

RESOLUTION NO. 22-289

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF CHARLEY TOPPINO AND SONS, INC. FOR RIGHT OF WAY IMPROVEMENTS 2022, IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 22-010, INCLUDING UNIT PRICING (A TOTAL AMOUNT NOT TO EXCEED MULTI-YEAR BUDGETED FUNDS); AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE ON A TASK ORDER BASIS AND UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS AND ADJUSTMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on November 16, 2022, one bid was opened in response to ITB #22-010, for Right-of-Way Improvements 2022, and the bid was determined to be responsive; and

WHEREAS, City staff recommends award of bid to Charley Toppino & Sons, Inc., and that individual work orders will be issued by City staff and approved by the City Manager for the selected project locations.

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

Section 1: That the bid of Charley Toppino and Sons, Inc. for Right-of-Way Improvements in accordance with the terms specified in ITB #22-010 is hereby accepted, on a task-order/unit pricing basis, in an amount not to exceed budgeted funds for City paving-related projects in FY 22-23 and subsequent years.

Section 2: That the City Manager is authorized to execute a contract in substantial conformance with the contract documents contained within the bid package on behalf of the City of Key West, upon the advice and consent of the City Attorney.

Section 3: That any necessary budget transfers or adjustments are hereby authorized within the City's paving related project budgets, including ADA Compliance Sidewalk and Intersection (II41022301), City-wide Paving Program (II41022302), and the Shoulder Restoration Program (II41022303) account.

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 6th day of December, 2022.

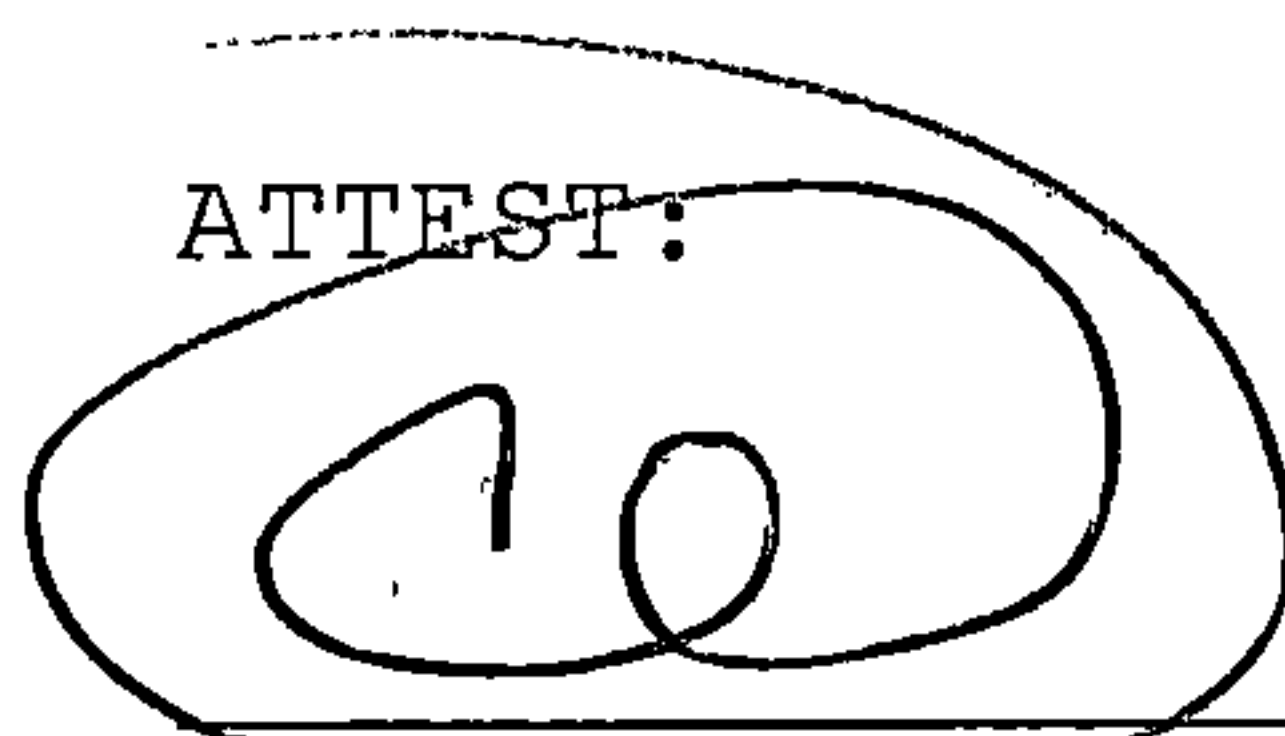
Authenticated by the Presiding Officer and Clerk of the Commission on 7th day of December, 2022.

Filed with the Clerk on December 7, 2022.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Lissette Carey	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

  
TERI JOHNSTON, 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:** November 17, 2022

**To:** Patti McLauchlin, City Manager

**CC:** Gary Volenec, Engineering Director  
Christina Bervaldi, Finance Director

**From:** Ian McDowell, Associate Engineer

**Subject:** Approve contract award for Invitation to Bid 22-010, *Right of Way Improvements*, to Charley Toppino & Sons, Inc.

#### Action Statement

Award Invitation to Bid (ITB) 22-010, *Right of Way Improvements 2022*, contract to Charley Toppino & Sons, Incorporated. Authorize the City Manager to execute the associated agreements and any necessary budget transfers.

#### Background

ITB 22-010 *Right-of-Way Improvements 2022* provides for unit prices to construct roadway paving and utilities improvements, sidewalk replacement to maintain Americans with Disability Act (ADA) compliance, and shoulder restoration to provide for improved roadside drainage within the City. The roads selected are based on the latest pavement management report produced in 2019 by Infrastructure Management Services (IMS) and target roads based on PCI index and area of the city. The bid proposal form was based on quantities estimated for the following work locations planned for completion during FY 2023-2024 under this contract.

#### **Asphalt Paving & ADA Sidewalk Locations**

<u>Street/segment</u>	<u>District</u>	<u>Condition Rating*</u>
Catherine Street from Ashby St. to Pearl St.	I & V	Poor
Fort Street from Geraldine St. to Amelia St.	VI	Marginal
Michaels Lane from Kennedy Dr. to 12 <sup>th</sup> St.	II	Poor
Pearl Street from Catherine St. to Virginia St.	I	Poor
Petronia Street from Duval St. to Fort St.	VI	Marginal
Peacock Drive from N. Roosevelt Blvd to Northside Dr	III	Poor
Virginia Street from Pearl St. to Jose Marti Dr.	I	Poor

\*Condition ratings: Excellent, very good, good, marginal, poor, & very poor.

### **Swale /Shoulder Restoration Locations**

<u>Street/segment</u>	<u>District</u>	<u>Quantity (SY)</u>
Duck Avenue from 17 <sup>th</sup> St. to S. Roosevelt Blvd	III	4039
Seminary Lane from Grinnell St to Thompson Ln.	V & VI	388
Fogarty Avenue from 6 <sup>th</sup> St. to Lake McKillip	IV & V	2100

On November 16, 2022, a single bid was received from Charley Toppino & Sons, Inc. (CTS). The total cost based on the quantities provided is \$5,935,028.10. A bid tabulation memo is attached.

### **Purpose and Justification**

The City of Key West "Pavement Management Analysis Report" dated October 2019 provided for a ranking system of City streets in need of repair and maintenance. Additionally, the ADA Settlement Agreement requires the continued upgrade and repair of sidewalks within the City. The approval of the award the contract will allow the City to continue the progress made in providing for a more drivable and walkable environment for the citizens and visitors to our City in a more expedient manner.

Continued improvements 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 continue the maintenance and improvements of its streets (Strategic Plan Priority no. 3: Roads and Sidewalks).

### **Financial**

Funding for this multi-year project will come from account no. 102-4102-541-6300. The current fiscal year 2022-2023 budget which provided for funding for all City paving related projects is as follows, and subsequent years are anticipated to be similarly funded:

<u>Project</u>	<u>Title</u>	<u>Funds</u>
II4102301	ADA Compliance Sidewalk & Intersection	\$750,000
II4102302	City Wide Paving Program	\$3,250,000
II4102303	Shoulder Restoration Program	\$150,000
Total		\$4,150,000

Projects authorized under this contract will be limited to this funding and will compete with other City paving projects for these funds. All projects will be issued as individual work orders by Engineering Services and will be performed on a unit price basis in accordance with the Unit Price Schedule of Values included in the bid proposal. For each proposed project, a Work Order Proposal based on quantity estimates and schedule determined by Staff will be requested from the Contractor.

**The total sum of all work orders issued to the contractor shall not exceed project funding unless otherwise approved by City Commission.**

### **Recommendation**

Staff recommends awarding the contract to Charley Toppino & Sons, Inc. and authorizing the City Manager to execute this agreement and any necessary budget transfer/amendments.

*Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.*

# INTEROFFICE MEMORANDUM

**To:** Gary Volenec, Ian McDowell & Eric Augst

**CC:** Jessica Durocher – Purchasing

**From:** Tippi Koziol - Deputy City Clerk

**Date:** November 17, 2022

**Subject:** **ITB 22-010 Right of Way Improvements**

---

The following bids were opened Wednesday, November 16, 2022, at 3:00 P.M. in response to the above referenced project.

1) Charley Toppino & Sons, Inc  
129 Toppino Industrial Drive  
Key West, FL 33040

\$5,935,028.10