

## ST. PETERSBURG CITY COUNCIL

### Report

#### Meeting of January 3, 2019

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

**SUBJECT:** A Resolution approving the Fifth Amendment to the Architect/Engineering Agreement dated July 13, 2015, as amended, between the City of St. Petersburg, Florida and Associated Space Design, Inc. ("A/E") in association with Rogers Partners, for A/E to provide (i) additional structural analysis and design for the installation of an exterior sculpture proposed to be located on the Pier deck by artist Nick Ervink, (ii) additional structural analysis of the Pier building superstructure and foundations, and (iii) fundamental building commissioning in an amount not to exceed \$47,280; Providing that the total contract amount shall not exceed of \$4,671,880; authoring the City Attorney's Office to make non-substantive changes to the Fifth Amendment; authorizing the Mayor or his designee to execute the Fourth Amendment; approving a supplemental appropriation in the amount of \$7,500 from the unappropriated balance of the Arts in Public Places Fund (1901) to the Mayor's Office Cultural Affairs Division (0201777); and providing an effective date.

**EXPLANATION:** On July 9, 2015, City Council approved an A/E agreement between the City of St. Petersburg and Associated Space Design, Inc. for design and construction administration services related to the new St. Pete Pier™ project in the amount of \$4,366,000. The scope of services included planning, programming, design and construction administration services for an approximately \$33 million replacement of the Municipal Pier, as part of an overall \$46 million budget.

On November 3, 2016, City Council approved the First Amendment to the A/E Agreement for additional design services in the amount of \$120,000 required to revise the plans for the pier plaza to include the design of a single pavilion shade structure with restrooms and a snack bar, including architecture, landscape architecture, civil engineering, structural, mechanical and electrical engineering services.

On December 7, 2017, City Council approved the Second Amendment to the A/E Agreement in the amount of \$64,800 for additional design and construction administration services related to the tenant space modifications, additional structural design services, and coordination of the master stormwater system.

On August 2, 2018 City Council approved the Third Amendment in the amount of \$24,000 for additional design and construction administration services required for the coordination and additional Construction Administration services associated with the new tenant improvements at the Pier Head building. On September 6, 2018 City Council approved the Fourth Amendment in the amount of \$49,800 for the design of the new shade structure associated with Spa Beach.

The services proposed for this Fifth Amendment in the amount of \$47,280 includes (i) the additional structural analysis and design for the installation of an exterior sculpture proposed to be located on the pier deck by artist Nick Ervink. The additional design services in the amount of \$7,500 will be funded from the unappropriated balance of the Art in Public Places Fund (1901) as approved by the Public Arts Commission on September 4, 2018; (ii) the additional structural analysis of the Pier building superstructure and foundations in the amount of \$9,000. These services are in coordination with structural calculations from the aluminum canopy delegated engineer. The roof canopy was changed from aluminum to structural steel requiring additional analysis of the walls and supporting structural members; (iii) fundamental building

commissioning of the mechanical, electrical and plumbing systems as required by code and for maximizing operational efficiency and performance in the amount of \$30,780.

The A/E Agreement includes the following phases and associated lump sum fees and costs:

Phase I – Schematic Design (complete)	\$ 1,187,000	
Phase II – Design Development (complete)	\$ 905,000	
Phase III – Construction Document (complete)	\$ 1,203,000	
Phase IV - Construction Administration	\$ 821,000	
Reimbursable Cost	\$ 150,000	
Design Contingency	\$ 100,000	
<b>Total Contract Amount</b>	<b>\$ 4,366,000</b>	<b>(Approved)</b>
Additional Services First Amendment	\$ 120,000	(Approved)
Additional Services Second Amendment	\$ 64,800	(Approved)
Additional Services Third Amendment	\$ 24,000	(Approved)
Additional Services Fourth Amendment	\$ 49,800	(Approved))
Additional Services Fifth Amendment	\$ 47,280	(New)
<b>Revised Total A/E fees</b>	<b>\$ 4,671,880</b>	

**RECOMMENDATION:** Administration recommends City Council adopt the attached resolution approving the Fifth Amendment to the Architect/Engineering Agreement dated July 13, 2015 between the City of St. Petersburg, Florida (“City”) and Associated Space Design, Inc. (“A/E”) in association with Rogers Partners, for additional construction administration services for the new St. Pete Pier™ project in an amount not to exceed \$47,280; Providing that the total contract amount that shall not exceed of \$4,671,880; approving a supplemental appropriation in the amount of \$7,500 from the unappropriated balance of the Arts in Public Places Fund (1901) to the Mayor’s Office Cultural Affairs Division (0201777); authoring the City Attorney’s Office to make non-substantive changes to the Fourth Amendment; authorizing the Mayor or his designee to execute the Fourth Amendment.

**COST/FUNDING INFORMATION:** Funding for the additional design services have been previously appropriated in the General Capital Improvement Fund (3001) Pier Visioning Project (11988). Funding for the structural analysis and design of the installation of public art will be available after approval of a supplemental appropriation in the amount of \$7,500 from the unappropriated balance of the Arts in Public Places Fund (1901) to the Mayor’s Office Cultural Affairs Division (0201777) resulting from the Public Art Commissions approval on September 4, 2018.

**ATTACHMENTS:** Resolution

**APPROVALS:**

Final

  
 Administrative *for CT*

  
 Budget



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

**A RESOLUTION APPROVING THE FIFTH AMENDMENT TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JULY 13, 2015, AS AMENDED, BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND ASSOCIATED SPACE DESIGN, INC. ("A/E") IN ASSOCIATION WITH ROGERS PARTNERS FOR A/E TO PROVIDE (I) ADDITIONAL STRUCTURAL ANALYSIS AND DESIGN FOR THE INSTALLATION OF AN EXTERIOR SCULPTURE PROPOSED TO BE LOCATED ON THE PIER DECK BY ARTIST NICK ERVINK, (II) ADDITIONAL STRUCTURAL ANALYSIS OF THE PIER BUILDING SUPERSTRUCTURE AND FOUNDATIONS, AND (III) FUNDAMENTAL BUILDING COMMISSIONING IN AN AMOUNT NOT TO EXCEED \$47,280; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED \$4,671,880; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE FIFTH AMENDMENT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIFTH AMENDMENT; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$7,500 FROM THE UNAPPROPRIATED BALANCE OF THE ARTS IN PUBLIC PLACES FUND (1901) TO THE MAYOR'S OFFICE CULTURAL AFFAIRS DIVISION (0201777); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on July 13, 2015, the City of St. Petersburg, Florida ("City") and Associated Space Design, Inc. ("A/E") in association with Rogers Partners executed an architect/engineering agreement ("Agreement") for A/E to provide design and construction administration services related to the New St. Petersburg Pier project in the amount of \$4,366,000; and

**WHEREAS**, on November 3, 2016, City Council approved the First Amendment and the City and A/E executed the First Amendment to the Agreement for A/E to provide additional services to revise the plans for the "Welcome Plaza" in an amount not to exceed \$120,000; and

**WHEREAS**, on December 14, 2017, City Council approved the Second Amendment and the City and A/E executed the Second Amendment to the Agreement for A/E to provide (i) additional design services related to the titled lawn and Education Center, (ii) additional construction administration services related to the marine structural engineering of the concrete deck rebar placement and pouring of deck, (iii) coordination of the stormwater system with the Pier Approach, and (iv) federal permit compliance regulations in an amount not to exceed \$64,800; and

**WHEREAS**, on August 2, 2018, City Council approved the Third Amendment and the City and A/E executed the Third Amendment to the Agreement for A/E to provide additional design and construction administration services required for the coordination associated with the new tenant improvements at the Pier Head building in an amount not to exceed \$24,000; and

**WHEREAS**, on September 6, 2018, City Council approved the Fourth Amendment and the City and A/E executed the Fourth Amendment to the Agreement for A/E to provide additional design services associated with the new shade structure at Spa Beach Park in an amount not to exceed \$49,800; and

**WHEREAS**, the City and A/E desire to amend the Agreement for a fifth time for A/E to provide (i) additional structural analysis and design for the installation of an exterior sculpture proposed to be located on the pier deck by artist Nick Evink, (ii) additional structural analysis of the pier building

superstructure and foundations, and (iii) fundamental building commissioning in an amount not to exceed \$47,280; and

**WHEREAS**, Administration recommends approval of the Fifth Amendment for A/E to provide the above referenced professional services.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of St. Petersburg, Florida, that the Fifth Amendment to the Architect/Engineering Agreement dated July 13, 2015, as amended, between the City of St. Petersburg, and Associated Space Design, Inc. ("A/E") in association with Rogers Partners, for A/E to provide (i) additional structural analysis and design for the installation of an exterior sculpture proposed to be located on the pier deck by artist Nick Ervink, (ii) additional structural analysis of the pier building superstructure and foundations, and (iii) fundamental building commissioning in an amount not to exceed \$47,280 is hereby approved.

**BE IT FURTHER RESOLVED** that the total contract amount shall not exceed \$4,671,880.

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

**BE IT FURTHER RESOLVED** that the Mayor or his designee is authorized to execute the Fifth Amendment.

**BE IT FURTHER RESOLVED** that there is hereby approved from the unappropriated balance of the Arts in Public Places Fund (1901), the following supplemental appropriation for FY19:

<u>Arts in Public Places Fund (1901)</u>		
Mayor's Office Cultural Affairs Division (0201777)		\$7,500

This Resolution shall become effective immediately upon its adoption.

Approvals:

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

  
\_\_\_\_\_  
Budget

  
\_\_\_\_\_  
Administration  
00419988 *for ct*