

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING THE CITY MANAGER'S EMERGENCY APPROVAL TO CONTRACT WITH FLORIDA FENCE CORPORATION FOR THE INSTALLATION OF FENCING AT BAYVIEW PARK, PURSUANT TO SECTION 2-797(2) OF THE CITY'S PURCHASING CODE; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS AND BUDGET TRANSFERS/ADJUSTMENTS, UPON CONSENT OF THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 2-796 of the City's Purchasing Code requires that all purchases of commodities and contractual services exceeding \$50,000.00 be awarded by the City Commission through competitive sealed bidding or a competitive request for proposals, except as otherwise provided in the Code; and, *except as otherwise provided in this division.*"; and

WHEREAS, Section 2-797(2) of the Purchasing Code authorizes the City Manager to make emergency procurements exceeding \$50,000.00 when a clear and present threat to public health, property, welfare, or safety exists, provided such procurements are made with as much competition as practicable and are subsequently ratified by the City Commission; and

WHEREAS, the fence at Bayview Park has been removed, leaving the site open to the public and creating an immediate safety hazard. Bayview Park is heavily used by families, children, and recreational groups; and

WHEREAS, installation of fencing is also a prerequisite to the scheduled installation of new turf. Turf installation cannot proceed until fencing is completed, and delays would directly impact the project schedule, increase costs, and hinder the City's ability to complete the planned improvements in a timely manner; and

WHEREAS, Florida Fence Corporation submitted a proposal to provide the fencing in the amount of ~~\$65,775.00~~ \$60,225.00, plus a \$250 contractor permit fee and any additional permit fees required by the issuing authority; and

WHEREAS, funds for this emergency procurement are budgeted and available in Account#101-7201-572-6300/Project#IS72012001; and

WHEREAS, City staff determined that proceeding under the emergency exemption of Section 2-797(2) was necessary to safeguard public health and safety, protect City assets, and preserve the project schedule; and

WHEREAS, the City Manager, pursuant to Section 2-797(2), authorized an emergency procurement with Florida Fence Corporation for the required fencing, subject to ratification by the City Commission at its next available meeting.

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

Section 1: That, pursuant to the exemption provided under Sec. 2-797(2) of the City's Code of Ordinances, the City Commission hereby approves the purchase and installation of fencing at the Bayview Park baseball field in the amount of ~~sixty five thousand seven hundred seventy-five dollars~~ sixty thousand two hundred and twenty-five dollars (~~\$65,775.00~~ \$60,225.00) plus any additional permitting fees.

Section 2. That the City Manager is hereby authorized to execute any necessary related documents, administrative actions and budget transfers/adjustments, upon consent of the City Attorney.

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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Passed and adopted by the City Commission at a meeting held
this _____ day of _____, 2025.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez _____

Vice Mayor Donald "Donie" Lee _____

Commissioner Lisette Carey _____

Commissioner Aaron Castillo _____

Commissioner Monica Haskell _____

Commissioner Mary Lou Hoover _____

Commissioner Sam Kaufman _____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK