



THE CITY OF KEY WEST

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Date: July 27, 2018

To: Jim Scholl, City Manager

From: Kreed Howell, Senior Construction Manager
Doug Bradshaw, Ports Director

Cc: Jim Bouquet, Engineering Director
Greg Veliz, Assistant City Manager
Mark Finigan, Finance Director

Subject: City Manager Emergency Procurement Approval of ITB# 18-026, Mallory Square Wharf Refurbishment, to D.L. Porter Constructors, Inc. in the total amount of \$298,613.

ACTION STATEMENT

Request City Manager (CM) approve a contract award of \$298,613 to low bidder D.L. Porter Constructors, Inc. (Porter) for refurbishment of the Wharf at Mallory Square. While project was competitively bid, CM Emergency Procurement being requested pursuant to City of Key West, Code of Ordinances, Section 2-797 (2) due to minimum time available to complete project without disrupting cruise ship schedule and associated income.

BACKGROUND

On July 5, 2017, City Commission passed Resolution 17-186 approving use of \$147,000 unspent grant funding in Public Transportation Supplemental Joint Participation Agreement (SJPA) between the City and the Florida Department of Transportation (FDOT) to add additional scope to the Mallory T-Pier Project (previously approved under Resolution 16-112). The expanded scope includes replacement of attachment bolts on three mooring bollards, refurbishment of existing bollards, replacement of mooring hardware and significant concrete repair to three berthing dolphins.

Staff tasked CH2M Hill (CH2M), under existing General Services Contract (Resolution 17-207), with inspection, design, and production of bid ready documents to facilitate bidding and subsequent construction. To minimize impact on cruise ship visits, Staff stipulated in bid documents that construction be limited to sixty (60) days between August 21 and October 20, 2018.

MEMORANDUM

Bid documents included three (3) bid alternates (Bid Alt):

- Bid Alternate 1. Furnish 100% Performance and Payment Bonds. (**This bid alternate will be required as bids came in over \$200,000**)
- Bid Alternate 2. New bollards in lieu of refurbishment, up to three. (Price per each bollard)
- Bid Alternate 3. New mooring fenders, up to five. (Price per each fender)

On June 15, 2018, staff advertised ITB 18-026 and bids were opened on July 18, 2018. Responsive bids are shown below:

| | Base Bid | Allocation | Lump Sum | Bid Alt 1 | Bid Alt 2(Ea) | Bid Alt 3(Ea) |
|--------|--------------|-------------|--------------|-------------|---------------|---------------|
| Porter | \$272,861.00 | \$20,000.00 | \$292,861.00 | \$5,752.00 | \$3,850.00 | \$19,695.00 |
| Coral | \$566,093.00 | \$20,000.00 | \$586,093.00 | \$20,000.00 | \$50,000.00 | \$50,000.00 |
| Kiewit | \$624,287.00 | \$20,000.00 | \$644,287.00 | \$4,000.00 | \$20,000.00 | \$30,000.00 |

Bid proposals and bid tabulation are attached.

As indicated in bid tabulation, D.L. Porter Constructors, Inc. (Porter) was the apparent low bidder, with Coral Construction, Inc. (Coral) as the second low bidder. Following review of received bids against available funding, staff recommends contract award to Porter.

Acceptance of Porter’s base bid of \$272,861, the unidentified repair allocation of \$20,000, and Bid Alt 1 of \$5,752 results in a total contract award amount of \$298,613. Porter’s lump sum bid is within 7.5% of the construction cost estimate prepared by CH2M.

PURPOSE AND JUSTIFICATION

Maintenance of mooring dolphins at Mallory Square is vital to cruise ship operations in Key West. Gross revenue created for City from cruise ships mooring at Mallory Square averages \$15,000 per visit. Financial benefits to the local economy are further justification for this emergency procurement approval.

To minimize interference with high season port traffic, Staff is requesting approval, pursuant to City of Key West, Code of Ordinances, Section 2-797 (2) Emergency Procurement,*exists a clear and present threat to public health, property, welfare, safety or other substantial loss to the city ...*”

This project supports Goal #4 of the 2011 Key West Strategic Plan, specifically: *Long term sustainability of the City's hard assets.*

FINANCIAL

The construction cost of \$298,613 will require the remaining \$221,054.28 in Project IS43021701 and a budget transfer of \$77,558.72 from Fund 101 reserves.

The City is also working with FDOT to identify additional funds that will allow the City to move forward with Bid Alts 2 and 3. If additional funds are identified, the City will issue a change order to the Porter contract for the additional work.

RECOMMENDATION

Engineering staff recommends City Manager emergency procurement approval of ITB# 18-026, Mallory Square Wharf Refurbishment, to D.L. Porter Constructors, Inc. in the total amount of \$298,613 pursuant to City of Key West, Code of Ordinances, Section 2-797 (2).



Approval

09 AUG 2018
Date