

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST (CITY) APPROVING A CHANGE ORDER IN THE AMOUNT OF \$137,624.39 IN ACCORDANCE WITH SECTION 2-845(a) OF THE CODE OF ORDINANCES, FOR ADDITIONAL TASKS DUE TO UNFORESEEN CONDITIONS, TO REMOVE AND CLEAN OUT FORM MATERIAL AND DEBRIS, REPAIR CONCRETE DAMAGE AND SEAL LEAKS IN THE CHLORINE CONTACT BASIN AT THE RICHARD A. HEYMAN ENVIRONMENTAL PROTECTION FACILITY (RAHEPF) UNDER THE CONTRACT APPROVED FOR CHARLEY TOPPINO & SONS, INC. (TOPPINO) IN RESOLUTION 23-286; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS AND AMENDMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 23-286 the City Commission approved a task order contract to Charley Toppino & Sons, Inc. for chlorine contact basin leak repairs, and in Resolution 24-028 a change order was authorized due to certain unforeseen conditions; and

WHEREAS, Toppino, in conjunction with specialty subcontractor Engineered Coating Solutions, has identified additional unforeseen conditions, which require a specialty contractor for removal of excessive concrete material and debris and concrete leak repair that is more substantial than described in the existing engineering plans for this project;

and

WHEREAS, the proposed change order cost is substantially greater than five percent of the original task order of \$104,664.67, and per section 2-845(a) of the Code of Ordinances, City Commission approval is required for change orders greater than five percent of the contract price or \$5,000.00; and

WHEREAS, City staff recommends approval of this Change Order (#2) to allow Toppino to engage Engineered Coatings Solutions, LLC to rehabilitate the Chlorine Contact Basin at RAHEPF, due to unforeseen conditions; and

NOW, THEREFORE, BE IT RESOLVED BY CITY COMMISSION OF THE CITY OF KEY WEST, AS FOLLOWS:

Section 1: That the attached Change Order in the amount of \$137,624.39 to the Task Order to allow Charley Toppino and Sons to engage Engineered Coatings Solutions, LLC to clean and rehabilitate the Chlorine Contact Basin at RAHEPF, under the task order awarded in Resolution 23-286, under the General Utility Services Contract, is hereby approved.

Section 2: That funds for this change order will be transferred from account 401-3504-535-6500/SE35042002 to account #401-3504-535-4600 (Project \_\_\_\_\_). Any necessary budget transfers or amendments are hereby authorized.

Section 3: That the City Manager is authorized to execute documents related to this Change Order, upon the advice and consent of the City Attorney.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Filed with the Clerk on \_\_\_\_\_, 2024.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
KERI O'BRIEN, CITY CLERK