

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING PURSUANT TO SECTION 2-797(2) OF THE CODE OF ORDINANCES THE ATTACHED CHANGE ORDER NO. 2 TO WORK ORDER #18 UNDER THE CITY'S RIGHT-OF-WAY IMPROVEMENT CONTRACT WITH CHARLEY TOPPINO & SONS, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$81,457.85 FOR ADDITIONAL F CURB, ADDITIONAL 4" SIDEWALK, UTILITY BOXES, AND TWO ADDED ADA RAMPS ALONG FLEMING STREET; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS; 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 Resolution 18-226, the City Commission approved Work Order #18 and 19 to construct ADA compliant sidewalks as necessary along Fleming Street, and to Mill and pave Fleming Street between White and Whitehead Streets; and

WHEREAS, certain changes were necessary to rectify drainage issues and ensure ADA compliance, and to ensure the timely completion of this right-of-way 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 this Change Order for Charley Toppino & Sons, Inc. to commence additional tasks under Task Order 18 to the Right-of-Way Contract as soon as possible at a cost of up to \$81,457.55; and

WHEREAS, Section 2-797(2) of the City's Code of Ordinances requires the City Commission to ratify such an emergency purchase 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 Change Order to Work Order #18 under the City's Right-of-Way Improvement Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$81,457.85, for additional F curb, additional 4" sidewalk, utility boxes, and two added ADA ramps for ADA compliance as necessary, is hereby ratified pursuant to Section 2-797(2) of the Code of Ordinances.

Section 2: That adequate funding is budgeted for right of way improvements in account 102-4102-541-6300, project II41021802, and budget adjustments are authorized if necessary.

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 _____, 2019.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2019.

Filed with the Clerk on _____, 2019.

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