

RESOLUTION NO. 17-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF CHARLEY TOPPINO AND SONS, INC. AND THE BID OF D.N. HIGGINS, INC. FOR RIGHT OF WAY IMPROVEMENTS 2017, IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 17-017, INCLUDING UNIT PRICING (A TOTAL AMOUNT NOT TO EXCEED BUDGETED FUNDS OF \$2,500,000.00); AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EACH CONTRACTOR IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE AND UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; AUTHORIZING A BUDGET TRANSFER; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on March 22, 2017 two bids were opened in response to ITB #17-017, for Right-of-Way Improvements 2017, and the bids were determined to be responsive; and

WHEREAS, within the Invitation to Bid, the City reserved "the right to award contracts to multiple bidders (maximum of two) as necessary to meet required work schedules; and

WHEREAS, City staff recommends award of bid to two contractors, with the knowledge that work will be performed on a unit price basis in accordance with the Unit Price Schedule of Values included in the bid proposals submitted by Charley Toppino & Sons, Inc. and D.N. Higgins, Inc., and that individual work orders will be issued by City staff and approved by the City Manager for the selected project locations.

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

Section 1: That the bids of Charley Toppino and Sons, Inc. and D.N. Higgins, Inc. for the Right-of-Way Improvements Project in accordance with the terms specified in ITB #17-017 are hereby accepted, in a combined amount not to exceed the FY 16-17 budgeted amount of \$2,500,000.00.

Section 2: That the City Manager is authorized to execute a contract with each contractor in substantial conformance with the contract documents contained within the bid package on behalf of the City of Key West, upon the advice and consent of the City Attorney.

Section 3: That a budget transfer in the amount of \$250,000.00 is authorized from the City-wide Paving Account (II41021702) to the Shoulder Restoration Program (II41021703) account.

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 4th day of April, 2017.

Authenticated by the Presiding Officer and Clerk of the Commission on 5th day of April, 2017.

Filed with the Clerk on April 5, 2017.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Clayton Lopez	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Richard Payne	<u>Absent</u>
Commissioner Margaret Romero	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>



GRAIG CATES / MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK