

RESOLUTION NO. 11-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE CONTRACT FOR SIDEWALK ENHANCEMENTS PHASE IV - VIRGINIA STREET SIDEWALKS AND APPLEROUTH LANE SIDEWALKS WITH CHARLEY TOPPINO AND SONS, INC. UNTIL AUGUST 24, 2011; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution #09-311, the City Commission awarded a contract to Charley Toppino and Sons, Inc. for the Sidewalk Enhancements Phase IV - Virginia Street Sidewalks and Applerouth Land Sidewalks Project; and

WHEREAS, circumstances beyond the control of the contractor have delayed completion of the project, and upon the contractor's request, City staff determined that it is in the best interests of the citizens of Key West to extend the contract to August 24, 2011, on a no-cost basis;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the contract between the City of Key West and Charley Toppino and Sons, Inc. for Sidewalk Enhancements Phase IV - Virginia Street Sidewalks and Applerouth Lane Sidewalks Project, is hereby extended to August 24, 2011 on a no-cost basis.

All other terms and conditions shall remain in full force and effect.

Section 2: 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 1st day of February, 2011.

Authenticated by the presiding officer and Clerk of the Commission on February 2, 2011.

Filed with the Clerk February 2, 2011.

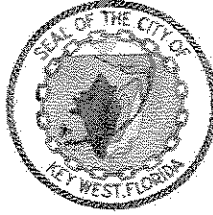


CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

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

M
E
M
O
R
A
N
D
U
M

EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager - Operations

FROM: Doug Bradshaw, Senior Project Manager

DATE: January 13, 2011

RE: **Extending the contract days for Sidewalk Enhancements Phase IV – Virginia Street Sidewalks and Applerouth Lane Sidewalks**

ACTION STATEMENT:

This resolution will authorize a two-hundred (200) day extension to the contract with Charley Toppino and Sons, Inc. for Sidewalk Enhancements Phase IV – Virginia Street Sidewalks and Applerouth Lane Sidewalks. The original contract time was 360 days for design/build with a contract completion date of February 5, 2011. The proposed contract completion date is August 24, 2011.

BACKGROUND:

The design and construction for this project will be reimbursed 100% through an FDOT Local Area Program (LAP) grant for design/construction. This grant is funded by the American Recovery and Reinvestment Act of 2009, commonly referred to as stimulus funding.

The American Recovery and Reinvestment Act (ARRA) of 2009 was signed by President Obama on February 17, 2009. The ARRA is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so that our country can thrive in the 21st century. This legislation will pay for needed transportation improvements while providing jobs and other economic benefits. The City has been actively seeking these funds to assist our local economy and to improve local infrastructure. We were able to obtain funding for thirteen Sidewalk Enhancement projects through this federal legislation.

PURPOSE AND JUSTIFICATION:

Charley Toppino & Sons, Inc. has experienced unexpected design delays due to encroachments and stormwater runoff issues. The design for these projects are not to the 50% mark at this time and the contract days will soon expire.

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

Per the attached contract time extension request from Charley Toppino and Sons, dated January 4, 2011, the new contract completion date would be August 24, 2011.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. Approve the two-hundred (200) day contract time extension due to unexpected design delays. The new contract completion date will be August 24, 2011.
2. Do not approve the two-hundred (200) day contract time extension. The contract completion date will remain as February 5, 2011 and liquidated damages of \$580.00 per day will be imposed for Virginia Street and \$313.00 per day will be imposed for Applerouth Lane.

FINANCIAL IMPACT:

There are no financial impacts.

RECOMMENDATION:

1. Staff recommends that the City Commission select option 1, approve the two-hundred (200) day contract time extension due to unexpected design delays. The new contract completion date will be August 24, 2011.

CHARLEY TOPPINO & SONS, INC.

P.O. BOX 787 KEY WEST, FLORIDA 33041 (305) 296-5606 FAX (305) 296-5189

Karen Olsen
Special Projects Designer
City of Key West
Engineering Dept.

SW ENHANCEMENT PROJECT
PHASE IV: EN-0907,EN0908
LAP FM#: 426517,426518-1
VIRGINIA ST / APPLEROUTH LANE

January 4, 2011

SUBJECT: TIME EXTENSION REQUEST: ARRA 2009 SIDEWALK ENHANCEMENT
PROJECT PHASE IV- VIRGINIA ST / APPLEROUTH LANE

Karen,

The purpose of this letter is to request a time extension for Phase IV of the Sidewalk Enhancement Project.

We are anticipating long delay times due to issues of encroachment of property owners onto the City's Right of Ways. Also, there have been some stormwater runoff issues which entailed addition design time.

With these factors in mind we will not be able to complete the projects within the contractual time frame. We therefore are requesting a 200 day extension to Phase IV. The present completion date is February 5, 2011. The new completion date would be August 24, 2011.

If you have any questions please call.

Sincerely;
CHARLEY TOPPINO & SONS, INC.



Ronald J. Armstrong
Project Manager

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION NO. 09-311

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE AWARD OF REQUEST FOR PROPOSALS 09-012 IN THE AMOUNTS OF \$165,550.00 (VIRGINIA STREET) AND \$31,530.00 (APPLEROUTH LANE) FROM CHARLEY TOPPINO AND SONS, INC. FOR THE DESIGN-BUILD OF SIDEWALK ENHANCEMENTS PHASE IV; PROVIDING FOR AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:


Section 1: That the attached response to proposal 09-012 by Charlie Toppino and Sons, Inc. in the amounts of \$165,500.00 (Virginia Street) and \$31,530.00 (Applerouth Lane) is hereby awarded, upon notice of concurrence of Intent to Award by the Florida Department of Transportation, to design and build a new federal ADA compliant sidewalks and curb ramps as part of the design-build project for sidewalk enhancements phase IV.

Section 2: 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 3rd day of December, 2009.

Authenticated by the presiding officer and Clerk of the
Commission on December 4, 2009.

Filed with the Clerk December 4, 2009.



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK