



## THE CITY OF KEY WEST

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MEMORANDUM

### EXECUTIVE SUMMARY

**TO:** Gregory W. Veliz, City Manager  
Patti McLaughlin, Assistant City Manager

**FROM:** Carolyn Sheldon, Senior Grants Administrator

**DATE:** November 5, 2020

**RE:** **Rescinding Resolution 20-183 and authorize the City Manager to execute the attached Local Agency Program (LAP) Supplemental Agreement #6 with the Florida Department of Transportation (FDOT) for US-1/S. Roosevelt from Bertha to Smathers Beach Project 250548-4 and approving any budget amendments or transfers as necessary**

#### **ACTION STATEMENT:**

This resolution will rescind Resolution 20-183 and authorize the City Manager to execute the attached Local Agency Program (LAP) Supplemental Agreement #6 with the Florida Department of Transportation (FDOT) to receive \$475,319.00 for additional Phase 38 design services and incorporate Phase 68 post design services during the construction phase associated with Project 250548-4: US-1 / S. Roosevelt from Bertha to Smathers Beach; and approve any budget amendments or transfers as necessary. City matching funds are not required.

#### **BACKGROUND:**

Resolution 08-122 (May 6, 2008) ratified the LAP Agreement in the amount of \$500,000.00 for the design of the South Roosevelt Boulevard Reconstruction Project (FM 250548-4). There have been five (5) supplemental agreements to the original contract. The following is a summary of the previous supplemental agreements:

- Supplemental Agreement #1 for additional funding of \$96,940.00 for the design of roadway and seawall not included in the original project (east end of Smathers Beach to US1).
- Supplemental Agreement #2 (Resolution 13-293, November 19, 2013) was for \$223,154.00 completing design to current FDOT Standards and Criteria.
- Supplemental Agreement #3 (Resolution 15-294, October 7, 2015) in the

*Key to the Caribbean – Average yearly temperature 77° F.*

amount of \$60,288.00 was for additional survey, legal descriptions, preparing quit claim deeds and right-of-way mapping.

- Supplemental Agreement #4 (Resolution 18-070, February 21, 2018) in the amount of \$34,341.00 was to provide a drainage concept to the Keys Condo Association and a back up plan in the event the association and FDOT do not reach an agreement.
- Supplemental Agreement #5 (Resolution 19-124, May 7, 2019) in the amount of \$162,802.00 was to complete the design with the intent of avoiding the need to acquire right of way from Key West by the Sea and avoid any impacts to the existing width of the promenade.

Metric Engineering, Inc., formerly Sanchez-Zeinali and Associates, is under contract with the City to perform engineering services related to the South Roosevelt Boulevard Project.

**PURPOSE AND JUSTIFICATION:**

While reviewing the drainage plans for the project, staff learned that previous project teams did not take sea level rise into account for the overall design. The current project team conferred and agreed on updated drainage design criteria that will provide resilience to sea level rise. The new criteria resulted in the need for a pump station which was not within the scope of Supplemental Agreement #5. Supplemental Agreement #6 adds the design of a pump station into the plans and accounts for the necessary revisions to the remainder of the plans and specifications to reflect this change.

FDOT does not operate and maintain pump stations and will require the City of Key West to provide perpetual operations and maintenance for the new pump station. Both the City of Key West and FDOT will enter into maintenance agreement prior to construction. This pump station would be the second FDOT pump station operated and maintained by the city. In 2011, the City of Key West entered into a maintenance agreement with FDOT to operate and maintain the pump station at Truman Avenue and Eisenhower Drive. The new pump station will provide greatly improved drainage performance along South Roosevelt and mitigate roadway flooding.

The services for Supplemental Agreement #6 include such tasks as plan updates; meeting attendance for roadway, drainage, utility, etc.; environmental; structures miscellaneous; roadway, drainage, signalization, and signing/pavement marking analyses and plans; and lighting analysis. Scope of work and associated costs have been incorporated into Supplemental Agreement #6 (attached) as directed by FDOT.

The City is required to submit this LAP Supplemental Agreement to accept the additional \$475,319.00 from FDOT. FDOT has also proposed replacing the language in the existing Local Agency Program Agreement executed on December 12, 2004 with the language provided in Attachment A. Staff has reviewed the language and does not have any objections to updating the language in the agreement.

**FINANCIAL IMPACT:**

Supplemental Agreement #6, if approved, will increase grant revenue by \$475,319.00 in account 102-0000-331-49-01 / EN1406 (Internal Improvements/Revenue/FDOT (LAP) Grant). Project costs associated with Supplemental Agreement #6 are budgeted in expense account 102-4102-541-63-00 / EN1406 (Internal Improvements/Streets/Infrastructure). Approval of Supplemental Agreement #6 will increase total project funding to \$1,552,844.00.

Please note that the hours were negotiated with Metric Engineering at a cost of \$461,660.76 for Supplemental Agreement #6 as approved with Resolution 20-183. However, balances remaining from previous supplemental agreements, which total \$166,342.41, are funding a portion of Supplemental Agreement #6 leaving FDOT to fund \$295,319.00 (rounded amount) in design costs as shown in Adjusted Exhibit B. FDOT is also incorporating \$180,000.00 for Phase 68 post design services during the construction phase bringing the total of Supplemental Agreement #6 to \$475,319.00.

City matching funds are not required for the design of this project or the post design services during construction. City funded operations and maintenance costs for the pump station are anticipated to be approximately \$30,000 on average yearly basis.

**RECOMMENDATION:**

Staff recommends rescinding Resolution 20-183 and authorizing the City Manager to execute the attached Local Agency Program (LAP) Supplemental Agreement #6 with the Florida Department of Transportation (FDOT) for US-1/S. Roosevelt from Bertha to Smathers Beach Project 250548-4 and approving any budget amendments or transfers as necessary.