

RESOLUTION NO. 12-311

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING a NINETY (90) DAY CONTRACT TIME EXTENSION FOR DOUGLAS N. HIGGINS, INC., TO COMPLETE CONSTRUCTION OF THE GLYNN ARCHER/14th STREET ROADWAY RECONSTRUCTION (PROJECT NO. EN-1004) AT NO ADDITIONAL COST; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in Resolution No. 12-111, the City Commission approved a contract between the City and Douglas N. Higgins, Inc. for the Glynn Archer Sidewalk Enhancement Project No. EN-1004; and

WHEREAS, a time extension is necessary to accommodate additional work that was determined to be necessary during construction;

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

Section 1: That a ninety (90) day extension for Douglas N. Higgins, Inc. contract for Glynn Archer Drive Enhancement Project No. EN 1004 is hereby approved, to February 1, 2013 (including January 3, 2013 substantial completion), at no additional cost.

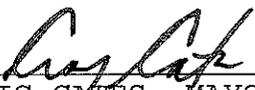
Section 2: That the City Manager is authorized to execute necessary documents related to the time extension, upon the advice and consent of the City Attorney.

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 7th day of November, 2012.

Authenticated by the presiding officer and Clerk of the Commission on November 8, 2012.

Filed with the Clerk November 8, 2012.



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

EXECUTIVE SUMMARY

Date: October 15, 2012

To: Bob Vitas, City Manager

From: Karen Olson, Special Projects Designer

Cc: David Fernandez, Assistant City Manager
Doug Bradshaw, Senior Project Manager

Subject: **Approve contract time extension for Glynn Archer Drive Enhancements Project No. EN-1004**

Action Statement

This resolution will authorize a ninety (90) day extension to the contract with D.N. Higgins, Inc. for the Glynn Archer Drive Sidewalk Enhancement Project No. EN-1004. The original contract time was 150 days with a contract completion date of November 4, 2012. The proposed contract completion date is February 1, 2013.

Background

The City of Key West and the FDOT have entered into a LAP agreement to support the Glynn Archer Drive Enhancements Project #EN-1004. FDOT is fully funding the construction in the amount of \$2,686,659.78. The project includes a complete sidewalk system, bike lanes, on-street parking, stormwater improvements and landscaping features on Glynn Archer Drive (14th Street) from N. Roosevelt Boulevard (US1) to Flagler Avenue (SR5).

Purpose and Justification

D.N. Higgins, Inc. has experienced construction delays due to a shallow 12" high pressure water main that was not addressed appropriately during design development. The City, FCAA, contractor and designer have been working on a resolution to this issue since August 8, 2012.

To minimize costs associate with the water line the FCAA has made the decision to relocate the pipe themselves. This work began on October 9, 2012 and installation should be complete no later than October 19, 2012. The pipe will then have to be tested and final connections completed no later than November 9, 2012.

Key to the Caribbean – Average yearly temperature 77° F.

M E M O R A N D U M

During this time D.N. Higgins, Inc. has continued to work but has been limited to areas outside of the pipe zone. The phasing for the project has been impacted and progress measurably impeded.

D.N. Higgins, Inc. will work diligently to complete the project by years end and is requesting sixty (60) to substantial completion with an additional thirty (30) for final completion. After reaching substantial completion, no later than January 3, 2013, the road will be opened to through traffic. The remaining thirty (30) days will be used to complete punchlist items and final striping to achieve final completion. During the punchlist phase there may be minor lane closures but no hard closures will occur.

The City will impose liquidated damages of \$2,121 per day if substantial completion date is not met.

Per the attached contract time extension request from D.N. Higgins, Inc., dated October 16, 2012, the new contract completion date would be February 1, 2013.

Options

Option #1 Approve the ninety (90) day contract time extension. This extension includes sixty (60) days to substantial completion with an additional thirty (30) for final completion. The new contract completion date will be February 1, 2013.

Option #2 Do not approve the ninety (90) day contract time extension. The contract completion date will remain as November 4, 2012. This option is not recommended because the delay was no fault of the contractor.

Financial Issues

This time extension request is a no cost time extension.

Recommendation

Staff recommends option #1, approve the ninety (90) day contract time extension. This extension includes sixty (60) days to substantial completion with an additional thirty (30) for final completion. The new contract completion date will be February 1, 2013.



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October 16, 2012

Ms. Karen Olson
Project Manager
City of Key West

**Subject: Contract Time Extension
Glynn Archer Drive / 14th Street Roadway Reconstruction
City of Key West Project Number EN-1004**

Karen:

As you are aware Douglas N. Higgins Inc. has encountered a problems with the 12" water main from STA 11+50 to 20+50 (approx. 900') that has a minimum amount of cover and needs to be relocated. We also encountered a large concrete slab (24'x50' @ STA 7-80) in the middle of the roadway which bridges an underground creek requiring the plans to be re-designed. The water main issue started 8-8-12 and we have been unable to work in this area because the main is located in the base & sub base of the roadway. The water main would have been uncovered to rework the road base and would be dangerous for our workers and risk damage to the main if not relocated. The FCAA has just started re-locating the main 10-9-12 and is not expected to finish the complete project within 30 days. The road design took approx. 3 weeks in the month of September and we were unable to work in that area during that time.

Not being able to work in this area of the project has had a great impact on our construction schedule and has delayed this project. We are requesting a 60 day time extension to Substantial Completion with additional 30 day extension to Final Completion of the Project.

Thank you for your attention on this matter.

Sincerely,
Douglas N. Higgins, Inc.

Paul R. Waters

Paul R. Waters
Regional Manager