



THE CITY OF KEY WEST

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

EMERGENCY PROCUREMENT MEMORANDUM

DATE: December 12, 2025

TO: Brian L. Barroso, City Manager

FROM: Matt Willman, Utilities Director

CC: Christina Bervaldi, Finance Director

SUBJECT: **Declaration of Emergency Procurement in Excess of \$50,000.00 for Material and Labor Costs to Repair the Sanitary Sewer Force Main on North Roosevelt Boulevard that was damaged by the Florida Department of Transportation Contractor, in the Amount of \$78,453.32, from Charley Toppino & Sons, Inc.; and Approval of Budget Transfer Within the Sewer Fund; With Ratification of the Emergency Procurement and Budget Transfer to Occur at the January 6, 2026, City Commission Meeting.**

Action Statement:

Approve the task order proposal from Charley Toppino & Sons, Inc., in the amount of \$78,453.32, pursuant to The City of Key West Code of Ordinances, Section 2-797(2) for emergency procurement, and in accordance with Resolution 24-134 that renewed the general utilities and infrastructure services contract agreement with Charley Toppino & Sons, Inc.; and approve a budget transfer within the sewer fund, in the amount of \$116,733.32 that includes \$38,280.00 for labor costs, bacteriological testing of nearshore waters, and Florida Department of Environmental Protection penalty for the spilled sewage, in addition to the task order proposal cost of \$78,453.32.

Background:

In 2014, the 24" PVC sanitary sewer force main was installed beneath the inbound lane of North Roosevelt Boulevard and Truman Avenue, from Glynn R. Archer, Jr. Drive (14th Street) to Georgia Avenue, in accordance with City Commission Resolution 10-355 that approved a Joint Participation Agreement with the Florida Department of Transportation (FDOT) for Utility Work by Highway Contractor Agreement.

On October 14, 2025, in the evening, the FDOT's contractor hit the 24" PVC sanitary sewer force main and caused approximately 40,000 gallons of wastewater to flow into the nearshore waters at Ibis Bay Resort, 3101 North Roosevelt Boulevard.

City of Key West Police Department responded to the spill location to prevent the construction crew from getting hit by vehicles traveling towards the area and instructed communications to contact Jacobs/OMI, who immediately responded and began the process to shut down pump stations and isolate the force main.

Key to the Caribbean – Average yearly temperature 77° F.

Charley Toppino & Sons, Inc., was procured to make emergency repairs to the 24" PVC sanitary sewer force main, in accordance with City Commission Resolution 24-134, renewal of the General Utilities and Infrastructure Services Contract Agreement, in response to Invitation to Bid No. 21-007. Amount of the task order proposal is \$78,453.32. Work included equipment, materials, and labor necessary to excavate and replace the damaged pipeline, backfill and compact the roadway, in accordance with FDOT standards, and lay the asphalt patch over the work area.

A budget transfer from 4013501 5359900 Other Uses to 4013503 5354600 renewal and replacement, repairs and maintenance will be necessary.

Purpose and Justification:

City of Key West Code of Ordinances, Sec. 2-797(2), empowers the city manager to authorize contractual services, where the cost exceeds \$50,000.00 and when there exists a threat to public health, property, welfare, safety or substantial loss to the city. The directional drilling activities by the FDOT contractor damaged the force main and caused a substantial spill of wastewater onto the roadway and into the nearshore waters, exposing the public to sanitary sewer wastewater that contains pathogens with the potential to make people and animals sick.

The city is required to safeguard public health, as a requirement of the State of Florida Domestic Wastewater Facility Permit, FLA147222. Repair of the damaged force main was necessary.

A record of this emergency procurement, the contractor's name, amount of contract services, and the budget transfer will be presented for ratification at the City Commission meeting, on January 6, 2026.

Pursuant to Sections 2-739(b), the city manager may effect transfers within a fund without limit, provided that the fund remains in balance.

Financial:

Procurement of services from Charley Toppino & Sons, Inc., for the emergency repair of the damaged 24" PVC sanitary sewer force main, in the amount of \$78,453.32.

A budget transfer within the sewer fund, in the amount of \$116,733.32, for the costs to repair the force main, pay the Florida Department of Environmental Protection penalty fine for the spill of a significant amount of wastewater, material costs, and labor expenses incurred for this incident.

Recommendation:

Staff recommends the city manager approve the task order proposal from Charley Toppino & Sons, Inc., in the amount of \$78,453.32, for equipment, labor, and material costs to repair the 24" PVC force main on North Roosevelt Boulevard; and authorize a budget transfer within the sewer fund, in the amount of \$116,733.32.



Michael Turner, Assistant City Manager

Date