

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. 1 TO WORK ORDER #23 UNDER THE CITY'S RIGHT-OF-WAY IMPROVEMENT CONTRACT WITH DN HIGGINS, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$50,548.01 FOR ADDITIONAL ASPHALT AND PAVEMENT MARKINGS IN THE CROSS SECTION OF WHITEHEAD STREET FROM SOUTH STREET TO TRUMAN AVENUE; 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 DN Higgins, Inc.; and

WHEREAS, Work Order #23 was issued in the amount of \$166,622,49 pursuant to the Right-of-Way Contract for mill and pave new asphalt on Whitehead Street from South Street to Truman Avenue; and

WHEREAS, unforeseen delamination of the existing road surface required additional work, and additional asphalt and pavement markings in the cross section of Whitehead Street from South Street to Truman Avenue were deemed necessary for timely completion of this project; and

WHEREAS, 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 #1 for DN Higgins, Inc. to complete the additional tasks as soon as possible at a cost of up to \$50,548.01; 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 #1 to Work Order #23 under the City's Right-of-Way Improvement Contract with DN Higgins, Inc. in a total amount not to exceed \$50,548.01, for additional asphalt and pavement markings in the cross section of Whitehead Street from South Street to Truman Avenue, 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 II41021702, 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