

Memorandum

MIAMI-DADE
COUNTY

Date: July 11, 2011

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

From: Alina T. Hudak
County Manager 

Subject: South Miami-Dade Cultural Arts Center
Status Report

RCA

Agenda Item No. 7(A)

CONSTRUCTION COMPLETION / CONTRACT CLOSE-OUT

The Contractor for the construction of the South Miami-Dade Cultural Arts Center (SMDCAC), The Tower Group (TTG), has advised the project architect, Arquitectonica, that punch list work has been completed. After a walkthrough of the Center by Arquitectonica and the Department, some of the punch list items remain unaddressed. ARQ is providing an estimate of the value for completing the open punch list items. Based on the Contract provisions, the Department will withhold two times the value of the punch list work from payments to TTG, subject to completion of these items.

The Director of the Department of Cultural Affairs and the President of OHL USA (Spain-based OHL purchased The Tower Group in 2007), along with their respective legal counsel, have engaged in two mediation sessions in order to reach an amicable agreement to close-out the project. The main issues being addressed are:

- The more than \$5.3 million in delay damages that the County has assessed against the project contingency and against the Contractor due to the project's being delivered 1080 calendar days beyond the contractual substantial completion date of April 23, 2008, and
- The Contractor's claims for approximately \$2.8 million and additional contract time extensions (6 compensable days and 850 non-compensable days).

The Department remains committed to a comprehensive, fair and amicable settlement regarding all issues.

OPERATIONS

SMDCAC completed a successful series of "soft opening" performances and events in April and May that drew more than 7,000 members from the South Miami-Dade community to see the building and experience quality performances. In addition, the Center was just named "Best Cultural Venue" by the Miami New Times in the 2011 Best of Miami issue which recently hit the newsstands.

The Center's staff is currently working on operational and facilities adjustments to be made in time for the grand opening. The grand opening is slated for Saturday, October 1 and Sunday, October 2, 2011 and will feature two-days of spectacular, high-quality performances and events that are open to the public. Members of the community will be welcomed to attend this fun-filled, family-friendly celebration to commemorate the official opening of the Center and its first season of programming. The celebration will include a ribbon cutting ceremony and a multidisciplinary main stage performance with international and local artists. In addition, there will be outdoor and indoor events and performances that will utilize the Center's entire facility.

SMDCAC is receiving a variety of rental inquires from local schools, civic groups and cultural organizations that are holding dates to present events. In addition, commercial and independent gospel, R&B and Latin jazz musicians have contacted the Center to hold dates for concerts.

Bookings and contracts for SMDCAC-presented performances for the inaugural season are also in development. Information on the Center's preliminary schedule is available on www.miamidadearts.org until the Center's permanent web site is operational.

The Department has filled the following positions at the Center: Operations Manager, Production Manager, Marketing and Communications Manager, and Office Manager. There will be postings soon to fill positions for: Education Manager, Box Office Manager and Maintenance Manager. In addition, part-time positions for House Manager and Ticket Sellers will also need to be posted.

An RFP solicitation for a ticketing, marketing and facilities management system has been completed with the selection of Arts Management System. Installation and implementation of the system is scheduled for the beginning of August.

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 is led by architectural and engineering firm Arquitectonica International, Inc, and 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 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 illuminates 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 responsible for managing the construction of the Center and for operating the completed facilities.


Assistant County Manager