

City of Key West
1300 White Street
Key West, FL 33040
Attn: Karen Wilman

August 23, 2023

Re: Frederick Douglas Community Center – Contract Amendment Number 4 (Project No. 19095)

Dear Ms. Wilman,

This letter is Amendment Number 4 to the Agreement (“Agreement”) between K2M Design, Inc. (“Architect / Engineer”) and the City of Key West (“Client”) for the performance of services in connection with Frederick Douglas Gym Extension (“Project”). The purpose of this letter is to request additional funds for the fire alarm and fire suppression design criteria requesting to be included within the Construction Documents; inclusive respective Submittal/RFI time for these specific criteria. Within this amendment, additional Not to Exceed amount has been included for additional Permitting coordination/comments and to include a Not to Exceed Additional Services for Value Engineering specifically. This Amendment is effective as of the date of this letter. All other terms and conditions of the Agreement not previously amended or specifically modified by this Amendment remain in effect.

Architect / Engineer and Client modify the Agreement as follows:

Services include:

Value Engineering (Hourly – Not to Exceed):

- Design Professional shall provide evaluated guidance and coordination of GC or Client requested Value Engineering Items. A total of twenty-five (25) hours have been included for Design/Client/GC coordination of VE items.
- If Drawing updates shall be required by Client chosen Value Engineering items, a total of eighty (80) hours have been included for drawing updates.
- If additional time is required, client will be notified and will request written approval to proceed on an hourly invoicing schedule.

Construction Documents (Fixed Fee):

- Design criteria drawings for the fire alarm and fire suppression systems with the inclusion of Civil Engineering updated drawings and coordination.
- Civil Engineering to amend plans for Fireline addition and revise Master Utility Plan with added sheet for Utility Cross Sections.

Permitting (Hourly – Not to Exceed):

- Ten (10) hours have been included within the base fee for additional Keys Energy permitting coordination.
- Twenty-Five (25) hours have been included within the base fee for permitting correspondence and updates.
- Civil Engineering: Additional FCAA coordination and FDEP permitting for Fireline only.

Construction Administration (Fixed Fee):

- Design Professional shall review Submittals and RFIs received from the General Contractor specifically associated with the Fire Alarm and Fire Suppression Systems.

- A maximum of (4) RFIs at one and a half (1.5) hours each for RFIs.
- A maximum of (4) Submittals at two (2) hours each for Submittals are within the base fee of this amendment. One (1) re-review is included within the base fee for submittals. Any reviews after the first re-review of submittals, will be invoiced on an hourly basis.
- If additional time is required, client will be notified and will request written approval to proceed on an hourly invoicing schedule.
- Four (4) hours are included within base fee for drawing updates if required.
- Civil Engineer:
 - A maximum of five (5) hours for Submittal reviews and RFI responses specifically related to Fireline.

A fixed fee of NINETEEN THOUSAND SIX HUNDRED SEVENTEEN DOLLARS AND FIFTY CENTS (\$19,617.50) and AN HOURLY NOT TO EXCEED FEE OF TWENTY-NINE THOUSAND FOUR HUNDRED AND FORTY FIVE DOLLARS (\$29,445.00) is requested to complete these services. Design Phase Services schedule will be finalized upon receiving signed amendment. Rates used are 2023 Hourly rates approved under the Master Service Agreement.

FEE SCHEDULE	K2M	Civil Engineer - Consultant	TOTAL
Value Engineering (Not to Exceed)	\$ 19,455.00	\$ 2,000.00	\$ 21,455.00
Construction Documents (Fixed Fee)	\$ 12,527.50	\$ 2,000.00	\$ 14,527.50
Permitting (Not to Exceed)	\$ 5,990.00	\$ 2,000.00	\$ 7,990.00
Construction Administration (Fixed Fee)	\$ 4,090.00	\$ 1,000.00	\$ 5,090.00
	\$ 42,062.50	\$ 7,000.00	\$ 49,062.50

Stipulations:

- All stipulations from the Base Agreement and Amendments remain intact.
- Detailed and/or defined Fire Alarm and Fire Suppression deferred submission documents are to be provided by the Client’s Contractor based on Design Professional’s code analysis and other requirements from the Authority Having Jurisdiction (AHJ). A registered design professional hired by the Client’s Contractor shall design, sign, and seal the documents for permitting and AHJ approval. Design Professional will not sign, seal, stamp, certify, or otherwise approve these drawings, but Design Professional may review for general compliance with the contract documents’ intent. Design of a fire pump, if required, can be provided as an additional service.
- Future changes beyond scope above will constitute an additional Amendment.
- Time and Expenses and “Hourly” Not to Exceed (NTE) work fees are an approximation. The work shall be considered complete when Design Professional’s cost including labor, material, subconsultants, overhead, and profit for that NTE task has reached the not to exceed amount. A new mutually agreed upon Amendment to continue the work shall be provided.

APPENDIX A:

The following information outlines an expanded Scope of Work (fee includes):

		Value Engineering (Not to Exceed)		111.0	
Activity	Discipline	Role	Hours		Rate
Value Engineering Coordination	Architecture	Project Manager, Senior	10.0	\$	210.00
	Architecture	Architect II	15.0	\$	155.00
Value Engineering Drawings	Architecture	Architect II	20.0	\$	155.00
	M/P Engineering	Engineer II	8.0	\$	165.00
	Electrical Engineering	Engineer II	8.0	\$	165.00
	Structural Engineering	Engineer II	6.0	\$	165.00
Value Engineering Refinement	Architecture	Architect II	4.0	\$	155.00
	M/P Engineering	Engineer II	2.0	\$	165.00
	Electrical Engineering	Engineer II	2.0	\$	165.00
	Structural Engineering	Engineer II	2.0	\$	165.00
Calculations/Layout/Design	M/P Engineering	Engineer II	4.0	\$	165.00
	Electrical Engineering	Engineer II	4.0	\$	165.00
ComCheck	Architecture	Architect II	2.0	\$	155.00
	M/P Engineering	Engineer II	3.0	\$	165.00
	Electrical Engineering	Engineer II	3.0	\$	165.00
QA/QC	Architecture	Director	2.0	\$	285.00
	M/P Engineering	Director	2.0	\$	285.00
	Electrical Engineering	Director	2.0	\$	285.00
	Structural Engineering	Director	2.0	\$	285.00
Refine & Reissue	Architecture	Architect II	1.0	\$	155.00
	M/P Engineering	Engineer II	1.0	\$	165.00
	Electrical Engineering	Engineer II	1.0	\$	165.00
	Structural Engineering	Engineer II	1.0	\$	165.00
Internal Project Management	Architecture	Project Manager, Senior	5.0	\$	210.00
	Admin	Administration	1.0	\$	90.00
		Construction Documents (Fixed Fee)		70.8	
Activity	Discipline	Role	Hours		Rate
Added Scope Kickoff Coord Meeting	Architecture	Project Manager, Senior	0.8	\$	210.00
	Architecture	Architect II	0.5	\$	155.00
	M/P Engineering	Engineer II	0.5	\$	165.00
	M/P Engineering	Director	0.5	\$	285.00
Construction Document Drawings	Architecture	Architect II	6.0	\$	155.00
	M/P Engineering	Engineer II	18.0	\$	165.00
Construction Document Refinement	Architecture	Architect II	2.0	\$	155.00
	M/P Engineering	Engineer II	2.0	\$	165.00
Design Calculations	Architecture	Architect II	0.5	\$	155.00
	M/P Engineering	Engineer II	8.0	\$	165.00
Specifications	Architecture	Architect II	1.0	\$	155.00
	M/P Engineering	Engineer II	10.0	\$	165.00
QA/QC	Architecture	Director	2.0	\$	285.00
	M/P Engineering	Director	3.0	\$	285.00
Client Submittal & Coordination	Architecture	Project Manager, Senior	1.0	\$	210.00
	Architecture	Architect II	1.0	\$	155.00
	M/P Engineering	Engineer II	1.0	\$	165.00
Internal Project Management	Architecture	Project Manager, Senior	10.0	\$	210.00
	Admin	Administration	3.0	\$	90.00

Permitting (Not to Exceed)			35.0	
Activity	Discipline	Role	Hours	Rate
Permit Execution and Comments	Architecture	Project Manager, Senior	5.0	\$ 210.00
	Architecture	Architect II	7.0	\$ 155.00
	M/P Engineering	Engineer II	5.0	\$ 165.00
	Electrical Engineering	Engineer II	5.0	\$ 165.00
	Structural Engineering	Engineer II	3.0	\$ 165.00
Keys Energy Coordination	Architecture	Architect II	3.0	\$ 155.00
	Architecture	Project Manager, Senior	2.0	\$ 210.00
	Electrical Engineering	Engineer II	5.0	\$ 165.00
Construction Administration (Fixed Fee)			25.0	
Activity	Discipline	Role	Hours	Rate
RFIs	Architecture	Architect II	2.0	\$ 155.00
	M/P Engineering	Engineer II	6.0	\$ 165.00
Submittals + Shop Drawing Review	Architecture	Architect II	2.0	\$ 155.00
	M/P Engineering	Engineer II	8.0	\$ 165.00
General Document Revisions	Architecture	Architect II	1.0	\$ 155.00
	M/P Engineering	Engineer II	3.0	\$ 165.00
Internal Project Management	Architecture	Project Manager, Senior	2.0	\$ 210.00
	Admin	Administration	1.0	\$ 90.00

If the terms of this Amendment meet with your approval, please indicate by signing and returning one copy of this letter to us. If you have any questions, please do not hesitate to call. Thank you.

Sincerely,

Authorization:
City of Key West:

Devon Ayers, RA, CPD, SREF, Project Manager

Signature Date

Scott C. Maloney, AIA, NCARB, LEED AP
Owner

Printed Name Title

(Signer represents he/she is legally authorized to sign on behalf of Client)

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