




MEMORANDUM

Date: May 9, 2024

To: Honorable Mayor and Commissioners

Via: Albert P. Childress
City Manager 

From: Matt Willman
Interim Utilities Director

Subject: **24-5789 Ratification of Emergency Purchase Order per Section 2-797(2) of the Code of Ordinances for the repair to damage caused to the Patricia & Ashby Emergency Outfall Pipe**

Introduction

Requesting that the Mayor and City Commission ratify the Emergency Procurement per Section 2-797(2) of the Code of Ordinances for the repair of storm sewer line that was damaged by a contractor earlier in April.

The City tasked Charley Toppino & Sons, Inc. (CT&S) for the replacement of the section of emergency outfall pipe that was damaged. CT&S submitted a task order priced from the current General Utilities Services contract in the amount of \$144,463.53. City staff has reviewed the task order, verified that it is in line with the prices listed in the General Services contract, and recommends ratifying the approval of the task order per Section 2-797(2), Emergency Procurement.

This emergency action was authorized by the City Manager to allow Charley Toppino & Sons, Inc. (CT&S) to proceed with making repairs as soon as possible.

Background

The location of the damage was at the corner of Atlantic Blvd and George Street occurring the week of April 8th. A Stormwater pipe was damaged at said location by a contractor performing directional drilling to install fiber optic.

The Patricia and Ashby stormwater pump station and the associated underground infrastructure is critical in serving the low-lying neighborhood between Josephine St. to Thompson St. and Laird St. to Atlantic Blvd. Stormwater is normally discharged through the pump station into a discharge well near the pump station.

In 2009 the City of Key West tasked CH2MHill Engineers to design an emergency outfall system to the Patricia & Ashby Stormwater Pump Station to relieve the neighborhood of excess flooding that the injection well could not drain on its own. The outfall was constructed and extends from the pump station at Patricia and Ashby to an outfall located at the bend of Bertha St. and S. Roosevelt Blvd.

The emergency outfall, which is controlled by a manually operated valve, that per regulation through the Florida Department of Environmental Protection (FDEP), can only be opened during major rain events to relieve the discharge well of excess stormwater volume. This outfall is a critical piece of infrastructure. The emergency outfall pipe is currently out of commission, jeopardizing the neighborhood to flooding in the occurrence of a major rain event. It is necessary to repair the damage before the City's rainy season and hurricane season begins.

Procurement

The cost of the task order exceeds the \$50,000 threshold for City Manager authorization; however, since the repair was time sensitive, staff recommended authorizing a purchase exception per City of Key West Municipal Code Section 2-797(2), Emergency Procurement which allows the City Manager to approve a task order in excess of \$50,000. Per Section 2-797(2), the approval must be ratified at the next available City Commission meeting on May 9, 2024.

CTS is performing the work under the General Utilities Contract authorized per Resolution 21-125. There is \$50,000.00 available in account # 402-3802-538-4600, Repairs and Maintenance/Emergency Repairs. An additional \$94,463.53 will need to be transferred from account (Other Uses) 402-3801-538-9900.

Recommendation:

The City Manager's Office recommends ratifying an emergency task order in the amount of \$144,463.53 to Charley Toppino & Sons, Inc. in accordance with Section 2-797(2) of the Code of Ordinances and authorizes any necessary budget transfers.