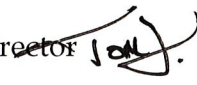




MEMORANDUM

TO: Mary Celeste, Pinellas County Purchasing Director

FROM: Thomas R. Jewsbury, Airport Director 

DATE: August 15, 2022

SUBJECT: EMERGENCY – PIE Runway 18-36 Pavement Maintenance

St. Pete-Clearwater International Airport (PIE) completed the Runway 18-36 Rehabilitation project in the Spring of 2021. Although the contractor met all acceptance criteria per the Contract Documents during construction, it was noticed after the completion of the project that there was a portion of the longitudinal profile of the runway that did not meet the design criteria per the FAA Advisory Circular 150/5300-13B, Airport Design.

It was subsequently found that this design error was attributed to the design consultant of the project and would be subject to a potential claim against their Professional Liability Insurance coverage under their Agreement with the County. In this scenario, the County would seek reimbursement for all design and construction related costs associated with the required mitigation.

Fortunately, the design consultant agreed to cover all design and construction related costs and appropriate documents are being executed.

Ajax Paving Industries of Florida, LLC, (Ajax), the original contractor for the Runway 18-36 Rehabilitation project, has provided a cost estimate of \$2,322,396.21, (\$1,823,098.38 for the pavement maintenance work for Runway 18-36, and \$499,297.83 for maintenance work to Taxiway "G", should it be decided during field inspection that this work is needed due to impacts from air carrier aircraft during the closure of Runway 18-36), to perform this work to bring it in compliance with the FAA Advisory Circular. All costs of this work will be borne by the design consultant, including design, construction administration, quality control testing, inspection, project close-out, and other necessary tasks needed to complete this work.

The Airport requests approval of this emergency construction work to expeditiously bring the runway longitudinal alignment within design criteria.

The Airport also requests that this work be done without competition, as this work was originally completed by Ajax and other construction contractors would not be willing to take the risk of performing maintenance on another contractor's work.

The Airport is only going to be a "pass through" on this project; in other words, when pay applications are ready, our design consultant will deposit the full costs to an escrow account and the pay application will move through the OPUS workflow and be paid by Pinellas County.

The reason why Pinellas County must be involved at all is for the following reasons:

- 1) The County contract requirements such as payment and other related procedures, warranties, bonds, insurance, etc., must be encompassed in this work to ensure the County is protected under their standard provisions and contract language.
- 2) The design consultant cannot enter a contract with the contractor for this work, as by doing so, the design consultant would become a de facto general contractor. This scenario would require the design consultant to have a contractor's license, the proper insurance, and ability to obtain performance and payment bonds, which, as a design consultant, they do not.

Please contact Scott Yarley, PE, if you require further information.