

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST (CITY) APPROVING A CHANGE ORDER IN THE AMOUNT OF \$11,596.50 TO BALANCE FINAL QUANTITIES FOR THE FLAGLER PEDESTRIAN IMPROVEMENTS PROJECT (TA49032101) AND AUTHORIZING A TIME EXTENSION OF 63 DAYS UNDER THE CONTRACT AWARDED TO CHARLEY TOPPINO AND SONS, INC. FOR ITB #22-006; 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. 22-088 a contract was awarded to Charley Toppino and Sons, Inc. for the Flagler Pedestrian Improvements Project, in response to ITB #22-006; and

WHEREAS, Two (2) Change Orders have been previously authorized by the City Manager; and

WHEREAS, A final third Change Order is required to balance final costs and contract time; and

WHEREAS, Change Order #3 will result in an increase of 6.1% of the original contract price; and

WHEREAS, Section 2-845(a) of the Municipal Code requires that Change Orders in excess of 5 cumulative percent of the contract price or \$50,000 (whichever is less) be approved by City Commission; 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 \$11,596.50 to balance final costs, [including a 63-day time extension required due to delays caused by 1<sup>st</sup> and Bertha Construction], under the contract awarded to Charley Toppino and Sons, Inc. (ITB 22-006) in Resolution 22-088, is hereby approved.

Section 2: That funds for this change order will be transferred from Transportation Alternatives Fund Reserve Account 111-4901-549-9803 to Transportation Alternatives Fund #111-4903-549-6300 Project #TA49032101, Purchase Order #096357. The purchase Order will be adjusted from \$527,490.68 to \$559,841.33. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Filed with the Clerk on \_\_\_\_\_, 2023.

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

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

ATTEST:

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