



MEMORANDUM

Date: October 9, 2025

To: Honorable Mayor and Commissioners

Via: Brian L. Barroso
City Manager

From: Christina Bervaldi
Director of Finance

Subject: **FILE ID 25-4501 Request to Ratify Emergency Purchase Order to Florida Fence Corporation for Fence Installation at Bayview Park, Pursuant to City of Key West Procurement Code, Section 2-797(2), Emergency Procurement**

Introduction

Respectfully request that the Mayor and Commission ratify the Emergency Purchase Order to Florida Fence Corporation in the amount of \$65,775 for the fence installation at Bayview Park, issued pursuant to the City of Key West Purchasing Code, Section 2-797(2) Emergency Procurement. Authorizing any necessary budget transfers/amendments.

Background

Section 2-796 of the City of Key West's Code of Ordinances, which governs Competitive Bidding, states "[a]ll purchases of commodities and contractual services when the estimated total cost thereof shall exceed \$50,000.00 shall be awarded by the City Commission through the process of competitive, sealed bidding or competitive request for proposals, except as otherwise provided in this division."

Furthermore, the City of Key West Code of Ordinances, Section 2-797(2) established specific examples to the formal competitive procurement requirements when there exists a threat to public health, property, welfare, or safety.

The City Manager may make emergency procurement of commodities or contractual services where the cost exceeds \$50,000.00 when there exists a clear and present threat to

public health, property, welfare, safety or other substantial loss to the city, including cases where a natural disaster has occurred, is occurring, or is imminently threatening. However, such emergency procurement shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor or commodity shall be included in the contract file. As soon as practicable, a record of the emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, a listing of the commodity or contractual service procured under the contract, and the number of the purchase order, if any. An emergency procurement in excess of \$50,000.00 shall be ratified by the city commission at the next scheduled city commission meeting.

In June 2025, via Resolution 25-147, the City Commission authorized the installation of an artificial turf field at Pepe Hernandez Field at Bayview Park.

There is currently not a fence around the perimeter of the Pepe Hernandez Field at Bayview Park, which leaves the area open to the public and creating an immediate safety concern that requires prompt installation of a replacement fence.

The absence of a perimeter fence poses multiple hazards. Bayview Park is heavily used by families, children, and recreational groups, and without a secure barrier, individuals may inadvertently enter construction areas or newly prepared turf areas that are not yet safe for public use. In addition, the lack of fencing increases the risk of injuries from tripping hazards, exposed soil, uneven ground, or equipment staged for the project. It also raises concerns about unauthorized access, vandalism, or damage to City property during the improvement process.

Procurement

Funding for this emergency procurement are available in Infrastructure/Parks and Recreation Account Number 101-7201-572-6300, Project Number IS72012001 – Bayview Park Renovations.

Recommendation

Respectfully request that the Mayor and Commission ratify the Emergency Purchase Order to Florida Fence Corporation in the amount of \$65,775 for the fence installation at Bayview Park, issued pursuant to the City of Key West Purchasing Code, Section 2-797(2) Emergency Procurement. Authorizing any necessary budget transfers/amendments.