

RESOLUTION NO. 19-296

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST (CITY) AWARDING THE BID OF CHARLEY TOPPINO AND SONS, INC. FOR TRUMAN WATERFRONT PARK PHASE 1B (BUILDING 1287 AND FIELD), IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 19-026, IN AN AMOUNT NOT TO EXCEED \$4,765,712.00, INCLUSIVE OF ALTERNATES 1, 2, 4, 5, 6, 9, 12 & 13; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE AND UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS AND AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 28, 2019 five bids were opened in response to ITB #19-026, for Truman Waterfront Park Phase 1B; and

WHEREAS, the bid submitted by Charley Toppino and Sons, Inc. was the lowest responsive bid, and upon staff review, it was recommended that the contract be awarded to Charley Toppino and Sons, Inc.; and

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

Section 1: That the bid of Charley Toppino and Sons, Inc. for Truman Waterfront Park Phase 1B, in accordance with the terms specified in ITB #19-026, is hereby awarded in an amount not to exceed \$4,765,712.00, inclusive of alternates 1, 2, 4, 5, 6, 9, 12 & 13.

Section 2: That funds for the project shall be allocated over FY 19/20 and 20/21, in account #101-7201-572-6200 Project #IS4303 (Infrastructure Surtax/Parks and Recreation/ Buildings). Notice to Proceed (NTP) 1 is planned for FY 19/20, and NTP 2 for FY 20/21. Any necessary budget transfers or amendments are hereby authorized.

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

Section 4: That this Resolution shall go into effect

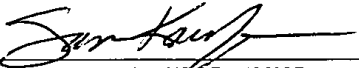
immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 17th day of September, 2019.

Authenticated by the Presiding Officer and Clerk of the Commission on 17th day of September, 2019.


Filed with the Clerk on September 18, 2019.

Mayor Teri Johnston	<u>Absent</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<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>



SAM KAUFMAN, VICE MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

1300 White Street, Key West, FL 33041-1409 (305) 809-3700

EXECUTIVE SUMMARY

Date: September 6, 2019

To: Greg Veliz, City Manager

From: Albiona Balliu, Sr. Project Manager

Cc: Mark Finigan, Finance Director
Steve McAlearney, Engineering Director

Subject: Approve the Award of ITB #19-026 *Truman Waterfront Park Phase 1B – Building 1287 and Field.*

ACTION STATEMENT

Award the contract for ITB #19-026 *Truman Waterfront Park Phase 1B – Building 1287 and Field (Phase 1B)* to Charley Toppino & Sons, Inc. (CTS) in the amount of \$4,765,712.00. Authorize the City Manager to execute this agreement and any necessary budget transfers/amendments.

BACKGROUND

The City of Key West (City) via Resolution 18-080 approved K2M Design, Inc., (K2M) to design and prepare construction drawings for bidding of *Phase 1B*. The construction project was bid as ITB# 19-026 including Addendum 1. On August 28, 2019, the City received bid proposals from Burke Construction Group, Inc., Charley Toppino & Sons, Inc., D.L Porter Constructors, Inc., Pedro Falcon Contractors, Inc., and West Construction Inc.

As indicated in the bid tabulation below, CTS is the low base bidder with lump sum price of \$3,972,627.00. Following review of the received bids, staff has recommended acceptance of the following Alternates:

1. Remove the secondary metal fencing surrounding the horse run. (DEDUCT)
2. Install 5V crimp metal roof at horse stables as opposed to standing seam metal roof. (DEDUCT)
4. Existing storage rooms floors to remain – patch and repair as required. 2” Lightweight topper and epoxy paint to be excluded. (DEDUCT)

5. Utilize Champion Bermuda grass at soccer field only. Remaining open space to be St. Augustine. (DEDUCT)
6. Fencing around soccer field to be 4' high as opposed to 6' high. (DEDUCT)
9. Exclude horse run post lights. (DEDUCT)
12. Design/Build of mechanical system for building (safe conditioned areas) utilizing (3) mechanical units only. (DEDUCT - 3 bidders/ADD - 2 bidders)
13. Utilize synthetic grass (see specifications) at soccer field only. (ADD)

Bid Tabulation

Bidder	Base Bid	Alternates (1-12 Deducts)	Alternate 13 (Turf Add)	Total including Alternates
Charley Toppino & Sons, Inc. (CTS)	\$3,972,627.00	\$130,915.00	\$924,000.00	\$4,765,712.00
Burke Construction Group, Inc. (Burke)	\$4,257,180.00	\$123,100.00*	\$552,350.00	\$4,686,430.00*
D.L. Porter Constructors, Inc. (Porter)	\$4,178,675.97	\$65,116.05	\$910,817.51	\$5,068,852.03
Pedro Falcon Contractors, Inc. (Pedro)	\$4,506,400.00	\$228,950.00	\$1,005,000.00	\$5,295,710.00
West Construction, Inc. (West)	\$4,888,876.00	\$153,159.00	\$984,291.00	\$5,720,008.00

*Unable to determine actual value of Burke bid, as they did not provide a dollar amount for bid Alternate 12 (Design/Build of mechanical system for building (safe conditioned areas) utilizing (3) mechanical units only). It is impossible to determine the true amount of Burke's bid because of this material omission. Each of the four other bidders provided dollar amounts for Alternative 12. The range of prices for the alternative was wide. Two of the bidders proposed an increase and two provided a decrease of the overall bid amount. Burke bid determined by staff to be NONRESPONSIVE.

Based on review of bid results including City desired alternates, CTS was determined to be the lowest responsive bidder. (Staff recommends City Commission find Burke a NONRESPONSIVE bidder, due to omitting cost information for Alternate #12).

PURPOSE AND JUSTIFICATION

Construction of a new *Truman Waterfront Park Phase 1B – Building 1287 and Field* will provide field space, snack bar and restrooms for recreational use, storage for park maintenance equipment, and a facility to better care for mounted police horses.

This resolution supports Key West Strategic Plan Infrastructure Goal #3: *Parks and recreation areas are accessible to all residents and visitors*, Culture Goal #1: *The identification and promotion of the "unique" character and culture of Key West*, and Quality of Life Goal #5: *Improve the quality of life for all*.

FINANCIAL

The project lump sum construction cost of \$4,765,712.00 is funded from budget account 101-7201-572-6200 (Infrastructure Surtax/Parks and Recreation/Buildings), Project # IS4303 1801. Costs are to be spread over two budget years, with Notice to Proceed (NTP) 1 planned for FY19/20 and NTP 2 for FY20/21.

RECOMMENDATION

Staff recommends awarding a construction contract for ITB #19-026 *Truman Waterfront Park Phase 1B – Building 1287 and Field* to Charley Toppino & Sons, Inc. in the amount of \$4,765,712.00 and authorizing the City Manager to execute this agreement and any necessary budget transfers/amendments in the best interest of the city.