

## MEMORANDUM

February 13, 2020

TO: Mark Berman, City Attorney  
CC: Jill R. Mesojedec, FRP, Florida Registered Paralegal  
FROM: Horacio Danovich, CIP and Innovation District Director



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Please prepare an Ordinance to approve a Reinstatement and First Amendment to the agreement for the design-build contract with West Construction, Inc. ("West") approved via Ordinance 2019-41 on March 26, 2019 (see Exhibit "A").

The Reinstatement is necessary to extend the original contract from the original expiration date (182 days, or September 24, 2019). This was the original date of completion that the City and West agreed to complete the work described in Exhibit "A." Subsequently, the City asked West to conduct due diligence services to determine whether the Florida Department of Environmental Protection ("FDEP") would be amenable to allowing the expansion of the existing Ocean Rescue Building (See Location Map) and authorize construction of a second floor addition. The new expiration date will be October 1, 2023. Note FDEP approved the City's request (See Exhibit "D").

The First Amendment is necessary to authorize West to provide design services of the second floor in the sum of \$98,210.00 (see Exhibits B and C). Upon completion of design services, and subject to funding availability, the City and West can entertain a second amendment to allow West to construct the second floor as per West's original proposal submitted in response to Ocean Rescue Building Interior Upgrades and Construction of Lifeguard Towers RFP T-03-19, currently estimated at \$959,115.00. Staff acknowledges this estimate may be subject to change depending on the City's desire to use specific materials and finishes.

Staff would like to have an agenda item ready for the March 10, 2020 City Commission meeting (first reading).