

RESOLUTION NO. 09-157

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, REJECTING OF ALL RESPONSES TO RFQ #GN0710 FOR THE ATLANTIC BOULEVARD IMPROVEMENTS PROJECT; PROVIDING FOR AN EFFECTIVE DATE

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

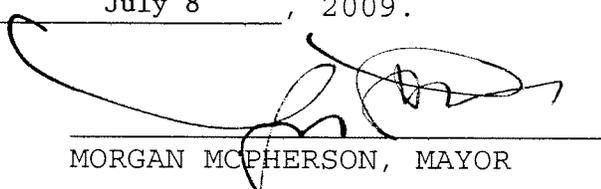
Section 1: That all responses to RFQ #GN0710 for the Atlantic Boulevard Improvements Project are hereby rejected pursuant to Key West City Code of Ordinances section 2-834.

Section 2: 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.

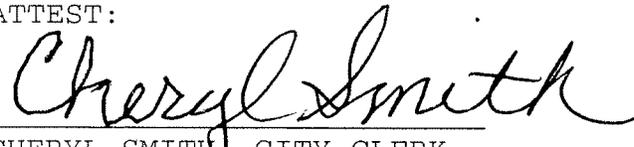
Passed and adopted by the City Commission at a meeting held this 7th day of July, 2009.

Authenticated by the presiding officer and Clerk of the Commission on July 8, 2009.

Filed with the Clerk July 8, 2009.


MORGAN MCPHERSON, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager

FROM: Gary W. Bowman, General Services Director

DATE: June 12, 2009

SUBJECT: Rejection of All responses (RFQ & Per Diem) for the Atlantic Boulevard Improvements Project

ACTION STATEMENT:

This resolution will reject all responses to RFQ # GN0710 (RFQ & Per Diem) from the Atlantic Boulevard Improvements project Request for Qualifications that were opened June 4, 2009.

BACKGROUND:

The City has received grant funding for this project that would fund improvements to be constructed on Atlantic Boulevard.

The City posted a Request for Qualifications and Per Diem on Demandstar to select a qualified firm to provide transportation design, engineering and construction engineering services for this project. The bid opening occurred on June 4th, 2009.

PURPOSE & JUSTIFICATION:

The proper procedure for selecting a firm is to first shortlist the field of applicants from the Request for Qualifications. Following the shortlist, The City negotiates a contract with the desired firm(s). The per diem rates charged by the contractor/consultant are not allowed to be reviewed until the shortlisted firms are selected.

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

In this case, the City mistakenly opened the per diem rates prior to the City's shortlisting of applicants. For this reason, the City is choosing to re-bid the project to prevent any potential objection from a bidder or elsewhere.

OPTIONS:

1. The City could elect to enter into contract negotiations with one of the firms submitting a bid. However, this could leave the City prone to legal action due to the fact that the per diem rates were opened prematurely.
2. The City could reject all of the bids submitted for the project. The City could then elect to re-bid the project, and assure that we follow all proper procedures.

FINANCIAL IMPACTS:

There is no budgetary impact to the City's rejection of the RFQ proposals. The grant funding for this project will not be jeopardized by the delay.

RECOMMENDATION:

The staff recommends option #2, that the City rejects all submittals and re-bid the project.