

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST (CITY) RATIFYING AN EMERGENCY CHANGE ORDER APPROVAL APPROVED BY THE CITY MANAGER ON APRIL 14, 2020, AS PROVIDED FOR UNDER SECTION 2-797(2) AND 2-845 OF THE CODE OF ORDINANCES, AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$94,299.63 FOR ADDITIONAL WORK REQUIRED FOR DEMOLITION/RECONSTRUCTION OF BUILDING 1287, UNDER THE CONTRACT AWARDED TO CHARLEY TOPPINO AND SONS, INC. FOR TRUMAN WATERFRONT PARK PHASE 1B; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS IN SUBSTANTIAL CONFORMANCE WITH CHANGE ORDER UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS AND AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 19-296 a contract was awarded to Charley Toppino and Sons, Inc. for Truman Waterfront Park Phase 1B, in response to ITB #19-026; and

WHEREAS, additional work is necessary related to demolition and reconstruction of building 1287; and

WHEREAS, in response to the COVID-19 threat, the City declared a State of Local Emergency on March 15, 2020 in accordance with F.S. 252.38 and CKW Resolution 2007-182. The City most recently extended the State of Local Emergency 2020-05; and

WHEREAS, the March 23 Commission meeting was cancelled, and future meeting dates became unclear due to the Covid-19 State of Emergency, so to prevent construction delays and accompanying cost increases, City staff recommended the City Manager approve an Emergency Procurement to authorize the necessary Change Order; and

WHEREAS, the City Manager acted without delay, using emergency powers authorized under Section 2-797(2) and 2-845 of the City's Code of Ordinances, to authorize and procure the necessary change order to continue demolition/construction on the Truman Waterfront Phase B project, and protect public welfare; 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 CITY COMMISSION OF THE CITY OF KEY WEST, AS FOLLOWS:

Section 1: That the attached Emergency Change Order signed by the City Manager on April 14, 2020, as provided for under Section 2-797(2) and 2-845 of the Code of Ordinances, in the amount of \$94,299.63 for additional work required for demolition and reconstruction of Building 1287, under the contract awarded to Charley Toppino and Sons, Inc. in Resolution 19-296, is hereby ratified.

Section 2: That funds for the project shall be allocated in account #101-4303-543-6300 Project #IS43031801. Any necessary budget transfers or amendments are hereby authorized.

Section 3: That the City Manager is authorized to execute documents related to this Change Order, upon the advice and 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 _____, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2020.

Filed with the Clerk on _____, 2020.

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