



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager - Operations

FROM: Doug Bradshaw, Senior Project Manager

DATE: September 13, 2010

RE: **Extending the contract days for Sidewalk Enhancements Phase I – Southard St Corridor Ramps, William Street Sidewalks and Twelfth St Sidewalks**

ACTION STATEMENT:

This resolution will authorize a one hundred-forty (140) day extension to the contract with Charley Toppino and Sons, Inc. for Sidewalk Enhancements Phase I – Southard St Corridor Ramps, William Street Sidewalks and Twelfth St Sidewalks. The original contract time was 210 days for design/build with a contract completion date of September 8, 2010. The proposed contract completion date is January 26, 2011.

BACKGROUND:

The design and construction for this project will be reimbursed 100% through an FDOT Local Area Program (LAP) grant for design/construction of \$128,634 (Southard Street); \$48,278 (William Street); \$29,812 (12th Street). This grant is funded by the American Recovery and Reinvestment Act of 2009, commonly referred to as stimulus funding.

The American Recovery and Reinvestment Act (ARRA) of 2009 was signed by President Obama on February 17, 2009. The ARRA is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so that our country can thrive in the 21st century. This legislation will pay for needed transportation improvements while providing jobs and other economic benefits. The City has been actively seeking these funds to assist our local economy and to improve local infrastructure. We were able to obtain funding for thirteen Sidewalk Enhancement projects through this federal legislation.

PURPOSE AND JUSTIFICATION:

FDOT is requiring construction variances be submitted and approved based on FDOT Design Standards. The designer for this project, Hole Montes, Inc., and the

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

City of Key West were designing and reviewing these proposed sidewalk improvements based on Federal Accessibility Guidelines (ADAAG). During the states initial review process no reference to the FDOT Design Standards was made. With the states final review process the designer and City were informed of the conflict and the required construction variances needed, based on FDOT Design Standards, to receive approval to proceed with construction.

Per the attached contract time extension request from Charley Toppino and Sons, dated September 7, 2010, the new contract completion date would be January 26, 2011.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. Approve the one hundred-forty (140) day contract time extension due to required FDOT construction variances. The new contract completion date will be January 26, 2011.
2. Do not approve the one hundred-forty (140) day contract time extension. The contract completion date will remain as September 8, 2010 and liquidated damages of \$580.00 per day will be imposed.

FINANCIAL IMPACT:

There are no financial impacts.

RECOMMENDATION:

3. Staff recommends that the City Commission select option 1, approve the one hundred-forty (140) day contract time extension due to required FDOT construction variances. The new contract completion date will be January 26, 2011.