

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT SIGNED BY THE CITY MANAGER ON DECEMBER 19, 2019, AS PROVIDED FOR UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, AUTHORIZING A TASK ORDER IN AN AMOUNT NOT TO EXCEED \$455,227.50 FOR EBSARY FOUNDATION COMPANY TO CONSTRUCT PERMANENT REPAIRS TO THE FLEMING KEY BRIDGE SECTION AND THREE DOLPHIN CLUSTER PILES; 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, the City engaged Ebsary Foundation Company to perform the emergency repairs. Ebsary has successfully completed multiple projects for the Navy and for the City; and

WHEREAS, on November 16th, 2019, the bridge was struck again by a dual mast sailboat, which broke against the outer force main and broke four brackets that fasten electric to the force main piping; and

WHEREAS, Ebsary remains mobilized in the area, and City staff and the bridge engineering consultants worked with Ebsary on the design and procurement of readily available materials for permanent repairs, including three cluster piles to protect the bridge from future impacts; and

WHEREAS, on December 3, the City Manager identified to the City Commission the need to expedite repairs, out of concern for the potential of another catastrophic impact, and City staff reviewed the proposal and found the price to be fair and reasonable; 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 this 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 signed by the City Manager on December 19, 2019, pursuant to section 2-797(2) of the Code of Ordinances, for construction of the Fleming Key Utility bridge section and three dolphin cluster piles, to Ebsary Foundation Company in an amount not to exceed \$455,227.50 is hereby ratified.

Section 2: That this task order will be paid from budget line 401-3504-535-6500, which will require a transfer from reserve account 401-3501-535-9803, Sewer/WWTP/Repairs and Maintenance. Any necessary budget transfers are hereby authorized. The City is attempting to subrogate costs from the party at fault. Additionally, City insurance covers the utility bridge, and a claim is in process with a maximum payout of \$500,000.00.

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 _____, 2020.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2020.

Filed with the Clerk on _____, 2020.

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