



# Pinellas County

## Staff Report

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File #: 22-1007D, Version: 1

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### **Subject:**

Emergency agreement with Kimley-Horn & Associates Inc for Runway 18-36 Pavement Maintenance

### **Recommended Action:**

Approval and execution by the County Administrator of the emergency agreement with Kimley-Horn & Associates Inc (Kimley-Horn), for Runway 18-36 Pavement Maintenance.

- The St. Pete-Clearwater International Airport (PIE) is requesting an emergency agreement with Kimley-Horn to correct a design error which was committed during work performed under prior contract no. 189-0334-CP for the Runway 18-36 Pavement Rehabilitation project. After the project had been completed, it was determined a portion of the longitudinal profile of the runway did not meet the design criteria per the FAA Advisory Circular 150/5300-13B, Airport Design.
- Kimley-Horn has agreed to correct their error by performing professional engineering services, at no cost to the County, to develop the design plans, construction administration, quality assurance testing, inspection, project close-out, and other necessary tasks needed to complete this work. Kimley-Horn will be paying for the construction and construction phase services of this project by depositing funds into a “perfect receivable account” created by Clerk Finance in order for the County to make payment to the contractor, Ajax Paving Industries of Florida, LLC once complete.
- Approval of this agreement with Kimley-Horn in the amount of \$2,322,396.21 is concurrent with the approval of the agreement with Ajax via Legistar No. 22-1027D. The total amount of \$2,322,396.21 from Kimley-Horn will be used to pay Ajax, as progress payments are received for construction activities.
- This emergency agreement is requested to expediate this work. Utilizing competition will be detrimental to the timely acquisition of goods and services.
- This design error is a serious safety issue, per the Airport. Allegiant pilots have filed safety reports on this bumpy condition which led to the investigation. The excessive bumpy takeoffs have been verified by Airport staff and deemed to be a serious safety issue that needs to be corrected immediately.
- The County Administrator has delegated authority under Code Section 2-181(b)1 to approve this emergency purchase with receipt and file to the Board of County Commissioners.

Contract No. 22-0650-E is not to exceed the amount of \$2,322,396.21 as reimbursement to pay Ajax for construction activities for a duration of 180 days.

### **Strategic Plan:**

Deliver First Class Services to the Public and Our Customers

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 with Kimley-Horn is to correct the inaccuracies from the original design document required under prior contract no. 189-0334-CP which expired February 22, 2022. Kimley-Horn will be reimbursing the County for all design and construction related costs by depositing funds into a "perfect receivable account" created by Clerk's Finance in order for the County to make payment to the contractor, Ajax Paving Industries of Florida, LLC (Ajax).

It is necessary to approve the agreement as an emergency to complete the work expeditiously and to allow the same vendor which started the work to complete the work.

**Background/Explanation:**

St. Pete-Clearwater International Airport (PIE) completed the Runway 18-36 Pavement 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.

Ajax, the original contractor for the Runway 18-36 Rehabilitation project, has provided a cost estimate of \$2,322,396.21 for this work. This includes \$1,823,098.38 for the work related to the Runway 18-36 maintenance, and an additional \$499,297.83 for pavement rehabilitation to Taxiway "G", (parallel taxiway to Runway 4-22), should it be needed due to the impacts of placing air carrier operations on this taxiway after the work related to Runway 18-36 is completed. (i.e. If no damage is done to Taxiway "G" during this project, this work will not be needed). All costs of this work will be borne by Kimley Horn.

**Fiscal Impact:**

The total cost of this agreement is \$2,322,396.21. Per the Agreement between Pinellas County and Kimley-Horn (Section 2B), Kimley-Horn hereby agrees that upon request by the County and based on the amount requested by Ajax in their monthly payment Apps/requests, they will send a payment equal to the requested and agreed upon amount into an account provided by the County. The County will use these funds to pay Ajax as a contractor during construction. Payments by Kimley-Horn will be made via wire transfer to the account provided by the County within ten (10) business days of mutual approval of the Contractor's pay request by the County and Kimley-Horn. As a result, no negative budgetary impacts are anticipated.

**Delegated Authority:**

Authority for the County Administrator to approve this emergency purchase is granted under Code Section 2-181(b)1.

**Staff Member Responsible:**

Thomas Jewsbury, Director, St. Pete-Clearwater International Airport  
Merry Celeste, Division Director, Purchasing & Risk, Administrative Services

Joe Lauro, Director, Purchasing

**Partners:**

N/A

**Attachments:**

Agreement