

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA APPROVING CHANGE ORDER NO. 6 TO D.L. PORTER CONSTRUCTORS, INC. IN AN AMOUNT NOT TO EXCEED \$250,007.93 FOR UNFORESEEN SPALLING AND STRUCTURAL REPAIRS AT THE FREDERICK DOUGLASS COMMUNITY CENTER PROJECT, AS AN EMERGENCY PROCUREMENT PURSUANT TO SECTION 2-797(2) OF THE CODE OF ORDINANCES; AUTHORIZING A WAIVER OF CODE OF ORDINANCES SECTION 2-845, TO AUTHORIZE THE CITY MANAGER TO ALLOCATE UP TO \$30,000.00 OF CONTINGENCY ALLOWANCE AS NECESSARY; AUTHORIZING NECESSARY BUDGET TRANSFERS/AMENDMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 16-198, the City Commission awarded the bid of D.L. Porter Constructors, Inc. for construction of the Frederick Douglass Community Center Project; and

WHEREAS, during the process of replacing the roof and windows, extensive spalling was observed. Engineering services staff requested an investigation and formal report by the architect of record, Hayes/Cumming as to the extent of spalling and recommended repairs; and

WHEREAS, Hayes/Cumming provided a report dated May 11, 2017, identifying extensive spalling and recommending shoring of the structure in order to stabilize it, and limit further deterioration as the project is ongoing; and

WHEREAS, structural engineers for the general contractor, D.L. Porter, concurred with Hayes/Cumming and City staff as to the need for an emergency change order for shoring and spalling repair, to maintain structural integrity during hurricane season; and

WHEREAS, D.L. Porter Constructors obtained price quotes from specialty sub-contractors for spalling repairs, and City staff concurs with D.L. Porter in its selection of the lowest price responsive bid from Shift Construction; and

WHEREAS, Staff recommends a Contingency Allowance in the amount of \$30,000.00, and waiver of section 2-845 of the Code of Ordinances, to authorize the City Manager to allocate that Contingency Allowance as necessary; and

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

Section 1: That Change Order No. 6 to D.L. Porter Constructors, Inc. for shoring and spalling repair services for the Frederick Douglass Community Center Project (PO P082216) is hereby approved in an amount not to exceed \$250,007.93, as an emergency procurement pursuant to section 2-797(2) of the Code of Ordinances.

Section 2: That section 2-845 of the Code of Ordinances is hereby waived, to allow the City Manager to allocate the Contingency Allowance (up to \$30,000.00), as necessary.

Section 3: That this Change Order in the amount of \$250,007.93, and a contingency of \$30,000.00, shall be funded by a transfer of funds from the Infrastructure Reserves Account #101-1900-519-9400 into Account 3031900-5196200, Project No. PR 1206. Any necessary budget transfers or amendments are hereby authorized.

Section 4: That the City Manager is authorized to execute any necessary documents, upon the advice and consent of the City Attorney.

Section 5: 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 \_\_\_\_\_, 2017.

Authenticated by the Presiding Officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Filed with the Clerk on \_\_\_\_\_, 2017.

Mayor Craig Cates	_____
Commissioner Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK