approved firewell cap shall have a one-and-one-half (1 ½") inch five-sided nut to fit standard hydrant wrenches or approved equivalent alternate method or material. The Fire Department connection shall not be more than thirty-six (36") inches nor less than twenty-four (24") inches above grade level.
7. A four (4") inch thick, twenty-four (24") diameter or (24" x 24") square concrete pad shall be provided by the well contractor.
8. Unless butt welded pipe is approved for use for firewell, three 1/4" X 1" X 8" steel straps shall be welded at each pipe joint, and shall be equally spaced around the pipe (see firewell detail).
9. Exposed portions of firewell (except for dry hydrant head connection and cap - unpainted brass or approved alternate material) shall be painted with approved traffic yellow color enamel paint. Blue reflective approved roadway markers shall be installed on roadways to indicate firewell locations in accordance with Fire Marshal's Bureau specifications.
10. Required permits and approvals must be obtained by the contractor for each well:
 - A. Broward County Health Department
 - B. South Florida Water Management District (SFWMD), if applicable
 - C. Broward County, Traffic Engineering Division, if applicable.
 - D. Building Department of jurisdiction, if applicable.
11. Payment: Upon completion, completed copies of the following shall be submitted before payment.
 - A. Invoice with: Purchase Order No., Location of installed firewell, Firewell #, and Permit #
 - B. Firewell Acceptance Test Form with GPM Flow Results and Photo of completed firewell
 - C. Broward County Health Department Permit
 - D. South Florida Water Management District, Well Completion Report



REVISED 9-30-08 CR

ELEVATION



Pride in Service with Integrity

FIREWELL INSTALLATION ACCEPTANCE TEST FORM

DATE: _____ FIREWELL #: _____

LOCATION: _____

PERMIT #: _____

CONTRACTOR: _____

MEASURE POINT IS: _____

WHICH IS _____ FEET BELOW LAND SURFACE.

STATIC WATER LEVEL IS _____ FEET BELOW MEASURE POINT.

MAXIMUM DRAW DOWN WAS _____ FEET BELOW MEASURE POINT.

DISCHARGE AT MAXIMUM DRAW DOWN WAS _____ G.P.M..

DURATION OF TEST WAS _____ HOURS. (MINIMUM TWO (2) HOURS)

SIGNED:

_____, CONTRACTOR

_____, FIRE MARSHAL ' S BUREAU

NOTE:

THIS FORM IS TO BE COMPLETED AND SIGNED BY THE CONTRACTOR. THIS FORM MUST ALSO BE SIGNED BY A REPRESENTATIVE OF THE BROWARD SHERIFF ' S OFFICE, DEPARTMENT OF FIRE RESCUE AND EMERGENCY SERVICES, FIRE MARSHAL ' S BUREAU THAT WITNESSED THE PUMPING TEST.