

ST. PETERSBURG CITY COUNCIL

Meeting of January 3, 2019

Report

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

SUBJECT: A resolution accepting Addendum No. 5 Price for the Full Doc Ford Core & Shell in an amount not to exceed \$1,835,532 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated April 3, 2018 for completion of the construction of a new restaurant core & shell associated with the new St. Pete Pier™ and additional Owner's Contingency; providing that the total GMP for the Pier Approach Project shall not exceed \$21,683,498; authorizing the Mayor or his designee to execute the Seventh 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 Addendum No. 5 to the GMP proposal into such agreement, as amended; authorizing the City Attorney's office to make non-substantive changes to the Seventh Amendment; approving a transfer in the amount of \$950,000 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) to provide funding for the full construction of the core& shell as well as an Unforeseen Conditions Contingency, authorizing a supplemental appropriation in the amount of \$950,000 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. City Council also approved a lease with Doc Ford providing that the City will design and construct the core and shell of an approximately 10,000 square foot restaurant and 2,000 square feet of administrative space.

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.

Acceptance of this Addendum No. 5 Price for the Full Doc Ford Core & Shell in an amount not to exceed \$1,835,532 to GMP Proposal dated April 3, 2018 includes \$1,735,532 to complete the balance of the core & shell for the Doc Ford's Rum Bar & Grille as well as the fit-out of the administrative offices for Pier management along with \$100,000 for additional Owner's Contingency to cover unforeseen conditions related to the Pier Approach Project.

A total of \$3,000,000 was budgeted for a restaurant at the southeast corner of the Pelican parking lot within the \$20,000,000 allocated for the Pier Approach. It was anticipated that this would cover the city's share of the core & shell for design and construction of a new restaurant. Upon approval of the lease with Doc Ford's in April of 2018, staff proceeded to work with the design team, the construction manager and Doc Ford project team to finalize the design, obtain pricing and develop the restaurant within the overall schedule and logistics for the Pier Approach. This resulted in three early release packages for ordering and installing the piles and procuring the structural system for the core and shell. A combination of site and market conditions have resulted in final construction costs that exceeded the initial budgeted amount. In order to cover this overage Administration is recommending a transfer in the amount of \$950,000 from the unappropriated balance in the Downtown Redevelopment District Fund to cover the overage for both the restaurant core and shell as well as the administrative offices, \$850,000, in addition, \$100,000 is requested to be added to the overall Pier Approach GMP Owner Contingency to cover cost of unforeseen conditions encountered on the site. These funds are part of the \$10 million in Enhancements to the Municipal Pier Project that were approved by City Council and the Pinellas County Commission as an amendment to the IRP and the Interlocal Agreement in the Fall of 2017.

The Doc Ford restaurant consists of approximately 10,305 square feet of which approximately 6,606 square feet will be interior space and 3,380 square feet will be exterior covered space. The administrative office space and City support space to house the Pier management team consist of approximately 1,900 square feet. The balance of the core & shell will complete the exterior waterproof envelope of the building and provide code minimum utilities and services necessary for the tenant to connect to complete their interior improvements. All interior tenant improvements will be performed by a third-party contractor retained by Doc Ford's. The tenant improvements will commence upon completion of the city's core & shell work and receipt of a Temporary Certificate of Occupancy (TCO).

The cost of the complete Doc Ford Core & Shell with City Administrative Offices is as follows:

Fabricate and Deliver Piles to Site (issued in Addendum # 1)	\$ 185,239
Installation of Pile (issued in Addendum # 2)	\$ 581,611
Foundations, Slab and Steel Structure (issued in Addendum # 3)	\$1,085,737
Full Doc Ford Core & Shell with Admin. Offices	<u>\$1,735,532</u>
Total Doc Ford Core & Shell with Admin Offices	\$3,588,119

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 *
Revised Total GMP for Pier Approach Project	\$21,683,498

* An Owner’s Contingency of \$100,000 is included in Addendum No. 5 for Pier Approach project unforeseen conditions.

The Seventh Amendment to the Pier Approach CMAR Agreement also incorporates a revised project schedule for the Pier Approach which reflects a substantial completion date of December 20, 2019.

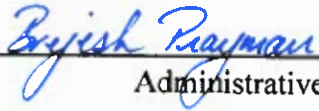
After approval by City Council, the City and Skanska will execute the Seventh Amendment to the contract.

RECOMMENDATION: Administration recommends City Council approve the attached resolution accepting Addendum No. 5 Price for the Full Doc Ford Core & Shell in an amount not to exceed \$1,835,532 submitted by Skanska USA Building, Inc. (“Skanska”) to the Guaranteed Maximum Price (“GMP”) proposal dated April 3, 2018 for completion of the construction of a new restaurant core & shell associated with the new St. Pete Pier™; providing that the total GMP for the Pier Approach Project shall not exceed \$21,683,498; authorizing the Mayor or his designee to execute the Seventh 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 Addendum No. 5 to the GMP proposal into such agreement, as amended; authorizing the City Attorney’s office to make non-substantive changes to the Seventh Amendment; approving a transfer in the amount of \$950,000 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001) to provide funding for the full construction of the core & shell as well as an Unforeseen Conditions Contingency, authorizing a supplemental appropriation in the amount of \$950,000 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: Funding in the amount of \$950,000 will be available after a transfer in the amount of \$950,000 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 \$950,000 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. 5

APPROVALS:


Administrative *for CT*


Budget

RESOLUTION NO. 2019- _____

A RESOLUTION ACCEPTING ADDENDUM NO. 5 – FULL DOC FORD CORE AND SHELL IN AN AMOUNT NOT TO EXCEED \$1,835,532 SUBMITTED BY SKANSKA USA BUILDING, INC. (“SKANSKA”) TO THE GUARANTEED MAXIMUM PRICE (“GMP”) PROPOSAL DATED APRIL 3, 2018 FOR COMPLETION OF THE CONSTRUCTION OF A NEW RESTAURANT CORE & SHELL ASSOCIATED WITH THE NEW ST. PETE PIER™; PROVIDING THAT THE TOTAL GMP FOR THE PIER APPROACH PROJECT SHALL NOT EXCEED \$21,683,498; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SEVENTH 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 ADDENDUM NO. 5 TO THE GMP PROPOSAL INTO SUCH AGREEMENT, AS AMENDED AND TO REVISE THE PROJECT SCHEDULE; AUTHORIZING THE CITY ATTORNEY’S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE SEVENTH AMENDMENT; APPROVING A TRANSFER IN THE AMOUNT OF \$950,000 FROM THE UNAPPROPRIATED BALANCE OF THE DOWNTOWN REDEVELOPMENT DISTRICT FUND (1105) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001) TO PROVIDE FUNDING FOR THE FULL CONSTRUCTION OF THE CORE & SHELL AND UNFORESEEN CONDITIONS CONTINGENCY; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$950,000 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 incorporate the GMP Proposal in an amount not to exceed \$15,030,610 dated April 3, 2018, into agreement, to add additional preconstruction phase services, to revise the disadvantaged worker and apprentices provision to clarify good faith efforts and retainer, and to 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 (for a total GMP for the Pier Approach Project not to exceed \$15,215,849); and

WHEREAS, on July 19, 2018, City Council approved the Third Amendment to increase the GMP by an additional \$581,611 for installation of the piles procured for the Doc Ford’s Restaurant (for a total GMP for the Pier Approach Project not to exceed \$15,797,460); and

WHEREAS, on August 2, 2018, City Council approved 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 (for a total GMP for the Pier Approach Project not to exceed \$16,883,197) and to revise the project schedule; and

WHEREAS, on October 4, 2018, City Council approved 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™ (for a total GMP for the Pier Approach Project not to exceed \$19,847,966); and

WHEREAS, the City and Skanska desire to execute 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 (for a total GMP for the Pier Approach Project not to exceed \$21,683,498).

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Addendum No. 5 – Full Doc Ford Core and Shell in an amount not to exceed \$1,835,532 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated April 3, 2018 for completion of the construction of a new restaurant core & shell associated with the new St. Pete Pier™ is hereby accepted.

BE IT FURTHER RESOLVED that the total GMP for the Pier Approach Project shall not exceed \$21,683,498.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Seventh 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 Addendum No. 5 to the GMP proposal into such agreement, as amended and revise the project schedule.

BE IT FURTHER RESOLVED that the City Attorney's Office is authorized to make non-substantive changes to the Seventh 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) \$950,000

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) \$950,000

This resolution shall become effective immediately upon its adoption.

APPROVALS:



City Attorney (Designee)



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



Budget
00419930 FINAL