

RESOLUTION NO. 22-123

A RESOLUTION OF THE CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING THE ATTACHED "FREDERICK DOUGLASS GYM EXTENSION - CONTRACT AMENDMENT NUMBER THREE" FOR THE DESIGN OF FREDERICK DOUGLASS GYM EXPANSION BETWEEN THE CITY AND K2M DESIGN, INC. FOR ADDITIONAL TASKS FOR THE FREDERICK DOUGLASS GYM EXTENSION PROJECT IN AN AMOUNT NOT TO EXCEED \$199,259.50; RATIFYING THE ORIGINAL CONTRACT APPROVED IN CITY COMMISSION RESOLUTION 19-224, FIRST AMENDMENT TO TASK ORDER APPROVED IN RESOLUTION 20-028 AND SECOND AMENDMENT TO CONTRACT APPROVED IN RESOLUTION 20-160 AS AUTHORIZED BY THE CITY COMMISSION SITTING AS THE CRA; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF KEY WEST/CRA, UPON CONSENT OF THE CITY ATTORNEY; AUTHORIZING ANY NECESSARY BUDGET AMENDMENTS AND TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution 19-150, the City Commission approved the ranking of proposals in response to RFQ 19-001, and authorized the City Manager to negotiate and execute a contract with the highest-ranked proposer, K2M Design, Inc., for architectural services for the Frederick Douglass Gym Extension project; and

WHEREAS, in Resolution 19-224 a Contract with K2M Design, Inc. was approved, in Resolution No. 20-028 a First Amendment to Task Order was approved and in Resolution 20-160 a Second Amendment to Task Order was approved; and

WHEREAS, the CRA acknowledges that this project is funded

with CRA funds, and that this Contract Amendment, along with the original contract and prior task orders should be approved by the CRA or the City Commission sitting as the CRA; and

WHEREAS, revisions and additional tasks, including authorization for K2M to create construction documents, perform permitting and bid-phase services, coordinate solar design, Construction Administration and Project Management will require additional work, and City staff recommends approval of the attached Third Amendment to Task Order; and

NOW, THEREFORE, BE IT RESOLVED BY THE CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1: That the attached "Frederick Douglass Gym Extension - Contract Amendment Number Three" between City of Key West and K2M Design" is hereby approved by the CRA in an amount not to exceed \$199,259.50.

Section 2: That the attached Resolution 19-224, a Contract with K2M Design, Inc.; Resolution No. 20-028, a First Amendment to Task Order; and Resolution 20-160, a Second Amendment to Task Order between City of Key West and K2M Design is hereby ratified by the CRA.

Section 3: That the City Manager or designee is hereby authorized to execute any necessary documents, in conformance with terms and conditions contained in the Third Amendment to Task Order attached hereto, upon the advice and consent of the City Attorney.

Section 4: That this contract will be funded from Bahama Village CRA Fund 601/Capital Improvements account number #601-5502-555-6200 (BV55021701), adjusting the contract amount from \$307,328.00 to \$506,587.00, and any necessary budget adjustments are hereby authorized.

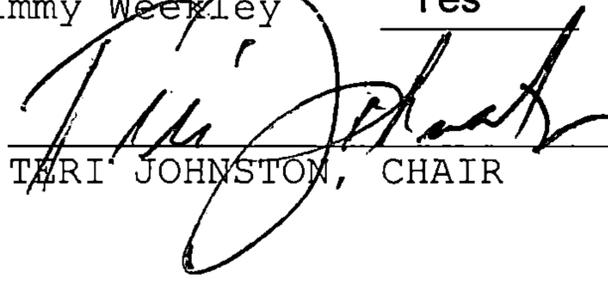
Section 5: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Agency.

Passed and adopted by the Caroline Street Corridor and Bahama Village Community Redevelopment Agency at a meeting held this 18th day of May, 2022.

Authenticated by the presiding officer and Clerk of the Agency on May 20, 2022.

Filed with the Clerk May 20, 2022.

Chair Teri Johnston	<u>Yes</u>
Vice Chair Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>


TERI JOHNSTON, CHAIR

ATTEST:


KERI O'BRIEN, SENIOR DEPUTY CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

EXECUTIVE SUMMARY

Date: May 2, 2022

To: Patti McLauchlin, City Manager
Todd Stoughton, Assistant City Manager
Christina Bervaldi, Interim Finance Director
Steven McAlearney, Engineering Director

From: Karen Wilman, Sr. Construction Manager

Subject: Frederick Douglass Community Center- K2M Amendment 3

ACTION STATEMENT

This resolution will approve a third amendment to K2M Design, Inc. (K2M), in the amount of \$199,259.50, for design and construction administration services for the Frederick Douglass Community Center, and any necessary budget transfers.

BACKGROUND

K2M was awarded a contract in the amount of \$236,093 (Res 19-224) to design the Frederick Douglass Community Center through the Construction Document phase. Amendment 1 (\$42,075/Res 20-028) addressed additional public meetings and design scope. Amendment 2 (\$29,160/Res20-160) addressed kitchen improvements and relocation. This third amendment funds completion of the revised Design Development phase and authorizes K2M to create Construction Documents, perform permitting and bid-phase services, coordinate solar design, and perform Construction Administration and Project Management.

FINANCIAL

The amendment will be funded from account 601 5502 555 6200 (Project BV55021701).

PURPOSE AND JUSTIFICATION

This project supports the City's Strategic Plan, *Key West Forward*, Part II: Major Projects, Priority 6 - Douglass Gym.

RECOMMENDATION

Staff recommends approving a third amendment to K2M in the amount of \$199,259.50 for design and construction administration services for the Frederick Douglass Community Center, and any necessary budget transfers.



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

December 7, 2021 (Revised 4/19/22)

Re: Frederick Douglass Gym Extension – Contract Amendment Number Three (Project No. 19095)

Dear Ms. Wilman,

This letter is Amendment Number 3 to the Agreement (“Agreement”) between K2M Design, Inc. (“Architect / Engineer”) and City of Key West (“Client”) for the performance of services in connection with Frederick Douglass Gym Extension (“Project”). The purpose of this letter is to request additional funds to finalize the Design Development phase drawings associated with the complete redesign of the subject Project by making the building a single-story structure in lieu of the previous versions. This amendment covers the costs for the Design Professional to refine the requested Project for City approvals to move into Construction Documents and to design the building to accommodate solar power in coordination with the Solar Provider. Amendment 3 also includes Bidding, Permitting, and Construction Administration services. 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:

- Architectural services include the refinement of drawings for City approvals and design meetings with City of Key West. (K2M has provided Space Planning / Programming time associated with the redesign of the building from a two-story to a one-story structure at no cost to the City of Key West.)
 - MEP/S modifications associated with the redesign to complete Design Development Drawings. To be completed once city approvals are received.
 - (1) additional meeting with the music program for (1) person at (2) hours maximum.
 - (1) meeting with the City of Key West Maintenance representatives to review design basis for proposed equipment. (1) person at (2) hours maximum.
 - Completed: (1) additional HARC meetings for (2) persons at (2) hours each.
 - Completed: (1) additional Planning meeting for (2) persons at (1) hours each.
 - Completed: (1) Pre-Application meeting with HARC for (2) persons at (2) hours each.
 - Completed: (1) additional BVRAC meeting for (2) persons at (2) hours each.
 - Completed: (4) additional Client meetings for review of Design Development drawings for (1) hour and (1) design professional
- Design Professional shall revert the Prime agreement intended Sheet Specifications to Book Specifications due to public bidding. City to provide the Project Manual.
- Design Professional shall coordinate with Client chosen Solar programmer. K2M shall include Solar program design requirements within current design.
- Civil Engineering: Incorporate client directed site modifications for single story building from two story structure. Design Professional has provided a new DRC package (9/17/21) that includes the new site plan and building footprint. Design Professional shall also provide Construction Documents for permitting per the approved layout and provide FCAA coordination services for approval.

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.

- Landscape Design: Incorporate client directed site modifications for single story building from two story structure. Design professional has provided a new DRC package (9/17/21) that includes the new site plan and provide additional coordination through planning and tree commissioning.

Construction Documents:

- Design Professional to provide Construction Documents per the single-story structure and refined scope

Permitting:

- Six (6) hours have been included within the base fee for compiling permit ready drawings and submission to Key West Building Department.
- One (1) hour has been included within the base fee for Keys Energy permitting submission.
- Thirty-four (34) hours have been included for permitting correspondence and updates.
- Civil engineer to coordinate for permit with FCAA and SFWMD Permit Certification.

Bidding

- Design Professional shall assist the Client with drawing coordination to Client-chosen Bidder's list for the subject project. Ten (10) hours included for Correspondence with Client-chosen Bidders.
- One (1) pre-bid meeting for (1) person at two (2) hours maximum.
- Creation of pre-bid meeting agenda totaling three (3) hours maximum.
- Compilation of pre-bid meeting minutes.
- A maximum of thirty (30) RFIs at two (2) hours each for RFIs.
- A maximum of thirty-six (36) hours for substitution requests.
- A maximum of two (2) addenda reports totaling six (6) hours.
- A maximum of forty (40) hours for addendum drawing updates.
- A maximum of three (3) hours for Bidding Tabulation
- A maximum of one (1) review meeting for one (1) person at one (1) hour maximum with Client.

Construction Administration (Assuming 16 months of construction):

- One (1) preconstruction meeting attendance for one (1) person at one (2) hours maximum.
- Design Professional shall review Submittals and RFIs received from the General Contractor.
 - A maximum of (100) RFIs at one and a half (1.5) hours each for RFIs.
 - A maximum of (75) 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.
- Design Professional shall review monthly pay applications from the General Contractor, for a total of twelve (12) pay applications. The base fee does not include Pencil Pay Application reviews which shall be reviewed by the Client. Only one (1) re-review is included within the base fee. Any reviews after the re-review request, will be invoiced on an hourly basis.
- Design Professional shall provide bi-weekly site observations totaling twenty-four (24) construction observation site visits and provide a written report of observations. Additional site observation visits are available upon request and will be invoiced upon an hourly basis.

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.



- One (1) Punch Walk site visit is included within the base fee for each discipline (Architecture, MEP/S, and Civil) and Punch List provided within the base fee; to be scheduled by Client. Further site visits are available upon request and will be invoiced upon an hourly basis.
- Civil Engineer
 - One (1) site visit upon request of Client. (Not including Punch Walk site Visit)
 - A maximum of eighteen (18) hours for Submittal reviews and RFI responses.
 - A maximum of twelve (12) OAC meetings. Attendance to be virtual.

A fixed fee of ONE HUNDRED NINETY-NINE THOUSAND TWO HUNDRED FIFTY-NINE DOLLARS AND FIFTY CENTS (\$199,259.50) is requested to complete these services. Design Phase Services schedule will be finalized upon receiving signed amendment. As of 12/1/21, new rates were approved under the Master Service Agreement. All time before 12/1/21 were calculated per the 5/1/21 approved rates.

FEE SCHEDULE	K2M	Civil Engineer - Consultant	Landscape Consultant	TOTAL
Design Development	\$ 6,588.50	\$ 10,580.00	\$ 6,900.00	\$ 24,068.50
Construction Documents	\$ 28,885.00	\$ 6,325.00	\$ 2,300.00	\$ 37,510.00
Permitting	\$ 5,900.00	\$ 5,175.00		\$ 11,075.00
Construction Administration	\$ 103,587.00	\$ 8,970.00	\$ 1,725.00	\$ 114,282.00
Project Management	\$ 12,324.00			\$ 12,324.00
Total	\$ 157,284.50	\$ 31,050.00	\$ 10,925.00	\$ 199,259.50

Schedule (Excluding Holidays): Times below are subject to change and final schedule to be determined upon receiving signed amendment.

- Design Development Drawings: 6 Weeks
 - Client Review: 2 weeks
- Construction Documents 50%: 8 weeks
 - Client Review: 2 weeks
- Construction Documents 100%: 6 weeks
 - Client Review: 2 weeks
- Permit Ready Drawings: 1-2 weeks

Exclusions:

- (1) review meeting with client from Design Development package Review meeting
- No additional City approval meetings shall be included outside of the ones stated above and below table. Further meetings will be completed by Client. Upon written request from Client, Design Professional can attend additional meetings and will be invoiced on an hourly invoice schedule.
- Record Drawings
- Fire Alarm/Suppression Design
- Pest Control System Design
- Interior Design
- LEED
- Cost Estimating
- Landscape Lighting
- Signage & Wayfinding

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.



- FDEP, ACOE, FDOT Permitting or Scope
- Environmental Engineering
- All Submittal fees, application fees, permit fees, and impact fees to be provided by Client

Design Development		41.5	
Activity	Discipline	Role	Rate
Design Phase Kickoff Meeting	Architecture	Architect III	\$ 158.00
	M/P Engineering	Director	\$ 187.00
Calculations, Design, & Modeling	Structural Engineering	Senior Engineer	\$ 192.00
ComCheck	M/P Engineering	Engineer II	\$ 141.00
	Electrical Engineering	Engineer II	\$ 141.00
Calculations: System Sizing, Duct calcs	M/P Engineering	Engineer II	\$ 141.00
Calculations/Layout/Design/Photometrics	Electrical Engineering	Engineer II	\$ 141.00
QA/QC	Architecture	Senior Project Manager III	\$ 203.00
	Electrical Engineering	Senior Engineer	\$ 192.00
	M/P Engineering	Senior Engineer	\$ 192.00
	Structural Engineering	Senior Engineer	\$ 192.00
Client Submittal	Architecture	Architect III	\$ 158.00
(1) Additional Music Program Meeting	Architecture	Architect III	\$ 158.00
(1) Additional Director of Maintenance Meeting	Architecture	Architect III	\$ 158.00
(4) Additional Client Meetings - Complete	Architecture	Architect III	\$ 152.00
(1) Additional HARC Meetings - Complete	Architecture	Architect III	\$ 158.00
(1) Additional Planning Meeting - Complete	Architecture	Architect III	\$ 158.00
(1) Additional Pre- Application HARC Meeting - Complete	Architecture	Architect III	\$ 152.00
(1) Additional BVRAC Meeting - Complete	Architecture	Architect III	\$ 152.00
(4) Additional Client Meetings - Complete	Architecture	Architect III	\$ 152.00
Construction Documents		201.0	
Activity	Discipline	Role	Rate
Construction Document Updates per the new design	Architecture	Designer III	\$ 141.00
	M/P Engineering	Engineer II	\$ 141.00
	Electrical Engineering	Engineer II	\$ 141.00
	Structural Engineering	Engineer II	\$ 141.00
Project Manual	Architecture	Architect III	\$ 158.00
Book Specifications	Architecture	Architect III	\$ 158.00
	M/P Engineering	Engineer II	\$ 141.00
	Electrical Engineering	Engineer II	\$ 141.00
	Structural Engineering	Engineer II	\$ 141.00
Solar Engineer Coordination (Hired by Client)	Architecture	Architect III	\$ 158.00
	Electrical Engineering	Engineer II	\$ 141.00
	Structural Engineering	Engineer II	\$ 141.00

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.



Permitting			41.0	
Activity	Discipline	Role	Hours	Rate
Due Diligence	Architecture	Architect III	3.0	\$ 158.00
Permit Application	Architecture	Architect III	2.0	\$ 158.00
Execution	Architecture	Architect III	1.0	\$ 158.00
Keys Energy Permit Submission	Architecture	Architect III	1.0	\$ 158.00
Permitting Comments	Architecture	Designer III	10.0	\$ 141.00
	M/P Engineering	Engineer II	8.0	\$ 141.00
	Electrical Engineering	Engineer II	8.0	\$ 141.00
	Structural Engineering	Engineer II	8.0	\$ 141.00
Bidding			164.0	
Activity	Discipline	Role	Hours	Rate
Correspondence with Bidders	Architecture	Architect III	10.0	\$ 158.00
Contractor RFI's	Architecture	Architect III	15.0	\$ 158.00
	Architecture	Designer III	10.0	\$ 141.00
	M/P Engineering	Engineer II	15.0	\$ 141.00
	Electrical Engineering	Engineer II	10.0	\$ 141.00
	Structural Engineering	Engineer II	10.0	\$ 141.00
Substitution Requests	Architecture	Architect III	10.0	\$ 158.00
	M/P Engineering	Engineer II	8.0	\$ 141.00
	Electrical Engineering	Engineer II	8.0	\$ 141.00
	Structural Engineering	Engineer II	6.0	\$ 141.00
Pre-Bid meeting agenda	Architecture	Architect III	3.0	\$ 158.00
Pre-Bid Meeting	Architecture	Architect III	2.0	\$ 158.00
Pre-Bid Meeting Minutes	Architecture	Architect III	10.0	\$ 158.00
#1-2 Addendum Report	Architecture	Architect III	6.0	\$ 158.00
Addendum Drawing Updates	Architecture	Architect III	10.0	\$ 158.00
	M/P Engineering	Engineer II	10.0	\$ 141.00
	Electrical Engineering	Engineer II	10.0	\$ 141.00
	Structural Engineering	Engineer II	10.0	\$ 141.00
Bidding Tabulation	Architecture	Architect III	3.0	\$ 158.00
Bid Review Report with Client	Architecture	Architect III	8.0	\$ 158.00
Construction Administration			705.0	
Activity	Discipline	Role	Hours	Rate
Preconstruction Agenda / Meeting / Meeting Minutes	Architecture	Architect III	8.0	\$ 158.00
RFIs	Architecture	Architect III	30.0	\$ 158.00
	Architecture	Designer III	30.0	\$ 141.00
	M/P Engineering	Engineer II	30.0	\$ 141.00
	Electrical Engineering	Engineer II	30.0	\$ 141.00
	Structural Engineering	Engineer II	30.0	\$ 141.00
Submittals + Shop Drawing Review	Architecture	Architect III	25.0	\$ 158.00
	Architecture	Designer III	35.0	\$ 141.00
	M/P Engineering	Engineer II	30.0	\$ 141.00
	Electrical Engineering	Engineer II	30.0	\$ 141.00
	Structural Engineering	Engineer II	30.0	\$ 141.00
Contractor Coordination	Architecture	Architect III	80.0	\$ 158.00
Monthly Pay Applications	Architecture	Architect III	24.0	\$ 158.00
General Document Revisions	Architecture	Architect III	10.0	\$ 158.00
	Architecture	Designer III	30.0	\$ 141.00
	M/P Engineering	Engineer II	20.0	\$ 141.00
	Electrical Engineering	Engineer II	20.0	\$ 141.00
	Structural Engineering	Engineer II	20.0	\$ 141.00

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.

Site Visit #1-32 (Bi-weekly) & Report	Architecture	Architect III	25.0	\$	158.00
	Architecture	Designer III	32.0	\$	141.00
Site Visit #1-32 Report Development/ Review / Finalize / Issue	Architecture	Architect III	32.0	\$	158.00
	Architecture	Designer III	56.0	\$	141.00
One (1) Punch Walk	Architecture	Architect III	8.0	\$	158.00
	M/P Engineering	Engineer II	8.0	\$	141.00
	Electrical Engineering	Engineer II	8.0	\$	141.00
	Structural Engineering	Engineer II	8.0	\$	141.00
Punch List Development & Issue	Architecture	Architect III	4.0	\$	158.00
	M/P Engineering	Engineer II	4.0	\$	141.00
	Electrical Engineering	Engineer II	4.0	\$	141.00
	Structural Engineering	Engineer II	4.0	\$	141.00
	Project Management		78.0		
Activity	Discipline	Role	Hours	Rate	
Internal Project Management	Architecture	Architect III	20.0	\$	158.00
Design Coordination	Architecture	Architect III	25.0	\$	158.00
Engineering Coordination	Architecture	Architect III	25.0	\$	158.00
Scheduling	Architecture	Architect III	8.0	\$	158.00

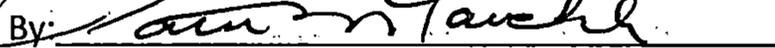
If the terms of this Amendment meet with your approval, please indicate by signing and returning one copy of this letter to us. If you have any questions, please do not hesitate to call. Thank you.

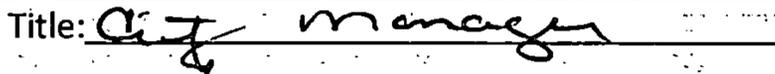
Very Truly Yours,



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

Authorization:

By: 

Title: 

Signature (signer represents that she or he is legally authorized to sign on behalf of client)

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS.