



THE CITY OF KEY WEST

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MEMORANDUM

TO: Greg Veliz, City Manager
Cc: Patti McLaughlin, Asst. City Manager
FROM: John Paul Castro, Utilities Director
DATE: January 6th, 2020

SUBJECT: Ratifying the City Managers Emergency Procurement for Permanent Repairs at the Fleming Key Utility Bridge and Associated Budget Transfer

Action statement:

This resolution would ratify the City Managers emergency procurement signed on December 19th to approve a proposal from Ebsary Foundation Company to construct permanent repairs and 3 cluster piles in the amount of \$455,227.50. The emergency declaration was signed pursuant to code of ordinances section 2-797 (2) emergency procurement. A transfer of funds from reserves is required.

Purpose and Justification:

On April 22nd a barge navigating 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 treatment plants electric and water.

The impact compromised one of the two pilings and slightly cracked the other. The City engaged Artibus Design, a local structural engineering firm, and started to design a repair the morning of April 23rd.

Ebsary Foundation Company has worked for the City and Navy on multiple projects and is currently mobilized at Fleming Key. The City requested a proposal from Ebsary who would be the quickest to respond to the emergency. The pipe was stabilized by steel falsework around the broken piles.

Artibus Design was tasked after the stabilization to design the permanent repair work. On November 16th the bridge was struck again by a 40 + foot dual mast sailboat. The rear mast broke off against the outer forcemain and the second mast broke 4 of the brackets that hold the electric to the forcemain piping. The

Key to the Caribbean – Average yearly temperature 77 ° F.

temporary structure falsework was designed to withstand tidal current and wind. After the sailboat strike the engineers feared that an impact to the falsework could be catastrophic.

Ebsary is still mobilized in Key West and was contacted again to assist in the design and procurement of readily available materials. Ebsary assisted the bridge engineer in implementing construction methods that reduced cost by over \$200k. A proposal was received from Ebsary upon completion of the design documents.

The emergency declaration was issued pursuant to code of ordinances 2-797 (2) emergency procurement where the City Manager may make emergency procurements of commodities or contractual services where the cost exceeds \$20,000.00 when there exists a clear and present threat to public health, property, welfare, safety or other substantial loss to the City.

The proposal from Ebsary includes all materials and construction labor for the permanent repair of the bridge section and 3 cluster piles to protect the bridge from future impacts. The total price also includes performance and payment bonds. The City manager briefed the commission at the December 3rd, 2019 meeting about the necessity of fast-tracking construction in fear of another catastrophic impact. The emergency declaration process will save the City approximately 60 days.

City staff has reviewed the proposal and compared it against other similar projects and considers the price fair and reasonable. The procurement is pursuant to an executed contract which is attached.

Financial Impact:

Funds for the project will be paid out of fund 401-3504-535-6500 which requires a budget transfer from reserve account 401-3501-535-9803, Sewer/WWTP/Repairs and Maintenance. The City is attempting to subrogate cost from the party at fault. City insurance covers the utility bridge and claim is in process with a maximum payout of \$500,000.00

Recommendation:

Staff recommends ratifying the City Managers emergency procurement for construction of the Fleming Key utility bridge section and three dolphin cluster piles to Ebsary Foundation Company in the amount of \$455,227.50