

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 FKAA 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.

- 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	Hours	Rate
Design Phase Kickoff Meeting	Architecture	Architect III	0.5	\$ 158.00
	M/P Engineering	Director	0.5	\$ 187.00
Calculations, Design, & Modeling	Structural Engineering	Senior Engineer	2.0	\$ 192.00
ComCheck	M/P Engineering	Engineer II	1.0	\$ 141.00
	Electrical Engineering	Engineer II	1.0	\$ 141.00
Calculations: System Sizing, Duct calcs	M/P Engineering	Engineer II	2.0	\$ 141.00
Calculations/Layout/Design/Photometrics	Electrical Engineering	Engineer II	2.0	\$ 141.00
QA/QC	Architecture	Senior Project Manager III	1.0	\$ 203.00
	Electrical Engineering	Senior Engineer	1.0	\$ 192.00
	M/P Engineering	Senior Engineer	1.0	\$ 192.00
	Structural Engineering	Senior Engineer	1.0	\$ 192.00
Client Submittal	Architecture	Architect III	0.5	\$ 158.00
(1) Additional Music Program Meeting	Architecture	Architect III	2.0	\$ 158.00
(1) Additional Director of Maintenance Meeting	Architecture	Architect III	2.0	\$ 158.00
(4) Additional Client Meetings - Complete	Architecture	Architect III	4.0	\$ 152.00
(1) Additional HARC Meetings - Complete	Architecture	Architect III	4.0	\$ 158.00
(1) Additional Planning Meeting - Complete	Architecture	Architect III	4.0	\$ 158.00
(1) Additional Pre- Application HARC Meeting - Complete	Architecture	Architect III	4.0	\$ 152.00
(1) Additional BVRAC Meeting - Complete	Architecture	Architect III	4.0	\$ 152.00
(4) Additional Client Meetings - Complete	Architecture	Architect III	4.0	\$ 152.00
Construction Documents			201.0	
Activity	Discipline	Role	Hours	Rate
Construction Document Updates per the new design	Architecture	Designer III	23.0	\$ 141.00
	M/P Engineering	Engineer II	18.0	\$ 141.00
	Electrical Engineering	Engineer II	38.0	\$ 141.00
	Structural Engineering	Engineer II	34.0	\$ 141.00
Project Manual	Architecture	Architect III	8.0	\$ 158.00
Book Specifications	Architecture	Architect III	16.0	\$ 158.00
	M/P Engineering	Engineer II	8.0	\$ 141.00
	Electrical Engineering	Engineer II	8.0	\$ 141.00
	Structural Engineering	Engineer II	10.0	\$ 141.00
Solar Engineer Coordination (Hired by Client)	Architecture	Architect III	8.0	\$ 158.00
	Electrical Engineering	Engineer II	15.0	\$ 141.00
	Structural Engineering	Engineer II	15.0	\$ 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
Substituion 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.