

## **ST. PETERSBURG CITY COUNCIL**

**Meeting of February 18, 2021**

### **Report**

**TO:** The Honorable Ed Montanari, Chair, and Members of City Council

**SUBJECT:** A resolution accepting Addendum No. 12 in an amount not to exceed \$419,662.61 submitted by Skanska USA Building, Inc. (“Skanska”) to the Guaranteed Maximum Price (“GMP”) proposal dated November 17, 2017, to increase the owner’s contingency in order to close-out the Project; providing that the total GMP for the Pier Project shall not exceed \$43,986,983.61; authorizing the Mayor or his designee to execute the Twelfth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated July 13, 2015, as amended, to incorporate the above referenced Addendum to the GMP proposal into such Agreement, as amended and to revise the substantial completion date for the Project; authorizing the City Attorney’s office to make non-substantive changes to the Twelfth Amendment; rescinding an unencumbered appropriation in the General Capital Improvement Fund (3001) in the amount of \$600,000 from the Pier Approach Project (15377); approving a supplemental appropriation in the amount of \$600,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above rescission, to the Pier Visioning Project (11988) to provide funding for the Twelfth Amendment and other Project close-out costs and expenses; 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 July 13, 2015, for Skanska to provide preconstruction and construction phase services for the new St. Pete Pier™ Project. Following execution of the agreement, the City authorized Skanska to provide preconstruction phase services in an amount not to exceed \$490,000.

On March 2, 2017, City Council approved a First Amendment for additional preconstruction services in an amount not to exceed \$381,200 for fabrication and delivery of twenty (20) test piles and two (2) overwater pile layout templates for a revised total Preconstruction Phase services fee of \$871,200. Skanska has completed the preconstruction phase services approved to date.

On June 1, 2017, City Council approved the Second Amendment for the Partial GMP for the Marine Structural Work in the amount of \$17,579,847.

On December 7, 2017, City Council approved the Third Amendment to incorporate the Final GMP in the amount of \$38,520,687.

On August 2, 2018, City Council approved the Fourth Amendment to add \$55,000 in additional preconstruction services related to tenant improvements.

On February 7, 2019, City Council approved the Fifth Amendment to add Addendum No. 1 in the amount of \$711,371 for the Tampa Bay Watch Discovery center tenant improvements and Addendum No. 2 in the amount of \$400,000 to increase the Owner’s Contingency in the GMP.

On April 18, 2019, City Council approved the Sixth Amendment to add Addendum No. 3 in the amount of \$174,150 for splash pad enhancement and Addendum No. 4 in the amount of \$852,829 for Pier Head building modifications.

On May 16, 2019, City Council approved the Seventh Amendment to add Addendum No. 5 in the amount of \$552,775 to provide for the UPS tenant improvements at the Pavilion, Bait House and Sundry Shop.

On July 11, 2019, City Council approved the Eighth Amendment to add Addendum No. 6 increasing the Owner's Contingency in the not-to exceed amount of \$450,000.

On October 17, 2019, City Council approved the Ninth Amendment to add Addendum No. 7 in the amount of \$150,000 pier head tenant build-out requirements, Addendum No. 8 in an amount of \$509,087 for Pier related design changes, and Addendum No. 9 in the amount of \$489,737 for Pier Head tenant coordination and extended general conditions.

On June 11, 2020, the Mayor authorized the Tenth Amendment in the amount of \$356,685 for additional costs resulting from authorization of additional scope in the Pier project.

On July 9, 2020 City Council approved the Eleventh Amendment in the not to exceed amount of \$400,000 to cover the cost of additional Owner Contingency authorizations required for the completion of the Pier Project.

Approval of the Twelfth Amendment in the not to exceed amount of \$419,662.61 is to pay for overages on the Pier Project as per the contract close-out. These overages were for various cost items required during course of the project that have been negotiated and accepted by Skanska and City Administration. A savings was realized in the Pier Approach Project in the amount of \$665,082. This savings has been credited to the Pier Approach project and will be used as the source of funds to off-set the overage on the Pier Project.

The summary of Pier GMP's to date is as follows:

Partial GMP No.1 for Marine Structure	\$ 17,579,847	(Approved)
Partial GMP No.2 for Balance of the Work	<u>\$ 18,098,487</u>	(Approved)
Final Base GMP Proposal	\$ 35,678,334	(Approved)
Acceptance of Project Enhancements	<u>\$ 2,842,353</u>	(Approved)
Final GMP Proposal	\$ 38,520,687	(Approved)
Addendum No. 1 for TBW Discovery Center TI	\$ 711,371	(Approved)
Addendum No. 2 for additional Owner's Contingency	\$ 400,000	(Approved)
Addendum No. 3 for upgrades to the Splash Pad	\$ 174,150	(Approved)
Addendum No. 4 for Pier Head building modifications	\$ 852,829	(Approved)

Addendum No. 5 for Pavilion, Bait House and Sundry	\$	552,775	(Approved)
Addendum No. 6 for additional Owner's Contingency	\$	450,000	(Approved)
Addendum No. 7 for recovery of Pier tenant costs	\$	150,000	(Approved)
Addendum No. 8 for various Pier Design Revisions	\$	509,087	(Approved)
Addendum No. 9 for Teak coordination and GCs	\$	489,737	(Approved)
Addendum No. 10 for additional Owner's Contingency	\$	356,685	(Approved)
Addendum No. 11 for additional Owner's Contingency	\$	400,000	(Approved)
Addendum No. 12 for Project Closeout	\$	<u>419,662.61</u>	

**Revised Final GMP**

**\$ 43,986,983.61**

**RECOMMENDATION:** Approval of a Resolution accepting Addendum No. 12 in an amount not to exceed \$419,662.61 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated November 17, 2017, to increase the owner's contingency in order to close-out the Project; providing that the total GMP for the Pier Project shall not exceed \$43,986,983.61; authorizing the Mayor or his designee to execute the Twelfth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated July 13, 2015, as amended, to incorporate the above referenced Addendum to the GMP proposal into such Agreement, as amended and to revise the substantial completion date for the Project; authorizing the City Attorney's office to make non-substantive changes to the Twelfth Amendment; rescinding an unencumbered appropriation in the General Capital Improvement Fund (3001) in the amount of \$600,000 from the Pier Approach Project (15377); approving a supplemental appropriation in the amount of \$600,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above rescission, to the Pier Visioning Project (11988) to provide funding for the Twelfth Amendment and other Project close-out costs and expenses; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds will be available after approval of a rescission of an unencumbered appropriation in the General Capital Improvement Fund (3001) in the amount of \$600,000 from the Pier Approach Project (15377) and approval of a supplemental appropriation in the amount of \$600,000 from the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above rescission, to the Pier Visioning Project (11988).

**ATTACHMENTS:** Resolution  
GMP Addendum No. 12

RESOLUTION NO. 2021-\_\_\_\_\_

A RESOLUTION ACCEPTING ADDENDUM NO. 12 IN AN AMOUNT NOT TO EXCEED \$419,662.61 SUBMITTED BY SKANSKA USA BUILDING, INC. ("SKANSKA") TO THE GUARANTEED MAXIMUM PRICE ("GMP") PROPOSAL DATED NOVEMBER 17, 2017, TO INCREASE THE OWNER'S CONTINGENCY IN ORDER TO CLOSE-OUT THE PROJECT; PROVIDING THAT THE TOTAL GMP FOR THE PIER PROJECT SHALL NOT EXCEED \$43,986,983.61; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE TWELFTH AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH A GMP BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND SKANSKA DATED JULY 13, 2015, AS AMENDED, TO INCORPORATE THE ABOVE REFERENCED ADDENDUM TO THE GMP PROPOSAL INTO SUCH AGREEMENT, AS AMENDED AND TO REVISE THE SUBSTANTIAL COMPLETION DATE FOR THE PROJECT; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE TWELFTH AMENDMENT; RESCINDING AN UNENCUMBERED APPROPRIATION IN THE GENERAL CAPITAL IMPROVEMENT FUND (3001) IN THE AMOUNT OF \$600,000 FROM THE PIER APPROACH PROJECT (15377); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$600,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE RESCISSION, TO THE PIER VISIONING PROJECT (11988) TO PROVIDE FUNDING FOR THE TWELFTH AMENDMENT AND OTHER PROJECT CLOSE-OUT COSTS AND EXPENSES; 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 July 13, 2015, for Skanska to provide preconstruction and construction phase services for the new Pier; and

WHEREAS, following execution of the agreement, the City authorized Skanska to provide the preconstruction phase services in an amount not to exceed \$490,000; and

WHEREAS, on March 24, 2017, the City and Skanska executed the First Amendment for Skanska to provide additional preconstruction services which included fabrication and delivery of twenty (20) test piles and two (2) overwater pile layout templates in an amount not to exceed \$381,200 (for the total preconstruction phase costs not to exceed \$871,200); and

WHEREAS, on June 9, 2017, the City and Skanska executed the Second Amendment to incorporate the Partial GMP Proposal for the marine structural work in the amount of \$17,579,847 into the agreement, as amended; and

WHEREAS, on December 7, 2017, the City and Skanska executed the Third Amendment to

incorporate the Final GMP Proposal in an amount not to exceed \$38,520,687 (which included (i) the Partial GMP Proposal – Marine Structural Work and the Partial GMP Proposal – Balance of the Work in the amount of \$18,098,487, which are collectively the base GMP for the project, and (ii) the GMP proposal for the addition of three pier enhancement elements {the Plaza Pavilion, the Enhanced Splash Pad, and the Additional Breakwater} in the amount of \$2,842,353) into the agreement, as amended, to revise the disadvantaged worker and apprentices provision to clarify good faith efforts and retainer, and to modify other necessary provisions; 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 Pier head building tenant improvements, education building tenant improvements, and pavilion tenant improvements for an amount not to exceed \$55,000, and to revise the project schedule; and

WHEREAS, on February 7, 2019, the City and Skanska executed the Fifth Amendment to increase the GMP by an additional \$1,111,371 for construction of the Tampa Bay Watch Discovery Center tenant improvements and to increase the owner's contingency, and to further revise the project schedule; and

WHEREAS, on April 19, 2019, the City and Skanska executed the Sixth Amendment to increase the GMP (as previously increased) by an additional \$1,026,979 for (i) upgrades to the interactive control system for the Pier splash pad and (ii) the Pier head building back of house and core & shell modifications; and

WHEREAS, on May 30, 2019, the City and Skanska executed the Seventh Amendment to increase the GMP (as previously increased) by an additional \$552,775 for Pier Pavilion, Bait House and Sundry Shop Tenant Improvements; and

WHEREAS, on July 11, 2019, the City and Skanska executed the Eighth Amendment to increase the GMP (as previously increased) by an additional \$450,000 to increase the owner's contingency; and

WHEREAS, on October 17, 2019, the City and Skanska executed the Ninth Amendment to increase the GMP (as previously increased) by an additional \$1,148,824 for (i) costs attributed to the Pier Head Tenant build-out requirements, (ii) Pier related project design changes, and (iii) Pier Head Tenant Coordination and extended general conditions, and to modify the Project schedule related to the Pier Head building; and

WHEREAS, on June 15, 2020, the City and Skanska executed the Tenth Amendment to increase the GMP (as previously increased) by an additional \$356,685 to increase the Owner's contingency; and

WHEREAS, on July 9, 2020, the City and Skanska executed the Eleventh Amendment to increase the GMP (as previously increased) by an additional \$400,000 to increase the Owner's contingency; and

WHEREAS, the City and Skanska desire to execute the Twelfth Amendment to increase the GMP (as previously increased) by an additional \$419,662.61 to increase the Owner's contingency in order to close-out the Project (for a total GMP for the Pier Project not to exceed \$43,986,983.61) and to revise the substantial completion date for the Project; and

WHEREAS, funding for the Twelfth Amendment and other Project close-out costs and expenses will be available after rescinding an unencumbered appropriation in the General Capital Improvement Fund (3001) in the amount of \$600,000 from the Pier Approach Project (15377) and approving a supplemental appropriation in the amount of \$600,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above rescission, to the Pier Visioning Project (11988).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Addendum No. 12 in an amount not to exceed \$419,662.61 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated November 17, 2017, to increase the Owner's contingency in order to close-out the Project is hereby accepted.

BE IT FURTHER RESOLVED that the total GMP for the Pier Project shall not exceed \$43,986,983.61.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Twelfth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated July 13, 2015, as amended, to incorporate the above referenced addendum to the GMP proposal into such agreement, as amended and to revise the substantial completion date for the Project.

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

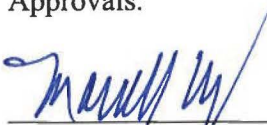
BE IT FURTHER RESOLVED that an unencumbered appropriation in the General Capital Improvement Fund (3001) in the amount of \$600,000 from the Pier Approach Project (15377) is hereby rescinded.

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 rescission, the following supplemental appropriation for FY21:

<u>General Capital Improvement Fund (3001)</u>	
Pier Visioning Project (11988)	\$600,000

This resolution shall become effective immediately upon its adoption.

Approvals:

  
\_\_\_\_\_  
City Attorney (Designee) 00548905

  
\_\_\_\_\_  
Budget

  
\_\_\_\_\_  
Administration

January 22, 2021

**Mr. Brejesh Prayman, PE**  
Engineering and Capital Improvements Director  
City of St. Petersburg  
One 4<sup>th</sup> Street N.  
St. Petersburg, FL 33701

**Re: New St. Petersburg Pier  
Pier GMP Addendum #12  
Increase to the Pier Project Owner's Contingency  
Tenant Coordination & Schedule Modifications**

Dear Mr. Prayman:

We are pleased to provide you with this proposal for an Increase to the Pier Project Owner's Contingency, Final Tenant Coordination & Schedule Modifications for the New St. Petersburg Pier project.

- **Addendum # 12 – Increase Project Owner's Contingency \$ 419,662.61**
- **Change Project Substantial Completion date components as per below:**
  - Pierhead Building from 2/15/20 to 5/31/20
  - All other Pier Project components from 12/20/19 to 2/29/20

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


Sincerely,

SKANSKA USA BUILDING INC.



Kenneth. E. Duty  
Project Executive

Cc: Chuck Jablon – Sr. Vice President  
Johnathan Meese – Preconstruction Director

 <div style="text-align: center;"> -- City of St. Petersburg Authorization Request --  <b>General Authorization</b> </div>					<b>Request #</b>
					92318
<b>Name:</b>	Johnson, Sarah B	<b>Request Date:</b>	01-FEB-2021	<b>Status:</b>	APPROVED

Authorization Request	
<b>Subject:</b>	Council - 2/18
<b>Message:</b>	Skanska - Pier GMP - Twelfth Amendment
<b>Supporting Documentation:</b>	Skanska - Pier GMP - Twelfth Amendment - Final.pdf

	Approver	Completed By	Response	Response Date	Type
0	Johnson, Sarah B		SUBMITTED	01-FEB-2021	
1	Prayman, Brejesh B	Prayman, Brejesh B	APPROVE	03-FEB-2021	User Defined
2	McKee, Stacey Pevzner	McKee, Stacey Pevzner	APPROVE	03-FEB-2021	User Defined
3	Tankersley, Claude Duval	Tankersley, Claude Duval	APPROVE	03-FEB-2021	User Defined