

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING EMERGENCY PROCUREMENTS FOR THE REPAIR OF THE SOUTHERNMOST BREASTING DOLPHIN AT MALLORY SQUARE PIER, AS PROVIDED FOR UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, IN A TOTAL AMOUNT OF \$721,211.58; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on November 24, 2018 the cruise ship Silver Spirit damaged beyond repair the southernmost breasting dolphin at Mallory Square Pier; and

WHEREAS, in order to minimize the financial impact from cancelling or relocating cruise ships, and to construct a new breasting dolphin, City staff immediately engaged the services of several contractors to commence the construction process as quickly as possible; and

WHEREAS, it is anticipated that funding for this project, and for lost revenue while the facility was not usable, will be reimbursed by the cruise line; 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 authorize and procure the necessary task orders to ensure prompt replacement of the dolphin to protect the welfare and safety of citizens and visitors alike; 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 THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the following emergency procurement task orders are hereby ratified, in the total amount of \$721,211.58 for the Mallory Square Breasting Dolphin Construction Project:

(1) Jacobs Engineering Group (acquired CH2MHill) PO No. 88964, under the City's General Engineering Services Contract approved in Resolution No. 17-207, and approved in an Emergency Procurement signed by the City Manager on

January 16, 2019, pursuant to section 2-797(2) of the Code of Ordinances, for emergency inspection of damaged dolphin in an amount not to exceed \$31,876.29.

(2) Terramar Environmental Services PO No. 88824 approved in an Emergency Procurement signed by the City Manager on January 16, 2019, pursuant to section 2-797(2) of the Code of Ordinances, to assist the City with FDEP and ACOE permitting for the demolition and construction of berthing dolphin in an amount not to exceed \$7,500.00.

(3) Terramar Environmental Services PO No. 88825, approved in an Emergency Procurement signed by the City Manager on January 16, 2019, pursuant to section 2-797(2) of the Code of Ordinances, to assist the City to conduct a pre-demolition benthic assessment, relocate corals to FKNMS coral nursery and prepare a summary relocation and benthic assessment per FKNMS requirements in an amount not to exceed \$4,155.00.

(4) PAC Comm, Inc. PO No. 88826 approved in an Emergency Procurement signed by the City Manager on January 16, 2019, pursuant to section 2-797(2) of the Code of

Ordinances, and a proposal dated 12/17/18, full demolition and disposal of the damaged breasting dolphin in an amount not to exceed \$140,000.00.

(5) PAC Comm, Inc. amended PO No. 88826, as approved in an Emergency Procurement signed by the City Manager on April 29, 2019, pursuant to section 2-797(2) of the Code of Ordinances, for disposal of additional concrete in an amount not to exceed \$11,220.00. (cost slightly higher than \$11,160.00 approved.)

(6) Jacobs Engineering Group, Inc. (acquired CH2M Hill) PO 88965 authorized by under the City's General Engineering Services Contract approved in Resolution 17-207, and the emergency procurement signed by the City Manager on January 16, 2019, pursuant to section 2-797(2) of the Code of Ordinances, for Design and construction oversight of new dolphin in an amount not to exceed \$18,652.54.

(7) Trelleborg Marine Systems North America, Inc. PO 88840 pursuant to a proposal signed by the City Manager on February 12, 2019, pursuant to section 2-797(2) of the Code of Ordinances, for fender and fender hardware for new dolphin in an amount not to exceed \$21,390.00.

(8) Ebsary Foundation Company PO 88877 pursuant to an Emergency Procurement signed by the City Manager on February 25, 2019, pursuant to section 2-797(2) of the Code of Ordinances, Ebsary submitted the lowest price quote of two quotes received, for construction of the new dolphin in an amount not to exceed \$486,357.75.

Section 2: That these task orders have been and are authorized to be submitted to the cruise line for reimbursement, along with additional costs related to the necessary relocation of fifteen (15) cruise ships, and cancellation of six (6) scheduled ships while the breasting dolphin was unusable.

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	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK