

RESOLUTION NO. 17-035

A RESOLUTION OF THE NAVAL PROPERTIES LOCAL REDEVELOPMENT AUTHORITY OF THE CITY OF KEY WEST (LRA) AWARDING THE BID OF D.L. PORTER CONSTRUCTORS, INC. FOR TRUMAN WATERFRONT PARK AMPHITHEATER CONSTRUCTION, IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 17-009, IN AN AMOUNT NOT TO EXCEED \$3,664,721.00, INCLUSIVE OF UTILITY FEE ALLOCATION AND ADDITIVE ALTERNATES 4, 5, 6 AND 7; APPROVING THE USE OF AN OWNER DIRECT PURCHASE PROGRAM TO ELIMINATE SALES TAX FEES ON SELECTED PROJECT MATERIALS FOR CONSTRUCTION OF TRUMAN WATERFRONT AMPHITHEATER, IN CONFORMANCE WITH TERMS CONTAINED IN THE PROJECT CONTRACT; AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS AND AMENDMENTS; DIRECTING THE CITY MANAGER TO DEVELOP A TRANSPORTATION AND MANAGEMENT PLAN FOR THE USE OF THE AMPHITHEATER; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on December 14, 2016, bids were opened in response to ITB #17-009, for Truman Waterfront Park Amphitheater Construction, and the bids were determined to be responsive; and

WHEREAS, the bid submitted by D.L. Porter Constructors, Inc. was the lowest responsive bid, and upon staff review, and consideration of bid alternates, it was recommended that the contract be awarded to D.L. Porter Constructors, Inc.; and

WHEREAS, City staff, in discussion with the contractor for the Truman Waterfront Amphitheater, has determined that use of an Owner Direct Purchase program, pursuant to Section 2-797(4) of the Code of Ordinances, could result in substantial project cost savings, by eliminating sales tax costs on selected project materials.

NOW, THEREFORE, BE IT RESOLVED BY THE NAVAL PROPERTIES LOCAL REDEVELOPMENT AUTHORITY, AS FOLLOWS:

Section 1: That the bid of D.L. Porter Constructors, Inc. for Truman Waterfront Park Amphitheater Construction, in accordance with the terms specified in ITB #17-009, is hereby awarded in an amount not to exceed \$3,664,721.00 inclusive of Utility Fee Allowance and additive alternates 4, 5, 6 and 7.

Section 2: That the use of an Owner Direct Purchase program for selected project materials for construction of Truman Waterfront Amphitheater is hereby approved in conformance with the contract between the City and D.L. Porter Constructors, Inc.

Section 3: That the City Manager is authorized to enter into a contract in substantial conformance with the bid documents, upon the advice and consent of the City Attorney.

Section 4: That funds for the project are allocated in account #101-4303-543-6300, Project #TR1502 (Truman Waterfront Amphitheater). Any necessary budget transfers or amendments are hereby authorized. (Reimbursement of up to 50% of design and construction fees are expected through Tourist Development Council Grant Contract #1212.)

Section 5: That the City Manager shall develop a transportation and management plan in conjunction with the construction.

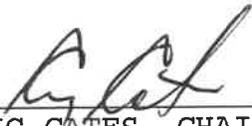
Section 6: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Authority.

Passed and adopted by the Naval Properties Local Redevelopment Authority at a meeting held this 18 day of January, 2017.

Authenticated by the presiding officer and Clerk of the Authority on January 30, 2017.

Filed with the Clerk January 30, 2017.

Chairman Craig Cates	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Clayton Lopez	<u>Absent</u>
Commissioner Richard Payne	<u>Yes</u>
Commissioner Margaret Romero	<u>No</u>
Commissioner Billy Wardlow	<u>No</u>
Commissioner Jimmy Weekley	<u>Yes</u>



CRAIG CATES, CHAIRMAN

ATTEST:



CHERYL SMITH, CITY CLERK