



## THE CITY OF KEY WEST

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

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### EXECUTIVE SUMMARY

**Date:** April 13, 2020

**To:** Gregory Veliz, City Manager

**From:** Albiona Balliu, Sr. Project Manager

**CC:** Patti McLauchlin, Assistant City Manager  
Mark Finigan, Finance Director  
Steve McAlearney, Director of Engineering

**Subject:** Truman Waterfront Phase 1B – NTP 1

#### **Action Statement**

Ratify the purchasing exemption under Sec. 2-797 (2) Emergency Exemption, for a work order in the amount of \$94,299.63 to Charley Toppino & Sons Inc. (CTS) for unforeseen circumstances during selective demolition at the Truman Waterfront Phase 1B - NTP 1 project.

#### **Background**

CTS, was awarded the contract (Res. 19-296), for construction of Truman Waterfront PH IB at the former PAL gym building and perform selective demo under Notice to Proceed 1. During the selective demolition of the former PAL building, the contractor discovered interior walls scheduled to remain needed to be demolished and reconstructed. CTS examined existing perimeter foundations and the project engineer directed CTS to reform several foundations, including columns that were not included in the original contract.

- Approval of this change order provided critical time for the completion of necessary pre-construction site-work.
- Construction will now be able to continue without delays.
- The Change Order rates match the contract and the scope and effort have been deemed reasonable.

### **Purpose and Justification**

In response to the COVID-19 threat, the City declared State of Local Emergency on March 15, 2020 in accordance with F.S. 252.38 and CKW Resolution 2007-182. On subsequent weeks, the City continued the State of Emergency. The State of Emergency led to cancellation of the March 23 City Commission meeting and uncertainty as to the date of the next Commission meeting. Due to these extraordinary circumstances, Emergency Procurement for this contract was invoked.

This project supports the Key West Strategic Plan, Infrastructure goals #4 *Long term sustainability of the City's hard assets*, and #5 *All of the City's destinations and resources are accessible to residents and visitors*.

### **Financial**

Funds for this project will be used from account #101-4303-543-6300, project number IS43031801. Upon approval, a change order was issued to CTS for Truman Waterfront Phase IB project in the amount of \$94,299.63.

### **Recommendation**

Staff recommends City Commission ratify the Emergency Exemption procedures of Sec. 2-797 to approve the change order for Truman Waterfront Phase 1B - NTP 1 project to Charley Toppino & Sons Inc. in the amount of \$94,299.63.