

RESOLUTION NO. 09-063

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A CHANGE ORDER TO TASK ORDER WO-0901 FROM PEREZ ENGINEERING AND DEVELOPMENT RELATED TO THE DESIGN OF SIDEWALKS ON FLAGLER AVENUE TO INCLUDE PHASE I AND PHASE II BID SERVICES FOR AN AMOUNT NOT TO EXCEED \$3,750.00; PROVIDING FOR AN EFFECTIVE DATE

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

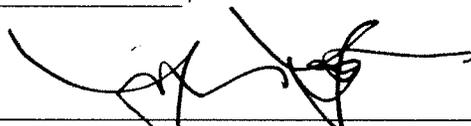
Section 1: That the attached proposed change order dated February 17, 2009 is approved in accordance with City of Key West Code of Ordinances section 2-845 in an amount not to exceed three thousand seven hundred fifty dollars (\$3,750.00).

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 17th day of March, 2009.

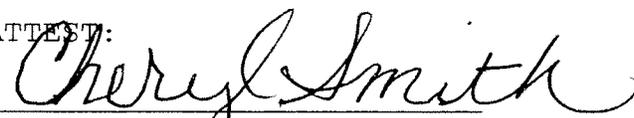
Authenticated by the presiding officer and Clerk of the Commission on March 18, 2009.

Filed with the Clerk March 18, 2009.



MORGAN MCPHERSON, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

M
E
M
O
R
A
N
D
U
M

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

FROM: Gary W. Bowman, General Services Director *geb*

DATE: February 19, 2009

RE: Approval of a Change Order to Task Order WO-0901 from Perez Engineering and Development for the Design of Sidewalks on Flagler Ave. to include Phase I and Phase II Bid Services for \$3,750.00.

ACTION STATEMENT:

This resolution will approve an amendment to Work Order WO - 0901 from Perez Engineering in the amount of \$3,750 for a total of \$38,190.00 for Flagler Avenue Sidewalk Design Services. The original agreement was executed pursuant to F.S. 287.055 (CCNA), City Code Section 2-772 and City Code 2-841

BACKGROUND:

Sidewalk improvements along Flagler Avenue are needed. The lack of a sidewalk along this main thoroughfare places the citizens and visitors at an unnecessary risk.

PE&D has completed the ADA and sidewalk design for the Flagler Ave. Phase I and Phase II projects for the City of Key West. The project is currently out for bid.

Grant funding from FDOT is available to pay \$1,068,900.10 for the construction of this project. The City will pay for the design work and creation of construction drawings.

The City has already tasked Perez Engineering to begin, work on the sidewalks on the south side of Flagler Ave. for Phase I and Phase II. Approval of this task order will allow Perez to begin work on the sidewalks on the north side of Flagler for Phase I and Phase II.



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

M
E
M
O
R
A
N
D
U
M

PURPOSE & JUSTIFICATION:

Once all of the bids are received, the City needs an independent consultant to review the proposals to make sure all bids are complete, and that the firms are qualified and capable of doing the work.

Perez Engineering will

- Assist the City in obtaining bids or negotiated proposals, assist in awarding and preparing contracts for construction, attend pre-bid conferences, prepare addenda, provide written recommendation of award, assist in the compilation/preparation of contract documents, and after the award assist the City in securing the required bonds and certificates of insurance, and in the review of the contract documents for completeness.
- Attend the bid opening, prepare bid tabulation sheets and assist the City in evaluating bids or proposals and in assembling and awarding contracts for construction, materials, equipment and services.
- Issue addenda as appropriate to interpret, clarify or expand the Bidding Documents.
- Consult with and advise the City as to the acceptability of subcontractors, suppliers and other persons and organizations proposed by the prime contractor(s) for those portions of the work as to which such acceptability is required by the Bidding Documents.

OPTIONS:

1. Using PE&D to provide bid phase services to provide the City with additional resources that are readily available, experienced, and knowledgeable of the City of Key West infrastructure, design standards, and bidding documents. This option will help expedite a project which qualifies for complete construction funding from FDOT.
2. The City could choose not to use PE&D and use City staff or another consultant for bid review. The use of City staff will require additional tasks being assigned to a staff that currently has a full workload. The use of another consultant will require the City to revisit with the new consultant the



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

M
E
M
O
R
A
N
D
U
M

design, policy, bidding and operational issues that PE&D has learned over the past 5 years working with the City. Using PE&D will greatly expedite the project's completion. If construction work on the project has not begun by June 30, 2009, the City will lose \$1,068,900.10 in funding from FDOT.

3. The City could choose to not proceed with the project. This option would fail to realize the ADA and safety improvements of the sidewalk, and would result in a loss of FDOT funding for construction of the project. Again, if construction work on the project has not begun by June 30, 2009, the City will lose \$1,068,900.10 in funding from FDOT.

FINANCIAL IMPACT:

Compensation for this bid phase services work will be \$3,750 and will be budgeted to line item 102-4104-541-63. To date, Perez Engineering has completed the task of \$34,440 for the design work

Failure to proceed with this project by June 30, 2009 will result in a loss of FDOT funding of \$1,068,900.10 for its construction.

RECOMMENDATION:

The staff recommends option # 1, the approval of this task order from Perez Engineering & Development, Inc. to provide bid phase services for the sidewalk improvements on Flagler Ave.



PEREZ ENGINEERING
& DEVELOPMENT, INC

February 17, 2009

Mr. Gary Bowman
General Services Director
City of Key West
P.O. Box 1409
Key West, FL 33041

RE: Task Order 09 - 03
Flagler Avenue Sidewalk Phase I and Phase II Bid Services

Dear Gary:

We understand the City of Key West has advertised the Phase I and Phase II of the Flagler Avenue Sidewalk project for bid. Perez Engineering & Development, Inc. will assist the City with Bid Phase Services on an as needed basis. These services shall include, but not be limited to the following:

1. **Assist the City in obtaining bids or negotiated proposals, assist in awarding and preparing contracts for construction, attend pre-bid conferences, prepare addenda, provide written recommendation of award, assist in the compilation/preparation of contract documents, and after the award assist the City in securing the required bonds and certificates of insurance, and in the review of the contract documents for completeness.**
2. **Attend the bid opening, prepare bid tabulation sheets and assist the City in evaluating bids or proposals and in assembling and awarding contracts for construction, materials, equipment and services.**
3. **Issue addenda as appropriate to interpret, clarify or expand the Bidding Documents.**
4. **Consult with and advise the City as to the acceptability of subcontractors, suppliers and other persons and organizations proposed by the prime contractor(s) (herein called CONTRACTOR(S)) for those portions of the work as to which such acceptability is required by the Bidding Documents.**

Key West Office:

1010 Kennedy Dr. Suite 400 • Key West, Florida 33040
tel: (305) 293-9440 Fax: (305) 296-0243

Tampa Office:

Concourse Center IV • 3507 East Frontage Road, Suite 140 • Tampa, Florida 33607-7013
tel: (813) 579-1616 • Fax: (813) 288-0710

Mr. Gary Bowman
February 17, 2009
Page 2

Compensation for providing these services shall be billed on an hourly basis toward an upset fee of \$3,750.

If you have any questions, please do not hesitate to contact us.

Sincerely,

CITY MANAGER



Allen E. Perez, P.E.
President



Mr. Jim Scholl