



THE CITY OF KEY WEST

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

TO: Jim Scholl, City Manager

FROM: Doug Bradshaw, Director Port and Marine Services

CC: Greg Veliz, Asst. City Manager
Shawn Smith, City Attorney
Todd Stoughton, Risk Manager/Safety Office

DATE: April 25, 2019

SUBJECT: Emergency Procurements: Mallory Square Pier Dolphin Repairs

On November 24, 2018 the Cruise Ship Silver Spirit damaged beyond repair the southernmost breasting dolphin at Mallory Square Pier. In order to minimize the financial impact from either having to cancel or relocate cruise ships and to construct a new breasting dolphin, City staff immediately engaged the services of Jacob's Engineering, Terramar Environmental Services, Inc., and Pac Comm. Inc. (PAC).

Per Section 2-797(2) the city manager may make emergency procurement of commodities or contractual services where the cost exceeds \$20,000.00 when there exists a clear and present threat to public health, property, welfare, safety or other substantial loss to the city.

An emergency procurement was approved for PAC in the amount of \$140,000 for mooring dolphin demolition and disposal. The quote was based on demolition and disposal of 24"x24" piles based on construction drawings that the City provided to the contractor. Once the contractor began demolition it was discovered that a portion of each pile was 36"x36" which led to additional cost of disposal. The contractor is asking for an additional \$17,699.76 (including additional concrete disposal for the cap).

The pilings were not visible and it would have been difficult to identify the extra concrete given the short notice that the City needed quotes returned. However, the cap dimensions were clearly visible and the contractor should have accounted for the amount of concrete in their bid. City staff calculated the additional weight of concrete in the piles times PAC's discounted demolition and disposal cost and calculated an additional cost of \$11,160.

Staff recommends approval of a change order to PAC's original contract in the amount of \$11,160. The contractor has agreed to this amount.

All emergency procurements in excess of \$20,000.00 will be ratified by the city commission

11,160.00
City Manager Approval

29 APRIL 2019
Date

MEMORANDUM

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