




MEMORANDUM

Date: March 14, 2024

To: Honorable Mayor and Commissioners

Via: Albert P. Childress 
City Manager

From: Gary Volenec, P.E.
Engineering Director

Subject: **24-5430 Navy In-kind Mole Pier Seawall Repair Design Change Order No. 1**

Introduction

This resolution would approve a change order to a task order with Tetra Tech, Inc. in the amount of \$53,120.00 utilizing Navy in-kind funds to conduct a benthic assessment for the purpose of permitting for the repairs at the Navy mole pier. Tetra Tech, Inc. will perform the work specified in the task order approved by resolution 21-268.

Background

In lieu of rent payments to the Navy for the use of the Mole pier, the City of Key West (City) has agreed to facilitate authorized In-Kind Projects as per the terms of Public Benefit Lease (PBL) N69450-12-RP-00166, approved by Resolution 14-034. In accordance with this lease, the Navy has issued the attached In-Kind request letter 11011 AM12/0114 dated July 18, 2019, authorizing use of in-kind funds up to \$1,179,717.00 for design and construction of a small craft berthing facility at Truman Harbor.

In August of 2021, the City of Key West began construction of a small craft berthing facility at the Navy mole pier (project OM19002001) in Truman Harbor. During excavation for underground electrical utilities, contractors discovered a cavity behind the seawall approximately 15' x 17' x 15'. A consultant contracted with the Navy was able to conduct further investigation which uncovered additional compromised areas along the seawall.

The seawall at the mole pier is currently unsafe for vehicle and pedestrian use and is out of operation until this issue is resolved. This problem affects the fueling of vessels, completion of projects, and use of the new small craft berthing facility.

In December of 2021, resolution 21-268 approved the Tetra Tech, Inc. task order to provide further assessment to determine what caused the existing failures and damage. The task order also included

design drawings and specifications to provide construction ready documents for the purposes of permitting and bidding so that NAVFAC may pursue repair and remediation to make the mole pier fully operational again.

Since July of 2022, Tetra Tech, Inc. has been coordinating with the U.S. Army Corps of Engineers (USACE) on the permit application for repair of the seawall at the mole pier. After lengthy review and discussions, the USACE is requiring a benthic survey of the project area prior to permit approval. This requirement is a change in the task order scope, as the USACE had originally accepted a pre-existing benthic survey related to the small craft berthing facility project. The repair project cannot proceed without an approved USACE permit.

Procurement

This change order proposal will be invoiced on a time and materials basis, and the \$53,120.00 is a not-to-exceed threshold. Funds in the amount of \$53,120.00 will be transferred from the Navy reserves account #602-1900-519-9800 to Navy Repairs and Maintenance account #602-1900-519-4600 and used to fund a change order for Tetra Tech, Inc. Total project cost including this amount is \$880,640.00, below the Navy approved maximum of \$1,179,717.00.

Recommendation

The City Manager's Office recommends the Mayor and Commission approve change order no. 1 for the task order to Tetra Tech, Inc. for the design and permitting for the Navy Mole Pier Seawall Repair project in the amount of \$53,120.00 and authorize the City Manager to execute any necessary budget transfers.