



## THE CITY OF KEY WEST

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# EXECUTIVE SUMMARY

**TO:** Jim Scholl, City Manager

**FROM:** Gary J. Volenec, P.E., City Engineer

**CC:** Jim Bouquet, P.E., Director of Engineering

**DATE:** December 18, 2017

**SUBJECT:** Truman Waterfront Park Amphitheater Change Order No. 7.

### **ACTION STATEMENT**

Authorize the City Manager to approve Change Order No. 7 for staff identified enhancements to facility operation and access, aesthetics, ease of maintenance and safety and addressing unforeseen conditions for the Truman Waterfront Amphitheater project in the amount of \$174,929.57, including any necessary budget transfers and increasing contract time by 123 days for this change order and delays due to Hurricane Irma.

### **BACKGROUND**

Resolution 17-035 of the Naval Properties Local Redevelopment Authority of the City of Key West (LRA) awarded the bid of D.L. Porter Constructors, Inc. (Porter) for the Truman Waterfront Park Amphitheater (Amphitheater) construction, in accordance with the terms specified in ITB-17-009, in an amount not to exceed \$3,664,721.00. Subsequent approved Change Orders including relocation of the Port Security Conex, construction of Navy Outer Mole Entry Control Point (ECP) and for Owner Direct Purchase.

\$319,022.80 was funded to address previously unidentified Contingency Items (changes consistent with project scope) as well as Unforeseen Conditions (e.g., underground utilities) encountered during construction. While not included in the contract award amount, these funds were identified in the Executive Summary supporting Resolution 17-035 and made available as required to complete the project.

During the course of the work and observations of the Headdress Ball, staff conducted an ongoing effort to improve long-term functionality of the finished facility. Improvements included enhancements to facility operation and access, aesthetics, ease of maintenance and safety.

Improvements to date are included in Change Order No. 7 as contingency costs and consist of the following items:

- Additional lighting for enhanced safety and access,
- Reconfigured sidewalks for enhanced safety, access and facility operations,
- Additional scooter parking and bike racks
- Safety bollards
- Additional conduits for underground cabling for large and small events,
- Insulation for additional sound reduction following voicing of citizen concerns,
- Enhance ADA access via ramp connection to back of stage
- Installation of concrete pads to accommodate port-o-let restrooms within designated, readily accessible areas,
- Waterproofing of the buried side of the retaining seat wall to mitigate seepage,
- Miscellaneous electrical modifications to enhance weather protection, and
- Installation of RV electrical power pedestals,

Costs associated with these Contingency Items totals \$158,766.46.

Unforeseen Conditions included storm piping changes to accommodate unknown utility conflicts, prime paint the wood sheathing of the Amphitheater following Hurricane Irma, and trimming of hurricane damaged trees along the NOAA property line. Costs associated with these Unforeseen Conditions items totals \$16,163.11.

Total cost of Change Order No. 7 consisting of contingency and unforeseen conditions items is \$174,929.57.

Change Order No. 7 increases contract time by 123 days for delays due to Hurricane Irma, accommodating City events prior to substantial completion, Navy Entry Control Point construction and this change order.

## **PURPOSE AND JUSTIFICATION**

Development of the Truman Waterfront Property has been a priority of the City of Key West for over 15 years. City Commission Resolutions 12-129 and 12-285 accepted recommendations and a Master Plan for the Truman Waterfront Property process. Resolution #12-065 approved finalizing the Master Plan and a Major Development Agreement for the Truman Waterfront Park including the Truman Waterfront Amphitheater.

Staff identified improvements will improve long-term functionality of the finished facility. Improvements included enhancements to facility operation and access, aesthetics, ease of maintenance and safety.

Addressing unforeseen conditions is required to complete the amphitheater project including protection of exposed surfaces following Hurricane Irma.

This resolution supports Key West Strategic Plan Infrastructure Goal #3, parks and recreation areas are accessible to all residents and visitors, and Culture Goals #1, 2 and 3.

### **FINANCIAL**

\$319,022.80 was funded for the Truman Waterfront Amphitheater under budget account 101-4303-543-6300, Project # TR1502, to address staff recommended contingency items and encountered unforeseen conditions.

Following completion of construction and acceptance of the project by the Tourist Development Council (TDC), 50% of the design and construction fees (including this change order) up to \$2,000,000 are eligible for reimbursement under TDC grant Contract #1212.

### **RECOMMENDATION**

Engineering Services recommends authorizing the City Manager to approve Change Order No. 7 for staff identified enhancements to facility operation and access, aesthetics, ease of maintenance and safety and addressing unforeseen conditions for the Truman Waterfront Amphitheater project in the amount of \$174,929.57, including any necessary budget transfers and increasing contract time by 123 days for this change order and delays due to Hurricane Irma.