

RESOLUTION NO. 22-145

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT DATED JUNE 9, 2022 AND APPROVED AS PROVIDED FOR UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, AUTHORIZING A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$150,000.00 FOR CUSTOMS AND BORDER PROTECTION (CPB) TO REFURBISH THE KEY WEST POLICE DEPARTMENT'S 27-FOOT SAFEBOAT; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, in Resolution No. 21-192, the City Commission authorized staff to accept grant award No. EMW-2021-PU-00389-S01 in the amount of \$165,000.00 (City match \$55,000.00) for acquisition of two boat lifts and refurbishment of Key West Police Department's (KWPD) 21-year old 27-foot Safeboat (Safeboat); and

WHEREAS, the Safeboat is one of three required by City's agreement with the Coast Guard and Florida Department of Law Enforcement; and

WHEREAS, Safeboat requires extensive refurbishment to maintain the level of readiness which is required by the Agreement as well as for day-to-day Police response; and

WHEREAS, the current pricing contract with Customs and Border Patrol (CPB) end this fiscal year and all funds must have been received by CPB on or before June 12, 2022 and if the funds

are not received by this date, the cost of the project will not only increase by 30% but the project will be substantially delayed until after October, 2022; 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 purchase order to ensure prompt and necessary refurbishment of the Safeboat; 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 THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached emergency declaration dated June 9, 2022 by the City Manager, pursuant to section 2-797(2) of the Code of Ordinances, for refurbishment of the KWPD's 27-foot Safeboat by CBP in an amount not to exceed \$150,000.00 (inclusive of City Match \$37,500.00) is hereby ratified.

Section 2: Grant revenue of \$165,000.00 for both the boat lifts project and boat refurbishment project is budgeted in Account 0010000-3312000 (General Fund/Revenue/Public Safety) in FY 2021-2022. Expenses, based on the anticipated total project cost of \$220,000.00 (which includes the City's 25% match of \$55,000.00), is budgeted in Account 0012104-5216400 (General Fund/Law Enforcement Grants/Machinery & Equipment) and any necessary budget adjustments are hereby authorized.

Section 3: 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 21st day of June, 2022.


Authenticated by the Presiding Officer and Clerk of the  
Commission on 22nd day of June, 2022.

Filed with the Clerk on June 22, 2022.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Absent</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

  
\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

  
\_\_\_\_\_  
CHERYL SMITH, CITY CLERK

Sean T. Brandenburg

Chief of Police



Key West

**POLICE DEPARTMENT**

**TO:** Ms. Patti McLaughlin, City Manager  
**FROM:** Sean Brandenburg, Chief of Police  
**DATE:** 06/09/2022  
**RE:** Authorize the release of \$150,000.00 to Customs and Border Protection to refurbish our 21-year-old, 27-foot Safeboat.

**Action Statement:**

Request to ratify the City Manager's emergency declaration pursuant to code of ordinances 2-797 (2), emergency procurement, to Customs and Border Protection for the refurbishment of our 21-year-old, 27-foot Safeboat in the amount of \$150,000.00.

**Background:**

The Key West Police Department is budgeted this fiscal year (FY21/22) to refurbish its aging 27-foot Safeboat. These funds were approved through a Port Security Grant Program (PSGP) EMW-2021-PU-00389-S01. The Safeboat is one of three required by our agreement with the Coast Guard and Florida Department of Law Enforcement as far as readiness for our Port Security Plan. Our Safeboat needs extensive refurbishment to maintain the level of readiness which is required per the Port Security Plan as well as for day-to-day Police response. For the refurbishment to happen, a Port Security Grant was applied for and received. This is Grant number EMW-2021-PU-00389-S01 was approved by the City Commission on September 14, 2021. As part of this grant, one hundred and fifty thousand dollars (\$150,000.00), was dedicated to the refurbishment of the 27-foot Safeboat.

There are only two vendors capable of doing certified work to Safeboats, the manufacture located in Washington State and Custom and Border Protection (CBP) located in St. Augustine, Florida. We received a shipping quote of roughly twenty-eight thousand dollars (\$28,000.00) for the vessel to be shipped back to the factory; this quote was a few months ago and is most likely much higher now. By using CBP we get a substantial cost savings due to the long-term contract pricing they receive as a government agency. The current pricing contract ends this fiscal year for them and all funds for work to be completed must be received by their finance department by June 12, 2022. If the funds are not received by that date, not only will we be facing at least a thirty percent price increase for the work, but a delay until after October 2022 for the refurbishment.



**RESPECT - INTEGRITY - FAIRNESS - SERVICE**

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111  
[www.keywestcity.com](http://www.keywestcity.com)



**Sean T. Brandenburg**

**Chief of Police**



**Key West**

**POLICE DEPARTMENT**

**Purpose and Justification:**

The duties and functions of the Key West Police Marine Unit include, but are not limited to port security, vessel escorts, dignitary escorts, special event participation, vessel inspections and maritime enforcement operations. Our vessels are critical to meet the mission requirements of the marine unit and the department.

**Financial Impact:**

Funding for this is contained in the FY 21/22 General Fund/Revenue/Public Safety account 0010000 3312000. Expenses, based on the anticipated project cost of \$220,000.00 (which includes the City's 25% match of \$55,000.00), will be budgeted in Account 0012104 5216400 (General Fund/Law Enforcement Grants/Machinery & Equipment).

**Recommendation:**

The Key West Police Department recommends approving the expenditure to Customs and Border Protection from the grant which was Commission approved (resolution 21-192) of the \$150,000.00, for the refurbishment of our 21-year-old, 27-foot Safeboat. We believe this to be the most cost-effective method for the city, and believe it is unreasonable to wait and request use of code 2-797 (2), emergency procurement, by the city manager due to a, "clear and present threat to public property and/ or other substantial loss."



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Sean T. Brandenburg

Chief of Police



Key West

**POLICE DEPARTMENT**

## EMERGENCY DECLARATION

To: Patti McLaughlin, City Manager  
Todd Stoughton, Assistant City Manager  
Sean T. Brandenburg, Chief of Police

From: Randy Smith, Captain

Effective Date: June 9, 2022

**Action Statement:** Request the City Manager Patti McLaughlin to approve the emergency procurement for the refurbishment of our 21-year-old, 27-foot Safeboat, with Customs and Border Protection in the amount of \$150,000.00. This action will be ratified by the Commission in a future meeting.

**Ordinance: 2-797 (2) Emergency Procurement-** "the City Manager may make emergency procurement of commodities or contractual services where the cost exceeds \$50,000.00 when there exists a clear and present threat to public health, property, welfare, safety, or other substantial loss to the city..."

**Justification:**

A Port Security Grant was approved by the commission. As part of this grant refurbishment, our 27-foot Safeboat was included. There are only two vendors capable of doing certified work to Safeboats, the manufacture located in Washington State and Custom and Border Protection (CBP) located in St. Augustine, Florida. We received a shipping quote of roughly twenty-eight thousand dollars (\$28,000.00) for the vessel to be shipped back to the factory; this quote was a few months ago and is most likely much higher now. By using CBP we get a substantial cost savings due to the long-term contract pricing they receive as a government agency. The current pricing contract ends this fiscal year for them and all funds for work to be completed must be received by their finance department by June 12, 2022. If the funds are not received by that date, not only will we be facing at least a thirty percent price increase for the work, but a delay until after October 2022 for the refurbishment.

**Recommendation:**

Key West Police Department request City Manager Patti McLaughlin approve the emergency procurement of \$150,000.00 to meet the deadline and move forward with the refurbishment of our Safeboat.

  
Patti McLaughlin - City Manager



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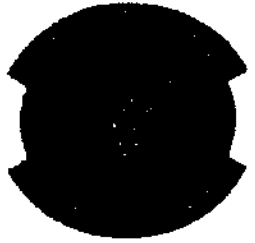
Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 808-1111  
cityofkeywest-fl.gov



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# CBP Air & Marine National Marine Center



## REPAIR INVOICE

DATE: 4/28/2022

### SERVICE PROVIDER

### AGENCY

CBP Air & Marine  
National Marine Center  
71 Binninger Drive  
St Augustine, FL 32095 904-827-8431

Key West Police Department  
273001

907,873.8500

Conduct refurbishment of KWPD vessel 273001 not to exceed \$150,000 to include:

- Hull and structural repairs
- Electronics upgrade
- Repower
- A/C replacement
- Generator replacement

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Estimate good for 30 days from date of issuance  
\*Additional costs may be incurred for travel expenses depending on vessel location.

### DESCRIPTION OF WORK

Conduct refurbishment of KWPD vessel 273001 not to exceed \$150,000.

Part Number	Part Description	QTY	Cost	EXTENDED TOTAL
				\$ 150,000.00
				EXT TOTAL
				\$
				\$
			Total Parts Cost	\$
			Shop Supplies	\$
			Total Cost	\$ 150,000.00

### Outside Vendor VENDOR

### DESCRIPTION OF WORK

	EXTENDED TOTAL
	\$
	\$
TOTAL PARTS	\$
TOTAL LABOR	\$ 150,000.00
SHOP SUPPLIES	\$
TOTAL OUTSIDE SERVICE	\$
SHIPPING AND HANDLING	\$
GRAND TOTAL	\$ 150,000.00



Any B-check items estimated above are based on the preventative maintenance B-check service/inspection developed by GMSI and does not include any parts other than those associated with accepted preventative maintenance practices. The maintenance items addressed during these B-checks are available for reference and the completed check lists will be supplied to the agency's designated POC. This estimate does not include parts specific to unique vessels or repairs to or replacement of defective components discovered during the B-check service/inspection. Discrepancies identified during any B-check service, inspection, repair or repower will be noted and reported to the POC for direction on resolving the problem(s) requiring resolution. At the direction of the agency's POC, cost estimates for new discoveries will be developed and submitted for approval prior to further maintenance actions. Estimate good for 30 days from date of issuance.