

ST. PETERSBURG CITY COUNCIL

Report

Meeting of July 13, 2023

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

SUBJECT: A Resolution accepting Guaranteed Maximum Price (“GMP”) Proposal No. 2 for the remaining work for the President Barack Obama Main Library Renovation Project (“Project”) in the amount \$14,078,157 submitted by Biltmore Construction Co. Inc. (“Biltmore”) on June 8, 2023; authorizing the Mayor, or his designee, to execute the Second Amendment to the Construction Manager at Risk (“CMAR”) Agreement between the City of St. Petersburg, Florida and Biltmore dated June 2, 2021 to incorporate GMP Proposal No. 2 into the Agreement, and modify any other necessary provisions;; approving a transfer in the amount of \$514,062 from the unappropriated balance of the JP Morgan Chase Revenue Notes Fund (2010) to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$514,062 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Main Library Renovation Project (ECID Project No. 19205-019; Oracle No. 16685); approving a transfer in the amount of \$493,740 from the unappropriated balance of the Revolving Energy Investment Fund (5007) to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$493,740 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Main Library Renovation Project (16685); approving a supplemental appropriation in the amount of \$555,022 from the unappropriated balance of the General Capital Improvement Fund (3001) to the Main Library Renovation Project (16685); approving a transfer in the amount of \$9,788,000 from the unappropriated balance of the Citywide Infrastructure Capital Improvement Fund (3027) to the Recreation and Culture Capital Improvement Fund (3029); approving a transfer in the amount of \$192,726 from the unappropriated balance of the Public Safety Capital Improvement Fund (3025) to the Recreation and Culture Capital Improvement Fund (3029); approving a supplemental appropriation in the amount of \$11,480,726 from the increase in the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029), resulting from the above transfers and existing fund balance, to the Main Library Renovation Project (16685); and providing an effect date.

EXPLANATION: On June 2, 2021, City Council approved a Construction Manager at Risk Agreement with a GMP Agreement with Biltmore for preconstruction and construction phase services for the President Barack Obama Main Library Renovation Project. Preconstruction Phase services were authorized in the amount of \$64,213.

On April 7, 2022, City Council accepted the Guaranteed Maximum Proposal No. 1 for selective demolition and asbestos abatement in the amount of \$1,480,893 and the First Amendment to the Construction Manager at Risk Agreement. Additional preconstruction phase services to Biltmore in the amount of \$41,562 were also authorized.

On July 6, 2022, a notice to proceed for the demolition and asbestos abatement was issued. The work was completed in November 2022. This effort provided further insight and knowledge of the existing structure which enabled the completion of the construction documents. This selective demolition included removal of the entire ceiling, all walls, finishes and appurtenances to provide complete asbestos abatement in accordance with State and Local regulations.

This Second Amendment to the CMAR Agreement provides for the complete renovations to the approximately 40,000 square foot Obama Main Library. The result of the selective demolition and asbestos abatement is an empty shell requiring all new internal building infrastructure and systems. The renovations

will include all new HVAC, plumbing and electrical systems. In addition, the work includes, a complete fully automatic fire sprinkler system will be installed, ADA upgrades throughout the library, an emergency back-up generator, building security and safety upgrades, new exterior impact rated window system, a full repurposing of the interior spaces, technology upgrades, additional thirty-three parking spaces and exterior site upgrades.

The GMP Proposal No. 2 includes the following:

Construction Subcontractor Direct Cost		\$ 11,105,035.00
General Conditions		\$ 925,000.00
Contractor Contingency		<u>\$ 555,252.00</u>
	Subtotal:	\$12,585,287.00
CM Fee	5.75%	\$ 723,654.00
General Liability	0.00%	<u>\$ 129,520.00</u>
	Subtotal:	\$ 853,174.00
Builder's Risk		\$ 86,000.00
Performance Bond		\$ 119,665.00
Owner's Contingency		<u>\$ 434,031.00</u>
	Subtotal:	\$ 639,696.00
Total GMP Proposal No. 2		\$ 14,078,157.00

In addition to the GMP Proposal No. 2 in the amount of \$14,078,157, the total cost of the project includes \$2.8 million for construction related expenses and contingencies that are outside of the Biltmore Construction scope. These include the following budgeted line items.

Furniture, Fixtures & Equipment	\$ 500,000
Technology Upgrades, AV Systems	\$ 310,000
Public Art Contribution	\$ 140,000
ECID Project Management and Inspections	\$ 400,000
Permit & Utilities	\$ 130,000
Additional Rental Expenses	\$ 770,000
Contingency	\$ 550,000

The complete renovations shall commence upon City Council’s approval of the GMP No. 2 and the issuance of a Notice to Proceed. The GMP Proposal No. 2 includes the Cost of the Work plus the Construction Manager’s Fee along with a City contingency amount for unforeseen conditions. Upon Notice to Proceed, Biltmore will have 458 calendar days to substantial completion, or approximately 16 months. Once substantially complete, the City will restock and furnish the library for an anticipated reopening in the Spring of 2025.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to accept Guaranteed Maximum Price (“GMP”) Proposal No. 2 for the remaining work for the President Barack Obama Main Library Renovation Project (“Project”) in the amount \$14,078,157 submitted by Biltmore Construction Co. Inc. (“Biltmore”) on June 8, 2023; authorizing the Mayor, or his designee, to execute the Second Amendment to the Construction Manager at Risk (“CMAR”) Agreement between the City of St. Petersburg, Florida and Biltmore dated June 2, 2021 to incorporate GMP Proposal No. 2 into the Agreement, and modify any other necessary provisions;; approving a transfer in the amount of \$514,062 from the unappropriated balance of the JP Morgan Chase Revenue Notes Fund (2010) to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$514,062 from the

increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Main Library Renovation Project (ECID Project No. 19205-019; Oracle No. 16685); approving a transfer in the amount of \$493,740 from the unappropriated balance of the Revolving Energy Investment Fund (5007) to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$493,740 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Main Library Renovation Project (16685); approving a supplemental appropriation in the amount of \$555,022 from the unappropriated balance of the General Capital Improvement Fund (3001) to the Main Library Renovation Project (16685); approving a transfer in the amount of \$9,788,000 from the unappropriated balance of the Citywide Infrastructure Capital Improvement Fund (3027) to the Recreation and Culture Capital Improvement Fund (3029); approving a transfer in the amount of \$192,726 from the unappropriated balance of the Public Safety Capital Improvement Fund (3025) to the Recreation and Culture Capital Improvement Fund (3029); approving a supplemental appropriation in the amount of \$11,480,726 from the increase in the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029), resulting from the above transfers and existing fund balance, to the Main Library Renovation Project (16685); and providing an effect date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated (\$7,488,096) in the General Capital Improvement Fund (3001), Main Library Renovation Project (16685) and the Recreation and Culture Capital Improvement Fund (3029), Parking Expansion Project (12875), General Library Improvements FY19 Project (16683), Main Library Renovation Project (16685), General Library Improvements FY20 Project (17227), General Library Improvements FY21 Project (17954), General Library Improvements FY22 Project (18614), and General Library Improvements FY23 Project (19168). Additional funding for this project (\$13,043,549) will be available after the approval of a transfer in the amount of \$514,062 from the unappropriated balance of the JP Morgan Chase Revenue Notes Fund (2010) to the General Capital Improvement Fund (3001), a supplemental appropriation in the amount of \$514,062 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Main Library Renovation Project (ECID Project No. 19205-019; Oracle No. 16685), a transfer in the amount of \$493,740 from the unappropriated balance of the Revolving Energy Investment Fund (5007) to the General Capital Improvement Fund (3001), a supplemental appropriation in the amount of \$493,740 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Main Library Renovation Project (16685), a supplemental appropriation in the amount of \$555,022 from the unappropriated balance of the General Capital Improvement Fund (3001) to the Main Library Renovation Project (16685), a transfer in the amount of \$9,788,000 from the unappropriated balance of the Citywide Infrastructure Capital Improvement Fund (3027) to the Recreation and Culture Capital Improvement Fund (3029), a transfer in the amount of \$192,726 from the unappropriated balance of the Public Safety Capital Improvement Fund (3025) to the Recreation and Culture Capital Improvement Fund (3029), and a supplemental appropriation in the amount of \$11,480,726 from the increase in the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029), resulting from the above transfers and existing fund balance, to the Main Library Renovation Project (16685)

ATTACHMENTS: GMP Proposal No. 2
Resolution

RESOLUTION NO. 2023-_____

A RESOLUTION ACCEPTING GUARANTEED MAXIMUM PRICE (“GMP”) PROPOSAL NO 2 FOR THE REMAINING WORK FOR THE PRESIDENT BARACK OBAMA MAIN LIBRARY RENOVATION PROJECT (“PROJECT”) IN THE AMOUNT \$14,078,157 SUBMITTED BY BILTMORE CONSTRUCTION CO., INC. (“BILTMORE”) ON JUNE 8, 2023; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SECOND AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK (“CMAR”) AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND BILTMORE DATED JUNE 2, 2021 TO INCORPORATE GMP PROPOSAL NO. 2 INTO THE AGREEMENT AND MODIFY ANY OTHER NECESSARY PROVISIONS; APPROVING A TRANSFER IN THE AMOUNT OF \$514,062 FROM THE UNAPPROPRIATED BALANCE OF THE JP MORGAN CHASE REVENUE NOTES FUND (2010) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$514,062 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE TRANSFER, TO THE MAIN LIBRARY RENOVATION PROJECT (ECID PROJECT NO. 19205-019; ORACLE NO. 16685); APPROVING A TRANSFER IN THE AMOUNT OF \$493,740 FROM THE UNAPPROPRIATED BALANCE OF THE REVOLVING ENERGY INVESTMENT FUND (5007) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$493,740 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE TRANSFER, TO THE MAIN LIBRARY RENOVATION PROJECT (16685); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$555,022 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) TO THE MAIN LIBRARY RENOVATION PROJECT (16685); APPROVING A TRANSFER IN THE AMOUNT OF \$9,788,000 FROM THE UNAPPROPRIATED BALANCE OF THE CITYWIDE INFRASTRUCTURE CAPITAL IMPROVEMENT FUND (3025) TO THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029); APPROVING A TRANSFER IN

THE AMOUNT OF \$192,726 FROM THE UNAPPROPRIATED BALANCE OF THE PUBLIC SAFETY CAPITAL IMPROVEMENT FUND (3025) TO THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$11,480,726 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029), RESULTING FROM THE ABOVE TRANSFERS AND EXISTING FUND BALANCE, TO THE MAIN LIBRARY RENOVATION PROJECT (16685); AND PROVIDING AN EFFECT DATE.

WHEREAS, the City of St. Petersburg, Florida (“City”) and Biltmore Construction Co. Inc. (“CMAR”) entered into a Construction Manager at Risk Agreement with a Guaranteed Maximum Price (“GMP”) on June 2, 2021 (“Agreement”) for CMAR to provide preconstruction and construction phase services for the President Barack Obama Main Library Renovation Project (“Project”); and

WHEREAS, following execution of the Agreement, Administration authorized payment under the Agreement for preconstruction services, including the review of bid plans, site visits, and bidding services, in the amount of \$64,213; and

WHEREAS, on April 7, 2022, City Council approved the First Amendment to the Agreement to incorporate the Guaranteed Maximum Proposal No. 1 in the amount of \$1,480,893.00 for selective demolition and asbestos abatement and to authorize an additional payment to CMAR in the amount of \$41,562 for additional pre-construction services; and

WHEREAS, in accordance with the requirements set forth in the Agreement, CMAR has submitted to the City for review and acceptance GMP Proposal No. 2 for the remaining construction phase services in the amount of \$14,078,157 (which includes a \$434,031 owner’s contingency) to complete the remaining renovation work for the Project; and

WHEREAS, the City and CMAR desire to execute the Second Amendment to the Agreement to incorporate the GMP proposal into the Agreement and modify other necessary provisions; and

WHEREAS, transfers and supplemental appropriations (as described herein) are needed to provide funding for GMP Proposal No. 2 and other Project costs.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Guaranteed Maximum Price (“GMP”) Proposal No. 2 for the remaining work for the President Barack Obama Main Library Renovation Project in the amount of \$14,078,157 submitted by Biltmore Construction Co., Inc. (“CMAR”) on June 8, 2023 is hereby accepted.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Second Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida and CMAR dated June 2, 2021 (“Agreement”) to incorporate GMP Proposal No. 2 into the Agreement and modify other necessary provisions.

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the JP Morgan Chase Revenue Notes Fund (2010) the following transfer for FY23:

<u>JP Morgan Chase Revenue Notes Fund (2010)</u>	
Transfer to: General Capital Improvement Fund (3001)	\$514,062

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 for FY23:

<u>General Capital Improvement Fund (3001)</u>	
Main Library Renovation Project (16685)	\$514,062

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Revolving Energy Investment Fund (5007) the following transfer for FY23:

<u>Revolving Energy Investment Fund (5007)</u>	
Transfer to: General Capital Improvement Fund (3001)	\$493,740

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 for FY23:

<u>General Capital Improvement Fund (3001)</u>	
Main Library Renovation Project (16685)	\$493,740

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the General Capital Improvement Fund (3001) the following supplemental appropriation for FY23:

<u>General Capital Improvement Fund (3001)</u>	
Main Library Renovation Project (16685)	\$555,022

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Citywide Infrastructure Capital Improvement Fund (3027) the following transfer for FY23:

Citywide Infrastructure Capital Improvement Fund (3027)
Transfer to: Recreation and Culture Capital Improvement
Fund (3029) \$9,788,000

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Public Safety Capital Improvement Fund (3025) the following transfer for FY23:

Public Safety Capital Improvement Fund (3025)
Transfer to: Recreation and Culture Capital Improvement
Fund (3029) \$192,726

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the recreation and Culture Capital Improvement Fund (3029), resulting from the above transfers and existing fund balance, the following supplemental appropriation for FY23:

Recreation and Culture Capital Improvement Fund (3029)
Main Library Renovation Project (16685) \$11,480,726

This Resolution shall become effective immediately upon its adoption.

LEGAL:


00686955

DEPARTMENT:



BUDGET:

