

Memorandum



Date: November 6, 2009

RCT

To: Honorable Javier D. Souto and Members
Recreation, Culture and Tourism Committee

Agenda Item No. 8B

From: George M. Burgess
County Manager

Subject: South Miami-Dade Cultural Arts Center
Status Report

The Department of Cultural Affairs has prepared this report to provide the Committee with a monthly update on the progress with constructing and opening the new South Miami-Dade Cultural Arts Center.

BACKGROUND

The South Miami-Dade Cultural Arts Center is located on S.W. 211 Street in Cutler Bay and is being developed to serve as a multidisciplinary arts center to showcase the performing arts. The design team includes an architectural and engineering team led by Arquitectonica International, Inc, theater consultant Fisher Dachs Associates, Inc., acoustical and sound and communications consultant Artec Consultants, Inc., and arts management consultant AMS Planning & Research Corp.

The Center's 966 seat state-of-the-art Theater Building includes a fly tower, orchestra pit, front of house spaces (box office, lobby, restrooms, concessions, etc.), back of house support spaces (dressing rooms, storage and work areas, administrative offices, etc.) and a multi-purpose rehearsal space. The separate Activities Building of the Center will house an informal performance space, and smaller multi-purpose spaces for lectures, classes, or community gatherings. The Center's two buildings will be joined by an outdoor promenade leading to a gently sloping lawn for outdoor concerts and festivals along the Black Creek Canal.

Through the Miami-Dade County's Art in Public Places Program, the Center will have major public art works created by Miami artist Robert Chambers. An innovative light piece will illuminate the translucent inner lobby wall with changing designs created by computer-programmed LED fixtures. In addition, the lobby will feature a number of marble sculptures also created by Robert Chambers.

A contract with The Tower Group, Inc. (TTG) for the construction of the South Miami-Dade Cultural Arts Center was approved in July 2005 and the Department of Cultural Affairs issued the Notice to Proceed to the Contractor on December 29, 2005. The Department is managing the construction of the Center and will operate the facilities upon completion.

CONSTRUCTION

Remedial work for the main building envelope items is currently in various stages for each the three systems rejected by the Department.

Curtain Wall: The curtain wall shop drawings have been completed and a permit has been issued. The curtain wall is currently being manufactured locally. IBA Consultants, our specialty inspection firm, has performed a site visit to the shop to inspect and test the work fabrication currently in progress. This work does not include shop drawings, permitting, or fabrication of the ticket booth system or the punch windows throughout the project, which continue to be in the shop drawing review process. Additional steel needed for the Enclos curtain wall system is currently being installed at the Activities Building.

Metal Panels: Product testing has been completed at Farabaugh Laboratories, a Miami-Dade certified testing lab located in Pittsburgh, PA. With some modifications, all mock-ups tested passed the air infiltration, water infiltration, and impact tests. The official testing reports, certified by the lab, are expected to be completed by the end of October for submittal to the Miami-Dade County Building Code Compliance Office (BCCO). Based on the modifications made to the mock-ups during the testing process, a review of

the site specific conditions will be conducted to determine the extent of and methods for the repair and/or replacement of metal panels installed at the Center.

Stucco: The new stucco subcontractor, Schear Corporation, has begun the repair of delaminated stucco areas and preparation of the walls for the installation of the Exterior Insulation Foam System (EIFS) over the existing stucco in the Theater Building and directly applied to the masonry substrate in the Activities Building.

Other Work in Progress: Framing for the Panelite system, which will receive the lighting fixtures for Robert Chambers' Art in Public Places installation, is being completed at the lobby. Painting of the Contego product, a fire retardant paint, is being applied at three main columns in the lobby. The same fire retardant material will be applied to the curtain wall connections at both buildings.

CONSTRUCTION SCHEDULE

TTG's September 2009 schedule update forecasts a substantial completion date of January 18, 2011 which is one day later than that projected in the prior month's schedule update, and is 1000 calendar days beyond the current contractual substantial completion date of April 23, 2008. The Department continues to assess delay damages each month against the 10% retainage being held for the project. Over \$2.1 million has been assessed up to the end of September 2009.

CONSTRUCTION BUDGET/PROPOSED CHANGE ORDERS/CONTRACT TIME EXTENSIONS

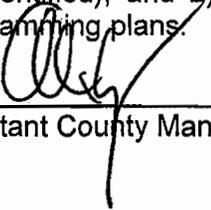
To date, approximately \$29.2 million has been paid from the overall \$38.0 million construction contract amount, which includes deduct change orders issued to date for materials and equipment purchased through the Direct Purchase Program (i.e., sales tax savings program). Retainage currently totals approximately \$3.2 million, leaving an approximately \$5.6 million balance to finish. TTG completed the submittal for the April 2009 payment application in August 2009. TTG has not submitted payment applications for May, June, July, August, or September 2009.

The Department has issued over \$2 million in Work Orders from the \$3.7 million owner-controlled contingency account. The Department and A/E team continues to review Proposed Change Orders (PCOs) submitted by TTG. The Department has made comments and requested further substantiation for two PCOs totaling over \$400,000 that requested a refund of cost savings proposed by TTG during the bid negotiation and accepted by the Department as a condition of contract award. TTG has not provided any further documentation for these PCOs.

OPERATIONS

The Department's grant proposal to the Southern Arts Federation for the Center is the only one in the state of Florida to be selected for the prestigious Dance Touring Initiative. Presented by the Southern Arts Federation, in partnership with the National Endowment for the Arts, this Initiative provides funding to the Center for presenting modern dance and/or contemporary ballet along with intensive professional development and training for Center staff. Through this initiative, the Center, along with its partners in Kentucky, Mississippi, North Carolina, South Carolina and Tennessee, will engage two dance companies to perform during 2010-2012 and collaborate on marketing plans and local residency activities in support of these performances.

In light of the reallocation of \$2.2 million from operational budget of the South Miami-Dade Cultural Arts Center in the 2009-10 budget process, staff will develop operational scenarios for the Center that: 1) update and maintain the established programming objectives (i.e., assuming replacement revenues can be identified); and 2) address this reduction of revenues through a reexamination of operational and programming plans.


Assistant County Manager