



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager - Operations

FROM: Doug Bradshaw, Senior Project Manager

DATE: January 13, 2011

RE: **Extending the contract days for Sidewalk Enhancements Phase VI – Duck Avenue Sidewalks and Bike Path**

ACTION STATEMENT:

This resolution will authorize a two-hundred (200) day extension to the contract with Charley Toppino and Sons, Inc. for Sidewalk Enhancements Phase VI – Duck Avenue Sidewalks and Bike Path. The original contract time was 365 days for design/build with a contract completion date of February 10, 2011. The proposed contract completion date is August 29, 2011.

BACKGROUND:

The design and construction for this project will be reimbursed 100% through an FDOT Local Area Program (LAP) grant for design/construction. This grant is funded by the American Recovery and Reinvestment Act of 2009, commonly referred to as stimulus funding.

The American Recovery and Reinvestment Act (ARRA) of 2009 was signed by President Obama on February 17, 2009. The ARRA is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so that our country can thrive in the 21st century. This legislation will pay for needed transportation improvements while providing jobs and other economic benefits. The City has been actively seeking these funds to assist our local economy and to improve local infrastructure. We were able to obtain funding for thirteen Sidewalk Enhancement projects through this federal legislation.

PURPOSE AND JUSTIFICATION:

Charley Toppino & Sons, Inc. has experienced unexpected design delays due to encroachments and stormwater runoff issues along with an underestimate of the time required to design the project. The design for this project is not to the 100% mark at this time and the contract days will soon expire.

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

Per the attached contract time extension request from Charley Toppino and Sons, dated January 4, 2011, the new contract completion date would be August 29, 2011.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. Approve the two-hundred (200) day contract time extension due to unexpected design delays. The new contract completion date will be August 29, 2011.
2. Do not approve the two-hundred (200) day contract time extension. The contract completion date will remain as February 10, 2011 and liquidated damages of \$715.00 per day will be imposed.

FINANCIAL IMPACT:

There are no financial impacts.

RECOMMENDATION:

1. Staff recommends that the City Commission select option 1, approve the two-hundred (200) day contract time extension due to unexpected design delays. The new contract completion date will be August 29, 2011.