



MEMORANDUM

Date: August 8, 2024

To: Honorable Mayor and Commissioners

Via: Todd Stoughton
Interim City Manager

From: Christina Bervaldi
Finance Director

Subject: **File ID 24-6136 Ratifying Time Extension #3 to the Mallory Square T-Pier Extension / Improvements project grant agreement**

Introduction

The City Manager's Office requests the ratification of the attached "Amendment for Extension of Public Transportation Grant Agreement" Time Extension #3 for the Mallory Square T-Pier Extension / Improvements project FM 444447-1 / Contract Number G1767 with the Florida Department of Transportation (FDOT) to extend the agreement to June 30, 2025. This grant funding does not obligate the City to accept cruise ships. The funding is for improvements to the Mallory T-Pier that focus on safe dockage for ships conforming to the charter amendments found in Article I, Sections 1.09, 1.10, and 1.11 of the Code of Ordinances and limited per the submerged lands lease length of 664 feet.

Background

The Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for the Mallory Square T-Pier Extension / Improvements project was entered into on May 21, 2019 with an expiration date of June 30, 2021 (Resolution 19-129, May 2019). Time Extension #1 to extend the grant agreement for an additional two years to June 30, 2023 was approved with Resolution 21-119, June 2021. Time Extension #2 to extend the grant agreement for one year to June 30, 2024 was approved with Resolution 23-197, July 13, 2023.

Ratification of the attached Amendment is being requested due to the timing of the current expiration date of June 30, 2024 of the funding and the next available City Commission meeting. FDOT required a signed Amendment prior to the expiration date to preserve the funding. The Amendment was reviewed for Legal Sufficiency by the City Attorney prior to City Manager signature.

FDOT approved an additional twelve (12) months for design and permitting of the project. Significant delay was because of the effects the COVID pandemic had on the cruise ship industry, a local referendum and subsequent resolution on allowable cruise ship size and finally an objection to our use of submerged lands by the adjacent riparian rights owner. All issues have been addressed and an appropriately sized pier to support foreseeable operations has been determined by the Port of Key West.

Project expenditures to date total \$284,689.01. \$213,516.77 of eligible expenditures to date have been reimbursed to the City at the 75% State / 25% City cost share. Based on the amount reimbursed to date, the project is at 9.3% completion (\$284,689.01 divided by the FDOT Amount of \$2,286,667)

The following is a summary of the FDOT funding allocation for this project:

Resolution	Document	Description	FDOT Amount	City Share	Total
19-129	Agreement	FY 19 Funds	\$425,000	\$141,667	\$ 566,667
19-363	Amendment 1	FY 20 Funds	\$989,832	\$329,944	\$1,319,776
21-119	Amendment 2	FY 21 Funds	\$521,835	\$173,945	\$ 695,780
22-032	Amendment 3	FY 22 Funds	\$350,000	\$116,667	\$ 466,667
		TOTAL	\$2,286,667	\$762,223	\$3,048,890

Procurement

No cost time extension.

Recommendation

The City Manager’s Office recommends the City Commission approve the ratification of the attached “Amendment for Extension of Public Transportation Grant Agreement” Time Extension #3 to the Mallory Square T-Pier Extension / Improvements project FM 444447-1 / Contract Number G1767 with the Florida Department of Transportation (FDOT) to extend the agreement to June 30, 2025.