

**AMENDMENT NO. 1 TO AGREEMENT
BETWEEN
THE CITY OF MIAMI BEACH, FLORIDA
AND
METAL CRAFT MARINE INCORPORATED**

This Amendment No. 1 (the "Amendment") to the Agreement, dated June 16, 2022 and executed on or about June 24, 2022 (the "Agreement"), by and between the City of Miami Beach, Florida, a municipal corporation organized and existing under the laws of the State of Florida, having its principal place of business at 1700 Convention Center Drive, Miami Beach, Florida 33139 (the "City") and Metal Craft Marine Incorporated, a Canadian corporation, having its principal place of business at 347 Wellington Street, Kingston, ON K 7K 6N7 ("MCM"), is entered into this ____ day of _____, 20_____.

RECITALS

WHEREAS, on May 4, 2022, the Mayor and City Commission adopted Resolution 2022-32135, waiving, by 5/7th vote, the formal competitive bidding requirement, as permitted in Section 2-367(e) of the City Code, finding such waiver to be in the best interest of the City, and authorizing the Administration to negotiate and execute an agreement with MCM to refurbish the Boat, in the approximate amount of \$433,260.60; and

WHEREAS, on or about June 24, 2022, the City and MCM executed an agreement for the refurbishment of the Boat (the "Agreement"); and

WHEREAS, based upon additional damage to the hull that has been identified by MCM and an increase in the cost of parts and labor due to inflationary pressures in the industry, MCM and the City have agreed to amend the scope of the Agreement to incorporate the additional work and costs, in the amount not to exceed \$232,256.07 ("Supplemental Proposal"), thereby increasing the Agreement Pricing from \$433,260.60 to an amount not to exceed \$665,516.67; and

WHEREAS, on February 1, 2023, the Mayor and City Commission adopted Resolution No. _____, authorizing the City Manager to finalize and execute this Amendment, incorporating the Supplemental Proposal into the scope of work for the Agreement and reflecting the corresponding change in the Agreement Pricing.

NOW THEREFORE, in consideration of the mutual promises and conditions contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the City and MCM hereby agree to amend the Agreement as follows:

1. ABOVE RECITALS.

The above recitals are true and correct and are incorporated as part of this Amendment.

2. MODIFICATIONS.

The Agreement is hereby amended (deleted items ~~struck through~~ and inserted items underlined) as follows:

EXHIBIT " "

- (a) The paragraph entitled "Agreement Pricing and Terms" is hereby deleted in its entirety and replaced with the following:

Agreement Pricing and Terms:

Price for refitted Boat as per attached spec Rev 3 (Job #487) and DCR 1 (Job # 487R) is \$665,516.67.

<u>Payment Terms:</u>	<u>Signing of Agreement</u>	<u>30%</u>
	<u>Completion of Paint work</u>	<u>30%</u>
	<u>Ready for Launch</u>	<u>30%</u>
	<u>Final Acceptance at MetalCraft</u>	<u>10%</u>

- (b) The Agreement is hereby amended to include the Supplemental Proposal for DCR 1 (Job # 487R), a copy of which is attached hereto.

3. RATIFICATION.

Except as amended herein, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect. In the event there is a conflict between the provisions of this Amendment and the Agreement, the provisions of this Amendment shall govern.

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IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their appropriate officials, as of the date first entered above.

CITY OF MIAMI BEACH, FLORIDA

ATTEST:

By: _____
Rafael E. Granado, City Clerk

Alina T. Hudak, City Manager

Date

METAL CRAFT MARINE INCORPORATED

ATTEST:

By: _____
Secretary

President

Print Name

Print Name

Date

Hull
FS36

Miami Beach Fire Boat
Boat Refurbishment

Bid # 87-1301
Job # 487R

DCR 1
2022-12-19

#	Part	Description	Note/Detail	Price \$
1	Windows - 2 (P&S) fwd side sliders	Side sliders		\$ 2,400.00
2	Front window - opening	Replace with fixed with open window	Weld flange	\$ 1,793.50
3	Chart table	Rotate 90 deg	Same table	\$ -
4	Add foam tank to stbd side	Match port 70g	MCM worried about performance	\$ 2,550.00
5	Folding mast with sinlge tier arch	Single tier with folding mast	up and over 2nd AC	\$ 5,820.50
6	AIS 5000			\$ 6,536.00
7	Raymarine plotter size up	Increase from 12" to 16" X 2		\$ 3,978.00
8	Bow freeman hatch	Gasket kit		\$ 232.00
9	New Spitslift using old sockets	1 davit, 2 sockets		\$ 3,264.00
10	New Motors/Wipers	Imtra Exalto		\$ 1,941.75
11	Chart light - as per Corpus Christi			\$ 524.35
12	Black Looma board and Zolatone Inc console recon	Cabin and Cuddy		\$ 10,059.00
13	2 X Whelen Mini Justus 24" Red only	All Red Enc 17216 MJEG1B		\$ 1,137.43
14	4 X new DC floods	Slimline Flood 12V		\$ 1,672.50
15	1 X new AC flood	Slimline Flood 120V		\$ 811.00
16	New Engine room lights	Imtra F28		\$ 1,875.40
17	Reverso for engines, trannys & pump gearbox's	Reverso - 6 valve		\$ 5,500.00
18	Dog for door	Plastic dog		\$ 140.40
19	2 X 4"x6" red emer light on aft seat boxes			\$ 787.60
20	Credit from 2022-06-15	#4 Engine hinges		-\$ 2,538.00
21	Credit from 2022-06-15	#15 Credit 2nd Genset		-\$ 18,246.50
22	Credit from 2022-06-15	#18 Relocate dual strainers		-\$ 3,742.50
23	Partial credit 2022-06-15	#19 Batteries		-\$ 900.00
24	Partial credit 2022-06-15	#26 Wipers		-\$ 1,941.00
25	Partial credit 2022-06-15	#28 Mast/arch		-\$ 2,254.00
26	Credit from 2022-06-15	#30 Scene light		-\$ 2,620.20
27	Partial credit 2022-06-15	#31 Light bars		-\$ 1,893.00
28	Partial credit 2022-06-15	#33 Antennas		-\$ 400.00
29	Partial credit 2022-06-15	#38 Fuel tanks		-\$ 1,000.00
30	Partial credit 2022-06-15	#45 Sonar		-\$ 2,500.00
31	Credit from 2022-06-15	#49 Console aluminum work		-\$ 2,540.00
32	Partial credit 2022-06-15	#50 Seats		-\$ 2,500.00
33	Credit from 2022-06-15	#54 Cladding on ceiling		-\$ 1,904.50
34				
35	Hull Repair	Flat bar for rubrai		\$ 8,100.00
36		Cabin top		\$ 1,000.00
37		Cabin sides		\$ 4,300.00
38		Bottom - Engine & Fuel Rooms		\$ 36,000.00
39		Bottom - V-Berth		\$ 10,600.00
40		Hull sides at engine room		\$ 18,400.00
41		Material - plate and flatbar		\$ 12,100.00
42				
43	New gasket on engine hatches	Check locks and rams		\$ 2,538.00
44	New exhaust system	Hose, mufflers, thru hull fittings		\$ 9,724.00
45	New seawater system - engines and genset	Hose and thru hulls		\$ 5,084.00
46	New Impellers	Impellers installed		\$ 15,835.95
47	New engine shafts	Spicer or equal		\$ 7,690.00
48	New pump shafts	Dampening		\$ 4,648.00
49	Relocate seachests	Move to appropriate location		\$ 7,376.00
50	New header and piping	New pipe and relocate		\$ 12,436.00
51	New Victaulic couplings	Throughout		\$ 11,705.00
52	Increase in Genset	Phasor 6kW		\$ 2,550.00
53	Increase in dual seawater strainers	Relocate		\$ 2,070.00
54	New Fire valves	Fire System		\$ 10,450.00
55	Increase in batteries	Wiring, boxes, foundations, batteries		\$ 3,797.60
56	Increase in battery charger	Newmar 3 bank		\$ 798.81
57	Increase window pricing	2 new front outside windows		\$ 2,300.00
58	Increase in wiper motors	New motors		\$ 1,265.00
59	Increase in spotlight	Golight LED		\$ 113.00
60	Increase in roof monitor	TFT Monsoon		\$ 1,840.00
61	Increase in antennas	Classic Shakespeare		\$ 575.00
62	Increase in GPS antenna	Harness and antenna		\$ 690.00
63	Increase in fuel tanks	Pressure test, inspect, rebed		\$ 2,889.00
64	Increase in battery switches	Switches and wiring		\$ 575.00
65	Increase in Chart plotters	Pricing Increase		\$ 3,125.15
66	New NMEA backbone cabling	Wiring harnesses		\$ 3,359.00
67	Increase in Sonar	Side Scan		\$ 1,963.00
68	Increase in Fire Department radios	Wire, harnesses, bracket, power		\$ 1,840.00
69	Increase in 2 X VHF's	Icom M330's with GPS		\$ 1,265.00
70	Increase in bilge pump	New Rule 2000		\$ 345.00
71	Increase in toilet	New toilet		\$ 460.00
72	Increase in bow monitor	New TFT Tornado		\$ 345.00
73	Increase in MISC	Wire, Hose, Fittings, Clamps		\$ 13,059.83
74	Decal package	TBD		\$ 3,000.00
	Total			\$ 232,256.07

Approved by Metalcraft Marine	Date:
Approved by Customer	Date:

Original Contract	\$ 433,260.60
New Revised Total	\$ 665,516.67