



**West Palm Beach
Community Redevelopment Agency**

Special Meeting

PASS/FAIL AGENDA

**July 26, 2021
3:30 P.M.**

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY CLERK'S OFFICE, 401 CLEMATIS STREET, WEST PALM BEACH, FLORIDA 33401, {(561) 822-1210}

**MAYOR
KEITH A. JAMES**

**CITY COMMISSION
PRESIDENT JOSEPH A. PEDUZZI**

**COMMISSIONER KELLY SHOAF
COMMISSIONER CHRISTY FOX**

**COMMISSIONER SHALONDA WARREN
COMMISSIONER CHRISTINA LAMBERT**

**ADMINISTRATION
CRA EXECUTIVE DIRECTOR, CHRISTOPHER ROOG
CITY ATTORNEY, KIMBERLY ROTHENBURG
TREASURER, MARK A. PARKS
CITY CLERK, HAZELINE CARSON**

1. ROLL CALL

CIVILITY AND DECORUM: The City of West Palm Beach is committed to civility and decorum by its officials, employees and members of the public who attend this meeting. The City Code, Secs. 2-31(8), 2-31(18) and 2-31(22), provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
- Public comment shall be addressed to the City Commission as a whole and not to any individual on the dais or in the audience.
- Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted.
- Offenders may be removed from the meeting.

RESOLUTION (2):

2. **Resolution No. 21-40 APPROVED approving the Guaranteed Maximum Price of \$3,382,741 for completion of the Sunset Lounge Rehabilitation and approving the Fifth Amendment to the Construction Manager at Risk Contract with Cooper Construction Management & Consulting to establish the GMP, project schedule, and final scope of work.**

RESOLUTION NO. 21-40: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE FIFTH AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK CONTRACT FOR THE SUNSET LOUNGE REHABILITATION; ESTABLISHING THE SCOPE OF WORK, GUARANTEED MAXIMUM PRICE AND SCHEDULE TO COMPLETE THE PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23190

Staff Recommended Motion:

Approve Resolution No. 21-40.

Background:

The Strategic Finance Plan for the Downtown / City Center District, Amendment No. 15, finds that the rehabilitation of the Sunset Lounge will help position the Historic Northwest neighborhoods as a center for cultural tourism in West Palm Beach and spark economic investment in the neighborhood.

The CRA and Cooper Construction Management & Consulting executed the Construction Manager at Risk Contract for Sunset Lounge Rehabilitation dated January 29, 2018. The CRA and Construction Manager executed the First Amendment to the Contract, dated June 8, 2018, establishing the fee for certain pre-construction work and general conditions. The Second Amendment to the Contract, dated April 10, 2019, established the scope and fee for the repair and replacement of the roofing system. A Third Amendment, dated September 5, 2019, established the Guaranteed Maximum Price (GMP) for the construction work. The CRA and Construction Manager executed the Fourth Amendment to the Contract dated March 10, 2020, which increased the GMP and the contract time. As of June 1, 2021, the Construction Manager has received 100% construction drawings, and the building permit has been issued.

The CRA and Construction Manager now desire that the scope of the Contract be reduced; that the GMP be adjusted; and that the project schedule and substantial completion date be reestablished. Due to extended project delays, the substantial completion date for the project is scheduled for July 2022. Costs associated with delays and material cost increases require adjustment to the Guaranteed Maximum Price for completion of the project.

Resolution No. 21-40 approves a reduction in the project scope to a finished shell, so that the restaurant operator has more input into the restaurant design, extends the substantial completion date to July 22, 2022, and establishes the Guaranteed Maximum Price for completion of the project at \$3,382,741.

CRA District: Downtown / City Center CRA District.

Fiscal Note:

\$3,382,741 GMP to complete the project.

ADJOURNMENT:

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE CITY COMMISSION AT THIS MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THAT PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.