

## **ST. PETERSBURG CITY COUNCIL**

**Meeting of April 18, 2019**

### **Report**

**TO:** The Honorable Charles Gerdes, Chair, and Members of City Council

**SUBJECT:** A resolution accepting Addendum No. 9 in an amount not to exceed \$478,824 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated April 3, 2018 to install the play equipment and safety surfacing; accepting Addendum No. 10 in an amount not to exceed \$778,419 submitted by Skanska to the GMP proposal dated April 3, 2018 to repair seawalls in the North and Central yacht basins; providing that the total GMP for the Pier Approach Project shall not exceed \$24,806,844; authorizing the Mayor or his designee to execute the Ninth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated January 10, 2017, as amended, to incorporate the above referenced addendums to the GMP proposal into the agreement, as amended; authorizing the City Attorney's office to make non-substantive changes to the Ninth Amendment; approving a transfer in the amount of \$778,419 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) to provide funding for emergency repairs to sections of seawall at the North and Central basins; approving a supplemental appropriation in the amount of \$778,419 from the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer to the Pier Approach Project (15377); approving a transfer in the amount of \$125,000 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) to provide funding for overall project contingency; authorizing a supplemental appropriation in the amount of \$125,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer to the Pier Approach Project (15377); and providing an effective date.

**EXPLANATION:** The City of St. Petersburg, Florida ("City") and Skanska USA Building, Inc. ("Skanska") executed the Construction Manager at Risk Agreement with a Guaranteed Maximum Price ("GMP") on January 10, 2017 ("Contract") for Skanska to provide preconstruction and construction phase services for the Pier Approach Project. On April 19, 2018, City Council accepted a GMP Proposal dated April 3, 2018 in the amount of \$15,030,610 for construction of the Pier Approach and approved a First Amendment to the Skanska Agreement.

On June 14, 2018, City Council accepted Addendum No. 1 to the GMP Proposal dated April 3, 2018 for the procurement of sixty-four (64) 14" precast concrete piles for the Doc Ford Restaurant in the amount of \$185,239 and the City and Skanska executed the Second Amendment. On July 19, 2018 City Council accepted Addendum No. 2 to the GMP Proposal for the installation of the piles to support the Doc Ford structure in the amount of \$581,611 and the approval of the Third Amendment. On August 2, 2018 City Council approved the Fourth Amendment to the Skanska CMAR Agreement adding \$20,000 for preconstruction phase services for the Janet Echelman net sculpture infrastructure installation. On August 23, 2018 City Council accepted Addendum No. 3 and approved the Fifth Amendment to the Skanska CMAR Agreement for the Doc Ford Restaurant structural support system in the amount of \$1,085,737. On October 4, 2018 City Council accepted Addendum No. 4 and approved the Sixth Amendment to the Skanska CMAR Agreement for the replacement of approximately 696 linear feet of existing seawall at the

North Yacht basin in the amount of \$2,964,769. On January 3, 2019 City Council accepted Addendum No. 5 for the complete Doc Ford Core & Shell in the amount of \$1,835,532 and the City executed the Seventh Amendment. March 14, 2019 City Council accepted Addendum No. 6 for fabrication and installation of the market kiosks in the amount not to exceed \$262,612; Addendum No. 7 for the installation of the JEI net sculpture City Infrastructure in the not to exceed amount of \$1,403,491; and Addendum No. 8 to increase the owner's contingency in the not to exceed amount of \$200,000 and the City executed the Eighth Amendment.

Acceptance of Addendum No. 9 for the installation of the Earthscape play equipment and safety surfacing in an amount not to exceed \$478,824 to the Skanska GMP Proposal dated April 3, 2018 includes the construction of concrete foundations and installation of the play equipment by certified play equipment installers as well as the installation of the synthetic lawn safety surfacing. On April 19, 2018, City Council approved an agreement with Earthscape to design, fabricate, and oversee the installation of the children's playground at the Pier. Earthscape has provided full construction drawings and detailed shop drawings for pricing the foundations and installation. Fabrication of the play equipment is in process and will be delivered for installation later this fall. A total of \$1,000,000 was appropriated for the play equipment from the Pier District Enhancements. Of this amount, \$641,000 will be performed by Earthscape for the design and fabrication of the play equipment, leaving \$359,000 available for foundations, installation and safety surfacing. The balance in the amount of \$119,824 is available from the Pier Approach budget.

Acceptance of Addendum No. 10 for emergency repairs to sections of failing seawalls abutting the pier project along the Central and North basins in the not to exceed amount of \$778,419 to the GMP Proposal dated April 3, 2018. This work consists of replacement of approximately 26 linear feet of existing seawall at the Central Basin to match adjacent concrete seawalls. The work also includes anchoring new hot-dipped galvanized steel tie-back anchors to approximately 100 linear feet of seawall adjacent to the public restrooms on Bay Shore Drive and 2<sup>nd</sup> Ave. North. Both sections of seawall were found to have failed while Pier Approach construction was underway necessitating emergency repairs. A total of \$778,419 is being requested to be transferred from the funds authorized under the IRP Interlocal Agreement for Waterfront, Transit and Parking Improvements in the IRP east of 8<sup>th</sup> Street.

A total of \$125,000 is being requested to be transferred from the funds authorized under the IRP Interlocal Agreement (Pier District Enhancements). This amount is requested to increase the overall project contingency.

The revised GMP for the Project includes the following:

Pier Approach GMP Proposal – First Amendment	\$15,030,610
Doc Ford Pile Procurement – Addendum No. 1	\$ 185,239
Doc Ford Pile Installation – Addendum No. 2	\$ 581,611
Doc Ford Structure Only – Addendum No. 3	\$ 1,085,737
North Basin Seawall – Addendum No. 4	\$ 2,964,769
Doc Ford Full Core & Shell – Addendum No. 5	\$ 1,835,532

Fabrication and Installation of Market Kiosks – Addendum No. 6	\$ 262,612
Construction of JEI Infrastructure – Addendum No. 7	\$ 1,403,491
Increase to Owner’s Contingency- Addendum No. 8	\$ 200,000
Installation of Play Equipment and Surfacing – Addendum No. 9	\$ 478,824
Seawall Repairs at Central & North Basins – Addendum No. 10	\$ <u>778,419</u>
Revised Total GMP for Pier Approach Project	\$24,806,844

After approval by City Council, the City and Skanska will execute the Ninth Amendment to the contract.

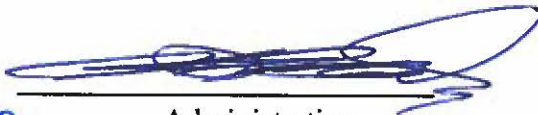
**RECOMMENDATION:** Administration recommends City Council approve the attached resolution accepting Addendum No. 9 in an amount not to exceed \$478,824 submitted by Skanska USA Building, Inc. (“Skanska”) to the Guaranteed Maximum Price (“GMP”) proposal dated April 3, 2018 to install the play equipment and safety surfacing; accepting Addendum No. 10 in an amount not to exceed \$778,419 submitted by Skanska to the GMP proposal dated April 3, 2018 to repair seawalls in the North and Central yacht basins; providing that the total GMP for the Pier Approach Project shall not exceed \$24,806,844; authorizing the Mayor or his designee to execute the Ninth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated January 10, 2017, as amended, to incorporate the above referenced addendums to the GMP proposal into the agreement, as amended; authorizing the City Attorney’s office to make non-substantive changes to the Ninth Amendment; approving a transfer in the amount of \$778,419 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) to provide funding for emergency repairs to sections of seawall at the North and Central basins; approving a supplemental appropriation in the amount of \$778,419 from the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer to the Pier Approach Project (15377); approving a transfer in the amount of \$125,000 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) to provide funding for overall project contingency; authorizing a supplemental appropriation in the amount of \$125,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer to the Pier Approach Project (15377); and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** A portion of the funding has been previously appropriated in the General Capital Improvement Fund (3001), Pier Approach Project (15377). Additional funding will be available for emergency repairs to sections of seawall at the North and Central basins after approving a transfer in the amount of \$778,419 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) to provide funding for emergency repairs to sections of seawall at the North and Central basins; approving a supplemental appropriation in the amount of \$778,419 from the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer to the Pier Approach Project (15377) Funding in the amount of \$125,000 for overall project contingency will be available after a transfer in the amount

of \$125,000 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) and a supplemental appropriation in the amount of \$125,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer to the Pier Approach Project (15377).

**ATTACHMENTS:** Resolution  
Addendum No. 9, & 10

**APPROVALS:**

  
Administrative

  
Budget

**RESOLUTION NO. 2019- \_\_\_\_\_**

**A RESOLUTION ACCEPTING ADDENDUM NO. 9 IN AN AMOUNT NOT TO EXCEED \$478,824 SUBMITTED BY SKANSKA USA BUILDING, INC. ("SKANSKA") TO THE GUARANTEED MAXIMUM PRICE ("GMP") PROPOSAL DATED APRIL 3, 2018 TO INSTALL THE PLAY EQUIPMENT AND SAFETY SURFACING; ACCEPTING ADDENDUM NO. 10 IN AN AMOUNT NOT TO EXCEED \$778,419 SUBMITTED BY SKANSKA TO THE GMP PROPOSAL DATED APRIL 3, 2018 TO REPAIR SEAWALLS IN THE NORTH AND CENTRAL YACHT BASINS; PROVIDING THAT THE TOTAL GMP FOR THE PIER APPROACH PROJECT SHALL NOT EXCEED \$24,806,844; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE NINTH AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH A GMP BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND SKANSKA DATED JANUARY 10, 2017, AS AMENDED, TO INCORPORATE THE ABOVE REFERENCED ADDENDUMS TO THE GMP PROPOSAL INTO THE AGREEMENT, AS AMENDED; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE NINTH AMENDMENT; APPROVING A TRANSFER IN THE AMOUNT OF \$778,419 FROM THE UNAPPROPRIATED BALANCE OF THE DOWNTOWN REDEVELOPMENT DISTRICT FUND (1105) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001) TO PROVIDE FUNDING FOR EMERGENCY REPAIRS TO SECTIONS OF SEAWALL AT THE NORTH AND CENTRAL BASINS; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$778,419 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE TRANSFER TO THE PIER APPROACH PROJECT (15377); APPROVING A TRANSFER IN THE AMOUNT OF \$125,000 FROM THE UNAPPROPRIATED BALANCE OF THE DOWNTOWN REDEVELOPMENT DISTRICT FUND (1105) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001) TO PROVIDE FUNDING FOR OVERALL PROJECT CONTINGENCY; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$125,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE TRANSFER TO THE PIER APPROACH PROJECT (15377); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of St. Petersburg, Florida ("City") and Skanska USA Building, Inc. ("Skanska") entered into a Construction Manager at Risk Agreement with a Guaranteed Maximum Price ("GMP") on January 10, 2017, for Skanska to provide preconstruction and construction phase services for the Pier Approach Project; and

**WHEREAS**, on April 19, 2018, the City and Skanska executed the First Amendment to (i) incorporate the GMP Proposal in an amount not to exceed \$15,030,610 dated April 3, 2018, into agreement, (ii) add additional preconstruction phase services, (iii) revise the disadvantaged worker and apprentices provision to clarify good faith efforts and retainer, and (iv) modify other necessary provisions; and

**WHEREAS**, on June 14, 2018, the City and Skanska executed the Second Amendment to increase the GMP by an additional \$185,239 for pile procurement for the Doc Ford's Restaurant; and



**WHEREAS**, on July 19, 2018, the City and Skanska executed the Third Amendment to increase the GMP by an additional \$581,611 for installation of the piles procured for the Doc Ford's Restaurant; and

**WHEREAS**, on August 2, 2018, the City and Skanska executed the Fourth Amendment for Skanska to provide additional preconstruction phase services related to the Janet Echelman net sculpture for an amount not to exceed \$20,000; and

**WHEREAS**, on September 7, 2018, the City and Skanska executed the Fifth Amendment to increase the GMP by an additional \$1,085,737 for the installation of the structural system for the Doc Ford's Restaurant and to revise the project schedule; and

**WHEREAS**, on October 4, 2018, the City and Skanska executed the Sixth Amendment to increase the GMP by an additional \$2,964,769 for the construction of the new North Yacht Basin Seawall adjacent to the New St. Pete Pier™; and

**WHEREAS**, on January 3, 2019, the City and Skanska executed the Seventh Amendment to increase the GMP by an additional \$1,835,532 for completion of the construction of the Doc Ford's Full Core & Shell and to revise the project schedule; and

**WHEREAS**, on March 14, 2019, the City and Skanska executed the Eighth Amendment to increase the GMP by an additional \$1,866,103 for (i) fabrication and installation of the market kiosks, (ii) an increase in the amount of the City's contingency, and (iv) construction of the City infrastructure required to support, install and illuminate Janet Echelman Inc. (JEI) net sculpture; and

**WHEREAS**, the City and Skanska desire to execute the Ninth Amendment to increase the GMP by an additional \$1,257,243 for (i) installation of the play equipment and safety surfacing and (ii) repairs to seawalls in the North and Central Yacht Basins (for a total GMP for the Pier Approach Project not to exceed \$24,806,844).

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of St. Petersburg, Florida, that Addendum No. 9 in an amount not to exceed \$478,824 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated April 3, 2018 to install the play equipment and safety surfacing is hereby accepted.

**BE IT FURTHER RESOLVED** that Addendum No. 10 in the amount of \$778,419 submitted by Skanska to the GMP proposal dated April 3, 2018 to repair seawalls in the North and Central Yacht Basins is hereby accepted.

**BE IT FURTHER RESOLVED** that the total GMP for the Pier Approach Project shall not exceed \$24,806,844.

**BE IT FURTHER RESOLVED** that the Mayor or his designee is authorized to execute the Ninth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated January 10, 2017, as amended, to incorporate the above referenced addendums to the GMP proposal into the agreement, as amended.

**BE IT FURTHER RESOLVED** that the City Attorney's Office is authorized to make non-substantive changes to the Ninth Amendment.

**BE IT FURTHER RESOLVED** that there is hereby approved the following transfer for FY19:

Downtown Redevelopment District Fund (1105)

Transfer to: General Capital Improvement Fund (3001)                      \$778,419

**BE IT FURTHER RESOLVED** that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, the following supplemental appropriation for FY19:

General Capital Improvement Fund (3001)

Pier Approach Project (15377)

\$778,419

**BE IT FURTHER RESOLVED** that there is hereby approved the following transfer for FY19:

Downtown Redevelopment District Fund (1105)

Transfer to: General Capital Improvement Fund (3001)

\$125,000

**BE IT FURTHER RESOLVED** that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, the following supplemental appropriation for FY19:

General Capital Improvement Fund (3001)

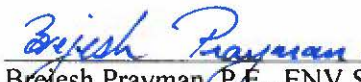
Pier Approach Project (15377)

\$125,000

This resolution shall become effective immediately upon its adoption.

APPROVALS:

  
\_\_\_\_\_  
City Attorney (Designee)

  
\_\_\_\_\_  
Brijesh Prayman, P.E., ENV SP  
Engineering and Capital Improvements Director

  
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Budget 00440978 Final