

Memorandum



Date: May 9, 2011

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

From: Alina T. Hudak
County Manager *Alina T. Hudak*

Subject: South Miami-Dade Cultural Arts Center
Status Report

RCA
Agenda Item No. 7(A)

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

The Tower Group (TTG) obtained a Certificate of Occupancy (CO) for the South Miami-Dade Cultural Arts Center's (SMDCAC) Theater Building on April 8, 2011. The CO for the Activities Building had been obtained on February 18, 2011. TTG has begun to schedule and conduct the required training sessions for the Department to become familiar with the operation and maintenance requirements of the various building systems, such as the Heating, Ventilating, and Air Conditioning (HVAC), Building Automation System (BAS), sound system, dimming system, etc. The Department has been conducting walk-throughs of the project with Arquitectonica to generate a comprehensive punch list that includes comments from the architect, engineers, specialty consultants, and the Department's operational team. The resulting punch list is part of the certificate of acceptance for substantial completion, which is being issued to TTG on April 20, 2011.

CONSTRUCTION SCHEDULE

Based on TTG's obtaining the Theater's CO on April 8, 2011, substantial completion for the project is 1080 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 \$2.3 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 payment requisitions.

CONSTRUCTION BUDGET/PROPOSED CHANGE ORDERS/CONTRACT TIME EXTENSIONS

To date, approximately \$32.3 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 \$2.1 million balance to finish. The January 2011 payment application has been processed by the Department, and the February 2011 payment application amount has submitted to Finance for processing.

The Department has issued approximately \$3.1 million in Work Orders from the \$3.7 million owner-controlled contingency account. Approximately \$2.8 million in Proposed Change Order requests, including four contract time extension requests (6 compensable days and 850 non-compensable

days) remain open and/or disputed. In an effort to conclude the project amicably without the potential of litigation, the Department and TTG are working on a comprehensive agreement that would resolve all issues, including but not limited to the open requests for additional time and/or compensation and delay damages assessed against the Contractor.

OPERATIONS

On March 11, 2011 Eric Fliss, the Center's General Manager, hosted Dr. Lawrence S. Feldman, Vice Chair of the School Board of Miami-Dade County on a tour of the SMDCAC. Accompanying Dr. Feldman on the tour was Valtena Brown, Region V Superintendent, Bob Strickland, Executive Director of the Division of Life Skills and a number of Public School administrators. The group responded to the tour with great enthusiasm and raised a variety of ideas for collaborations and new initiatives. Additional tours of the Center have been conducted with the CEO of the Adrienne Arsht Center, John Richard, and the President of Sony Music Latin, Ruben Leyva.

The process for phased-in hiring of key senior management personnel for the Center is well underway with Daphne Webb, the Theater Operations Manager and Joyce Fleming, the Theater Production Manager, joining the Department in March and April, respectively. Both Ms. Webb and Ms. Fleming bring years of extensive experience working in the performing arts field at the local, national, and international levels. On April 11th, Dania Vidal reported to the SMDCAC, filling the position of Theater Office Manager. Ms. Vidal comes to the Center from the Aviation Department where she was the Lead Worker of Administration Services. Ms. Vidal is a 20-year veteran of Miami-Dade County. On April 12, 2011, Nicolle Ugarriza also joined the Center's staff as the Theater Marketing and Communications Manager. Ms. Ugarriza is a native of South Florida who has worked in the field of public relations and marketing for nearly seventeen years, primarily with a focus in the arts and education. She served as the Public Relations Manager at Miami City Ballet for nine years, as well as the Public Affairs Director for the National Foundation for Advancement in the Arts, and as the Communications and Marketing Director at Arts for Learning. Remaining positions to be filled include the Building Maintenance Manager, Box Office Manager, and Outreach and Education Coordinator.

The furniture for the administrative offices, dressing rooms, backstage and booth areas has been delivered and installed. The delivery and installation of the theatrical lighting fixtures and production equipment are scheduled to occur prior to the soft opening events. Proposals for the ticketing system Request for Proposals (RFP) have been reviewed and negotiations are currently underway with the selected vendor. An addendum has been added to the Culture Shock Miami agreement to provide temporary ticketing services for the Center until the new system is installed and staff is trained.

"Soft opening" events are being scheduled for the coming months in order to test the building systems and train staff in preparation for a fall 2011 grand opening of the Center. The **All Kids Included (AKI) Family Arts Festival** will take place at the SMDCAC on April 23, 2011 from 10 am - 5 pm. The **Diavolo Company** will conduct workshops and hands-on experiences as part of the AKI Festival, followed by their large-scale interdisciplinary performances at the Center on April 29th and 30th.

In addition to the AKI Festival and Diavolo performances, other scheduled events include:

Doug Varone and Dancers

Workshops with students at McArthur Academy for Young Men, Coral Reef Senior High

Performance: May 14, 8 pm (includes Coral Reef Senior High Orchestra and Chorus)

Las Meninas (contracted)

Asolo Repertory Theater and SMDCAC Present

Student Matinee: May 20, 10:30 am (Coral Reef Senior High and other Senior High Schools)

Performance: May 20 and 21, 8 pm; May 22, 2 pm

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.

Attachments

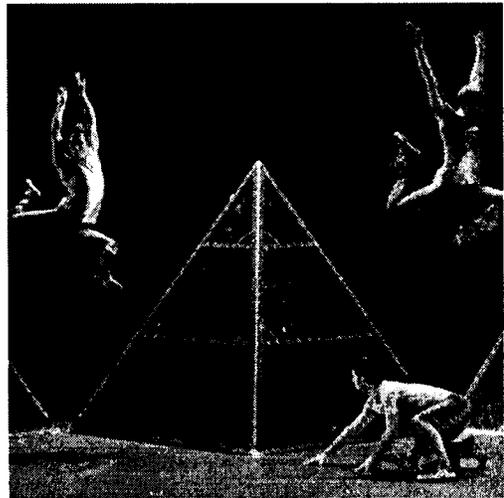

Assistant County Manager



Exterior views of the buildings at night and the plaza between the Activity and Theater Buildings



Interactive arts
experiences at the
AKI Family Arts
Festival



The Diavolo Company's large-scale interdisciplinary performances