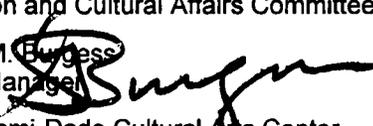


Memorandum



Date: February 7, 2011

To: Honorable Javier D. Souto and Members
Recreation and Cultural Affairs Committee

From: George M. Burgess
County Manager 

Subject: South Miami-Dade Cultural Arts Center
Status Report

RCA
Agenda Item No. 8E

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. We are pleased to report that the Center is nearing completion and that the quality standards set for the construction of the buildings are being achieved and/or exceeded.

CONSTRUCTION

Work by The Tower Group (TTG) at both the Theater Building and Activities Building is focused on revisions and additional work requested by the different inspecting agencies having jurisdiction and the completion of punch list items compiled by Arquitectonica and the theater and sound and communications consultants. Additional work requested by inspecting agencies includes, among other things, installing a sump pump at each elevator, additional sprinkler heads throughout the Theater Building, and additional railings both inside the auditorium and on the exterior north monumental steps.

TTG is completing most work activities and continuing to perform testing of the life safety systems, scheduling inspections and re-inspections, as necessary, with the various agencies (Fire Department, Building Department, Accessibility, etc.) in preparation for obtaining a Temporary Certificate of Occupancy (TCO), which TTG expects will occur in late January 2011. The date has changed from the previously projected December 3rd date due to the unanticipated time required to address some of the permitting agency comments and to conduct theater systems and smoke evacuation testing. Arquitectonica is issuing preliminary punch lists by areas of the project. TTG is reviewing the preliminary punch list items and quickly addressing as many of these items as possible in an effort to minimize the final punch list that will be issued at substantial completion.

The conveyance package for Water and Sewer has been finalized along with all pertinent documentation and installation of the water meters for both buildings is complete. The landscape architect has performed the final inspection of the landscaping and irrigation system, and has found them to be substantially complete with a few punch list items remaining.

CONSTRUCTION SCHEDULE

Based on TTG's projection of obtaining a TCO in late January followed by the final Certificate of Occupancy (CO) shortly thereafter, substantial completion for the project will be in excess of 1000 calendar days beyond the 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. Since March 1, 2010, delay damages have been assessed directly against the Contractor and are being tracked separately from those previously assessed against retainage, and

currently total an additional \$1.9 million. 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 \$32.0 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 \$3.6 million, leaving an approximately \$2.4 million balance to finish. The November 2010 payment application has been processed by the Department, and the preliminary December payment application amount has been reviewed by the Department and A/E team and is pending TTG's submittal of the complete package.

The Department has issued approximately \$2.9 million in Work Orders from the \$3.7 million owner-controlled contingency account. The Department and A/E team continue to review \$2.8 million in total Proposed Change Order requests, including four contract time extension requests (6 compensable days and 850 non-compensable days).

OPERATIONS

On December 1, 2010, Michael Spring, Director of the Miami-Dade County Department of Cultural Affairs, and Eric Fliss, the Center's General Manager, presented an update and visual account of the Center's progress at a roundtable discussion hosted by Commissioner Dennis C. Moss at the South Miami-Dade Government Center. This presentation was followed by a walking tour of the facility that included over forty community leaders, town council members, aides to Senator Larcenia Bullard and Representative Dwight Bullard, educational leaders, Miami-Dade County police officers, clergy and potential renters. The group responded to the tour with great enthusiasm and interest in the programs offered by the Center.

The process for phased-in hiring of key senior management personnel has commenced. Interviews for the Theater Operations Manager have been concluded and advertising for the positions of Production Manager, Marketing Manager and Office Manager is scheduled to occur this month. The final round of hiring will include a Building Maintenance Manager, Box Office Manager and Outreach and Education Coordinator, completing the staff complement in time for the late April "soft" opening performances.

Mr. Fliss attended the Association of Performing Arts Presenters conference in January to confirm artists for the full inaugural 2011-2012 season. The variety of dance, music and theater artists shows already scheduled for the spring of 2011 soft opening period will be instrumental for training staff and fine tuning the Center's theatrical and sound and communications systems.

Responses to Requests for Proposals (RFP's) have been received and are being reviewed for office, dressing rooms and backstage furnishings and theatrical lighting fixtures. An RFP for procuring a ticketing system has been issued with the plan of having the system installed and tested in late February with training of staff to follow.

BACKGROUND

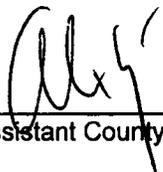
The South Miami-Dade Cultural Arts Center is located on S.W. 211 Street in Cutler Bay and is being developed to serve as a multidisciplinary arts center to showcase the performing arts. The design team includes an architectural and engineering team led by Arquitectonica International, Inc, and which 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 houses an informal performance space, and smaller multi-purpose spaces for lectures, classes, or community gatherings. The Center's two buildings are joined by an outdoor promenade leading to a gently-sloping lawn for outdoor concerts and festivals along the Black Creek Canal.

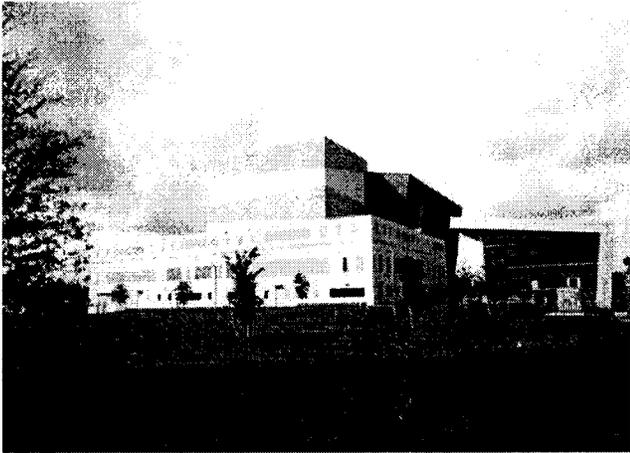
Through the Miami-Dade County's Art in Public Places Program, the Center has major public art works created by Miami artist Robert Chambers. An innovative light piece will illuminate the translucent inner lobby wall with changing light designs created by computer-programmed LED fixtures. In addition,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

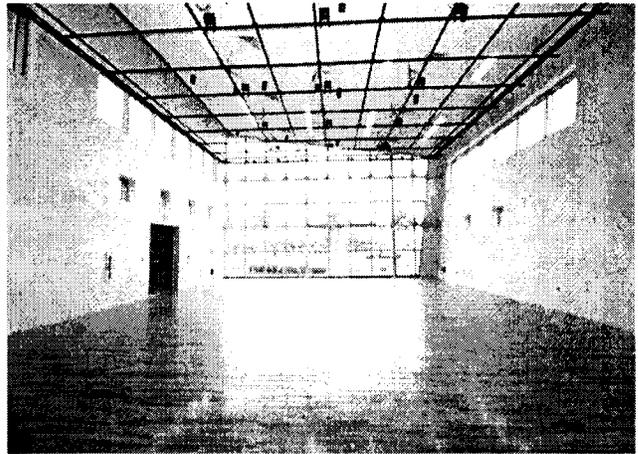
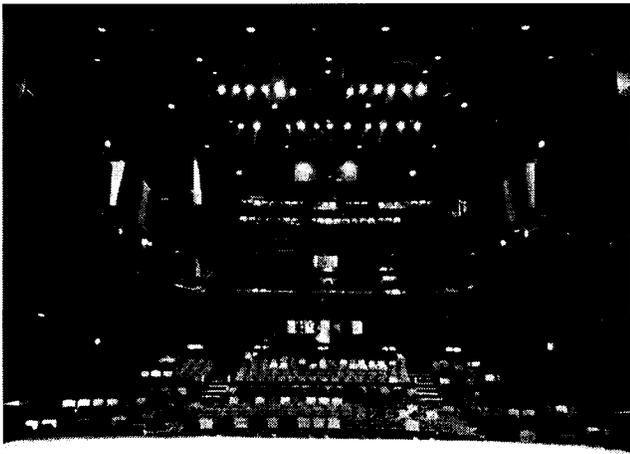
Attachment



Assistant County Manager



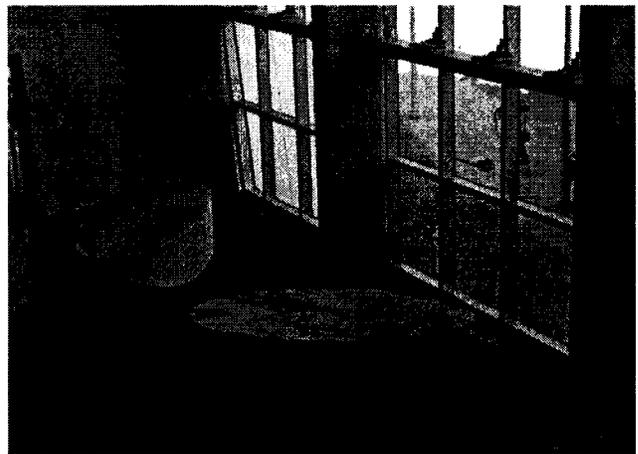
Exterior views of the lawn and the plaza between the Activity and Theater Buildings



Interior views of the Auditorium and the Drama Rehearsal Room



Nighttime exterior view of the Activity and Theater Buildings



Robert Chambers' marble sculptures for the Art in Public Places program in the Theater Building lobby