

RESOLUTION NO. 21-060

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A SOLE SOURCE PURCHASING EXCEPTION, PURSUANT TO KEY WEST CODE OF ORDINANCES SEC. 2-843(a) AND 2-844(a) (BRAND NAME), AND 2-797(1)(c) (SOLE SOURCE), FOR THE PROCUREMENT OF NINETEEN (19) 10-FOOT FINGER PIER EXTENSIONS FOR TARPON PIER AT CITY MARINA AT GARRISON BIGHT FROM CMI LIMITED CO. (GATOR DOCK) IN A TOTAL AMOUNT NOT TO EXCEED \$74,160.00; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Section 2-796 of the Code of Ordinances requires competitive bidding for purchases or services in excess of \$50,000.00; and

WHEREAS, Key West Code of Ordinances section 2-797(1) permits the purchase of goods and services without competition on a sole source basis under certain specified conditions; and

WHEREAS, the purchase of Gator Dock 10-foot finger pier extensions pursuant to the brand name specifications provisions of Key West Code of Ordinances section 2-843 and 2-844 is permitted and recommended to ensure structural continuity at Tarpon Pier, which was constructed from Gator Dock; and

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

Section 1: That the expenditure of funds not to exceed \$74,160,99, to CMI Limited Co. (Gator Dock) is hereby approved on a sole source basis pursuant to Key West Code of Ordinances

sections 2-797(1) (c), 2-843(a)(4) and 2-844(a), for purchase of nineteen (19) 10-foot long finger pier extensions for Tarpon Pier.

Section 2: That funds for this purchase are budgeted in FY 21 Infrastructure Fund account # 413-7551-575-6300 (Project No. GB75512003).

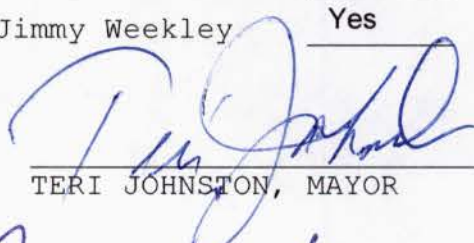
Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 13th day of April, 2021.

Authenticated by the Presiding Officer and Clerk of the Commission on 15th day of April, 2021.

Filed with the Clerk on April 15, 2021.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Ye</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

660



THE CITY OF KEY WEST  
201 William Street Key West, FL 33040 (305) 809-3790

**EXECUTIVE SUMMARY**

**EXECUTIVE SUMMARY**

**TO:** Gregory Veliz, City Manager

**FROM:** Karen Olson, Deputy Port and Marine Services Director

**Cc:** Patti McLauchlin, Assistant City Manager  
Doug Bradshaw, Port & Marina Services Director  
Mark Finigan, Finance Director

**DATE:** March 31, 2021

**SUBJECT:** Purchase of Tarpon finger Pier Extensions

**ACTION STATEMENT**

Approving the sole source procurement of (19) 10' long finger pier extensions for Tarpon Pier at City Marina at Garrison Bight from CMI Limited (Gator Dock) in the amount of \$74,160 per Key West City Ordinance Sections 2-797(1)(c), 2-843(a)(4) and 2-844(a).

**BACKGROUND**

In 2013 Tarpon Pier was the first of the five liveaboard fixed docks to be removed and replaced with a floating dock system (Gator Dock). The pier's slips are occupied by a mixture of floating structures and vessels averaging 40+ feet in length. Tarpon Pier was designed utilizing twenty-five-foot finger piers allowing tenants safer structure/ vessel access and providing a more secure tie-off, side anchor point. The old fixed pier only provided for access and tie-off from the bow or stern. Since then, the remaining three fixed liveaboard docks have been replaced with floating docks utilizing thirty-five-foot finger piers. It has become apparent that Tarpon Pier should have had thirty-five-foot finger piers installed to better accommodate the liveaboard tenants' structures/ vessels.

**PURPOSE AND JUSTIFICATION**

Many structures/ vessels on Tarpon Pier overextend the finger piers to the point the waterside tie-off is not as secure in high winds and could cause the structure/ vessel to break loose causing damage to itself, neighboring structures/ vessels or the dock overall. This scenario occurred in 2017 during

*Key to the Caribbean - Average yearly temperature 77° F.*

Hurricane Irma causing damage to the main dock and some finger piers. Extending the existing twenty-five-foot finger piers to thirty-five-feet will help alleviate these issues substantially providing for a more balanced waterside tie point.

The existing Tarpon Pier is a Gator Dock floating structure with finger piers. Staff is requesting the sole source procurement for the finger pier extensions to be designed and manufactured by the original supplier to assure compatibility and structural continuity with the existing structure. Gator Dock is a wholly owned subsidiary of CMI Limited.

A future ITB will be advertised for the installation of the finger pier extensions, re-using existing roller assemblies and pipe piles. Staff is waiting on the final Environmental Resource Permit which is anticipated by mid-April.

**FINANCIAL ISSUES**

This project has been budgeted in the Infrastructure Fund account #413-7551-575-6300 (GB75512003).

**RECOMMENDATION**

Staff recommends approving the sole source procurement of (19) 10' long finger pier extensions for Tarpon Pier at City Marina at Garrison Bight from CMI Limited (Gator Dock) in the amount of \$74,160 per Key West City Ordinance Sections 2-797(1)(c), 2-843(a)(4) and 2-844(a).



605 Molly Lane, Suite 150  
Woodstock, GA 30189  
770-933-8166 Fax 770-933-8363

## SALES QUOTATION & ORDER FORM

**DOCKS - PIERS  
GANGWAYS  
BRIDGES &  
Rail**

PAGE: Page 1 of 2  
QUOTE NUMBER: 101785  
QUOTE DATE: 3/9/2021  
PO# OR JOB NAME:  
CUSTOMER: City of Key West - Port Operations

**Bill To:** City of Key West - Port Operations  
1801 N. Roosevelt Blvd.  
Key West, FL 33040

**Ship To:** City of Key West - Port Operations  
Tarpon Pier  
1801 N. Roosevelt Blvd.  
Key West, FL 33040  
Key West, FL 33040  
FAX NO.: 305-293-6477  
CELL PHONE: () -  
PAGER:

**CONTACT NAME:** Karen Olson  
**OFFICE PHONE:** 305-809-3981

<b>CUSTOMER NO.</b> 20027	<b>SALESPERSON NAME</b> Matthew (Matt) Kress	<b>Terms:</b> Pre-Pay	<b>TERMS STRICTLY ENFORCED</b> 1 1/2% DELINQUENCY CHARGES		
<b>Taxing Authority</b>		<b>Tax Exempt No:</b> 85-5012621608C-5			
<b>QTY ORDERED</b>	<b>ITEM</b>	<b>Tax</b>	<b>Type</b>	<b>UM</b>	<b>UNIT PRICE EXTENDED PRICE</b>
19	Fltg Dock-IPE-Poly - 4 x 10' Finger Extensions, 2 x 10 P.T. Pine Fener w/Vinyl "D" Bumper, Bolted Connection	Y	SPA	EA	3,690.00 \$70,110.00
1	Engineering Services	N	INV	EA	1,500.00 \$1,500.00
1	Freight & Handling	Y	INV	EA	2,550.00 \$2,550.00
<b>Shipping Instructions:</b>		Standard lead time is 61 days from acceptance and entry of order by CMI or final drawings approval. (Above lead time is for initial shipment)			<b>Subtotal</b> \$74,160.00 <b>Sales Tax</b> 0.00 <b>Total</b> \$74,160.00

Buyer is solely responsible for determining the effectiveness, suitability, and safety of any particular use or application of the product. Buyer is responsible for providing Seller with the product design and engineering specifications and criteria. Seller is not responsible for the installation of the product and is not responsible for delivery delays, installation rates, or any consequential damages. Any claims are governed by the applicable expressed Limited Warranty for each specific product. Seller provided Shop drawings of custom products are for fabrication approval only.

Seller complies with State and Federal material supply notification requirements on Projects.  
Sales Tax Exemption Certificates must be provided at the time of order if applicable.  
Attached Terms and Conditions of Sale are an integral part of this Sales Quotation and Order Form

I understand that upon signing, this SALES QUOTATION becomes my ORDER and is a binding contract once it has been accepted by CMI in Atlanta.

X \_\_\_\_\_  
Authorized Customer Signature      Date      Customer PO#      Sales Manager Signature      Date



**GatorDock & Marine**



**Mantle Industries**



605 Molly Lane, Suite 150  
Woodstock, GA 30189  
770-933-8166 Fax 770-933-8363

**SALES QUOTATION & ORDER FORM**

**DOCKS - PIERS  
GANGWAYS  
BRIDGES &  
Rail**

**PAGE:** Page 2 of 2  
**QUOTE NUMBER:** 101785  
**QUOTE DATE:** 3/9/2021  
**PO# OR JOB NAME:**  
**CUSTOMER:** City of Key West - Port Ope

**TERMS and CONDITIONS of SALE**

**Product Design:** Seller is responsible for designing the product in accordance with the specifications provided by the Buyer. Seller does not perform project site inspection and testing to determine product selection or criteria and therefore does not assume any Fit for Use responsibilities belonging to buyer's engineers and managers.

- 1. Quoted Prices:** are valid for 30 Days unless specifically extended in writing by Seller.
- 2. Change Requests :** must be in writing and acknowledged by the Seller. Additional charges may apply.
- 3. Drawings:** Product design drawings will be provided for final customer approval. Customer signature is required in order to begin fabrication. Changes by Buyer requiring additional charges will require approval before proceeding to fabrication.
- 4. Sales Taxes :** for States other than AL, CA, CO, FL, GA, IL, KY, LA, MD, MI, MS, NC, NE, NJ, NY, OH, OK, PA, SC, TN, TX, VA and WA are the Buyer's sole responsibility to file and pay to appropriate agencies.
- 5. Tax Exempt Projects:** An EXEMPTION CERTIFICATE is required at the time of order .
- 6. Shipping Charges:** Seller will select method of shipment and routing unless specified by Buyer  
Freight charges quoted are exclusive of any special access fees or costs or any unloading costs unless specifically noted on the quotation. Buyer will be billed for any additional charges.
- 7. Freight Claims:** Buyer is responsible for the unloading and inspecting all products and materials upon arrival. A driver signature evidencing damages or shortage is required to file a claim with carrier.
- 8. Credit Card Payments:** A 3% fee will be added when payment is made by credit card
- 9. Late Payment Charges:** Late payments are subject to a 1.5% per month delinquency charge.
- 10. Purchase Orders:** Any Buyer Terms or Conditions must be submitted for Seller approval.
- 11. Cancelled Orders:** Cancellation Charges will be based on all costs incurred by Seller.
- 13. Storage Charges :** Charges will apply on Orders held up by the customer from shipment.
- 14. Applicable Law:** This transaction shall be governed by the laws of the State of Georgia.

**Deposits / Progress Payment for ALL custom fabricated structures**

- 20% Deposit Required to begin design process.
- 40% Progress Payment Required to commence fabrication
- 40% Prior to shipment (unless credit has been approved prior to order placement)

**CMI is not responsible for site preparation, the foundation nor the installation of the bridge and therefore cannot make recommendations, nor engineer or design any connection apparatus or system.**

All Terms, Conditions and Information contained in Proposals and Submittal Packages and on Drawings are hereby incorporated as an integral part of this quotation

**Acceptance:** I agree to the above terms and conditions of this contract and the prices stated herein.



**GatorDock & Marine**



**Mantle Industries**

## Karen Olson

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**From:** Nick Bonatucci <nbonatucci@cmilc.com>  
**Sent:** Monday, April 5, 2021 4:11 PM  
**To:** Karen Olson  
**Subject:** Gator Dock & Bridge

Hi Karen,

Just wanted to confirm our conversation today. Gator Dock is a wholly owned subsidiary of CMI Limited. CMI owns a sheet piling manufacturing plant in Ball Ground, GA, an aluminum fabrication plant in Blaine, WA, and our Gator aluminum fabrication plant in Sanford, FL. At our Gator facility we manufacture bridges, docks, gangways and rails under the brand names – GatorDock, GatorBridge, and GatorAccess.

Nicholas Bonatucci  
Director of Sales – Aluminum Fabrication  
CMI Limited Co.  
Cell: 678-435-4118  
[www.cmilc.com](http://www.cmilc.com)



**THE CITY OF KEY WEST**

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

MEMORANDUM

**To: Gregory Veliz, City Manager  
Mark Finigan, Finance Director**

**From: Karen Olson, Deputy Director Port & Marine Services**

**Date: April 8, 2021**

**Reference: Purchase of Gator Docks for Tarpon Pier**



Pursuant to purchasing Code 2-844 relating to Brand Name Specifications, "Since use of a brand name specification is restrictive of product competition, it may be used only when the Purchasing Agent makes a written determination that only the identified brand name item will satisfy the City's needs."

Additionally, "The Purchasing Agent shall seek to identify sources from which the designated brand name item can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under the sole source procurement provisions of section 2-797".

The existing Tarpon Pier is a Gator Dock floating structure with finger piers. The sole source procurement for the finger pier extensions to be designed and manufactured by the original supplier is to assure compatibility and structural continuity with the existing structure.

Purchasing Code 2-797 (1) b. states, "A contract may be awarded without competition when the department head makes a written determination and the purchasing agent verifies that, after conducting a good faith review of available sources, there is only one source for the required commodity or contractual service."

After a good faith review this confirms that Gator Dock, a wholly owned subsidiary of CMI Limited is the sole source for this purchase.

	<u>4-8-21</u>
Karen Olson Deputy Director	Date
	<u>4/8/21</u>
Approved by David Sermak Purchasing Agent	Date

*Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.*