TO: The Honorable Deborah Figgs-Sanders, Chair, and Members of City Council

SUBJECT: A Resolution approving the First Amendment to the Construction Contract with Ajax Paving Industries of Florida, LLC dated March 9, 2023 to expand the scope of work to include additional grading, earthwork, and drainage construction required to address unforeseen conditions related to subsurface drainage infrastructure maintained by the Florida Department of Transportation (“FDOT”) which was encountered during construction and increase the contract amount in the amount of $323,369 for such additional scope of work related to the new service parking lot under the I-375 overpass at the corner of Dr. Martin Luther King Jr. Street North and 5th Avenue North Project; providing that the total Contract amount shall not exceed $906,145; authorizing the Mayor or his designee to execute the First Amendment and all other documents necessary to effectuate this transaction; approving a transfer in the amount of $349,000 from the unappropriated balance of the Parking Revenue Fund (1021) to the Downtown Parking Capital Improvement Fund (3073); approving a supplemental appropriation in the amount of $349,000 from the unappropriated balance of the Downtown Parking Capital Improvement Fund (3073), resulting from the above transfer, to the I-375 Surface Parking Project (HUNA Park) (17734) to provide for the necessary funding for this Amendment and other engineering project management costs; and providing an effective date. (ECID Project No. 20077-112; Oracle No. 17734)

EXPLANATION: On March 9, 2023, City Council approved a construction contract with Ajax to provide construction services to construct a new surface parking lot under the I-375 overpass at the corner of Dr. Martin Luther King, Jr. Street North and 5th Avenue North in the amount of $582,776 for I-375 Surface Parking Lot Project. The construction contract included construction of a new asphalt parking lot, construction of concrete sidewalk, curb and gutter, and driveways, signing and pavement markings, and installation of new and replacement of bridge-mounted lighting fixtures.

During construction, Ajax encountered unforeseen conditions related to subsurface drainage infrastructure maintained by the Florida Department of Transportation (“FDOT”). The City has negotiated with Ajax to add additional services to their scope of work to modify the original site design to accommodate the discovered FDOT facilities. The additional work will include additional grading, earthwork, and construction of drainage structures. The parking lot elevations will be raised to avoid additional subsurface drainage facilities in conflict with the original design.

The Contract and Change Order No. 1 include the following phases and associated not-to-exceed costs respectively:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$582,776</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>$323,369</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$906,145</td>
</tr>
</tbody>
</table>

A supplemental appropriation is required to provide for the necessary funding for this Amendment and other engineering project management costs.

RECOMMENDATION: Administration recommends City Council approve the attached Resolution accepting the First Amendment to the Construction Contract with Ajax Paving Industries of Florida, LLC dated March 9, 2023 to expand the scope of work to include additional grading, earthwork, and drainage
construction required to address unforeseen conditions related to subsurface drainage infrastructure maintained by the Florida Department of Transportation ("FDOT") which was encountered during construction and increase the contract amount in the amount of $323,369 for such additional scope of work related to the new service parking lot under the I-375 overpass at the corner of Dr. Martin Luther King Jr. Street North and 5th Avenue North Project; providing that the total Contract amount shall not exceed $906,145; authorizing the Mayor or his designee to execute the First Amendment and all other documents necessary to effectuate this transaction; approving a transfer in the amount of $349,000 from the unappropriated balance of the Parking Revenue Fund (1021) to the Downtown Parking Capital Improvement Fund (3073); approving a supplemental appropriation in the amount of $349,000 from the unappropriated balance of the Downtown Parking Capital Improvement Fund (3073), resulting from the above transfer, to the I-375 Surface Parking Project (HUNA Park) (17734) to provide for the necessary funding for this Amendment and other engineering project management costs; and providing an effective date. (ECID Project No. 20077-112; Oracle No. 17734)

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds will be available after the approval of a transfer in the amount of $349,000 from the unappropriated balance of the Parking Revenue Fund (1021) to the Downtown Parking Capital Improvement Fund (3073) and a supplemental appropriation in the amount of $349,000 from the unappropriated balance of the Downtown Parking Capital Improvement Fund (3073), resulting from the above transfer, to the I-375 Surface Parking Project (HUNA Park) (17734).

**ATTACHMENTS:**
- Resolution
- Draft Change Order
- Council Map
A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE CONSTRUCTION CONTRACT WITH AJAX PAVING INDUSTRIES OF FLORIDA, LLC DATED MARCH 9, 2023 TO EXPAND THE SCOPE OF WORK TO INCLUDE ADDITIONAL GRADING, EARTHWORK, AND DRAINAGE CONSTRUCTION REQUIRED TO ADDRESS UNFORESEEN CONDITIONS RELATED TO SUBSURFACE DRAINAGE INFRASTRUCTURE MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) WHICH WAS ENCOUNTERED DURING CONSTRUCTION AND INCREASE THE CONTRACT AMOUNT IN THE AMOUNT OF $323,369 FOR SUCH ADDITIONAL SCOPE OF WORK RELATED TO THE NEW SURFACE PARKING LOT UNDER THE I-375 OVERPASS AT THE CORNER OF DR. MARTIN LUTHER KING JR. STREET NORTH AND 5TH AVENUE NORTH PROJECT; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $906,145; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A TRANSFER IN THE AMOUNT OF $349,000 FROM THE UNAPPROPRIATED BALANCE OF THE PARKING REVENUE FUND (1021) TO THE DOWNTOWN PARKING CAPITAL IMPROVEMENT FUND (3073); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $349,000 FROM THE UNAPPROPRIATED BALANCE OF THE DOWNTOWN PARKING CAPITAL IMPROVEMENT FUND (3073), RESULTING FROM THE ABOVE TRANSFER, TO THE I-375 SURFACE PARKING PROJECT (HUNA PARK) (17734) TO PROVIDE FOR THE NECESSARY FUNDING FOR THIS AMENDMENT AND OTHER ENGINEERING PROJECT MANAGEMENT COSTS; AND PROVIDING AN EFFECTIVE DATE. (ECID PROJECT NO. 20077-112; ORACLE NO. 17734)

WHEREAS, on March 9, 2023, the City and Ajax Paving Industries of Florida, LLC (“Ajax”) executed a construction contract (“Contract”) for Ajax to provide construction services for a new surface parking lot under the I-375 overpass at the corner of Dr. Martin Luther King Jr. Street North and 5th Avenue North; and

WHEREAS, Administration desires to amend the Contract to expand the scope of work for Ajax to expand the scope of work to include additional grading, earthwork, and drainage
construction and increase the contract amount in an amount not to exceed $323,369 for such additional scope of work; and

WHEREAS funding for this amendment and Engineering project management costs will be available after approval of the budgetary action set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the First Amendment to the Construction Contract with Ajax Paving Industries of Florida, LLC (“Ajax”) dated March 9, 2023 to expand the scope of work for Ajax to expand the scope of work to include additional grading, earthwork, and drainage construction required to address unforeseen conditions related to subsurface drainage infrastructure maintained by the Florida Department of Transportation (“FDOT”) which was encountered during construction and increase the contract amount in an amount not to exceed $323,369 for such additional scope of work related to the new surface parking lot under the I-375 overpass at the corner of Dr. Martin Luther King Jr. Street North and 5th Avenue North Project.

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $906,145.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the First Amendment and all other documents necessary to effectuate this transaction.

BE IT FURTHER RESOLVED that there is hereby approved the following transfer from the unappropriated balance of the Parking Revenue Fund (1021) to the Downtown Parking Capital Improvement Fund (3073) for FY24:

| Parking Revenue Fund (1021) | Transfer to: Downtown Parking Capital Improvement Fund (3073) | $349,000 |

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the Downtown Parking Capital Improvement Fund (3073), resulting from the above transfer, the following supplemental appropriation for FY24:

| Downtown Parking Capital Improvement Fund (3073) | I-375 Surface Parking Project (HUNA Park) (17734) | $349,000 |

This Resolution shall become effective immediately upon its adoption.

LEGAL:

[Signature]

00742783

DEPARTMENT:

[Signature]

BUDGET:

[Signature]