



# Pinellas County

## Staff Report

Approved by Board of County Commissioners 10/15/2024

**File #:** 24-1512A, **Version:** 1

**Agenda Date:** 10/15/2024

### **Subject:**

Change Order No. 2 to release retainage for the agreement with Creative Contractors, Inc. for the Design Build Courts Consolidation Project.

### **Recommended Action:**

Approval of Change Order No. 2 to release retainage for the agreement with Creative Contractors, Inc. for the Design Build Courts Consolidation Project.

- The contract provided for the Design Build Courts Consolidation Project.
- Change Order No. 2 releases the majority of the retainage for work previously performed and accepted by the County and extends the contract by 108 consecutive calendar days through October 1, 2024.
- The current value of the overall retainage is \$2,001,787.67. The overall retainage value shall not be reduced below \$200,000.00 until remaining minor punch list items are complete and all conditions for final payment have been met.
- This contract was awarded by the Board of County Commissioners on July 18, 2017, in the amount of \$4,063,708.00 and 330 consecutive calendar days for design and permitting.
- The First Amendment was approved by the Board of County Commissioners on June 4, 2019, to increase the contract by \$55,210,758.00 and extend the contract by 1059 consecutive calendar days for construction.
- Change Order No. 1 was approved by the Board of County Commissioners on July 19, 2022, increasing the contract by \$877,342.20 and extending the contract by 1467 consecutive calendar days.
- Funding was budgeted under the County Justice Center Judicial Consolidation Project 001109A, funded by the Penny for Pinellas. Change order No. 2 has no fiscal impact.

Contract No.167-0160-NC releasing retainage and extending term by 108 days through October 1, 2024; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

### **Strategic Plan:**

Deliver First-Class Services to the Public and Our Customers

5.3 Ensure effective and efficient delivery of county services and support

### **Summary:**

Change Order No. 2 adjusts the amount of retainage we hold for the project allowing Creative Contractors Inc. and their sub-contractors to be paid for work that was completed and accepted by Pinellas County up to 2 years ago. It also extends their contract by 108 consecutive days in order to complete all remaining phases of the project.

### **Background Information:**

On November 28, 2017, the Board approved Phase 1 (Design) services to design the Court Consolidation Project at the CJC for Creative Contractors, Inc in the amount of \$4,063,708.00.

On June 4, 2019, the Board approved Phase 2 (Construction) services to construct the Court Consolidation Project at the CJC for Creative Contractors, Inc in the amount of \$55,210,758.00. This project is managed by the Department of Administrative Services Construction Services Division.

On July 19, 2022, the Board approved Change Order #1 that included an increase of \$877,342.20 for a total of \$60,151,808.20 to add a Fire Alarm Upgrade/Replacement.

**Fiscal Impact:**

Funding was budgeted under the County Justice Center Judicial Consolidation Project 001109A funded by the Penny for Pinellas.

Change order No. 2 has no fiscal impact.

**Staff Member Responsible:**

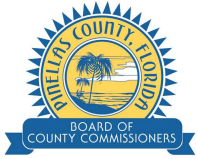
Bill Greer, Director, Construction & Property Management  
Merry Celeste, Purchasing Director, Administrative Services  
Joe Lauro, Director, Administrative Services

**Partners:**

N/A

**Attachments:**

Change Order No. 2



# Pinellas County

## Staff Report

Approved by Board of County Commissioners 7/19/2022

**File #:** 22-1054A, **Version:** 1

**Agenda Date:** 7/19/2022

### **Subject:**

Change Order No. 1 to the agreement with Creative Contractors Inc. for the Design Build Courts Consolidation Project.

### **Recommended Action:**

Approval of Change Order No. 1 with Creative Contractors, Inc. for an increase to the existing agreement to provide for an upgrade to the fire alarm system at the Criminal Justice Center (CJC) located on 49<sup>th</sup> Street in Clearwater.

- Change Order No. 1 provides \$877,342.20 to accomplish an upgrade to the existing fire alarm system at the CJC and corresponding time extension for the upgrade. Currently as part of the Court Consolidation Project, a new CJC Annex is being constructed containing a new fire alarm system. This change order ensures the current building and new Annex will have modern fire alarm systems that will communicate and operate in sequence and last for many years to come.
- During the programming of this project, it was thought the technology of the fire alarm system in the CJC was adequate for years to come; that has not held true. The existing Fire Alarm Control Panel in the current building and its related notification and annunciation devices are failing more frequently, and it is difficult to locate aftermarket repair parts. This upgrade will facilitate a seamless connection with the newer generation/version of Fire Alarm system being installed in the new CJC Annex currently under construction. It is financially and logistically prudent to utilize Creative Contractors and the Fire Alarm Subcontractor while they are mobilized constructing the new CJC Annex.
- It is anticipated direct purchase tax savings will offset the majority of the pricing associated with this change order; these savings will not be realized however until the project is complete.
- The First Amendment for Phase 2 (construction) was approved by the Board of County Commissioners (Board) on June 4, 2019, in the amount of \$55,210,758.00.
- The award for Phase 1 (design) was approved by the Board on November 28, 2017, in the amount of \$4,063,708.00.

Contract No. 167-0160-NC (PLU); Increase in the amount of \$877,342.20 for a revised total expenditure of \$60,151,808.20; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

### **Strategic Plan:**

Practice Superior Environmental Stewardship

3.1 Implement green technologies and practices where practical

Foster Continual Economic Growth and Vitality

4.4 Invest in infrastructure to meet current and future needs

Deliver First Class Services to the Public and Our Customers

5.1 Maximize partner relationships and public outreach

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support

**Summary:**

Change Order No. 1 provides an upgrade to the existing fire alarm system contained at the CJC. The new CJC Annex is currently under construction as part of the Court Consolidation Project containing a new fire alarm system. This change order will enable both buildings to have the same system with seamless communication and equal capabilities.

**Background Information:**

On June 4, 2019, the Board approved Phase 2 services to construct the Court Consolidation Project at the CJC from Creative Contractors, Inc in the amount of \$55,210,758.00. This project is managed by the Department of Administrative Services Building and Design Division

The 27-year-old existing Fire Alarm Control Panel and its related notification and annunciation devices, are failing more frequently, coupled with the difficulty of locating replacement parts currently only available from specialized obsolete aftermarket surplus warehouses at high costs. This Change will facilitate a seamless connection with the newer generation/version of Fire Alarm system being installed in the CJC Annex. It is financially and logistically prudent to utilize Creative Contractors and the Fire Alarm Subcontractor while mobilized constructing the new CJC Annex for the upgrade to the current building.

**Fiscal Impact:**

For the (Additive) Sum of: Eight Hundred Seventy-Seven Thousand Three Hundred Forty-Two Dollars and 20/100

\$ 877,342.20

Award Phase One (Design) \$ 4,063,708.00

First Amendment Phase II (Construction) \$ 55,210,758.00

Change Order No. 1 (Increase) \$ 877,342.20

Total Lump Sum Amount \$ 60,151,808.20

Funding for this project is derived from the Local Infrastructure Sales Tax (Penny for Pinellas) in the Capital Improvement Program: General Government Services Function, Judicial Facilities Program, Project No. 001109A County Justice Center Judicial Consolidation.

**Staff Member Responsible:**

Derek Weaver, Department Head Building Design and Construction

Diane Sweeney, Deputy Director of Administrative Services, Real Estate Management

Merry Celeste, Division Director, Purchasing and Risk Management

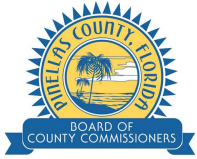
Joe Lauro, Director, Administrative Services

**Partners:**

N/A

**Attachments:**

Change Order No. 1



## Staff Report

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**File #:** 19-552A, **Version:** 1

**Agenda Date:** 6/4/2019

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**Subject:**

First Amendment to the agreement with Creative Contractors, Inc. for design-build professional services for the Courts Consolidation project at the County Justice Center.

**Recommended Action:**

Approval of the First Amendment for the project scope and lump sum price (LSP) Amendment with Creative Contractors, Inc. (Creative), for design-build professional services for the Courts Consolidation project at the County Justice Center.

- This Amendment will initiate Phase 2 of the project for a LSP of \$55,210,758.00.
- The Board of County Commissioners approved the original award, Phase 1 - Design on November 28, 2017.
- This project consists of two phases - Phase One included the design development which is inclusive of design and fifty percent (50%) construction documents and LSP. Phase Two will initiate the construction phase providing renovation and security upgrades as described below. Actual construction will commence during January 2020 after design documents and permitted are complete.

Contract No. 167-0160-NC, in the amount of \$55,210,758.00 from the notice to proceed date for 1,059 consecutive calendar days.

**Strategic Plan:**

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

Foster Continual Economic Growth and Vitality

4.4 Invest in infrastructure to meet current and future needs

Deliver First Class Services to the Public and Our Customers

5.1 Maximize partner relationships and public outreach

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support

**Summary:**

Board approval of this Amendment will initiate Phase 2 of the project for an LSP of \$55,210,758.00. Creative completed Phase 1 of the project on 04/18/2019, submitting 50% construction documents and the LSP.

**Background Information:**

The Project consists of two (2) phases: Phase One included the design development, inclusive of design and 50% construction documents, and pre-construction elements, including existing conditions investigation, infrastructure preparation, office/courtroom mock-ups, and lump sum cost estimation. The design and construction documents have been completed to a point where a lump sum construction price has been received and is presented to the Board for consideration and approval, which will initiate Phase Two, the construction phase.

This project was initiated to provide new construction, renovation, and security upgrades. The new construction element will include a four-story annex connected to the existing building, a new front entrance, and new public restrooms. Renovations will include the jury assembly area, H-wing, and the Clerk's second floor customer service area. Security upgrades will include new screening equipment, new and additional cameras, and additional access control.

Phase 2 will begin with the completion of the design documents and permitting, which are expected to be completed in six months. Actual construction is expected to begin in January 2020.

The project team participated in a detailed value engineering exercise to reduce the project budget. This exercise resulted in a projected savings of \$2,669,802.00, inclusive of an estimated \$500K savings in sales tax for direct purchases. The value engineering exercise did not reduce the original project scope elements.

The total estimated price for the project from the design criteria package was \$55,680,000.00. The total proposed budget is \$58,132,200.00. Therefore, the LSP is \$545,234.00 above the proposed budget. The increased project costs are directly related to technology, security and construction costs.

**Fiscal Impact:**

Phase One (Design) Total:	\$ 3,466,676.00
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Phase 2 Construction	\$53,248,452.00
Phase 2 Owner Contingency	\$ 1,962,306.00
Phase 2 Total	<u>\$55,210,758.00</u>

Total for Phase 1 and Phase 2	\$58,677,434.00
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During the 1,059 days of the project construction schedule, it is reasonable to anticipate unforeseen conditions requiring the use of contingency funds for resolution. Owner contingency is intended to be utilized for any necessary items directed by the Owner.

Funding for Phases 1 and 2 is derived from the Penny Infrastructure Sales Tax allocated for Court and Jail Improvements

**Staff Member Responsible:**

Andrew W. Pupke, Director, Real Estate Management  
Joe Lauro, Director, Purchasing

**Partners:**

Sixth Judicial Circuit  
Administrative Office of the Court  
Clerk of Circuit Court  
State Attorney  
Public Defender  
Pinellas County Sheriff's Office  
Guardian ad Litem

**Attachments:**

Exhibit N - First Amendment





## Staff Report

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**File #:** 17-1833A, **Version:** 1

**Agenda Date:** 11/28/2017

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**Subject:**

Agreement with Creative Contractors, Inc., for professional design build services pertaining to the Courts Consolidation Project at the County Justice Center.

**Recommended Action:**

Approval of the negotiated Agreement with Creative Contractors, Inc., (Creative) for professional design build services pertaining to the Courts Consolidation Project (Project) at the County Justice Center (CJC).

Contract No. 167-0160-NC (SS), in the amount of \$4,063,708.00 from the notice to proceed date for ten (10) consecutive calendar months. Chairman to sign and Clerk of Court to attest.

**Strategic Plan:**

Practice Superior Environmental Stewardship

3.1 Implement green technologies and practices where practical

Foster Continual Economic Growth and Vitality

4.4 Invest in infrastructure to meet current and future needs

Deliver First Class Services to the Public and Our Customers

5.1 Maximize partner relationships and public outreach

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support

**Summary:**

This Agreement provides Creative authorization to commence with the design development and pre-construction elements of this design-build project. On July 18, 2017, in accordance with County Consultant Competitive Negotiation Act (CCNA) procedures, the Board of County Commissioners (Board) authorized staff to proceed with negotiations with the number one ranked firm, Creative.

**Background Information:**

The Project consists of two (2) phases: Phase One (1) will include the design development, inclusive of design and construction documents, and pre-construction elements, inclusive of; existing conditions investigation, insurance, infrastructure preparation, office/courtroom mock-ups, permit and impact fees and lump sum cost estimation. Phase 1 is expected to begin December 2017 and to be completed in approximately one (1) year. The design and construction documents will be completed to a point where a lump sum construction price will be developed and brought back to the Board for consideration and approval, which will lead to Phase Two (2), the 'construction phase'. The construction and renovation portion of the project is expected to begin November 2018, and be completed May 2021.

The project will be designed and constructed per Leadership in Energy and Environmental Design (LEED) certified level, however, staff will not pursue formal LEED certification due to price considerations.

**Fiscal Impact:**

Phase One (1) (Design) not to exceed:	\$2,204,212.00
Pre-Construction	\$1,559,496.00
Owner Contingency	\$ <u>300,000.00</u>
Total:	\$4,063,708.00

The total estimated price for the project is \$55,680,000.00, which includes Phase 1 pricing. Funding for this project will be derived from the Penny Infrastructure Sale Tax allocated for Court and Jail Improvements.

**Staff Member Responsible:**

Andrew W. Pupke, Director, Real Estate Management  
Joe Lauro, Director, Purchasing

**Partners:**

Sixth Judicial Circuit  
Administrative Office of the Court  
Clerk of Circuit Court  
State Attorney  
Public Defender  
Pinellas County Sheriff's Office  
Guardian ad Litem

**Attachments:**

Agreement  
Location Map