



## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

MEMORANDUM

### EXECUTIVE SUMMARY

**TO:** Bob Vitas, City Manager  
E. David Fernandez, Asst. City Manager – Operations

**FROM:** Jay Gewin, Utilities Manager

**DATE:** May 10, 2014

**RE:** **Awarding the Bid of Charley Toppino and Sons in the Amount of \$1,029,227.50 for Construction of the North Simonton Stormwater Emergency Outfall Project. Approving Appropriate Budget Transfers from Stormwater Fund Reserves to Facilitate the Project.**

#### ACTION STATEMENT:

This resolution will approve the low bid of \$1,029,227.50 from Charley Toppino and Sons to construct an emergency stormwater outfall pipeline and elevated generator platform and control panel at the Stormwater Pump Station at the North end of Simonton St. (SWS # 5). The bid includes a \$120,000 unforeseen conditions allowance, and \$32,000 allowance for building permit and Keys Energy Services fees. The City is also accepting the first add alternate item that would install a trash screen at the pump station in the amount of \$3,100..

The City will be reimbursed for \$79,449.90 of the costs of this project from FEMA. This resolution will also approve appropriate budget transfers from stormwater fund reserves to facilitate project.

#### BACKGROUND:

City Staff believes that the businesses of the Front Street stormwater basin would be better served during torrential rains by an emergency stormwater outfall at the Simonton Street Pump Station. This busy pedestrian and traffic corridor suffers from repeated flooding during heavy storms, with floodwaters inundating the area and overwhelming the Simonton Street Pump Station's ability to keep up with the flooding. Repeated flooding on Front Street is a public safety concern for the City and a frequent threat to local businesses.

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

Repeated flooding in the early half of 2013 prompted a Declaration of Emergency Procurement in Excess of \$20,000 to fund a task order for the design, permitting and bid phase services for an emergency outfall and generator for the Simonton Street Stormwater Pump Station. The City Manager's approval of CH2M Hill Task Order 4-13-STM in the amount of \$112,117 was ratified by the City Commission on June 18, 2013, Resolution 13-166.

In June 2013, City Staff was notified of Hurricane Isaac funding (FEMA-4084-DR-FL) that was available through the Monroe County Local Mitigation Strategy Working Group Ranking Subcommittee (LMSWGRS) process. At the time, Federal funding available to Monroe County was estimated to be \$134,218. The City of Key West and the City of Marathon were the only two applicants for the funding. The ranking subcommittee selected the City of Key West's project, Simonton Street Emergency Outfall, as the top-ranked project for Monroe County. Unfortunately, as the application process continued, the amount of Federal funding available was reduced to \$91,558.90. \$79,449.90 of this sum will be used to reimburse a small share of construction, with the remainder of the grant funding part of the design.

### **PURPOSE AND JUSTIFICATION:**

On April 16, 2014 the City opened the bids for this project. There were two bids received: one from Charley Toppino and Sons, and the other from Douglas N. Higgins, Inc. Charley Toppino and Sons was the low-bidder at \$1,029,227.50. This total includes bid add alternate # 1 in the amount of \$3,100 for a trash screen, and a \$120,000 unforeseen conditions allowance, and \$32,000 of allowance for building permit and Keys Energy fees. City Staff and the Engineer of Record (CH2M Hill) reviewed the bids and are recommending the lowest qualified bidder, Charley Toppino and Sons' bid be awarded.

The Engineer of Record has checked references, and Toppino's has previously performed other satisfactory work on the City's sewer and stormwater system. Therefore City Staff is comfortable awarding the project to Charley Toppino and Sons.

### **OPTIONS / ADVANTAGES / DISADVANTAGES:**

1. The City Commission can award the low bid of Charley Toppino and Sons and proceed with the project. This option will allow the City to construct a new emergency outfall and generator that would greatly assist the drainage in major storms for this frequently-flooded busy corridor, and enable the City to utilize funding assistance from FEMA. Permits from the Army Corps of Engineers and South Florida Water Management District have been secured, and the City and FEMA have already partnered in the design of the project.
2. The City Commission can decline the low bid from Charley Toppino and Sons. This option is not recommended because we would not capitalize on this unique opportunity to construct a drainage project that would be of great benefit to this busy pedestrian and vehicle corridor which floods during most any heavy rainfall. Staff has no reason to believe that re-bidding the project would result in a lower cost to the City.

**FINANCIAL IMPACT:**

FEMA grant funding will cover \$79,449.90 of the construction expenses. An additional \$12,108.10 grant helped fund the design portion. The remainder will be paid by the stormwater utility.

Total Funds for the project are as follows:

Design – CH2M Hill	\$ 112,117
Construction – Charley Toppino and Sons	\$1,029,227.50
CEI – CH2M Hill	\$ 96,212
<u>TOTAL</u>	<u>\$1,237,556.50</u>

The project will be funded as follows:

City Stormwater Budgeted Funds	\$730,000
FEMA Grant	\$ 91,558
Stormwater Reserves	\$415,998.50

The City had budgeted \$730,000 for the project. The original City budget projection was low because it was performed prior to an engineer being engaged to design the project that was able to deliver a far more accurate projection. Anticipating such a possibility, the City transferred \$1,000,000 from the sales tax fund to assist the funding of essential flood relief projects such as this one. Upon analysis of the rate model, there are sufficient funds available in stormwater reserves to fund the project.

The grant funds will be deposited into Stormwater fund revenue account 402-0000-331-50-01 / ST1302. Project costs are budgeted in expense account 402-3802-538-65-00 / ST1302.

**RECOMMENDATION:**

Staff recommends that the City Commission select option 1, awarding the bid of Charley Toppino and Sons in the amount of \$1,029,227.50 for the North Simonton Street Emergency Stormwater Outfall Project, and to approve all necessary budget transfers to fund the project.