



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager - Operations

FROM: Doug Bradshaw, Senior Project Manager

DATE: October 12, 2010

RE: **Extending the contract days for Sidewalk Enhancements Phase V – Eisenhower Drive Sidewalks, Telegraph Lane Sidewalks and Petronia St / Whitehead St Ramps**

ACTION STATEMENT:

This resolution will authorize a one hundred-forty (140) day extension to the contract with Charley Toppino and Sons, Inc. for Sidewalk Enhancements Phase V – Eisenhower Drive Sidewalks, Telegraph Lane Sidewalks and Petronia St / Whitehead St Ramps. The original contract time was 180 days for design/build with a contract completion date of November 14, 2010. The proposed contract completion date is April 3, 2011.

BACKGROUND:

The design and construction for this project will be reimbursed 100% through an FDOT Local Area Program (LAP) grant for design/construction. This grant is funded by the American Recovery and Reinvestment Act of 2009, commonly referred to as stimulus funding.

The American Recovery and Reinvestment Act (ARRA) of 2009 was signed by President Obama on February 17, 2009. The ARRA is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so that our country can thrive in the 21st century. This legislation will pay for needed transportation improvements while providing jobs and other economic benefits. The City has been actively seeking these funds to assist our local economy and to improve local infrastructure. We were able to obtain funding for thirteen Sidewalk Enhancement projects through this federal legislation.

PURPOSE AND JUSTIFICATION:

FDOT is requiring construction variances be submitted and approved based on FDOT Design Standards prior to receiving approval to proceed with construction. The City has acknowledged that the review process on the design variances can

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

be lengthy. Also, Charley Toppino & Sons, Inc. miscalculated the time it would take for these projects to be designed. The design for these projects are not to the 50% mark at this time and the contract days will soon expire.

Per the attached contract time extension request from Charley Toppino and Sons, dated October 11, 2010, the new contract completion date would be April 3, 2011.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. Approve the one hundred-forty (140) day contract time extension due to required FDOT construction variances and miscalculation of design time. The new contract completion date will be April 3, 2011.
2. Do not approve the one hundred-forty (140) day contract time extension. The contract completion date will remain as November 14, 2010 and liquidated damages of \$715.00 per day will be imposed.

FINANCIAL IMPACT:

There are no financial impacts.

RECOMMENDATION:

Staff recommends that the City Commission select option 1, approve the one hundred-forty (140) day contract time extension due to required FDOT construction variances and miscalculation of design time. The new contract completion date will be April 3, 2011.