

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT SIGNED BY THE ASSISTANT CITY MANAGER ON BEHALF OF THE CITY MANAGER ON MARCH 24, 2020, AS PROVIDED FOR UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, APPROVING A WORK ORDER UNDER THE CITY'S RIGHT-OF-WAY IMPROVEMENT CONTRACT WITH CHARLEY TOPPINO & SONS, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$329,699.53 FOR 20<sup>TH</sup> STREET IMPROVEMENTS FROM DUCK AVENUE TO DONALD AVENUE; AUTHORIZING ANY NECESSARY BUDGET ADJUSTMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 17-106, the City Commission approved a three-year Right-of-Way Improvements contract with Charley Toppino & Sons, Inc. and in Resolution 19-054 the Contract was extended; and

WHEREAS, current measures related to the Local, County and State Declarations of Emergency related to the Covid 19 Pandemic, delayed a City Commission meeting scheduled in March, and significantly reduced traffic, making it logistically and cost-effective to commence this essential project to construct/improve ADA sidewalks and driveways, asphalt mill and pave, pavement marking, surface drainage improvements and failed asphalt base repair along 20<sup>th</sup> Street between Duck Avenue and Donald Avenue immediately; and

WHEREAS, the City Manager authorized action without delay, using emergency powers authorized under Section 2-797(2) of the City's Code of Ordinances, to authorize and procure this necessary task order to ensure prompt repair of this project to improve and protect public accessibility, health, welfare and safety; and

WHEREAS, Section 2-797(2) of the City's Code of Ordinances requires the City Commission to ratify such emergency purchases at its next scheduled meeting.

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

Section 1: That the attached Work Order under the City's Right-of-Way Improvement Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$329,699.53, for 20<sup>th</sup> Street Improvements from Duck Avenue to Donald Avenue, is hereby ratified pursuant to Section 2-797(2) of the code of ordinances.

Section 2: That funding is budgeted for right of way improvements in account 102-4102-541-6300, Project Number II41022002-Paving, and any necessary budget adjustments are hereby approved.

Section 3: 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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Filed with the Clerk on \_\_\_\_\_, 2020.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

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

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK