

**RESOLUTION NO. 25-\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING CHANGE ORDERS 6 AND 7 TO THE CONSTRUCTION CONTRACT WITH LPS CONTRACTING, INC. FOR THE SPENCER'S BOATYARD SEAWALL REPLACEMENT PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY BUDGET TRANSFERS AND AMENDMENTS UPON CONSENT OF THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Key West awarded a construction contract to LPS Contracting, Inc. for the replacement of the seawall at Spencer's Boatyard, located at 701 Palm Avenue, in September 2024, in the amount of \$1,986,444.00; and

WHEREAS, during the course of construction, unforeseen conditions were encountered, including the discovery of contaminated soils requiring remediation to prevent groundwater contamination and ensure structurally sound fill; and

WHEREAS, Change Order 6, totaling \$45,782.71, addresses the necessary remediation measures for the contaminated soils; and

WHEREAS, Change Order 7 includes adjustments to the concrete control joints and the installation of larger dock cleats, with a total adjustment amount of \$8,909.46, after accounting for a deduction of \$2,292.36 for omitted structural steel due to design changes; and

WHEREAS, the total amount for Change Orders 6 and 7 is \$54,692.17, which exceeds the fifty thousand dollars or five

percent threshold of the project as stated in municipal code 2-849, necessitating approval by the City Commission; and

WHEREAS, a transfer from Infrastructure Reserves, account number 101-1900-519-9803, to Infrastructure account number 101-1900-519-6300, Project Number IS19002301, in the amount of \$55,000.00, is required to fund these change orders;

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

Section 1: The City Commission hereby approves Change Orders 6 and 7 to the construction contract with LPS Contracting, Inc. for the Spencer's Boatyard Seawall Replacement Project in the total amount of \$54,692.17.

Section 2: The City Manager is authorized to execute any necessary budget transfers and amendments, upon the consent of the City Attorney, to facilitate the funding of these change orders.

Section 3: 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 \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Filed with the Clerk on \_\_\_\_\_, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Donald "Donie" Lee	_____

\_\_\_\_\_  
DANISE HENRIQUEZ, MAYOR

ATTEST:

\_\_\_\_\_  
KERI O'BRIEN, CITY CLERK