



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

Date: May 7, 2021

To: Patti McLaughlin, Interim City Manager

From: Albiona Balliu, Sr. Project Manager
Mark Finigan, Finance Director
Steve McAlearney, Director of Engineering

Subject: **Approve Change Order #4 for the construction of the Phase IB of the Truman Waterfront Park.**

ACTION STATEMENT

Approve change order in the amount of \$81,286.35 for the Truman Waterfront Park Phase IB to Charley Toppino and Sons Inc., (CTS) and authorize the Interim City Manager to execute necessary documents

BACKGROUND

Resolution 19-296 accepted the proposal of Charley Toppino and Sons Inc., (CTS) for construction of the Truman Waterfront Park (TWP) Phase 1B in the amount of \$4,765,712.00. The project contract documents and bid award for Notice to Proceed (NTP) 1 for the construction of the building and NTP 2 for the construction of the site work. The first two change orders did not require Commission Approval since change order number one totaled \$9,325.35 and change order number two totaled \$30,375.76 and were under \$50,000.00 threshold. Resolution 20-070 approved change order number and making the total change totaling \$94,299.63. Subsequent to this resolution, additional unforeseen conditions were encountered, field directives and value engineering changes were required as described below.

CTS Contract Amount:	\$4,765,712.00
Total Change Orders (1,2,3 &4):	\$ 215,287.09 (4.52% of construction)
New CTS Contract Amount:	\$4,980,999.09

Unforeseen Conditions:

- Per Field Directive Change (FCD) Item 2, CTS placed new insulation on the roof at the former PAL gym building. The main roof was being replaced as called for in the construction drawings and the failing condition of the insulation required it to be replaced. (\$29,589.50 add)
- Per FCD Item 5, CTS was directed to install additional fencing and gates for the artificial turf field. In the original grass field design only two sides were to be fenced, as the field area was designed to be used for overflow parking. There will be no parking on the artificial turf, requiring fencing the entire field. (\$40,228.00 add)

- Per FCD Item 6, CTS was directed to procure and install pull boxes and conduit required by AT&T to move their communication lines underground. AT&T infrastructure was in the playing field area. (\$2,500.00 add).
- Per FCD Item 7, CTS was directed to order a new streetlight pole to match existing TWP lighting and install servicing conduit. New pole replaces a wooden Navy pole that they removed at their expense. (\$22,394.00 add)
- Per FCD Item 8, CTS was directed to install curbing around the perimeter of the entire artificial turf portion of the project. Original grass design did not require curbing to separate and install artificial turf field from landscaping. (\$12,250.00 add)
- Per FCD Item 10, during installation of the concrete sidewalk, CTS encountered buried concrete curbing that needed to be removed. (\$750.00 add)
- Per FCD Item 11, during the installation of playing field storm drain system, CTS uncovered a concrete wall over six feet tall and more than 20 feet long which needed to be removed. Only the part of the structure that was impeding the storm drain installation was removed. (\$2,531.00 add)

Total Unforeseen Conditions Cost: \$110,242.50 (add)

Value Engineering & Construction Changes:

- Per FCD Item 1, CTS provided a cost credit of \$3,250.00 from NTP 1 changes to the mechanical system in the warehouse area. (\$3,250.00 credit)
- Per FCD Item 3, CTS provided a cost credit of \$7,000.00 for changing the secondary black aluminum fence at the horse run area from six foot to four foot high. (\$7,000.00 credit)
- Per FCD Item 4, CTS is installing the inner wooden fence in the horse run area included in the original design but removed during the bid award. The inner fence will provide a safety buffer for children that will be visiting the horses before, during, and after games. The old horse stables did not have a play field adjacent to the horse run. (\$27,000.00 add)
- Per FCD Item 9, CTS provided a credit to incorporate landscape and irrigation system revisions to simplify irrigation in the artificial turf field and include two spickets at each end of the field. (\$15,300.00 credit)
- Per FCD Item 12, CTS provided a credit for modifications to the fruit grove area by removal of the fence. The future fruit grove will not require any additional fencing. (\$22,300.00 credit)
- Per FCD Item 13, CTS provided a credit to simplify sidewalk design around the fruit grove. (\$9,700.00 credit)

Total Unforeseen Conditions Cost: \$110,242.50 (add)

Value Engineering & Construction Changes: \$30,550.00 (credit)

Performance/Payment Bonds: \$1,593.85

Net Total Cost: \$81,286.35

Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.

PURPOSE AND JUSTIFICATION

Considering the history and use of the site as a military facility, unforeseen condition encounters were expected and an item price to address these situations was included in the project construction cost. Addressing conditions identified in this summary are required to complete the work and maintain project schedule.

Similarly, Contingency expenditures were required to accommodate park roadway and hardscape interface with future artificial turf installation and renovation of the former PAL gym building.

Construction of the Truman Waterfront Park is consistent with the City of Key West's Strategic Goals #3 *Parks and Recreation areas are accessible to all residents and visitors* and Goal #5 *All of the City's Destinations and Resources Are Accessible to Residents and Visitors*.

FINANCIAL ISSUES

This change order would be funded under the Truman Waterfront PH IB project budget account 101-4303-543-63, Project # IS43031801.

The total contract time remain unchanged.

RECOMMENDATION

Staff recommends approving change order number four in the amount of \$81,286.35, to continue construction of Phase IB of the Truman Waterfront Park and authorize the Interim City Manager to execute necessary documents.