

RESOLUTION NO. 15-232

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$31,733.00 TO REFURBISH THE CIVIL WAR YELLOW FEVER MEMORIAL AND CONFEDERATE CIVIL WAR MEMORIAL ADJACENT TO THE VIETNAM VETERAN'S MEMORIAL; DIRECTING STAFF TO PROCESS PAYMENTS AND MAINTAIN DOCUMENTATION FOR THIS CHANGE ORDER IN ACCORDANCE WITH PREVIOUSLY PASSED COMMISSION RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution 14-068, the City Commission approved in concept a site plan and financial support, while directing the City Manager to work with the organizers to bring the Vietnam Veteran's Memorial Project to a successful conclusion; and

WHEREAS, in resolution 14-105 the City Commission authorized an expenditure of up to \$500,000.00 for the Vietnam Veteran's Memorial Project, contingent upon receipt of private and grant funding, and providing that the City's financial contribution does not exceed \$150,000.00; and

WHEREAS, in Resolution No. 15-143, the City Commission directed City Staff to ensure payments and proper documentation in order to obtain TDC reimbursements for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Change Order No. 1 to the Vietnam Veteran's Living Memorial Project, to refurbish the adjacent Civil War Yellow Fever Memorial and Confederate Civil War Memorial, in an amount not to exceed \$31,733.00, is hereby approved.

Section 2: That a project number will be assigned to this change order, and financial and construction records will be maintained by City staff as necessary.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held
this 7th day of July, 2015.

Authenticated by the Presiding Officer and Clerk of the
Commission on 8th day of July, 2015.

Filed with the Clerk on July 8, 2015.

Mayor Craig Cates	<u>Absent</u>
Vice Mayor Mark Rossi	<u>Yes</u>
Commissioner Teri Johnston	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>
Commissioner Tony Yaniz	<u>Yes</u>



MARK ROSSI, VICE MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

MEMORANDUM

EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager

FROM: Jim Bouquet, Director of Engineering

DATE: June 8, 2015

RE: **Change Order 1 to Vietnam Veteran's Living Memorial Project at Bayview Park for refurbishing adjacent Civil War Yellow Fever Memorial and Confederate Civil War Memorial**

ACTION STATEMENT:

This resolution will approve Change Order 1 in the amount of \$31,733. to the Vietnam Veteran's Living Memorial Project at Bayview Park for refurbishing the adjacent Civil War Yellow Fever Memorial and Confederate Civil War Memorial.

BACKGROUND:

In Resolution 13-177 (approved July 2, 2013) the City Commission expressed support for the Memorial and directed City Manager to work with a group of organizers to develop a plan for final approval. Resolution 14-068 dated March 4, 2014 approved the conceptual site plan for a proposed Vietnam Veteran's Living Memorial (VLM) at Bayview Park. Resolution 14-068 also provided financial support for the construction of a permanent memorial up to one-third of the cost with a not to exceed amount of \$150,000. Resolution 14-105 subsequently authorized an expenditure not to exceed \$500,000 for the VLM Project and supported an application for grant funding from the Monroe County Tourist Development Council (TDC).

The VLM construction project was bid by the Vietnam Living Memorial Fund, Inc. (VLM Fund). The VLM fund awarded a contract to the low bidder, D.L. Porter, Inc., (Porter) for construction of the memorial. Resolution 15-143 facilitated direct payment from the City to the Contractor in order to facilitate ultimate collection of TDC grant funds by the City.

Key to the Caribbean – Average yearly temperature 77° F.

Subsequent to base bid award, the City requested the VLM Fund to accept two bid alternate items from Addendum No. 1 to the Contract Documents. Bid Alternate Item #4 provided for the restoration of the Civil War Memorial/Yellow Fever Monument located at the northwest corner of both the future VLM and Bayview Park. Bid Alternate Item #5 provided for miscellaneous repairs to the Civil War Memorial to the Confederacy located at the southeast corner of the VLM. A copy of the subcontractor proposal from Atlas Memorials detailing the scope of restoration work is attached. Porter will invoice for this work with no mark up.

PURPOSE AND JUSTIFICATION:

Restoration of the Civil War Memorial/Yellow Fever Monument and Civil War Memorial to the Confederacy will enhance and improve public property and will not distract from the new VLM. Additionally, the "pineapple" on the Civil War Memorial/Yellow Fever Monument is severely damaged and would not survive major wind events.

Restoration of these memorials support the Key West Strategic Plan including meeting Culture goal #1, *The identification and promotion of the "unique" character and culture of Key West* and Infrastructure Goal #4, *Long term sustainability of the City's hard assets*.

FINANCIAL IMPACT:

Approving this change order does not require additional funding. Resolution 15-143 authorized an expenditure not to exceed \$500,000 for the Vietnam Veteran's Memorial Project (Project No. GN1507, Account 001-1900-519-6300). Current account encumbrance prior to TDC grant reimbursement is approximately \$435,875. Adequate funds remain in Account 001-1900-519-6300 to fund the \$31,733 Change Order 1 to refurbish the Civil War Memorial/Yellow Fever Monument and Civil War Memorial. A new project number will be assigned to this change order.

RECOMMENDATION:

Staff recommends approval of Change Order 1 in the amount of \$31,733. to the Vietnam Veteran's Living Memorial Project at Bayview Park for refurbishing the adjacent Civil War Yellow Fever Memorial and Confederate Civil War Memorial.

CHANGE ORDER

PROJECT:
Vietnam Living Memorial at Bayview Park
Key West, FL 33040

CHANGE ORDER NO. 1

DATE: June 1, 2015

ARCHITECT'S PROJECT NO: 1323

TO GRANTEE:
Vietnam Living Memorial Fund, Inc.
P.O. Box 5413
Key West, FL 33045

VLCONTRACT DATED: April 28, 2015

CONTRACT FOR: Construction

The Contract is changed as follows:

The City of Key West has requested that repair and maintenance work be performed on two existing Civil War memorials at Bayview Park. **The work was described in Addendum No. 1 as:**

- Item #4: Civil War Memorial/Yellow Fever Monument; and
- Item #5: Civil War Memorial to the Confederacy.

The Addendum, attached, included bid allowances of \$35,000 for Item #4 and \$5,000 for Item #5.

Subcontract proposals, attached, are \$26,758 for Item #4 and \$4,975 for Item #5, for a total of \$31,733. D.L. Porter has offered to include this work without additional mark up.

Attachments Include:
Addendum No. 1 (2 pages) and
Atlas Memorial proposals for above (4 pages)

Not valid until signed by the Owner, Architect and Contractor.

The original (Contract Sum)(Guaranteed Maximum Price) was.....	\$	435,875
Net change by previously authorized Change Orders.....	\$	0
The (Contract Sum)(Guaranteed Maximum Price) prior to this Change Order was.....	\$	435,875
The (Contract Sum)(Guaranteed Maximum Price) will be (increased)(decreased) (unchanged) by this Change Order in the amount of.....	\$	31,733
The new (Contract Sum)(Guaranteed Maximum Price) including this Change Order will be.....	\$	467,608

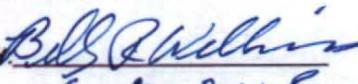
The Contract Time will be (increased)(decreased)(unchanged) by
The date of Substantial Completion as of the date of this Change Order therefore is October 9, 2015

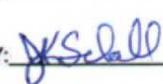
ARCHITECT:
Bender & Associates Architects, P.A.
410 Angela Street
Key West, FL 33040

GRANTEE:
Vietnam Living Memorial Fund, Inc.
P.O. Box 5413
Key West, FL 33045

OWNER:
City of Key West
P.O. Box 1901
Key West, FL 33041

BY: 
DATE: 6.2.2015

BY: 
DATE: 6-8-2015

BY: 
DATE: 05 Jun 2015

Distribution:

Owner	X
Contractor	X
Field	
Architect's File	X

ADDENDUM NO. 1

March 17, 2015

To all general contract bidders of record on the Work titled:

**THE VIETNAM LIVING MEMORIAL AND VETERAN'S GARDEN AT BAYVIEW PARK
KEY WEST, FLORIDA**

The proposed Contract Documents for THE VIETNAM LIVING MEMORIAL AND VETERAN'S GARDEN AT BAYVIEW PARK have been modified as follows:

ITEM #1:

Memorial Bricks: The memorial brick pavers are being purchased from Bricks 'R US, 201 South Biscayne Boulevard, Suite 2846, Miami FL 33131, Jennifer Villodh, 305-931-7773. The inscribed bricks will be purchased directly by the Veterans Living Memorial Committee. The General Contractor will be responsible for ordering matching bricks in sufficient quantities to be installed as shown on the bid documents. There are 200 small bricks and 40 square inscribed bricks which are anticipated to be ordered by the Committee.

ITEM #2:

Pedestal Memorial Clarification: The 12 pedestals with granite plaques are being donated by Ed Knight. For purposes of this bid, do not include the cost of the granite elements. These will be paid by others, either by Ed Knight directly or by the Committee.

The attached Sheet A8.4 has been created to describe this work. The Contractor will be responsible for construction of the concrete base and 16" diameter auger cast foundation, as well as coordination of the pedestal installation.

NOTE: All concrete is being donated by Toppino's.

ITEM #3:

Bronze Plaques: There are (4) bronze plaques that will be furnished and installed by the Contractor. Those plaques are attached for clarification purposes and include: Three (3) donor plaques and the Forgotten Soldier plaque. A fifth bronze plaque will be installed on the existing Vietnam Memorial Monument that commemorates those soldiers that were killed in action. This plaque is at the Architect's office. Work related to this plaque is shown on Sheet A8.5, Addendum 1, attached.

ITEM #4:

Civil War Memorial/Yellow Fever Monument: Photo Detail 5 on Sheet A8.3 calls for cleaning of the monument. The City of Key West has requested a full restoration of this monument. Documents describing this work are attached. The nature of this work requires an artisan trained in the restoration of historic stone monuments. Artisans must submit resumes, work samples and other qualification evidence. The following artisan has been pre-qualified for this work: Stanley Sabuk, Atlas Memorials, 258 Avenue A, Big Coppitt Key, Key West, FL 33040, Phone 305-294-2528. A revised bid form is attached to this Addendum #1 that includes this work as a "Bid Allowance" of \$35,000 to cover the work related to the monument restoration. All costs related to the support and coordination of this work should be included in the base bid. The monument artisan will be required to provide a detailed invoice identifying all material and labor. Unused amounts will be

returned to the Owner. See Sheet A8.5, Addendum 1 attached, as well as specification instructions: Pages 39 through 42 and Pages 126 through 131.

ITEM #5:

Civil War Memorial to the Confederacy: In addition to the work shown on Sheet A1.2, the City of Key West would like to include miscellaneous repairs to the existing monument. Items include:

- A. Epoxy injection of cracks
- B. Repair of chipped or broken concrete

Include a bid allowance of \$5,000 for miscellaneous repairs. The actual repairs will be negotiated with the successful bidder and applied against the allowance, with unused amounts returned to the Owner. The Base Bid work includes all items currently shown in the documents, i.e., removal of plaster, cleaning and painting of concrete surfaces.

ITEM #6:

Bid Form: A revised bid form including the above allowances is attached.

Attachments:

Bid Form

Monument Restoration Specifications: Pages 39-42 and 126-131

Sheets A8.4, A8.5 and A8.6

END OF ADDENDUM No. 1

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BID PROPOSAL AND CONTRACT FOR
CIVIL WAR CONFEDERACY MEMORIAL
BAYVIEW PARK, KEY WEST, FL

ALTERNATE PROPOSAL II

Date: May 26, 2015

To: Bender & Associates Architects, P.A.
410 Angela Street
Key West, FL 33043

The undersigned proposes to furnish all labor, materials, and equipment required for the Pergola Restoration in accordance with drawings for the work as prepared by Bender & Associates dated 2/13/15.

- A.0 Site Map
- A1.0 Site Plan
- A1.1 Civil War Monument and Surrounding Area
- A1.2 Civil War Monument Plan, Section and Elevation
- SP1.0 Specifications

The undersigned, by submission of this contract, certifies that he has visited the site of the proposed work and has thoroughly familiarized himself with the local conditions, nature and extent of the work, drawings and specifications and other contract documents issued to date for this work.

Scope of work specifications pertains to the removal of plaster coating from columns, cornice, and base to reveal the original concrete finishes. Means and methods of plaster removal including but not limited to the following:

1. Columns. Dremel Multi-Max MM20 and attachments including MMT330, MM610, MM640, MM730, MM500.
2. Base. Same as #1 including MM625 and MM740.
3. Cornice. No work to cornice.
4. Power wash structure made ready to receive paint.
5. Paint structure per above specifications.

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BID PROPOSAL AND CONTRACT FOR CIVIL WAR MEMORIAL AT BAYVIEW PARK, KEY WEST, FL

Date: May 5, 2015

To: Jim Bouquet, P.E.
Director of Engineering
3140 Flagler Avenue
Key West, FL 33043

OBJECTIVE:

The objective is to provide the services in the most efficient manner for means and methods of construction repair pertaining to the unique problems regarding the project referenced above. The work under this contract shall include all labor, materials and equipment necessary for the satisfactory installation of cut Indiana Limestone in accordance with the provisions set out herein. Stone and workmanship quality shall be in accordance with Industry Standards and Practices as set forth by the Indiana Limestone Institute of America, Inc., Bedford, Indiana.

PROJECT PROGRAM:

PHASE I: Scope of work specifications pertains to the **Urn Repair** including but not limited to the following-

1. Remove urn with 40-TN crane and licensed operating engineer.
2. Crate urn for shipping to Indiana Limestone fabricator.
3. Provide for freight charges to/from Key West, FL.
4. Fabricator Specifications:
 - a. Grade of Stone: Standard Buff
 - b. Finish: Smooth
 - c. ASTM C-568 Category II medium density Indiana Olitic Limestone
 - d. Provide replacement base by cutting off the stone at a horizontal location equal to the break line and carving a new base section; this section will be hair-lined structural epoxied; stabilize any cracks in the urn.
5. Monument Specifications:
 - a. Remove existing dowels; prep base made ready to receive urn.
 - b. Furnish and install stainless steel-threaded fasteners, AISI Type 304 or 316 to comply with AISC Specifications for Structural Joints reference ASTM A-325 or A-490 approved by the Research Council on Riveted and Bolted Structural Joints of the Engineering Foundation and bonding mortar complying with ASTM C 270, Proportion Specification, as specified by Indiana Limestone Institute of America.
6. Reinstall urn, reference #1

Southern Keys Cemetery Inc • Atlas Memorials • MarDan Sandblasting
258 Avenue A, MM 10 Big Coppitt Key, Key West, FL 33040 305/294-2528 Stan@SKCemetery.com

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PHASE II: Scope of work specifications pertains to the Monument Refurbishment including but not limited to the following-

1. Grind all joints and remove existing mortar.
2. Re-point joints with sealant system including backer rod, bondbreaker tape, mortar and elastomeric sealant bead as referenced by ILI Technote on Joint Sealants for Indiana Limestone
3. Place weep tubes in joints where moisture may accumulate with the wall, such as at base of cavity and continuous angles as necessary.
4. Pre-treat the field area monument with D/2 Biological Solution. Low pressure wash with fiber brushes and mild soap detergents.
5. Existing exfoliation and small chips to the existing monument structure shall not be repaired so as not to detract from the overall appearance and is an accepted practice.

SUPPLEMENTARY CONDITIONS:

Southern Keys Cemetery, Inc d/b/a Atlas Memorials ("Contractor") shall be responsible for providing and maintaining the following:

1. Maintain a certificate of insurance for liability, workers compensation and builders risk.
2. Perform all work in conformity with the Department of Environmental Protection, Florida State Building Code and local code regulations.

COST & TERMS:

PHASE I: \$ 21,958.00

PHASE II: \$4,800.00

Payment terms: 50 % deposit required with execution of contract; balance upon completion.

Submitted by: Stanley J Sabuk

Southern Keys Cemetery, Inc.

Atlas Memorials

President

Accepted this ____ day of May, 2015

By: _____

Title: _____