

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT SIGNED APRIL 9, 2020 BY THE CITY MANAGER, AS PROVIDED FOR UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, FOR A WORK ORDER UNDER THE CITY'S RIGHT-OF-WAY IMPROVEMENT CONTRACT WITH CHARLEY TOPPINO & SONS, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$279,332.36 FOR 20th STREET IMPROVEMENTS FROM DONALD AVENUE TO 18th TERRACE (PHASE II); AUTHORIZING ANY NECESSARY BUDGET ADJUSTMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 17-106, the City Commission approved a three-year Right-of-Way Improvements contract with Charley Toppino & Sons, Inc. and in Resolution 19-054 the Contract was extended; and

WHEREAS, in response to the COVID-19 threat, the City declared State of Local Emergency on March 15, 2020 in accordance with F.S. 252.38 and CKW Resolution 2007-182. The City most recently extended the State of Local Emergency 2020-05; and

WHEREAS, pursuant to the State of Local Emergency, tourists are temporarily not permitted in Key West, and non-essential businesses are temporarily closed. Due to these extraordinary circumstances, traffic and commercial activity along the streets of Key West is temporarily substantially reduced; and

WHEREAS, by commencing work immediately, the best interests of the City and its residents will be served, as there will be minimal impacts to businesses, cost saving will be realized because equipment is already mobilized in the area, and the contractor will be able to operate in safer, low-traffic conditions; and

WHEREAS, the City Manager acted without delay, using emergency powers authorized under Section 2-797(2) of the City's Code of Ordinances, to authorize and procure the necessary task order, to minimize negative impacts on public health, welfare and safety; and

WHEREAS, Section 2-797(2) of the City's Code of Ordinances requires the City Commission to ratify such emergency procurements at its next scheduled meeting.

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

Section 1: That the attached emergency procurement order signed by the City Manager on April 9, 2020, pursuant to section 2-797(2) of the Code of Ordinances, for a work order under the City's Right-of-Way Improvement Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed

\$279,332.36, for 20th Street Improvements from Donald Avenue to 18th Terrace (Phase II), is hereby ratified.

Section 2: That funding is budgeted for right of way improvements in account 102-4102-541-6300, Project Number II41022002-Paving, and any necessary budget adjustments are hereby approved.

Section 3: 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 _____, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2020.

Filed with the Clerk on _____, 2020.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK