

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT SIGNED MARCH 25, 2020 BY THE CITY MANAGER, AS PROVIDED FOR UNDER SECTION 2-797(2) OF THE CODE OF ORDINANCES, AUTHORIZING A TASK ORDER IN AN AMOUNT NOT TO EXCEED \$924,140.33 TO CHARLEY TOPPINO & SONS, INC. FOR DUVAL STREET IMPROVEMENTS FROM WALL STREET TO TRUMAN AVENUE; AUTHORIZING NECESSARY BUDGET TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 17-206, the City Commission approved a three-year Right of Way (ROW) contract with Charley Toppino & Sons, Inc., and in Resolution No. 19-054 the contract was extended for an additional year; and

WHEREAS, the Duval Street Improvements are currently being designed by Jacobs Engineering (CH2M). A design task order for this work was approved by City Commission per Resolution 19-366 on December 3, 2019; and

WHEREAS, in response to the COVID-19 threat, the City declared State of Local Emergency on March 15, 2020 in accordance with F.S. 252.38 and CKW Resolution 2007-182. The City most recently extended the State of Local Emergency 2020-05; and

WHEREAS, pursuant to the State of Local Emergency, tourists are temporarily not permitted in Key West, and non-essential businesses are temporarily closed. Due to these extraordinary circumstances, traffic and commercial activity on Duval Street is temporarily substantially reduced; and

WHEREAS, City staff convened on March 20, 2020, and determined that it would be efficient and economical to commence construction immediately, while businesses and traffic are limited, rather than waiting until the original August 2020 construction plan, and potentially propounding additional negative economic and safety impacts on area businesses and residents; and

WHEREAS, by commencing work immediately, the best interests of the City and its residents will be served, as there will be minimal additional impacts to businesses, and the contractor will be able to operate in safer, low-traffic conditions; 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 commence construction on the Duval Street Improvement Project, to minimize negative impacts on 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 signed by the City Manager on March 25, 2020, pursuant to section 2-797(2) of the Code of Ordinances, for Duval Street Improvements from Wall Street to Truman Avenue to Charley Toppino & Sons, Inc., in an amount not to exceed \$924,140.33 is hereby ratified.

Section 2: That funding for this project will be from account # 102-4102-541-6300, Project Number II41022002-Paving. Any necessary budget transfers and adjustments for this task order are hereby authorized.

Section 3: That the City Manager is authorized to execute any necessary documents for this Task Order, upon consent of the City Attorney.

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 _____ 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