

RESOLUTION NO. 25-060

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF CHARLEY TOPPINO & SONS, INC. RECEIVED IN RESPONSE TO INVITATION TO BID (ITB) 25-001 FOR THE PUMP STATION "F" GRINDER INSTALLATION PROJECT (PROJECT NUMBER SE 35032401) IN AN AMOUNT NOT TO EXCEED \$916,500.00, PURSUANT TO SECTION 2-798(b)(1); AUTHORIZING ANY NECESSARY BUDGET TRANSFERS OR ADJUSTMENTS;; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE BID PROPOSAL, UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on February 19, 2025, two responsive and responsible bids were opened in response to ITB 25-001; and

WHEREAS, pursuant to section 2-798(b)(1), when a responsive, responsible nonlocal business submits the lowest price bid, and the bid submitted by the responsive, responsible local business is within five percent of the price submitted by the nonlocal business, the local business may have the opportunity to submit an offer to match the price offered by the lowest nonlocal bidder within three days of a notice of intent to award; and

WHEREAS, the bid submitted by local vendor Charley Toppino and Sons, Inc. was within five percent of the lowest bid submitted by a nonlocal business, and pursuant to section 2-798(b)(1), Charley Toppino and Sons, Inc., the lowest local bidder, submitted a bid that matches the lowest bid from the lowest nonlocal bidder, within three working days of a notice of intent to award; and

WHEREAS, City staff recommends award of the bid to Charley Toppino & Sons, Inc.

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 & Sons, Inc. is hereby awarded in response to ITB 25-001 for Pump Station "F" Grinder Installation Project in an amount not to exceed \$916,500.00, pursuant to local preference ordinance section 2-798(b)(1).

Section 2: That this project is funded in budget account Sewer Fund/Renewal and Replacement Account number 401-3503-535-6500 (Project No. SE 35032401), and any necessary budget transfers or adjustments are hereby authorized.

Section 3: That the City Manager is hereby authorized to execute a contract in substantial conformance with the bid documents upon consent of the City Attorney.

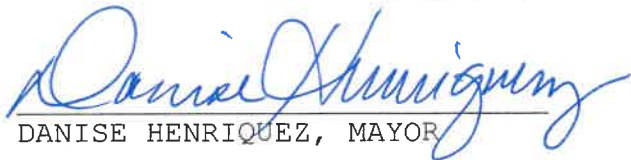
Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 1st day of April, 2025.

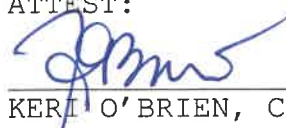
Authenticated by the Presiding Officer and Clerk of the Commission on this 1st day of April, 2025.

Filed with the Clerk on April 1, 2025.

Mayor Danise Henriquez	<u>Yes</u>
Vice Mayor Lissette Carey	<u>Yes</u>
Commissioner Aaron Castillo	<u>Yes</u>
Commissioner Monica Haskell	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Absent</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Donald "Donie" Lee	<u>Yes</u>


DANISE HENRIQUEZ, MAYOR

ATTEST:


KERI O'BRIEN, CITY CLERK



MEMORANDUM

Date: March 4, 2025

To: Honorable Mayor and Commissioners

Via: Brian L. Barroso
City Manager

CC: Christina Bervaldi
Director of Finance

From: Lucas Torres-Bull
Procurement Manager

Subject: **File ID 25-3439 - Recommendation to Award for ITB 25-001 Pump Station "F" Grinder Pump to Charley Toppino & Sons, Inc**

Introduction

Staff recommends that the Mayor and Commission approve a resolution authorizing the City Manager to execute an agreement with Charley Toppino & Sons, Inc. for the installation of the Pump Station "F" Grinder Pump, as outlined in ITB 25-001, and to approve any necessary budget amendments.

Background

On December 19, 2024, at 8:30 a.m. (Eastern Standard Time), an Invitation to Bid (ITB) was published in the Citizen newspaper and on Demandstar. Sealed bids were opened on February 19, 2025, at the City Clerk's Office. The following firms submitted bids: Charley Toppino & Sons, Inc. and Reynolds Construction, LLC.

The bid totals were as follows:

Charley Toppino & Sons, Inc.: \$958,107.00

Reynolds Construction, LLC: \$916,500.00

After reviewing the bids, Charley Toppino & Sons, Inc. invoked the Local Vendor Preference as outlined in City of Key West Ordinance Sec. 2-798. This ordinance allows a local vendor to match the lowest bid if their bid is within 5% of the lowest price. Since Charley Toppino & Sons, Inc.'s bid was within this 5% threshold, they exercised the option to match the lowest bid.

As a result, Charley Toppino & Sons, Inc. is recommended for award.

Procurement

The financial impact of this decision will result in a total cost of \$916,500.00. Funding for the Pump Station “F” Grinder Pump Installation is allocated in the FY2024-2025 budget under the Sewer Fund, Renewal and Replacement account (number 401-3503-535-6500), with a budgeted amount of \$916,500.00.

Recommendation

Staff recommends that the Mayor and Commission approve a resolution authorizing the City Manager to execute an agreement with Charley Toppino & Sons, Inc. for the Pump Station “F” Grinder Pump Installation, as outlined in ITB 25-001, and to approve any necessary budget amendments.

Attachments:

Resolution

Cover Memorandum

ITB 25-001 – Pump Station “F” Grinder Installation

Bid Memo – Total Cost and Ranking

Proposal – Charley Toppino & Sons, Inc

Proposal – Reynolds Construction, LLC

INTEROFFICE MEMORANDUM

To: Steve Gardner, Sr. Project Manager
CC: Lucas Torres-Bull, Procurement Manager
From: Keri O'Brien, City Clerk 
Date: February 19, 2025
Subject: ITB No. 25-001 Pump Station F Grinder Pump Installation

The following bids were opened Wednesday, February 19, 2025 at 3:00 PM in response to the above referenced project.

- | | |
|---|---------------------|
| 1. <u>Charley Toppino & Sons, Inc.</u>
129 Toppino Industrial Drive
Key West, FL 33040 | \$958,107.00 |
| 2. <u>Reynolds Construction, LLC</u>
300 East Broad Street
Fairburn, GA 30213 | \$916,500.00 |

From: atoppino@charleytoppino.com <ajtoppino@gmail.com>

Sent: Wednesday, February 19, 2025 3:30 PM

To: Steve Gardner <sgardner@cityofkeywest-fl.gov>; Todd C. Stoughton
<tstoughton@cityofkeywest-fl.gov>

Cc: Richard Toppino <rtoppino@charleytoppino.com>; John Toppino
<jtoppino@charleytoppino.com>; Michael Labrada <Mlabrada@charleytoppino.com>;
Roman Orofino <roman@charleytoppino.com>; Rey Martinez
<ReyM@charleytoppino.com>; Jason Pfahl <jason@charleytoppino.com>

Subject: [EXTERNAL] ITB #25-001 - Pump Station F Grinder Installation - Local Vendor Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

The purpose of this email is to evoke the local vendor preference pursuant to City of Key West Ordinance 09-22 Section 2-798 regarding today's bid opening for the Pump Station F Grinder Installation (ITB #25-001).

The bid from Charley Toppino & Sons, Inc of \$958,107.00 is within the 5% margin of the lowest apparent non-local vendor bid of \$916,500.00. The local vendor certification was submitted with our bid and is re-attached for your review.

We are willing to match the lowest qualifying bid.

Please let us know what you may need from us in this matter.

Thank you,

Andrew Toppino

Vice President

Cell: (305) 797-5839

Office: (305) 296-5606

<https://charleytoppinoandsons.com/>

<https://monroeconcreteproducts.com/>

Building The Keys

Address: 129 Toppino Industrial Drive

Key West, FL 33040



The information contained in this transmission may contain privileged and confidential content. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited.

CONTRACT

This contract, made and entered into this 17 day of April 2025,

by and between the City of Key West, hereinafter called the "City", and

Charley Toppino & Sons, Inc

hereinafter called the "Bidder".

WITNESSETH:

The Bidder, in consideration of the sum to be paid to them by the City and of the covenants and agreements herein contained, hereby agrees at his own proper cost and expense to do all the work and furnish all the materials, tools, labor, and all appliances, machinery, and appurtenances for ITB 25-001 PUMP STATION F GRINDER INSTALLATION, Key West, Florida to the extent of the bid made by the Bidder, dated the 19 day of February 2025, all in full compliance with the Contract Documents referred to herein.

The Contract Documents, including the signed copy of the bid, Bid Bond, Contract Form, Summary of Work, Specifications, Drawings, General Conditions of the Contract.

In consideration of the performance of the work as set forth in these Contract Documents, the City agrees to pay to the Bidder the amount provided in the bid as adjusted in accordance with the Contract Documents, or as otherwise herein provided, and to make such payments in the manner and at the times provided in the Contract Documents.

The Bidder further agrees to complete the work within 365 days and to accept as full payment hereunder the amounts computed as determined by the Contract Documents and based on the said bid.

The Bidder agrees to remedy all defects appearing in the work or developing in the materials furnished and the workmanship performed under this contract during the warranty period after the date of final acceptance of the work by the City, and further agrees to indemnify and save the City harmless from any costs encountered in remedying such defects.

It is agreed that the contract, based upon the bid, shall be fully complete within the stated number of consecutive calendar days from the date the Notice to Proceed is issued.

In the event the Bidder fails to complete the work within the time limit or extended time limit agreed upon, as more particularly set forth in the Contract Documents, liquidated damages shall be paid at a rate of \$1,685.00 per day. Sundays and legal holidays shall be included in determining days in default.

This contract will automatically expire upon completion of the project. Bidders warranty obligations remain in effect.

IN WITNESS WHEREOF, we, the parties hereto, each herewith subscribe the same this

17th Day of April, A.D., 2025.
ITB 25-001

CONTRACT

City of Key West

By Brian L. Bannero Attest Martha Peniche

Title City Manager

Bidder

By [Signature] Attest [Signature]

Title President

Reviewed for Legal Sufficiency:

[Signature]