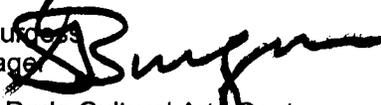


Memorandum



Date: May 10, 2010

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

From: George M. Burgess
County Manager 

Subject: South Miami-Dade Cultural Arts Center
Status Report

RCT
Agenda Item No. 8(B)

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, and which also includes: 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 light 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 stucco, one of the three main building envelope items previously rejected by the Department, is complete. The other two previously rejected items, the curtain wall and metal panels, are nearing completion.

Curtain Wall System and Windows: The new curtain wall system panels at the Theater and Activities Buildings were installed before the end of 2009, with alignment and caulking taking place in early 2010. Installation of the punch/fix windows throughout both buildings, the ticket booth storefront system and main building entrance is nearing completion. IBA Consultants, the specialty inspectors, continue to perform inspections on the installation of these systems and water tests on various critical connections. Areas of failed testing are being reworked by TTG and retested.

Stucco: The installation of the Exterior Insulation Foam System (EIFS) at the Activities Building and at the Theater Building back of house areas and stage house is complete and has been inspected.

Metal Panels: Remedial work on the metal panels at the Activities Building and Theater Building is nearly complete, with caulking and flashing being completed. IBA Consultants, the specialty inspectors, continue to inspect the work regularly and perform water tests on various critical connections. Areas of failed testing are being reworked by TTG and retested.

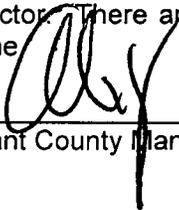
Other Work in Progress: The installation of the aluminum cladding around the main lobby elevator shaft is continuing and the main lobby stair structure has been installed. The installation of the wood paneling inside the auditorium is also continuing. The elliptical ticket booth has begun to take shape with the installation of the exterior and interior glass store front panels. Work at the Activities Building is comprised of completing all the rough electrical, mechanical, and plumbing work to start drywall. TTG continues to review and address the list of deficiencies and/or open issues from the Architect's Field Observation reports and the specialty consultants' (i.e., acoustician, sound and communications, and theater designer) site visit reports.

CONSTRUCTION SCHEDULE

TTG's March 2010 schedule update continues to forecast a substantial completion date of December 3, 2010 which is the same as that projected in the five prior months' schedule updates. This date is 954 calendar days beyond the current contractual substantial completion date of April 23, 2008. The Department has assessed over \$3 million in delay damages against the 10% retainage being held for the project. Starting March 1, 2010, delay damages are being assessed directly against the Contractor and are being tracked separately from those previously assessed against retainage. The distinction in how delay damages are assessed does not preclude the Owner from deducting any portion of liquidated and/or delay damages or the total amount of liquidated and/or delay damages from retainage and/or from future monthly payment requisitions.

CONSTRUCTION BUDGET/PROPOSED CHANGE ORDERS/CONTRACT TIME EXTENSIONS

To date, approximately \$30 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 \$3.3 million, leaving an approximately \$4.7 million balance to finish. TTG has submitted a payment application package for February 2010, which has been processed by the Department, and the March 2010 application is currently under review. The Department has issued approximately \$2.2 million in Work Orders from the \$3.7 million owner-controlled contingency account, and continues to review Proposed Change Orders submitted and/or re-submitted by the Contractor. There are no contract time extension requests from the Contractor pending review at this time.



Assistant County Manager