



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager – Operations
Doug Bradshaw, Senior Project Manager

FROM: Karen Olson, Special Projects Designer

DATE: August 19, 2011

RE: Extending the contract days for Sidewalk Enhancements
Phase IV – Virginia Street Sidewalks and Applerouth Lane
Sidewalks

ACTION STATEMENT:

This resolution will authorize a one hundred twenty-eight (128) day extension to the contract with Charley Toppino and Sons, Inc. for Sidewalk Enhancements Phase IV – Virginia Street Sidewalks and Applerouth Lane Sidewalks. The original contract time was 360 days with a 200 day extension (Res. #11-035) for design/build with a contract completion date of August 24, 2011. The proposed contract completion date is December 31, 2011.

BACKGROUND:

The design and construction for this project will be reimbursed 100% through an FDOT Local Area Program (LAP) grant for design/construction. This grant is funded by the American Recovery and Reinvestment Act of 2009, commonly referred to as stimulus funding.

The American Recovery and Reinvestment Act (ARRA) of 2009 was signed by President Obama on February 17, 2009. The ARRA is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so that our country can thrive in the 21st century. This legislation will pay for needed transportation improvements while providing jobs and other economic benefits. The City has been actively seeking these funds to assist our local economy and to improve local infrastructure. We were able to obtain funding for thirteen Sidewalk Enhancement projects through this federal legislation.

PURPOSE AND JUSTIFICATION:

Determination of the ROW line along Virginia has been very difficult due to numerous discrepancies between City/County tax maps/plats and property

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

boundary surveys as well as a lack of property monumentation along the road corridor in this older section of Key West. Charley Toppino & Sons have been working closely with City staff in order to determine the best course of action on how to address these survey and possible encroachment issues. A survey for Virginia has been completed and is in the process of being reviewed by the area residents and the design is moving forward. However, the difficulty and the amount of time it took to create the survey could not have been foreseen.

Applerouth Lane review responses were submitted to FDOT on July 5, 2011 and we still have not received approval. We have recently learned that the FDOT LAP coordinator for our projects has been reassigned. This has placed some uncertainty to the review/approval process duration.

Per the attached contract time extension request from Charley Toppino and Sons, dated August 19, 2011, the new contract completion date would be December 31, 2011.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. Approve the one hundred twenty-eight (128) day contract time extension due to unexpected survey and review issues. The new contract completion date will be December 31, 2011.
2. Do not approve the one hundred twenty-eight (128) day contract time extension. The contract completion date will remain as August 24, 2011 and liquidated damages of \$580.00 per day will be imposed for Virginia Street and \$313.00 per day will be imposed for Applerouth Lane.

FINANCIAL IMPACT:

There are no financial impacts.

RECOMMENDATION:

1. Staff recommends that the City Commission select option 1, approve the one hundred twenty-eight (128) day contract time extension due to unexpected survey and review issues. The new contract completion date will be December 31, 2011.