

RESOLUTION NO. 20-043

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY CHANGE ORDER TITLED "PROPOSAL FOR ADDITIONAL SITE ASSESSMENT 5224 COLLEGE ROAD, FORMER MOSQUITO CONTROL FACILITY" BETWEEN TETRA TECH, INC. AND THE CITY OF KEY WEST", IN A TOTAL AMOUNT NOT TO EXCEED \$28,472.00, PURSUANT TO SECTION 2-845 OF THE CODE OF ORDINANCES AND SECTION 2-797(4) (b) OF THE CODE OF ORDINANCES, BEST INTERESTS OF THE CITY; APPROVING ANY NECESSARY BUDGET ADJUSTMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 18-126, the City Commission directed staff to expedite the development of affordable workforce housing at 5220, 5224, 5228 and 5230 College Road; and

WHEREAS, in Resolution No. 14-359, the City Commission approved a three-year Environmental Engineering Services contract with Tetra Tech, Inc. and in Resolution 17-299 the contract was extended for an additional two years; and

WHEREAS, Tetra Tech has provided services to the City in the past at reasonable cost, and can complete the project within the very restricted time frame for completion of necessary pre-construction remediation; and

WHEREAS, a task order was approved by City staff in an amount under \$50,000.00 for Tetra Tech to perform certain tasks related to Phase II Environmental Reporting on pesticide contamination of certain areas of the former Mosquito Control property, and in the course of completing those tasks, it was determined that the contamination plume was larger than originally estimated, and that additional assessments, including samples, are necessary at additional cost, to plan remediation before construction of the affordable housing project can begin; and

WHEREAS, the expenditure for these additional tasks will exceed five cumulative percent of the contract price specified in Section 2-845(a) of the Code of Ordinances, and will bring the total project cost above the \$50,000.00 purchasing threshold specified in Section 2-771 of the Code of Ordinances, requiring City Commission approval. City staff recommends approval of the work order for additional services, pursuant to code of ordinances section 2-797(4), best interests of the City.

WHEREAS, the City Manager acted without delay, using emergency powers authorized under Section 2-845 of the City's Code of Ordinances, to authorize and procure the necessary change order to provide additional services to complete site

assessment for certain pesticides at the Mosquito Control location; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Task Order titled "Proposal for Additional Site Assessment - 5224 College Road, Former Mosquito Control Facility" between Tetra-Tech, Inc. and the City of Key West is hereby ratified as an emergency procurement pursuant to section 2-845 of the Code of Ordinances, and in the best interests of the City, pursuant to section 2-797(4)(b) of the Code of Ordinances, in an amount not to exceed \$28,472.00.

Section 2: That this expenditure will be paid from budget account fund 104 Affordable Housing/Housing Admin/Repair and Maintenance Account #104-5401-554-4600, and any necessary budget adjustments are approved.

Section 3: That the City Manager is authorized to execute any necessary documents for this project, upon consent of the City Attorney.

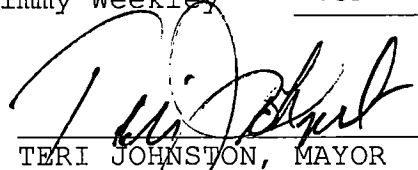
Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

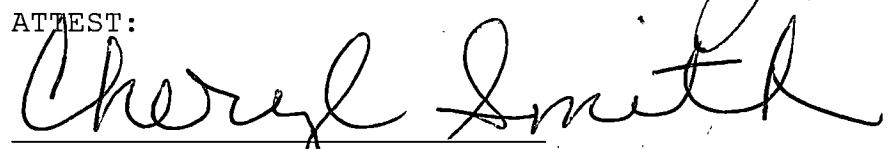
Passed and adopted by the City Commission at a meeting held this 19th day of February, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on 20th day of February, 2020.

Filed with the Clerk on February 20, 2020.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>


TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK