

RESOLUTION NO. 24-028

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST (CITY) APPROVING A CHANGE ORDER IN THE AMOUNT OF \$19,661.91 IN ACCORDANCE WITH SECTION 2-845(a) OF THE CODE OF ORDINANCES TO CHARLEY TOPPINO AND SONS, INC. FOR ADDITIONAL CONCRETE REMOVAL SERVICES AT THE RICHARD A HEYMAN ENVIRONMENTAL PROTECTION FACILITY, AUTHORIZING ANY NECESSARY BUDGET TRANSFERS AND AMENDMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, in Resolution No. 21-125 the City Commission awarded a contract to Charley Toppino and Sons, Inc. for General Utility Services which authorizes items of work to be issued on a task order basis; and

WHEREAS, in Resolution No. 23-286 the City Commission approved a task order in the amount of \$104,664.67 to Charley Toppino and Sons, Inc. for chlorine contact basin leak repairs; and

WHEREAS, Existing conditions found during demolition discovered that the depth of the concrete slab is thicker than shown in the final plans and requires a specialty contractor to complete the removal of concrete; and

WHEREAS, The proposed change order cost is \$19,661.91 which is greater than five percent of the original task order; and

WHEREAS, Per Section 2-845(a) of the Code of Ordinances, City Commission approval is required for change orders greater than five percent of the contract price or \$50,000.00 ; and

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

Section 1: That the attached Change Order in the amount of \$19,661.91 for additional concrete removal services, is hereby approved.

Section 2: That funds for this change order will be used from account #401-3504-535-4600 (Sewer Fund/Repairs and Maintenance), Purchase Order #099942. The purchase Order will be adjusted from \$104,664.67 to \$124,326.58. Any necessary budget transfers or amendments are hereby authorized.

Section 3: That the City Manager is authorized to execute documents related to this Change Order, upon the advice

and consent of the City Attorney.

Section 4: 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 8th day of February, 2024.

Authenticated by the Presiding Officer and Clerk of the Commission on 8th day of February, 2024.

Filed with the Clerk on February 8, 2024.

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

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

ATTEST:

\_\_\_\_\_  
KERI O'BRIEN, CITY CLERK