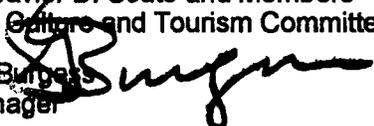


# Memorandum



**Date:** June 07, 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(D)

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/fixed windows throughout both buildings is complete, and the ticket booth storefront system and main building entrance is nearly complete. 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 have been reworked by TTG and satisfactorily retested by IBA.

**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 one area on the west side of the Theater Building remaining. TTG and ARQ are working on alternative solutions for this area that may involve using a different material/product. A.C. Dellovade, the metal panel sub-contractor, has demobilized from the site. IBA Consultants, the specialty inspectors, continue to inspect the work regularly and perform water tests on various critical connections. Areas of failed testing have been reworked by TTG and satisfactorily retested by IBA.

**Other Work In Progress:** The main lobby stair structure has been installed and the concrete steps have been poured. The installation of the wood paneling inside the auditorium is also continuing. Work at the elliptical ticket booth continues with the mechanical and electrical rough in and metal cladding installation. Drywall at the Activities Building has started. Texas Scenic, the sub-contractor for theater specialties, is onsite completing the pipe grid at the Activities Building and the trap room platforms on stage. 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 April 2010 schedule update continues to forecast a substantial completion date of December 3, 2010 which is the same as that projected in the six 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; and currently total approximately \$500,000. 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**

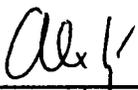
To date, approximately \$30.4 million has been paid from the overall \$38.0 million construction contract amount, which includes deduct change orders issued to date for materials and equipment purchased through the Direct Purchase Program (i.e., sales tax savings program). Retainage currently totals approximately \$3.3 million, leaving an approximately \$4.3 million balance to finish. The preliminary April 2010 payment application amount has been reviewed by the Department and A/E team and is pending TTG's submittal of the final package.

The Department has issued approximately \$2.4 million in Work Orders from the \$3.7 million owner-controlled contingency account, and continues to review Proposed Change Orders (PCOs) submitted and/or re-submitted by the Contractor. In April, the Department issued a notice with a deadline of April 30, 2010 for the Contractor to submit any PCOs for work which had been completed and re-submit any new information for PCOs that had been previously reviewed by the Department and A/E team and comments provided to the Contractor. TTG submitted 69 PCOs during the month of April requesting a total \$5.9 million and 4 contract time extension requests (751 compensable days and 105 non-compensable days). The Department and A/E team are currently reviewing \$6.3 million in total PCO requests.

## OPERATIONS

The General Manager of the South Miami-Dade Cultural Arts Center continues to connect with local stakeholders in the South Miami-Dade community. Local artists, public officials, municipal parks and recreation directors, local civic clubs, minority business associations, clergy and community-based organizations continue to meet with the General Manager on an ongoing basis to familiarize themselves with the programming and institutional opportunities at the Center.

The Center has secured a prestigious Dance Touring Initiative Grant from South Arts (the regional arts service organization for the Southeastern United States) that brought Doug Varone, Artistic Director of Doug Varone and Dancers for a preparatory visit to our community in April of 2010. While in Miami, Mr. Varone conducted site visits to meet with faculty, administrators and students of MacArthur and Coral Reef High Schools, South Miami Hospital-Arts in Healthcare Advisory Group and the Miami Dance Choreographer Fellows to begin to gather information that will inform and develop residency activities during the company's week-long residency and performance at the Center in spring 2011. A key objective of this program is to connect surrounding neighborhoods, local community organizations and students to the Center through the outreach initiatives of this prominent dance company. Additional funds for the project have been committed to the South Miami-Dade Cultural Arts Center from the New England Foundation for the Arts through its National Dance Project. The South Miami-Dade Cultural Arts Center was the only applicant in Florida selected by South Arts to receive a Dance Touring Initiative Grant and to participate as a member of this important regional dance initiative. This grant is an important first step in establishing the Center as an important stop on the touring circuit for performing arts organizations throughout the region and the nation.

  
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Assistant County Manager