



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
FROM: Doug Bradshaw, Director Port & Marine Services
Cc: Greg Veliz, Asst. City Manager
Mark Finigan, Finance Director
DATE: August 26, 2019

SUBJECT: Ratify Emergency Procurements for Repairs to Mallory Breasting Dolphin

ACTION STATEMENT:

Emergency Procurement ratification for contracts awarded as part of the repairs to the Mallory Pier breasting dolphin damaged by a cruise ship.

BACKGROUND:

On November 24, 2018 the Cruise Ship Silver Spirit damaged beyond repair the southernmost breasting dolphin at Mallory Square Pier. In order to minimize the financial impact from either having to cancel or relocate cruise ships and to construct a new breasting dolphin, City staff immediately engaged the services of several contractors through the City Managers' emergency procurement process (City Ordinance Sec. 2-797(2)). Total cost for securing those services was \$721,211.58. Below is a summary:

Table with 4 columns: Vendor, PO Number, Actual Cost, Work Completed. Rows include CH2M Hill, Terramar, PAC, CH2M Hill Jacobs Eng., Trelleborg, Ebsary, and a Total row.

PURPOSE & JUSTIFICATION:

The basis for determining of the emergency and for the selection of the particular contractor was

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

Vertical blue text on the left margin: EXECUTIVE SUMMARY

as follows:

- Emergency repair of dolphin: In order to minimize the financial impact to the City from either having to cancel or relocate cruise ships the formal bid process could not be followed.
- CH2M Hill (Jacobs Eng.): The contractor had designed several improvements in the past to Mallory. The contractor had the knowledge of all previous engineering drawings, calculations, and reports and was able to quickly develop construction drawings for the new dolphin.
- Terramar: The City has used Terramar on numerous occasions for permitting of structures over submerged lands. Their relationships with the permitting agencies and their abilities to quickly obtain permits was paramount in moving the project forward.
- PAC: Contractor was under contract for the seawall repairs at Mallory and was already mobilized at the site with the ability to remove the damaged dolphin. The dolphin was considered a navigational hazard in its damaged condition.
- Ebsary: The City solicited quotes from three contractors. Ebsary submitted the lowest bid and was awarded the construction contract.

Formally bidding the permitting, demolition, and repairs in addition to City Commission approval would have taken up to one year to complete. Staff was able to complete the project from start to finish in seven months which minimized the disruption to cruise ships. The emergency procurements were used to expedite the timing of the process in addition to the emergency structural or life safety situation.

**FINANCIAL IMPACT:**

Total cost incurred under the emergency procurements was \$721,211.58. In addition to the cost associated with the design, permitting, demolition, and construction of the new dolphin, the City had to relocate fifteen (15) ships to other piers and had to cancel six (6) ships. The lost revenue associated with relocations and cancelations was \$213,897.06. Total direct financial impact to the City is \$934,490.89.

The City has submitted a demand for repayment from the cruise line a total amount of \$970,520.58 which includes a 5% administrated cost associated with design, permitting, demolition, and construction (\$36,029.69). The City anticipates that full reimbursement will be received.

**RECOMMENDATION:**

Staff recommends ratification of the emergency procurements for repairs to Mallory Breasting Dolphin.