

RESOLUTION NO. 18-322

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RENEWING THE GENERAL UTILITIES SERVICES AGREEMENTS BETWEEN THE CITY OF KEY WEST AND CHARLEY TOPPINO AND SONS, INC. AND DOUGLAS N. HIGGINS, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution 15-292, the City Commission awarded the bids of Charley Toppino & Sons, Inc. and of Douglas N. Higgins, Inc. to provide general utilities construction-related services, in Response to ITB 15-021; and

WHEREAS, the Agreements include a provision providing the parties with an option for one two-year renewal, and city staff recommends exercising the renewal option; and

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

Section 1: That a two-year renewal of the General Utilities Services Agreement awarded in Resolution 15-252, to Douglas N. Higgins, Inc. and Charley Toppino & Sons, Inc. is each hereby approved.

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

Section 3: Specific work orders issued pursuant to the contracts shall comply with the City's procurement guidelines.

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 16th day of October, 2018.

Authenticated by the Presiding Officer and Clerk of the Commission on 17th day of October, 2018.

Filed with the Clerk on October 17, 2018.

Mayor Craig Cates	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

  
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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

M E M O R A N D U M

**TO:** Jim Scholl, City Manager  
**Cc:** Greg Veliz, Asst. City Manager  
**FROM:** John Paul Castro, Utilities Director  
**DATE:** September 20, 2018  
**SUBJECT:** Extending the General Utility Contracts for Douglas N. Higgins, Inc. and Charley Toppino and Sons, Inc. for 2 years

**Action statement:**

This resolution would extend the General Utility Services contracts for both Douglas N. Higgins, Inc. and Charley Toppino and Sons, Inc. for 2 years, per the current contract.

**Background:**

City Staff requested bids for general utility services in 2015. The basis of the contract is to task contractors for utility related work per a pre-negotiated price schedule for labor and materials. This saves considerable time and money by eliminating bid packages and advertising for each individual task while maintaining competitive pricing.

Charley Toppino and Sons, Inc. and Douglas N. Higgins, Inc. were the only 2 respondents to the general utility services request for bids. The bids were approved by the commission by resolution 15-292.

The general utilities contracts are used by Engineering, Utilities, Port and Marine Services, and Community Services departments.

**Purpose and Justification:**

The current general utilities contract expires on December 21<sup>st</sup>, 2018 for Douglas N. Higgins, Inc. and December 7<sup>th</sup>, 2018 for Charley Toppino and Sons, Inc.

Article 4 of the contract allows for one (1) two (two) year extension to the original 3 (three) year term at the discretion of the City. Both firms have written letters of support for the extension (attached).

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

The general utilities services contracts are used extensively to repair utilities and infrastructure. Having these contracts in place allows staff to utilize competitive pricing in a manner that saves months of time which is crucial to public safety and health.

**Options:**

Option 1: The commission can approve the 2 year extension to both contracts.

Option 2: The commission can decide not to approve the contracts. Staff can be directed to bid for new contracts or the commission could elect to eliminate the general utilities services contracts all together. This is not recommended.

**Financial Impact:**

There is no financial impact to extending these contracts. The projects are approved on a task order basis following the City's standard procurement process for approvals.

**Recommendation:**

Staff recommends extending both general utilities services contracts for 2 years per article 4 of the contract documents.



Douglas N. Higgins, Inc.  
5509 5<sup>th</sup> Ave. # 3  
Key West, FL 33040

City of Key West  
1300 White St.  
Key West, FL 33040  
John Paul Castro  
Utilities Director

August 30, 2018

SUBJECT: GENERAL UTILITIES SERVICES CONTRACT EXTENSION REQUEST

John Paul;

Douglas N. Higgins, Inc. formally requests that the General Utilities Services Contract, ITB # 15-021, between the City of Key West and DN Higgins, Inc. be extended for two more years with any and all unit price increases allowable by the agreement.

Please let us know if you require any additional information.

Sincerely,  
DN HIGGINS, INC.

A handwritten signature in black ink, appearing to read 'Paul Waters', is written over the typed name.

Paul Waters, Regional Manager

**John Paul Castro**

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**From:** atoppino@charleytoppino.com <ajtoppino@gmail.com>  
**Sent:** Wednesday, September 05, 2018 2:24 PM  
**To:** John Paul Castro  
**Subject:** Re: General Utility Services Contract - Correction  
**Attachments:** image001.jpg

JP,

I would like to formally request an extension of our General Utility Services Contract for the available 2-years.

Thank you!

RESOLUTION NO. 15-292

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED CONTRACTS ON A WORK ORDER BASIS TO TWO BIDDERS IN RESPONSE TO INVITATION TO BID (ITB) NO. 15-021 FOR GENERAL UTILITIES SERVICES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACTS UPON ADVICE OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City issued an Invitation to Bid for firms capable of providing general utilities construction-related services; and

WHEREAS, two firms submitted responses on September 2, 2015, and city staff reviewed the responses, and determined both firms to be qualified, and recommended that the City engage each one on a Work Order basis;

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

Section 1: That an award of contract, based upon the responses to ITB #15-021 for general utilities services submitted by DN Higgins, Inc. and Charley Toppino & Sons, Inc. is each hereby approved.

Section 2: That the City Manager is hereby authorized to negotiate and execute contracts with each of the companies in substantial conformance with the bid documents, upon advice and consent of the City Attorney, for a term of three (3) years, with an extension of up to two years.

Section 3: Specific work orders issued pursuant to the contracts shall comply with the City's procurement guidelines.

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 7th day of October, 2015.

Authenticated by the Presiding Officer and Clerk of the  
Commission on 8th day of October, 2015.

Filed with the Clerk on October 8, 2015.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Mark Rossi	<u>Yes</u>
Commissioner Teri Johnston	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Absent</u>
Commissioner Jimmy Weekley	<u>Yes</u>
Commissioner Tony Yaniz	<u>Yes</u>

  
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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:** September 10, 2015  
**To:** Jim Scholl, City Manager  
**From:** Janet Muccino, Project Manager  
**Subject:** Approving the award of the General Utilities Services Contract (ITB # 15-021) to DN Higgins, Inc. and Charley Toppino & Sons, Inc.

**Action Statement**

This Resolution would approve awarding two 3- year contracts to DN Higgins, Inc. and Charley Toppino & Sons, Inc. to provide general utilities construction-related services to the City of Key West on a unit cost, as requested basis.

**Background**

General Utilities Services Contracts (GUSC) has been utilized by the City of Key West since 1992 for the purpose of general installation, repair and replacement of storm and sanitary sewer systems, sidewalks and other miscellaneous municipal work. As the City establishes locations and scopes of work where repairs are necessary, project specific purchase orders are issued. The current GUSC expires December 1, 2015.

The GUSC is a competitively bid, 3-year unit cost contract. Bid prices remain in effect for a period of twelve months from contract execution. The contract provides for yearly unit price increases based on the most current Consumer Price Index (CPI-U US chart).

In response to Invitation to Bid (ITB) # 15-021 issued by the City in July 2015,

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**M E M O R A N D U M**

two bids were received on September 2, 2015. Bids from both DN Higgins, Inc. (DNH) and Charley Toppino & Sons, Inc. (CTS) were reviewed by staff and deemed responsive. The bid tabulation and comparison matrix are attached.

#### **Purpose and Justification**

The current GUSC held by DNH expires on December 1, 2015. A new agreement is required to facilitate timely response to emergency repairs, American's with Disability Act (ADA) compliance requirements (e.g., sidewalks) and other time-sensitive projects as identified by staff.

The improvement and maintenance of City infrastructure is critical to meeting the current and future needs of the citizens of Key West. The City's goal is to maintain the City's hard assets. (Strategic Plan "Infrastructure" Goal #4).

#### **Financial Issues**

Award of the General Utilities Services Contract (ITB #15-021) has no financial impact to the City until a project-specific Work Order is issued.

#### **Recommendation**

To provide adequate resources and response capabilities, Staff recommends awarding the General Utilities Services Contracts to both DN Higgins, Inc. and Charley Toppino & Sons. Individual project assignments will authorized by via Work Orders.