



**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** May 7, 2013

**TITLE:** Motion to approve Amendment No. 1 - Aquatic Complex Developer's  
Agreement with Recreational Design and Construction, Inc.

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**Recommendation**

It is recommended that the City Commission approve Amendment No. 1 to the Aquatic Complex Developer's Agreement with Recreational Design and Construction, Inc., in substantially the form provided.

**Background**

On September 18, 2012, the City Commission approved a Developer's Agreement with Recreational Design & Construction Inc. for design and construction of the renovation of the Aquatics Complex with a guaranteed maximum price in the amount of \$32,437,434.

Amendment No. 1 revises the agreement as follows:

- 1) Change Section 3.10.8 to allow the audit of the General Condition costs.
- 2) Change Section 3.10.2 to indicate that the City will retain an independent cost estimator to verify at the 90% design stage the Guaranteed Maximum Price (GMP). In the event the City Commission does not approve the GMP, the City would have the option to terminate the contract. This change clarifies the approval process and provides a termination clause in the event the project is not approved.
- 3) Change Section 11.5.2 to reduce the amount General Commercial Liability insurance coverage to a minimum limits of \$2,000,000 each occurrence, \$2,000,000 annual aggregate combined single limit for bodily injury and property damage liability. The current contract includes a requirement of \$5,000,000 each occurrence and \$5,000,000 annual aggregate. The lower amount was previously agreed upon and has been deemed sufficient coverage from Risk Management for this project.

**Resource Impact**

There is no resource impact associated with Amendment No. 1

Related CAM: #12-2203

Attachment:  
Exhibit 1 - Amendment No. 1

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