

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED STIPULATED PARTIAL SETTLEMENT AGREEMENT BETWEEN THE CITY OF KEY WEST AND BURKE CONSTRUCTION GROUP, INC.; AUTHORIZING PAYMENT IN THE AMOUNT OF \$198,203.58 AS FULL AND COMPLETE PAYMENT OF ALL MONETARY OBLIGATIONS OF THE CITY UNDER THE CONTRACT; AUTHORIZING ANY NECESSARY BUDGET ADJUSTMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the attached Stipulated Partial Settlement Agreement is intended to resolve only issues of amounts due and owing between Burke Construction and the City, for construction of the Josephine Parker City Hall at Historic Glynn R. Archer School, and leave all other aspects of the Contract in full force and effect, including, but not limited to warranty, guarantee and indemnity obligations, as well as payment and performance bonds; and

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

Section 1: That the attached Stipulated Partial Settlement Agreement between the City of Key West and Burke Construction Group, Inc. is hereby approved.

Section 2: That payment in the amount of \$198,203.58 as full and complete payment of all monetary obligations of the City under the contract is hereby approved.

Section 3: That any necessary budget adjustments are approved, to increase the Burke Purchase Order #078837 by \$198,203.58 (funds in the amount of \$269,140.50, resulting from Owner Direct Purchasing savings, are available in account #303-1900-519-62-000 Project GN1302 for payment).

Section 4: That the City Manager is authorized to execute all necessary documents, upon consent of the City Attorney.

Section 5: 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 _____, 2017.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2017.

Filed with the Clerk on _____, 2017.

Mayor Craig Cates _____

Vice Mayor Clayton Lopez _____

Commissioner Sam Kaufman _____

Commissioner Richard Payne _____

Commissioner Margaret Romero _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK