

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST (CITY) RATIFYING AN EMERGENCY TRANSFER OF FUNDS AND THE CITY MANAGER'S APPROVAL OF A TASK ORDER UNDER THE CITY'S RIGHT OF WAY IMPROVEMENTS CONTRACT WITH CHARLEY TOPPINO & SONS, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$279,336.08 FOR ASPHALT PAVING AND PAVEMENT MARKINGS ON PETRONIA STREET FROM DUVAL STREET TO FORT STREET; RATIFYING ANY NECESSARY BUDGET TRANSFERS AND AMENDMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, in Resolution 22-289, the City Commission awarded ITB #22-010 for Right of Way Improvements Contract, to provide paving services and sidewalk improvements, along City rights-of-way to Charley Toppino & Sons, Inc.; and

WHEREAS, City staff finds that the condition of the roadway on Petronia Street between Duval Street and Fort Street is in need of time-critical repair/rehabilitation to ensure the safety of residents as well as the anticipated crowds of visitors during the Goombay Festival in October of this year; and

WHEREAS, the City Manager acted without delay, using emergency powers authorized under Section 2-797(2) of the City's Code of Ordinances, to authorize and procure the necessary transfer of funds and approve a task order to ensure prompt rehabilitation of Petronia Street; and

WHEREAS, City staff recommends reallocating \$279,336.08 budgeted for patching roadways in Infrastructure Surtax/Parks and Recreation/Infrastructure account 101-8201-572-63 in FY 2023, to Internal Improvements/Streets/Infrastructure account 102-4102-541-6300/Project II41022302 to fund the Petronia Street project; and

WHEREAS, Section 2-797(2) of the City's Code of Ordinances requires the City Commission to ratify such emergency purchases at its next scheduled meeting.

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

Section 1: That the attached emergency task order in the amount of \$279,336.08 under the contract awarded to Charley Toppino and Sons, Inc. (ITB 22-010) in Resolution 22-010, issued pursuant to section 2-797(2) of the Code of Ordinances,

for Petronia Street Paving and Pavement Markings project is hereby approved.

Section 2: That a transfer of funds in the amount of \$279,336.08 from Infrastructure Surtax/Parks and Recreation/Infrastructure account 101-8201-572-63 to Internal Improvements/Streets/Infrastructure account 102-4102-541-6300/Project II41022302 to fund the high-priority Petronia Street Task Order is hereby ratified and approved. Any additional necessary budget transfers or adjustments are hereby authorized.

Section 3: That the City Manager is authorized to execute documents related to this Task Order, 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 \_\_\_\_\_, 2023.

Authenticated by the Presiding Officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Filed with the Clerk on \_\_\_\_\_, 2023.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

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TERI JOHNSTON, MAYOR

ATTEST:

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KERI O'BRIEN, CITY CLERK