



## THE CITY OF KEY WEST

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### EXECUTIVE SUMMARY

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

**FROM:** Janet Muccino, Project Manager

**CC:** Doug Bradshaw, Senior Project Manager

**DATE:** March 7, 2012

**RE:** **Time Extension for DOT/LAP Sidewalk Enhancement Projects:  
Atlantic Blvd & College Rd.**

#### **ACTION STATEMENT:**

This resolution will authorize a time extension to April 30, 2012 to the contracts with Charley Toppino and Sons, Inc. (CTS) for DOT/ LAP Sidewalk Enhancement Projects at Atlantic Blvd & College Rd.

#### **BACKGROUND:**

These projects are funded by the Local Agency Program (LAP) 2009, commonly referred to as stimulus funding and administered through FDOT. Both projects have an FDOT expiration date of June 30, 2012.

The City's Atlantic Blvd construction contract with CTS expired on August 24, 2011 with substantial completion issued on August 24, 2011. College Rd contract with CTS expired November 19, 2011 with substantial completion issued on November 18, 2011.

In the past FDOT accepted the substantial completion date as the final completion date; however, in an audit with City staff on February 29, 2012 FDOT stated that the issuance of substantial completion for LAP projects before the contract expiration date will not qualify the City for final completion. In order to be eligible for reimbursement the City must extend the contract dates by resolution of the City Commission

#### **FINANCIAL IMPACT:**

Punchlist items for Atlantic Blvd were completed in February 2012 and for College Rd were completed in March 2012. Final payments for both projects have been issued.

MEMORANDUM

**PURPOSE AND JUSTIFICATION:**

These time extensions to the contracts with Charley Toppino and Sons, Inc. for Atlantic Blvd & College Rd. will allow the City to adhere to FDOT's final completion requirements and receive reimbursement.

**OPTIONS / ADVANTAGES / DISADVANTAGES:**

- 1.) Approve the time extension to extend the contracts with Charley Toppino and Sons, Inc. to April 30, 2012. This will allow the City to comply with FDOT final completion requirements.
  
- 2.) Do not approve the time extensions. The contract completion dates will remain as they currently are. A project with work performed beyond the contract expiration date is not acceptable to FDOT. Reimbursement will not be approved without a valid contract expiration date.

**RECOMMENDATION:**

Staff recommends that the City Commission select Option 1, approve the time extension to the contracts. The new contract completion dates will be April 30, 2012.