



## THE CITY OF KEY WEST

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### EXECUTIVE SUMMARY

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

**FROM:** Karen Olson, Special Projects Designer

**DATE:** July 18, 2011

**RE:** **Extending the contract days for Sidewalk Enhancements  
Phase VII – Leon Street Sidewalks**

**ACTION STATEMENT:**

This resolution will authorize a one-hundred-nine (109) day extension to the contract with Charley Toppino and Sons, Inc. for Sidewalk Enhancements Phase VII – Leon Street Sidewalks. The original contract time was 360 days with a 200 day extension (Res. 11-053) for design/build with a contract completion date of September 13, 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 21<sup>st</sup> 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:**

There have been substantial design changes to this project due to recent public input. The consultant is making good progress and the redesign is currently at 90%. Once we reach 100% documents there will be an FDOT review/approval

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

process which takes on average four weeks to complete. This will leave little time for the construction phase of this project.

Per the attached contract time extension request from Charley Toppino and Sons, dated July 14, 2011, the new contract completion date would be December 31, 2011.

**OPTIONS / ADVANTAGES / DISADVANTAGES:**

1. Approve the one-hundred-nine (109) day contract time extension due to substantial design changes. The new contract completion date will be December 31, 2011.
2. Do not approve the one-hundred-nine (109) day contract time extension. The contract completion date will remain as September 13, 2011 and liquidated damages of \$580.00 per day will be imposed.

**FINANCIAL IMPACT:**

There are no financial impacts.

**RECOMMENDATION:**

1. Staff recommends that the City Commission select option 1, approve the one-hundred-nine (109) day contract time extension due to substantial design changes. The new contract completion date will be December 31, 2011.