

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	December 18, 2018	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

I. EXECUTIVE BRIEF

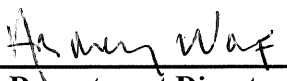
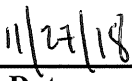

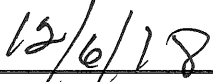
Motion and Title: Staff recommends motion to approve: a Second Amendment to Agreement for Art Services (R2017-1895) with Susan Narduli of Narduli Studio to decrease the fixed fee amount by \$4,625 and extend the contract duration by an additional 456 days to November 30, 2019 for the Palm Beach County Convention Center Courtyard.

Summary: On December 19, 2017, the Board approved an Agreement for Art Services with Susan Narduli (Artist) of Narduli Studio in the amount of \$454,000 for the design, permitting, fabrication and installation of “Light Play” (sculptural screens artwork) for the Palm Beach County Convention Center Courtyard. On March 13, 2018 the Board approved the first amendment to the Artist’s contract (R2018-0255) adding \$340,600, plus an extension of 275 days to oversee the programming and design of the entire Courtyard project to use the artwork as the vehicle for converting the Courtyard into a unique rentable venue. Through the design development process, Convention Center staff determined that additional improvements were necessary to support the specific operations, functionality and circulation requirements of the new venue adding design scope in the amount of \$75,375. In addition, it was also determined to be most efficient and effective for the project’s Construction Manager to install all footers, including those currently in the Artist’s contract. Thus, this Second Amendment includes an \$80,000 reduction to the Artist contract for footers that were originally included in her scope of work. The net impact to the project price is a \$4,625 reduction in the contract amount. Based on Convention Center facility rental bookings and the desire to accomplish the Courtyard construction concurrent with another major scheduled renewal/replacement project, Courtyard construction has been rescheduled to June-September 2019 (as opposed to 2018), thus a 456 day extension to the Artist contract is required. Funding for this Courtyard art project is from the \$68M Rev Bond AC2/Convention Center Parking Garage. Following the completion of the Artist’s and architect’s design, a separate construction contract will be presented to the BCC for approval. **(FDO ADMIN) District 7/Countywide (MJ)**

Background & Justification: In Fall 2018, while in the Courtyard’s design development phase, it was determined that gates at the east and west entrance/exits and lighting in the Food Service area were necessary to provide a functional staging area to support facility rental catering. The total cost to design lighting for Food Service area, plus design, engineer, permit, fabricate and install the two gates is \$29,375. In addition, the Artist is being tasked with redesigning a sculptural screen in order to limit public access into the Courtyard through the screen, which runs parallel to Okeechobee Boulevard. The total cost for the Artist to provide additional design, engineering, materials, fabrication and screen installation to improve Convention Center circulation and operations is \$46,000. These additional Artist services total \$75,375, which is included within this proposed Second Amendment along with a deduction of Artist responsibility for footers to support the screens and gates at a cost of \$80,000. This Second Amendment provides for a \$4,625 reduction in the fixed fee and 456 additional days to Artist schedule to accommodate the Convention Center’s event bookings and to close out the project after construction completion. In coordination with Convention Center Management, Courtyard construction must occur June-September 2019.

Courtyard project funds are available from proceeds of the bond issuance for the related Convention Center Garage, and the total construction cost including these required additions would remain within the original budget established for the Convention Center Garage.

- Attachments:**
- 1. Budget Availability Statement
 - 2. Second Amendment to Agreement for Art Services

Recommended By:		
	Department Director	Date
Approved By:		
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	(\$4,625)				
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(\$4,625)				
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Budget:	Yes	X	No		
Does this Item Include Use of Federal Funds	Yes		No	X	
Budget Account No:	Fund 3076	Dept 411	Unit B572	Object 6502	
	Program				


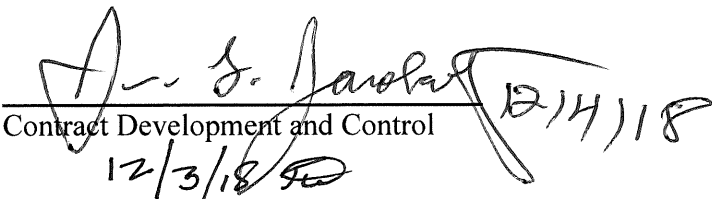
B. Recommended Sources of Funds/Summary of Fiscal Impact:

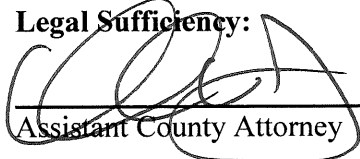
With the reduction in the fixed fee, the total Project budget is \$1,685,975 with the approval of this item. A subsequent contract/item will further increase the total project budget to \$2,025,375 to fulfill Courtyard electrical requirements including contracting an electrical engineer and tie in to Convention Center electrical grid, both to meet code. Courtyard lighting controls and electrical infrastructure to support the Courtyard’s future audio and security systems are included. The recommended source of funding for this project is the 68M Rev Bond Airport Center 2/Convention Center Parking Garage as the artwork is in satisfaction of a regulatory requirement included in the development order for the garage. The debt service for the portion of the bonds used for the Convention Center Parking Garage is funded 100% through bed tax revenues.

C. Departmental Fiscal Review:  11/27/18

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 11/29/18
OFMB
 12/14/18
Contract Development and Control
12/3/18

B. Legal Sufficiency:  12/6/18
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 11/27/2018 REQUESTED BY: R. Eric McClellan PHONE: 233-0253

PROJECT TITLE: Convention Center Courtyard (Light Play project)
(Same as CIP or IST, if applicable)

ORIGINAL CONTRACT AMOUNT: \$784,600 IST PLANNING NO.: NA

REQUESTED AMOUNT: \$ (4,625) BCC RESOLUTION#: NA

CSA or CHANGE ORDER NUMBER: Second Amendment DATE: N/A

LOCATION: 650 Okeechobee Boulevard, West Palm Beach, FL

BUILDING NUMBER: NA

DESCRIPTION OF WORK/SERVICE LOCATION: Professional artist services

PROJECT/W.O. NUMBER: N/A

CONSULTANT/CONTRACTOR: Narduli Studio

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR: Decrease of fixed fee amount (responsive to a change in scope) and extension of contract duration by an additional 456 days.

CONSTRUCTION	\$
PROFESSIONAL SERVICES	\$ (4,625)
STAFF COSTS*	\$
EQUIP. / SUPPLIES	\$
CONTINGENCY	\$
TOTAL	\$ (4,625)

* By signing this BAS your department agrees to these CID staff charges and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed. If this BAS is for construction costs of \$250,000 or greater, staff charges will be billed as actual and reconciled at the end of the project. If the project requires Facilities Management or ESS staff your department will be billed actual hours worked upon project completion.

BUDGET ACCOUNT NUMBER(S) (Specify distribution if more than one and order in which funds are to be used):

FUND: 3076 DEPT: 411 UNIT: B572 OBJ: 6502

IDENTIFY FUNDING SOURCE FOR EACH ACCOUNT: (check and provide detail for all that apply)

- ☐ Ad Valorem (Amount \$)
- ☐ Infrastructure Sales Tax (Amount \$)
- ☐ State (source/type: Amount \$)
- ☐ Federal (source/type: Amount \$)
- ☐ Grant (source/type: Amount \$)
- ☐ Impact Fees: (Amount \$)
- ☒ Other (source/type: Bond Amount \$)

Department:

BAS APPROVED BY: DATE 11/27/18

ENCUMBRANCE NUMBER:

ATTACHMENT 1

SECOND AMENDMENT TO AGREEMENT FOR ART SERVICES

THIS SECOND AMENDMENT is made and entered this ____ day of _____, 2018, by and between Palm Beach County, a political subdivision of the State of Florida ("COUNTY") and Susan Narduli ("ARTIST").

WHEREAS, the COUNTY and ARTIST entered into an Agreement for the Palm Beach County Convention Center Courtyard Public Art Project ("Agreement") on December 19, 2017; and

WHEREAS, the COUNTY and ARTIST entered into a First Amendment to the Agreement on March 13, 2018 (the "First Amendment") to change the scope of services and make certain other changes; and

WHEREAS, the COUNTY and ARTIST desire to amend the Agreement to incorporate additional changes to the scope and schedule of work and make certain other changes based upon further design development and Project team coordination; and

WHEREAS, the COUNTY and ARTIST desire to amend the Agreement specifically to incorporate the addition of sculptural screen reinforcement, service area gates and lighting to the scope of the Project; and

WHEREAS, the COUNTY and ARTIST also desire to amend the Agreement to remove the ARTIST's responsibility for the installation of foundations for the sculptural screen and gates from the scope of the Agreement.

NOW THEREFORE, in accordance with the mutual covenants herein contained, and other good valuable considerations, the receipt and sufficiency of which are hereby acknowledged, and the parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. Exhibit 1 (Artist Proposal) to the Agreement is amended to include the additional services and eliminate the installation of foundations as set forth in Attachment A to this Second Amendment.
3. Exhibit 3 (Budget), as set forth in Attachment B to the First Amendment is replaced in its entirety with Attachment B to this Second Amendment.
4. Exhibit 4 (Schedule), as set forth in Attachment C to the First Amendment is replaced in its entirety with Attachment C to this Second Amendment.
5. Exhibit 5 (Materials), as set forth in Attachment D to the First Amendment is replaced in its entirety with Attachment D to this Second Amendment.
6. Section 3.01 of the Agreement, "Firm Fixed Price" shall be revised to decrease the fixed fee to \$779,975.
7. All other terms and conditions of the Agreement dated December 19, 2017, as modified by the First Amendment dated March 13, 2018, shall remain the same.

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IN WITNESS WHEREOF, this Second Amendment has been fully executed on behalf of the parties hereto by its duly authorized representatives, as of the date first written above.

COUNTY

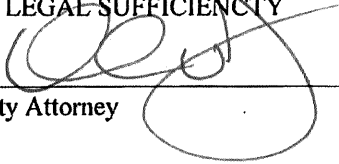
ATTEST: SHARON R. BOCK
Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

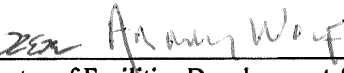
By: _____
Deputy Clerk

By: _____
Mack Bernard, Mayor


APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By:  _____
County Attorney

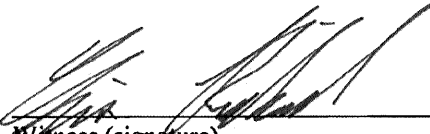
APPROVED AS TO TERMS AND CONDITIONS

By:  _____
Director of Facilities Development & Operations

ARTIST:

 _____
(Artist's signature)

Susan Marduli
(Artist's name print)

 _____
Witness (signature)

Chris Richard
Witness (print)

ATTACHMENT A

Exhibit 1 *Artist Proposal*

Narduli Studio (collectively Narduli Studio, its representatives and consultants) (NS) shall be responsible for the following additional SCOPE OF SERVICES: For Service Area, NS shall provide Design for Lighting and Gates, as well as Engineering, Permits, Fabrication, Materials, and Installation of Gates. For Reinforced Sculptural Screens, NS shall provide Design and Engineering, Materials, Fabrication, and Installation of sculptural screens to accommodate structural reinforcements.

Service Area:

- Design of Lighting for Service Area
- Design of Gates for Service Area
- CAD Drawings and Shop Drawing Review for Gates for Service Area
- Engineering of Gates for Service Area
- Permits for Gates for Service Area
- Materials for Gates for Service Area
- Fabrication of Gates for Service Area
- Installation of Gates for Service Area

Reinforced Sculptural Screens:

- Design revisions to accommodate structural reinforcements
- Engineering of Foundations and Sculptural Screens to accommodate structural reinforcements
- Additional Materials for Sculptural Screens to accommodate structural reinforcements
- Additional Fabrication of Sculptural Screens to accommodate structural reinforcements
- Additional Installation of Sculptural Screens to accommodate structural reinforcements

Credited Services:

- NS shall no longer be responsible for Installation of Foundations for Screens and Gates

ASSUMPTIONS

Any additional work beyond that outlined in this proposal will be considered outside of the scope of this agreement and will be considered Additional Services to be billed hourly or under a separate agreement.

County shall provide NS with existing conditions documentation and other information that records the physical conditions of the site and existing structures and will compile Project Base Drawing Set input to office standards (AutoCAD) depicting the complete physical characteristics of the site and existing structures to be used for the development of the Project by NS, the Architect and their Consultants and Engineers.

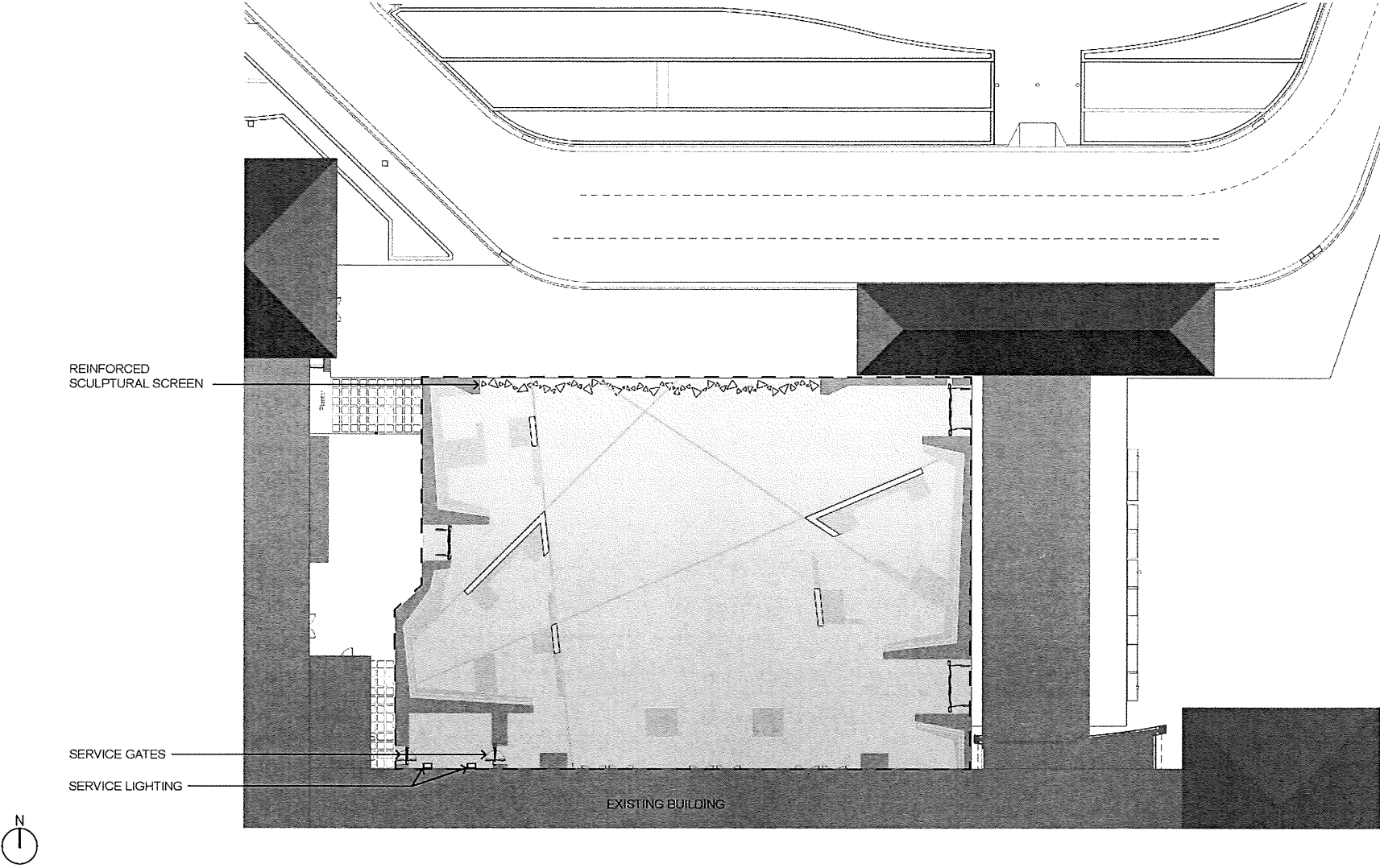
The County / Architect shall provide the Lighting Designer, in writing, with information about any existing conditions that could affect luminaire selection and/or location, including all code-related requirements prior to issuance of Lighting Designer's design development drawings.

All Life Safety and automated Security Systems design and installation is by others.

County / Architect shall confirm location, size and adequacy of utilities serving the site as well as critical dimensions through field measurements as required.

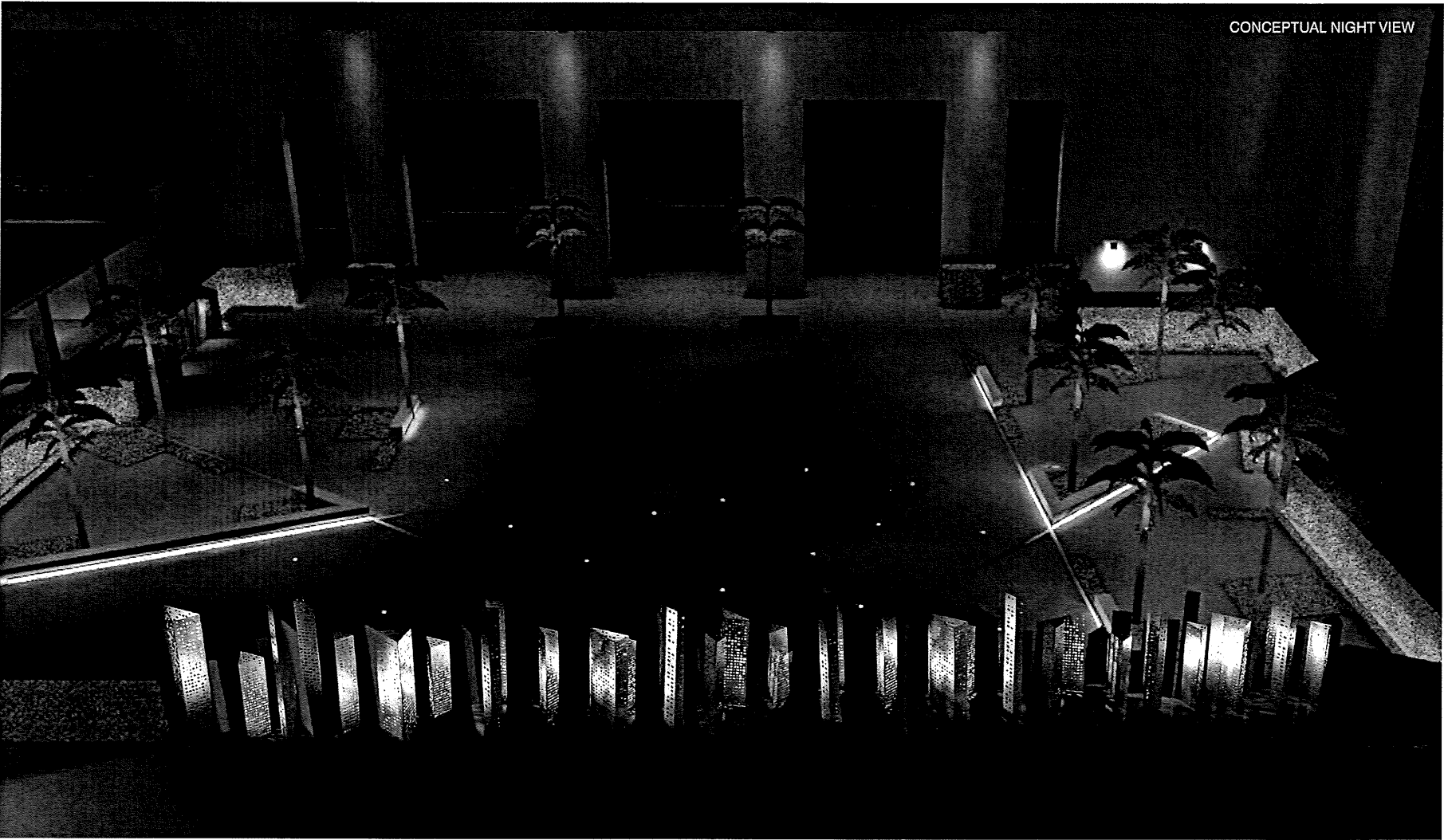
Architect shall provide egress and code-related requirements to NS to facilitate development of the design.

The Architect shall be responsible for all interface, submittals and code compliance guidance relative to regulatory agencies having jurisdiction over the Courtyard project.



PALM BEACH COUNTY CONVENTION CENTER COURTYARD PROJECT

CONCEPTUAL NIGHT VIEW



ATTACHMENT B

Exhibit 3
Budget

SCREEN / EGRESS GATES	
Design Development	\$10,000.00
Construction Documents	\$14,000.00
CAD, Engineering /Permitting	\$25,000.00
Shop Drawings Coordination	\$3,000.00
Screen and Gate Materials	\$75,000.00
Screen and Gate Fabrication	\$40,500.00
Light Fixtures & Controls	\$85,200.00
Light Installation	\$50,000.00
Screen and Gate Installation	\$60,900.00
Artist Fee	\$45,400.00
Lighting Consultant	\$20,000.00
Construction Oversight/Proj. Mgmt	\$10,000.00
Insurance	\$5,000.00
Engineering Screen/Gates Foundation	\$10,000.00
Engineering for additional Gates	\$5,000.00
Materials for additional Gates	\$55,000.00
Lighting for Additional Gates	\$24,600.00
Fabricate Additional Gates	\$30,000.00
Permit for Additional Gates	\$6,500.00
Installation of Additional Gates	\$20,000.00
Lighting Installation - Additional Gates	\$10,000.00
COURTYARD DESIGN	
Concept/ Schematic Design	\$10,000.00
Design Development	\$10,000.00
Construction Documents	\$5,000.00
Shop Drawing Review / Detailing	\$2,000.00
CAD Drawings including Elevations	\$5,500.00
Artist Fee	\$45,000.00
Lighting Consultants	\$10,000.00
Construction Oversight/Proj. Mgmt	\$10,000.00
Insurance	\$2,000.00
SERVICE GATES	
Design	\$2,500.00
CAD & Shop Drawings	\$1,000.00
Permit	\$1,500.00
Engineering	\$1,125.00
Materials	\$11,250.00

Fabrication	\$5,000.00
Installation	\$5,000.00
SERVICE GATES LIGHTING	
Design and Specifications	\$2,000.00
SCULPTURAL SCREEN REINFORCEMENT	
Screen Design	\$12,000.00
Courtyard Design	\$3,500.00
Engineering	\$12,500.00
Materials	\$10,000.00
Fabrication	\$5,000.00
Installation	\$3,000.00
TOTAL	\$779,975.00

Exhibit 4
Schedule

Responsible Party
NARULL STUDIO
FBCM's ecore
Indicador
Aplicação/Construção/Manutenção

[illegible]

ATTACHMENT D

Exhibit 5
Materials

Sculptural Screen: Powder-coated Perforated Aluminum, Stainless Steel Hardware, Dichoric Glass, Lighting

Egress Gates: Powder-coated Perforated Aluminum, Stainless Steel Hardware, Lighting

Services Gates: Powder-coated Perforated Aluminum, Stainless Steel Hardware, Lighting
