



# DESIGN SERVICES AGREEMENT

**Date:** November 13, 2018

**Client:** **City of Key West**  
Engineering Services  
1300 White Street  
Key West, FL 33040  
Attn: Mr. Jim Bouquet, Director of Engineering

**Design Professional:** K2M Design®, Inc.  
1150 Virginia Street  
Key West, FL 33040

**PW:** Erica Poole

**Project:** Truman Waterfront 1B – Phase III – Bidding and Construction Administration

## I. Scope of Services

- A. Design Professional shall provide bidding and construction administration services as described herein. Bidding services to include pre-bid meeting and agenda, contractor RFI review and issuance of addenda, and bid tabulation and review with Client. Construction Administration services include RFI review, shop drawing and submittal review, construction meeting and site visits at (2) per month (with a written report of each site visit), and a construction duration of (18) months, punch list and walk, creation of record drawings per the contractor as-builts, and compilation of the O+M manual for Client. Refer to APPENDIX A for an expanded scope of work.

## II. Conditions

- A. Refer to Master Services Agreement for hourly rates assigned by staffing type for K2M Design®, Inc.
- B. Refer to APPENDIX B for Stipulations, Exclusions, & Additional Services.
- C. Refer to Master Services Agreement for Terms & Conditions.

## III. Compensation

- A. For services described in Section IA, the Client agrees to pay Design Professional T&M in accordance with the Architectural Services Agreement with a not-to-exceed amount of ONE HUNDRED TWENTY-FIVE THOUSAND THREE HUNDRED FORTY-FIVE DOLLARS ( \$125,345.00 ) as required to complete the services, unless otherwise agreed to in writing by Client.

FEE SCHEDULE	
Bidding	\$ 12,831.25
Construction Administration	\$ 99,282.50
Project Closeout	\$ 13,231.25
<b>Total</b>	<b>\$125,345.00</b>

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.

B. Any items beyond those specifically outlined and described herein, are considered to be Additional Services and are chargeable at the standard hourly rate as shown in Appendix B.

SCHEDULE

The Design Professional shall perform its services as expeditiously as is consistent with professional skill and care and the orderly progress of the Work. The Client acknowledges that the completion of Design Professional's services is dependent upon third-parties not under the control of the Design Professional as well as the cooperation of the Client. The Design Professional will make all reasonable efforts to complete its work within the Client's Time of Performance constraints. However, the Design Professional's inability to satisfy the Client's Time of Performance constraints for reasons beyond the control of the Design Professional will not be deemed a breach of this Agreement.

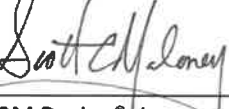
The following schedule is considered:

- Pre-Bid Meeting                      TBD in December, 2018
- Bidding by Contractors            1 Month\*
- Bid Opening                            1 Day
- Bid Tabulation & Review           2 Weeks
- Pre-Construction Meeting        1 Day
- Construction Administration      18 Months\*

\*Design Professional cannot guarantee bidding and construction duration within a given time frame.

Please issue a purchase order for the work to proceed.

 \_\_\_\_\_ 11/13/18  
 K2M Design®, Inc.                      Date  
 Erica Poole, RA, Project Manager

 \_\_\_\_\_ 11/13/18  
 K2M Design® Inc.                      Date  
 Scott C. Maloney, President

### APPENDIX A: SCOPE OF WORK

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

Proportion P.M  
FREE \*  
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1	Bidding		74.0	\$ 142.23	\$ 10,525.00
Activity	Discipline	Role	Hours	Rate	Subtotal
Contractor RFI's / Substitutions	Architecture	Architect II	10.0	\$ 125.00	\$ 1,250.00
	Civil Engineering	Principal	10.0	\$ 225.00	\$ 2,250.00
	Interior Design	Designer III	8.0	\$ 125.00	\$ 1,000.00
	M/P Engineering	Engineer II	8.0	\$ 125.00	\$ 1,000.00
	Electrical Engineering	Engineer II	8.0	\$ 125.00	\$ 1,000.00
	Structural Engineering	Engineer II	8.0	\$ 125.00	\$ 1,000.00
Pre Bid Meeting Agenda and Preparation	Architecture	Architect II	3.0	\$ 125.00	\$ 375.00
Pre-Bid Meeting	Architecture	Architect II	2.0	\$ 125.00	\$ 250.00
Pre-Bid Meeting Minutes	Architecture	Architect II	3.0	\$ 125.00	\$ 375.00
Issue Addendum	Architecture	Architect II	4.0	\$ 125.00	\$ 500.00
Bid Review with Client & Report	Architecture	Architect II	5.0	\$ 125.00	\$ 625.00
	Architecture	Director	5.0	\$ 180.00	\$ 900.00
2	Construction Administration		642.0	\$ 147.46	\$ 94,670.00
Activity	Discipline	Role	Hours	Rate	Subtotal
Preconstruction Meeting	Architecture	Architect II	3.0	\$ 125.00	\$ 375.00
	Architecture	Director	3.0	\$ 180.00	\$ 540.00
	Civil Engineering	Principal	3.0	\$ 225.00	\$ 675.00
RFIs	Architecture	Architect II	50.0	\$ 125.00	\$ 6,250.00
	Civil Engineering	Principal	30.0	\$ 225.00	\$ 6,750.00
	M/P Engineering	Engineer II	20.0	\$ 125.00	\$ 2,500.00
	Electrical Engineering	Engineer II	20.0	\$ 125.00	\$ 2,500.00
	Structural Engineering	Engineer II	20.0	\$ 125.00	\$ 2,500.00
Submittals + Shop Drawing Review	Architecture	Architect II	50.0	\$ 125.00	\$ 6,250.00
	Civil Engineering	Principal	30.0	\$ 225.00	\$ 6,750.00
	M/P Engineering	Engineer II	20.0	\$ 125.00	\$ 2,500.00
	Electrical Engineering	Engineer II	20.0	\$ 125.00	\$ 2,500.00
	Structural Engineering	Engineer II	20.0	\$ 125.00	\$ 2,500.00
Construction Meeting Attendance	Architecture	Architect II	36.0	\$ 125.00	\$ 4,500.00
General Document Revisions	Architecture	Architect II	16.0	\$ 125.00	\$ 2,000.00
	Architecture	Drafter III	24.0	\$ 105.00	\$ 2,520.00
Site Visit #1-36	Architecture	Architect II	72.0	\$ 125.00	\$ 9,000.00
	Civil Engineering	Principal	72.0	\$ 225.00	\$ 16,200.00
Site Visit Reports	Architecture	Architect II	108.0	\$ 125.00	\$ 13,500.00
Punch Walk / Punch List	Architecture	Architect II	8.0	\$ 125.00	\$ 1,000.00
	Civil Engineering	Principal	8.0	\$ 225.00	\$ 1,800.00
	M/P Engineering	Principal	3.0	\$ 225.00	\$ 675.00
	Architecture	Director	3.0	\$ 180.00	\$ 540.00
	Structural Engineering	Engineer I	3.0	\$ 115.00	\$ 345.00
3	Project Closeout		95.0	\$ 115.00	\$ 10,925.00
Activity	Discipline	Role	Hours	Rate	Subtotal
Record Drawings	Architecture	Architect II	12.0	\$ 125.00	\$ 1,500.00
	Architecture	Drafter III	40.0	\$ 105.00	\$ 4,200.00
	Civil Engineering	Engineer II	16.0	\$ 125.00	\$ 2,000.00
SPWMD Permit Certification	Civil Engineering	Engineer II	16.0	\$ 125.00	\$ 2,000.00
O&M Manual Assemblage	Architecture	Architect II	2.0	\$ 125.00	\$ 250.00
Substantial Completion Certificate & Final Completion Certificate	Architecture	Architect II	2.0	\$ 125.00	\$ 250.00
	Admin	Administration	2.0	\$ 75.00	\$ 150.00
QAQC	Asset Management	Asset Manager II	5.0	\$ 115.00	\$ 575.00
4	Project Management		71.0	\$ 129.93	\$ 9,225.00
Activity	Discipline	Role	Hours	Rate	Subtotal
Internal Project Management	Architecture	Architect II	24.0	\$ 125.00	\$ 3,000.00
Engineering Coordination	M/P Engineering	Principal	8.0	\$ 225.00	\$ 1,800.00
Owner Coordination	Architecture	Architect II	24.0	\$ 125.00	\$ 3,000.00
Scheduling	Architecture	Architect II	6.0	\$ 125.00	\$ 750.00
Accounting	Admin	Administration	9.0	\$ 75.00	\$ 675.00

2,306.25 \*  
#12,831.25

4,612.60 \*  
#99,282.50

2,306.25 \*  
#13,231.25

\*

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.

**APPENDIX B: STIPULATIONS, EXCLUSIONS, AND ADDITIONAL SERVICES****Stipulations**

Bidding Phase – participate in pre-bid meeting, response to contractor RFI's/Substitutions, issue addendum, and review bids with Client.

Bidding fees are based on the following:

- Maximum (1) Pre-Bid meeting totaling (2) hours.
- Creation of pre-bid meeting agenda totaling (2) hours.
- Compilation of pre-bid meeting minutes.
- Maximum (2) sets of RFIs totaling (50) hours.
- Maximum (2) addenda totaling (4) hours.
- Maximum (1) bid review meeting with report totaling (10) hours for (2) persons.

Correspondence with bidders and bid tabulation are not included in this proposal.

Construction Administration Phase – provide shop drawings review of contractor's approved submittals for the limited purpose of checking for conformance with the information and quality given in the Contract Documents. Provide consultation to answer question, respond to inquiries and assist in resolving issues arising from the work. All contractors' submittals, where applicable, are to be forwarded to the Architect in electronic format.

Construction Administration fees are based on the following:

- Maximum (10) RFIs totaling (140) hours.
- Maximum (10) submittal reviews totaling (140) hours including 1 re-review.
  - 2nd submittal re-review and beyond will be automatically billed to client at the appropriated hourly rated defined in the base contract unless the client states otherwise.
- Maximum (6) contractor or Client-derived change orders requiring contract document changes/addendums. Maximum (40) hours total.
- Maximum (36) meetings totaling (36) hours.
- Maximum (36) site visits totaling (144) hours for (2) person per visit.

Record Drawings – Record drawings will be prepared utilizing Contractor "as-builts". A total of (56) hours is included in the proposal for Record Drawings. The drawings will be prepared by Design Professional's drafting staff only. Design Professional will maintain electronic files for this project and provide one digital set to Client.

**Exclusions**

- Construction Documents
- Permitting
- Coordination with HARC, BVRAC, and other organizations are excluded, but are available at standard hourly rates.

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.

**Additional Services**

Additional services are those which arise as a result of unforeseen circumstances during the design of a project and which, therefore, cannot be included in the basic services agreement. Such additional services, when requested in writing by Client, shall be performed at an hourly rate per the Design Professional rates above.

Providing consulting concerning replacement of work damaged by fire or other cause during construction, and furnishing services required in connection with the replacement of such Work are an additional service.

Preparing documents for alternate, separate, phased or sequential bids or providing service in connection with bidding, permitting, negotiation or construction prior to the completion of the Construction Administration phase is an additional price.