



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

MEMORANDUM

EXECUTIVE SUMMARY

TO: Community Redevelopment Agency

FROM: Karen Olson, Deputy Port & Marine Services Director

DATE: May 18, 2015

RE: **Awarding of the Key West Historic Seaport Common Area Enhancement Project – Phase I to D.L. Porter Constructors, Inc. In the amount of \$576,702.31.**

ACTION STATEMENT

Resolution approving low bidder, D.L. Porter Constructors Inc., for the Key West Historic Seaport (KWSH) Common Area Project – Phase I and authorize the City Manager to execute the contract in the amount of \$576,702.31.

BACKGROUND

The Common Area Enhancement plan was created as a multi-year plan, as approved by the Bight Board in 2010. In 2011 and 2012 portions of the enhancement plan which pertained to public area lighting and ADA ramps and stairs to connect the walkways as well as the complete re-decking of the docks and Harborwalk were completed throughout the Seaport. The plan has continued with lighting in plaza and parking areas, landscaping and parking modifications, curbing, and so forth.

The final phases of the plan extends throughout the Seaport from the Ferry Terminal to Greene St. and will complete the enhancement plan through connectivity of the surrounding neighborhoods. A task order was issued to William P. Horn, Architect (res. 13-158) for the design and implementation of the KWSH Common Area Enhancement Project to complete these final phases of the plan.

The Bight Board approved this item during their April 15, 2015 meeting.

PURPOSE AND JUSTIFICATION

The Historic Seaport issued ITB #15-004 for the construction of Phase I for the KWSH Common Area Enhancement Project. Bids were received on February 25, 2015 from four contractors.

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

D.L. Porter Constructors, Inc.
\$576,702.31

Mingo and Company, LLC
\$658,212.01

DN Higgins, Inc.
\$661,000.00

Charley Toppino & Sons, Inc.
\$680,363.90

Seaport staff contacted D.L. Porter to confirm their estimate, due to the large spread to the next lowest bidder, and allow them to withdraw their bid or hold their pricing. Gary A. Loer, President, D.L. Porter Constructors, Inc. is prepared to accept the contract for the amount their firm quoted.

As noted above contact was made with D.L. Porter. Even though the response from D.L. Porter was in writing the original contact was in an unwritten format which may represent a violation of City Ordinance Section 2-773 Cone of Silence. The telephone contact was made, post bid, with no discussion of pricing or contract negotiation.

OPTIONS

- Option #1** Approve the low bidder, D.L. Porter Constructors Inc., for the Key West Historic (KWHS) Common Area Project – Phase I and authorize the City Manager to execute the contract in the amount of \$576,702.31.
- Option #2** Do not approve the low bidder, D.L. Porter Constructors Inc., for the Key West Historic (KWHS) Common Area Project – Phase I and select alternate Bidder.
- Option #3** Reject all bids do to potential City Ordinance Section 2-773 Cone of Silence violation. Seaport staff will modify project scope and re-advertise project.

ADVANTAGES/ DISADVANTAGES

There appears to be no advantage or justification to deny contract award to D.L. Porter constructors, Inc., choose an alternated Bidder or reject all bids and re-advertise project with a modified scope.

FINANCIAL ISSUES

The Seaport budgeted for this project in account 405-7504-575-6300 KB1103. Upon approval, a purchase order will be issued to D.L. Porter Constructors Inc., in the amount of \$576,702.31.

RECOMMENDATION

Staff recommends option #1, Approve the low bidder, D.L. Porter Constructors Inc., for the Key West Historic (KWHS) Common Area Project – Phase I and authorize the City Manager to execute the contract in the amount of \$576,702.31.