

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT DATED APRIL 29, 2019 SIGNED BY THE CITY MANAGER ON APRIL 30, 2019, AS PROVIDED FOR UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, AUTHORIZING A TASK ORDER IN AN AMOUNT NOT TO EXCEED \$351,755.00 FOR EBSARY FOUNDATION COMPANY TO STABILIZE THE UTILITIES CROSSING FLEMING KEY CUT AND DEMOLISH THE DAMAGED UTILITIES BRIDGE SYSTEM; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on April 22nd, a barge navigating the Fleming Key Cut lost control and collided with the City's utility bridge, which supports the City's two influent force mains, as well as the Wastewater Treatment Plant's electric and water supply lines; and

WHEREAS, the impact compromised two pilings, and the City engaged Artibus Design, a local structural engineering firm, and started to design a repair on April 23rd; and

WHEREAS, Ebsary Foundation Company has successfully completed multiple projects for the Navy and for the City, and is currently mobilized at Fleming Key; and

WHEREAS, to provide the fastest response to the emergency situation, the City requested a proposal from Ebsary; and

WHEREAS, the City Manager acted without delay, using emergency powers authorized under Section 2-797(2) of the City's Code of Ordinances, to authorize and procure the necessary task order to ensure prompt repair of the clear and present threat to public 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 emergency task order dated April 29, 2019, signed by the City Manager on April 30, 2019, pursuant to section 2-797(2) of the Code of Ordinances, to stabilize the utilities crossing Fleming Key Cut, and to demolish the damaged utilities bridge system, to Ebsary Foundation Company in an amount not to exceed \$351,755.00 is hereby ratified.

Section 2: That this task order will be paid from budget line Sewer/Treatment Plant/Repairs and Maintenance 401-3504-535-4600, and any necessary transfers are hereby authorized. The City is attempting to subrogate costs from the party at fault.

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 _____, 2019.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2019.

Filed with the Clerk on _____, 2019.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK