

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 2016 CONTRACT, IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 014-16, INCLUDING UNIT PRICING (AN AMOUNT NOT TO EXCEED BUDGETED FUNDS OF \$1,314,403.00); 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 May 4, 2016 two bids were opened in response to ITB #014-16, for Right-of-Way Improvements 2016, and the bids were determined to be responsive; and

WHEREAS, both bids exceeded total budgeted funds available, however, paragraph 13 in the Instructions to Bidders specifies "If at the time this Contract is to be awarded, the total of the lowest acceptable bid exceeds the funds then estimated by the City as available, the City may reject all Bids or take such other actions as best serves the interest of the City;" and

WHEREAS, Specification Section 01020, Summary of Work, Paragraph 1.7 further provides the City the right to add or delete locations; and

WHEREAS, City staff recommends award of bid, with the knowledge that work will be performed on a unit price basis in accordance with the Unit Price Schedule of Values included in Toppino's bid proposal, and that individual work orders will be issued by City staff and approved by the City Manager for the selected project locations.

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 the FY 15-16 budgeted amount of \$1,314,403.00.

Section 2: 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 3: 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 \_\_\_\_\_, 2016.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Filed with the Clerk on \_\_\_\_\_, 2016.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Sam Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

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

ATTEST:

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