

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF CHARLEY TOPPINO AND SONS, INC. FOR RIGHT OF WAY IMPROVEMENTS CONTRACT, IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 15-006, IN AN AMOUNT NOT TO EXCEED \$1,323,132.00; APPROVING A PROJECT ALLOCATION OF \$76,868.00 FOR UNFORESEEN CONDITIONS; AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE AND UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on March 11, 2015 two bids were opened in response to ITB #15-006, for Right-of-Way Improvements 2015, and the bids were determined to be responsive; and

WHEREAS, pursuant to section 2-798 (b) (1), when a responsive, responsible nonlocal business submits the lowest price bid, and the bid submitted by a responsive, responsible local business is within five percent of the price submitted by the nonlocal business, the local business with the apparent lowest bid offer may have the opportunity to submit an offer to match the price offered by the lowest nonlocal bidder within three days of a notice of intent to award; and

WHEREAS, the bid submitted by Charley Toppino and Sons, Inc., was within five percent of the lowest bid submitted by a nonlocal business; and

WHEREAS, pursuant to section 2-798(b)(1) Charley Toppino and Sons, Inc., the lowest local bidder, submitted a bid that matches the lowest bid from the lowest nonlocal bidder, within three working days of a notice of intent to award.

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

Section 1: That the bid of Charley Toppino and Sons, Inc. for the Right-of-Way Improvements Project in accordance with the terms specified in ITB #15-006 is hereby awarded in an amount not to exceed \$1,323,132.00.

Section 2: That a project allocation of \$76,868.00 is approved for unforeseen conditions.

Section 3: That the City Manager is authorized to execute a contract in substantial conformance with the contract documents contained within the bid package on behalf of the City of Key West, upon the advice and 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 \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Filed with the Clerk on \_\_\_\_\_, 2015.

|                            |       |
|----------------------------|-------|
| Mayor Craig Cates          | _____ |
| Vice Mayor Mark Rossi      | _____ |
| Commissioner Teri Johnston | _____ |
| Commissioner Clayton Lopez | _____ |
| Commissioner Billy Wardlow | _____ |
| Commissioner Jimmy Weekley | _____ |
| Commissioner Tony Yaniz    | _____ |

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK