



# Pinellas County

## Legislation Details (With Text)

**File #:** 16-1224A      **Version:** 1

**Type:** Contract/Agreement      **Status:** Passed

**File created:** 7/18/2016      **In control:** Risk Management

**On agenda:** 8/23/2016      **Final action:** 8/23/2016

**Title:** Acceptance of Insurance Carrier Claim Settlement for Wall Springs Park observation tower ramp construction.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/23/2016	1	Board of County Commissioners	approved	Pass

**Subject:**

Acceptance of Insurance Carrier Claim Settlement for Wall Springs Park observation tower ramp construction.

**Recommended Action:**

Approve the acceptance of the Insurance Carrier Claim Settlement for Wall Springs Park observation tower ramp construction.

**Strategic Plan:**

Ensure Public Health, Safety & Welfare

2.5 Enhance pedestrian and bicycle safety

Practice Superior Environmental Stewardship

3.2 Preserve and manage environmental lands, beaches, parks, and historical assets

Foster Continual Economic Growth and Vitality

4.6 Support a vibrant community with recreation, arts, and culture to attract residents and visitors

**Summary:**

Acceptance of this settlement will provide funding to construct an Americans with Disability Act (ADA) compliant access ramp for the newly reconstructed main tower. The Building Code requires ADA access to all three tower levels or the tower cannot be designated as a public structure.

**Background Information:**

The Wall Springs Park Observation Tower was destroyed by arson on September 11, 2013. The tower was insured for total replacement minus a \$100,000 deductible. The tower was designed and reconstructed at a cost of \$863,047.42. The insurance covered \$711,957.47 of those costs, which left the County responsible for \$151,089.95 of the cost; \$100,000 for the insurance deductible and \$51,089.95 for non-covered items such as; fire protection, minor design changes, and post construction site security. The tower reconstruction was completed in the summer of 2015.

During the permit phase of the initial tower reconstruction, the contractor was informed by the building department that the design did not meet the current code. The original tower was constructed in 2004 and the Building Code changed in 2010 to require public structures be ADA accessible. The code change required staff to revisit the insurance claim regarding total replacement. This code change resulted in a very large unanticipated cost to the insurance carriers, causing lengthy negotiations. A \$903,054.76 settlement was proffered to construct the ADA ramp, which includes \$115,724.00 for design and \$788,054.76 for construction costs.

Staff solicited construction estimates from HDR, the project's design engineering consultant. HDR estimates the ramp construction costs to be \$774,967, which is approximately \$13,088 less than the settlement offer. Staff also solicited a construction estimate from David Nelson Construction, the construction contractor for the tower reconstruction. David Nelson Construction estimates the ramp construction cost to be \$975,095, which is \$187,040 greater than the settlement offer.

In the interest to move the project forward in parallel with protracted negotiations with the insurance carriers, staff contracted with HDR to design the access ramp for a fee of \$156,000. The insurance offer of \$115,724 for design costs is \$40,276 less than the HDR engineering fee for services. Staff has taken steps to communicate the project's status including on-site signage, web page information and handouts to the neighboring communities.

While definitive construction costs will not be available until the ramp project is advertised for bid, staff considers the offer to be fair and recommends Board acceptance. If necessary, the funding gap to complete construction would be made available from the Capital Improvement Program (CIP).

**Current Project Timeline:**

Project Design: Complete

Advertise for Bid: In Progress

Award of Bid: September 2016

Construction Start: October 2016

Target Completion: February 2017

**Fiscal Impact:**

Settlement offer: \$903,054.76 (\$115,724.00 for design costs and \$788,054.76 for construction)

Engineering cost: \$156,000 (\$40,276 greater than offer)

Estimated construction costs range from \$774,967 to \$975,095

Maximum estimated fiscal impact: \$227,316.24 (\$40,276 for design and \$187,040.24 for construction)

**Staff Member Responsible:**

Virginia E. Holscher, Director, Risk Management Department

Paul Cozzie, Director, Parks and Conservation Resources Department

**Partners:**

N/A

**Attachments:**

N/A

