

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

Meeting of September 28, 2023

**TO:** The Honorable Brandi Gabbard, Chair, and Members of City Council

**SUBJECT:** Accepting a guaranteed maximum price proposal in the amount of \$317,473.98 from The A.D. Morgan Corporation (“CMAR”) for construction phase services for the Police Training Facility Automatic Transfer Switch Project dated August 3, 2023; authorizing the Mayor or his designee to execute the First Amendment to the Construction Manager At Risk (CMAR) Agreement with a GMP between the City of St. Petersburg, Florida and CMAR to incorporate the Guaranteed Maximum Price (GMP) Proposal into the agreement and modify other necessary provisions; authorizing the City Attorney’s office to make non-substantive changes to the first amendment; approving a transfer in the amount of \$387,000 from the unappropriated balance of the General Fund (0001) to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$387,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Police Training Facility Transfer Switch Project (19739) (ECID Project No. 22208-018; Oracle No. 19739); and providing an effective date.

**EXPLANATION:** On September 8, 2022, City Council acknowledged the selection of five CMAR firms for the CMAR Continuing Services for City Facilities, for the Engineering & Capital Improvements Department and authorized execution of Construction Manager at Risk Agreements with a Guaranteed Maximum Price with those firms. A Letter Agreement as executed with each firm establishing the terms and conditions of the continuing services CMAR Agreement.

On May 19, 2023, the Engineering and Capital Improvements Department (“ECID”) administratively approved the AIA Document A133 – 2019 and AIA Document A201-2017 with the A.D. Morgan Corporation, for pre-construction services including the review of bid plans, site visits, and bidding services in the amount of \$5,000.

The Police Training Facility is located at 1845 13<sup>th</sup> Ave. North. The building was completed in 2019 and provides classroom training as well as an indoor firing range for St. Petersburg Police Department. This project will provide a new 1200A Emergency Generator docking station and automatic transfer switch to provide for connection of a future temporary emergency back-up generator. Additional funding in the amount of \$69,000 is requested for staff inspection, project administration, design oversight and project contingency.

A \$10,000 Owner’s Contingency for unforeseen conditions is included in the GMP.

The Engineering and Capital Improvements Department recommends for award:

AD Morgan GMP Proposal ..... \$317,473.98

City Code 2-234, Small Business Enterprise Assistance Program, requires a required participation percentage to be assigned to all construction projects of over \$50,000. The SBE percentage for this project is 3%.

**RECOMMENDATION:** Administration recommends authorizing the Mayor or his designee to accept a guaranteed maximum price proposal in the amount of \$317,473.98 from The A.D. Morgan Corporation

("CMAR") for construction phase services for the Police Training Facility Automatic Transfer Switch Project dated August 3, 2023; authorizing the Mayor or his designee to execute the First Amendment to the Construction Manager At Risk (CMAR) Agreement with a GMP between the City of St. Petersburg, Florida and CMAR to incorporate the Guaranteed Maximum Price (GMP) Proposal into the agreement and modify other necessary provisions; authorizing the City Attorney's office to make non-substantive changes to the first amendment; approving a transfer in the amount of \$387,000 from the unappropriated balance of the General Fund (0001) to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$387,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Police Training Facility Transfer Switch Project (19739) (ECID Project No. 22208-018; Oracle No. 19739); and providing an effective date.

**COST/FUNDING SECTION:** As part of the FEMA reimbursement for Hurricane Irma, there is an allowance for management costs (Category Z Project) that if unused the excess funds can be put towards a mitigation project. The city has requested that the excess funds estimated at \$196,000 be used on the Police Training Facility Transfer Switch Project. If approved, reimbursement received from FEMA will be deposited into the General Fund (0001) to replace a portion of the funds transferred for this project. Funding will be available after the approval of a transfer in the amount of \$387,000 from the unappropriated balance of the General Fund (0001) to the General Capital Improvement Fund (3001) and a supplemental appropriation in the amount of \$387,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Police Training Facility Transfer Switch Project (19739).

**ATTACHMENTS:** GMP Proposal  
Resolution

RESOLUTION NO. 2023-\_\_\_\_\_

A RESOLUTION ACCEPTING A GUARANTEED MAXIMUM PRICE “GMP” PROPOSAL DATED AUGUST 3, 2023 IN THE AMOUNT OF \$317,473.98 SUBMITTED BY THE A.D. MORGAN CORPORATION (“AD MORGAN”) FOR CONSTRUCTION PHASE SERVICES FOR THE POLICE TRAINING FACILITY AUTOMATIC TRANSFER SWITCH PROJECT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH A GMP BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND AD MORGAN, DATED MAY 18, 2023 TO INCORPORATE THE GMP PROPOSAL INTO THE AGREEMENT AND MODIFY OTHER NECESSARY PROVISIONS; APPROVING A TRANSFER IN THE AMOUNT OF \$387,000 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (0001) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$387,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE TRANSFER, TO THE POLICE TRAINING FACILITY TRANSFER SWITCH PROJECT (19739) TO PROVIDE FOR THE NECESSARY FUNDING FOR THE GMP, STAFF INSPECTION, PROJECT ADMINISTRATION, DESIGN OVERSIGHT AND PROJECT CONTINGENCY; AND PROVIDING AN EFFECTIVE DATE (ECID Project No. 22208-018; Oracle No. 19739)

WHEREAS, on September 8, 2022, City Council (i) acknowledged the selection of five firms, including The A.D. Morgan Corporation (“AD Morgan”), as the most qualified firms to provide construction manager at risk services on a continuing basis for City facilities projects for the Engineering & Capital Improvements Department and (ii) authorized the Mayor or his designee to execute Construction Manager at Risk Agreements with a Guaranteed Maximum Price (“GMP”) between the City and those qualified firms, including AD Morgan; and

WHEREAS, the City and AD Morgan entered into a Construction Manager at Risk Agreement with a GMP on May 18, 2023 (“Agreement”) for AD Morgan to provide preconstruction and construction phase services for the Police Training Facility Generator Automatic Transfer Switch project (“Project”); and

WHEREAS, Administration authorized payment under the Agreement for preconstruction services in the amount of \$5,000; and

WHEREAS, in accordance with the requirements set forth in the Agreement, AD Morgan has submitted to the City for review and acceptance a GMP proposal in the amount of \$317,473.98 (which includes a \$10,000 owner's contingency) for construction phase services for the Project; and

WHEREAS, the City and AD Morgan desire to execute the First Amendment to the Agreement to incorporate the GMP proposal into the Agreement and modify other necessary provisions; and

WHEREAS, an additional \$69,000 is needed to provide funding for other Project costs, including staff inspection, project administration, design oversight and project contingency.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that a guaranteed maximum price ("GMP") proposal dated August 3, 2023 in the amount of \$317,473.98 submitted by The A.D. Morgan Corporation ("AD Morgan") for construction phase services for Police Training Facility Generator Automatic Transfer Switch project is hereby accepted.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the First Amendment to the Construction Manager at Risk agreement with a GMP between the City of St. Petersburg, Florida and AD Morgan, dated May 18, 2023 to incorporate the GMP proposal into the agreement and modify other necessary provisions

BE IT FURTHER RESOLVED that there is hereby approved the following transfer:

<u>General Fund (0001)</u>	
General Capital Improvement Fund (3001)	\$387,000

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer, the following supplemental appropriation:

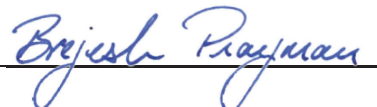
<u>General Capital Improvement Fund (3001)</u>	
Police Training Facility Transfer Switch Project (19739)	\$387,000

This Resolution shall become effective immediately upon its adoption.

LEGAL:

  
00699744

DEPARTMENT:



BUDGET:

