



## MEMORANDUM

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**Date:** June 9, 2023

**To:** Albert P. Childress, City Manager

**From:** Kelly Crowe, P.E.  
Utilities Director

**Subject:** **Purchase Exemption: 2-797(2) Emergency Procurement, Simonton Gate Valve**

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### **Introduction**

The plug valve that controls the emergency stormwater outfall at the Simonton Street pump station requires immediate replacement. Staff has received a task order in the amount of \$361,040.78 from Charley Toppino and Sons, Inc. (CTS) for the replacement of the valve. Staff recommends approving the task order through Section 2-797(2), Emergency Procurement with respect to the urgency of the replacement.

### **Background**

The Simonton Street pump station at the north end of the island is a critical stormwater pump station that serves a significant portion of the northeast portion of old town. Stormwater is normally discharged through the pump station into discharge wells. The pump station has an emergency outfall that is controlled by a 36" plug valve (valve). The valve is normally closed but is opened during periods of heavy rainfall to help alleviate potential flooding.

The City's stormwater operations and maintenance contractor, OMI, reported difficulty in closing the valve. After their investigation, OMI conferred with City staff, and it appears that the valve cannot be repaired in place. The valve needs to be replaced completely. Staff coordinated with CTS for a task order and upon review and subsequent revisions, a cost of \$361,040.78 was determined to be reasonable.

Per regulation through the Florida Department of Environmental Protection (FDEP), the valve must be closed and can only be used if flooding is determined to be imminent. The outfall is a critical piece of infrastructure. Currently, the valve is half open and can convey excess flow if needed.

### **Procurement**

The cost of the task order exceeds the \$50,000 threshold for City Manager authorization; however, since the replacement is time sensitive, staff recommends authorizing a purchase exception per City of Key

West Municipal Code Section 2 -797(2), Emergency Procurement which allows the City Manager to approve a task order in excess of \$50,000. Per Section 2-797(2), the approval will be ratified at the next City Commission meeting on July 13, 2023.

CTS will be performing the work from the General Utilities Contract authorized per Resolution 21-125. There is \$150,000 in account # 402-3803-538-4600, Repair and Replacement (R&R Construction). An additional \$211,040.78 will need to be transferred from the following sources into account 402-3803-538-4600:

Account #	Funding Type	Amount Available	Transfer
402-3803-538-4600	R&R Construction	<b>\$150,000</b>	
402-3802-538-4600	R&R Renewal and Replacement	\$50,000	\$50,000.00
402-3802-538-6500	Construction (South Street)	\$300,000	\$100,000.00
402-3801-538-9900	Reserves (Other Uses)	\$662,061	\$61,040.78
Totals			<b>\$211,040.78</b>

**Recommendation**

Staff recommends the City Manager to approve an emergency task order in the amount of \$361,040.78 to Charley Toppino & Sons, Inc. in accordance with Section 2-797(2) of the Code of Ordinances and authorize any necessary budget transfers.

  
 Albert P. Childress, City Manager
 

 June 13 2023  
 Date

