

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT APPROVED BY THE CITY MANAGER AS ALLOWED UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, OF ITB 18-026 FOR MALLORY SQUARE WHARF REFURBISHMENT BY D.L. PORTER CONSTRUCTORS, INC. IN AN AMOUNT NOT TO EXCEED \$298,613.00; AUTHORIZING ANY NECESSARY BUDGET AMENDMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission in Resolution 17-186 approved the use of unspent grant funds under a Public Transportation Supplemental Joint Participation Agreement (SJPA) to add additional scope to the Mallory T-Pier Project, such construction to be limited to August 21 through October 20, 2018, to minimize cruise ship revenue impacts; and

WHEREAS, bids were opened for ITB 18-026 on July 18, 2018, and the lowest responsive bid was from D.L. Porter Constructors, Inc.; and

WHEREAS, due to the time-sensitive nature of the project, the City Manager acted without delay, using emergency powers authorized under Section 2-797(2) of the City's Code of Ordinances, to procure a contract with D.L. Porter Constructors for Mallory Square Wharf Refurbishment, at a cost not to exceed \$298,613.00, inclusive of an unforeseen conditions allocation of \$20,000.00 and Bid Alternate 1, in the amount of \$5,752.00; and

WHEREAS, Section 2-797(2) of the City's Code of Ordinances requires the City Commission to ratify such emergency purchases 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 City Commission, in accordance with Section 2-797(2) of the City of Key West Code of Ordinances, hereby ratifies the City Manager's emergency authorization for the procurement of ITB 18-026, in the total amount of \$298,613.00 from DL Porter Constructors, Inc., for Mallory Wharf Refurbishment.

Section 2: That \$220,000.00 is funded in account 101-4302-543-6300, and a budget transfer of \$78,613.00 from Fund 101 reserves is hereby authorized for this project.

Section 3: That the City Manager is authorized to execute any necessary documents, upon consent of the City Attorney.

Section 4: 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 \_\_\_\_\_, 2018.

Authenticated by the Presiding Officer and Clerk of the Commission  
on \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Filed with the Clerk on \_\_\_\_\_, 2018.

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

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

ATTEST:

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