



THE CITY OF KEY WEST

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

MEMORANDUM

EXECUTIVE SUMMARY

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

FROM: Jay Gewin, Utilities Manager

DATE: September 14, 2011

RE: **Approval and Authorization to Execute Modification Number Three to Contract No. 09HM-37-11-54-02-030 with the Florida Division of Emergency Management to Extend the Term of the George Street Stormwater Pump Assisted Outfall Project Phase I Agreement to November 30, 2011**

ACTION STATEMENT:

This resolution will approve Modification Number Three to extend the term of Phase I Agreement for the design of the George Street Stormwater Pump Assisted Outfall Project (Contract number 09HM-37-11-54-02-030) to November 30, 2011.

BACKGROUND:

The City entered into a grant agreement with the State of Florida Division of Emergency Management/FEMA on February 18, 2009 (Resolution 09-006) for the design of a pump assisted stormwater system at George St./1st Street.

The Phase I period of agreement began on June 24, 2008 and ended July 28, 2009. The agreement amount was \$235,000 (including \$7,240 in administrative costs) with a City match of \$84,240.

Modification Number One (Resolution 09-195, August 4, 2009) reinstated the agreement and extended the period of agreement to January 25, 2010.

CH2M Hill, the consultant designing the pump-assisted stormwater system (Task Order 2-09-STM, Resolution 09-082, April 7, 2009), completed the design on schedule and all deliverables were submitted to FDEM by the January 25, 2010 due date.

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

Modification Number Two (Resolution 11-213, July 19, 2011) reinstated the agreement and extended the period of agreement to August 30, 2011. In addition, Federal Funds were increased by \$6,240.00 for a total of \$234,000.00 in Federal Funds. The main purpose of Modification Number Two was to allow time to redesign the outfall piping that is necessary to accommodate design changes to the Horace O'Bryant Middle School project.

PURPOSE AND JUSTIFICATION

Additional time is needed to complete the redesign of the outfall piping for the George Street Stormwater Pump Assisted Outfall Project. The original route designed and permitted for the outfall pipeline on the project would cross a field through a proposed easement at Horace O'Bryant Middle School, and traverse between the Middle School and Key West Police Station before emptying into the stormwater retention pond at Jose Marti Blvd. However, this planned pipeline route was rendered unfeasible after site plan changes were implemented to the Horace O'Bryant Middle School construction project. The site plan changes included expanding the footprint of some buildings, such that there was no longer enough room to construct and maintain a pipeline at this location.

Along with Modification Number Three to extend the grant period of agreement to November 30, 2011, Task Order # 11-11-STM from CH2M Hill is also going before the City Commission for approval. Approval of the task order will allow CH2M Hill to perform the necessary work to complete the outfall piping redesign as well as permitting and bid phase services. In order to meet the new deadline of November 30, 2011, both the grant time extension and Task Order # 11-11-STM would need to be approved by the City Commission.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. The City Commission can approve and authorize the execution of Modification Number Three. This will allow the period of agreement to be extended so that the project can be re-designed. A re-design is necessary for the project to be completed.
2. The City Commission can reject Modification Number Three. With this option, the Phase I period of agreement will not be extended leaving no valid grant agreement in place for the time needed to redesign the project leaving the City unable to meet the deliverables on time as described in the "2nd Revised Attachment A" (included with Modification Number Three).

FINANCIAL IMPACT:

No financial impacts are associated with the time extension in Modification Number Three.

RECOMMENDATION:

Staff recommends that the City Commission select option 1, approving Modification Number Three to extend the Phase I period of agreement to November 30, 2011.

JG/cds