

**AN ORDINANCE TO AUTHORIZE AND APPROVE THE FIRST AMENDMENT TO CONTRACT 23002WD (BOILER INSPECTION AND MAINTENANCE SERVICES) BETWEEN THE CITY OF WILMINGTON AND A.A. DUCKETT, INC.**

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#0060

Sponsor:

Council  
Member  
Oliver

**WHEREAS**, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

**WHEREAS**, the City publicly advertised the specifications for Contract 23002WD “Boiler Inspection and Maintenance Services” (the “Contract”) in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract, a copy of which, in substantial form, was attached to Ordinance No. 22-044, to A.A. Duckett, Inc., the lowest responsible bidder; and

**WHEREAS**, the term of the Contract was for the period from on or about July 1, 2022 through June 30, 2023, with the possibility of two (2) one-year extensions thereafter; and

**WHEREAS**, the City, with City Council approval, has exercised both extension options, the last of which will expire on June 30, 2025; and

**WHEREAS**, the City would like to amend the Contract to add one (1) additional year in order for A.A. Duckett, Inc. to continue to provide services to the City, including the completion of an ongoing project, on the same terms and conditions as it has during Fiscal Year 2025 as set forth in the First Amendment to Contract 23002WD (the “First Amendment”), a copy of which, in substantial form, is attached hereto and incorporated by reference herein as Exhibit “A”; and

**WHEREAS**, the estimated total price for one (1) additional year will be Three Hundred Seventy-Eight Thousand Dollars (\$378,000.00); and

**WHEREAS**, it is the recommendation of the Department of Public Works that City Council authorize the City to enter into the First Amendment to extend the Contract for one (1) year; and

**WHEREAS**, City Council deems it necessary and appropriate to authorize the City to enter into the First Amendment to extend the Contract for one (1) year.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:**

**SECTION 1.** The First Amendment to the Contract (being Contract 23002WD “Boiler Inspection and Maintenance Services” between the City of Wilmington and A.A. Duckett, Inc.), a copy of which, in substantial form, is attached hereto and incorporated by reference herein as Exhibit “A”, to extend the Contract for one (1) year at an estimated total price of Three Hundred Seventy-Eight Thousand Dollars (\$378,000.00), is hereby approved, and the Mayor, or his designee, is hereby authorized to enter into the First Amendment, as well as to take all additional undertakings related thereto, as may be necessary.

**SECTION 2.** This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading.....June 5, 2025  
Second Reading.....June 5, 2025  
Third Reading.....

Passed by City Council,

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President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

**SYNOPSIS:** This Ordinance authorizes the City to execute the first amendment to Contract 23002WD (Boiler Inspection and Maintenance Services) with A.A. Duckett, Inc., which will extend the contract for one (1) year.

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is an estimated total price of Three Hundred Seventy-Eight Thousand Dollars (\$378,000.00).

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## EXHIBIT A

## **FIRST AMENDMENT TO CONTRACT 23002WD**

### **(Boiler Inspection and Maintenance Services)**

This First Amendment to Contract 23002WD (Boiler Inspection and Maintenance Services) (this "Amendment") is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2025, to be effective as of July 1, 2025, by and between the City of Wilmington (the "City") and A.A. Duckett Inc. (the "Contractor").

#### **RECITALS:**

WHEREAS, the City publicly advertised the specifications for Contract 23002WD (Boiler Inspection and Maintenance Services) (the "Contract"), awarded the Contract to the Contractor (the lowest responsible bidder), and entered into the Contract dated on or about June 6, 2022 with the Contractor;

WHEREAS, the term of the Contract was for the period from on or about July 1, 2022 through June 30, 2023, with the possibility of two (2) one-year extensions thereafter;

WHEREAS, the City, with the approval of City Council, exercised both extension options, the second of which will end on June 30, 2025;

WHEREAS, the Contractor is working on a project (the "Project") to upgrade the building automation and climate control systems in several City buildings, including, but not limited to, the Brandywine Membrane Plant and Water Works Center;

WHEREAS, the Contractor will not be able to complete the Project by June 30, 2025; and

WHEREAS, the City would like to extend the Contract for one (1) additional year for the period of July 1, 2025 through June 30, 2026 ("Fiscal Year 2026") for the Contractor to continue to provide services to the City, including, but not limited to, completing the Project.

NOW, THEREFORE, WITNESSETH that the City and the Contractor hereby agree, with the intent to be legally bound, as follows:

1. Recitals. The above recitals are incorporated herein and made a part hereof.
2. Term; Services. The Contract is hereby extended for one (1) additional year for Fiscal Year 2026 during which time the Contractor shall continue to provide the City all services listed in the Contract, including, but not limited to, completing the Project.
3. Total Compensation. The total compensation payable by the City to the Contractor for Fiscal Year 2026 shall not exceed Three Hundred Seventy-Eight Thousand Dollars (\$378,000.00) without the mutual written agreement of the City and the Contractor.
4. Other Contract Provisions. Except as otherwise expressly modified in this Amendment, all other terms and conditions of the Contract shall remain in full force and effect.

[signature page follows]

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Amendment on the date first written above.

**CITY OF WILMINGTON**

WITNESS: \_\_\_\_\_

By: \_\_\_\_\_  
Vincent R. Carroccia  
Deputy Commissioner of Public Works

**A.A. DUCKETT, INC.**

WITNESS: \_\_\_\_\_

By: \_\_\_\_\_  
Name:  
Title:

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