

MINUTES

Key Colony Beach City Commission
City Commission Workshop
MEETING WITH PEDRO FALCON CONSTRUCTION REPRESENTATIVES
REGARDING AIA DOCUMENT DISCUSSIONS
Wednesday, November 5th, 2025, 10:00 AM
Marble Hall, 600 W. Ocean Drive, Key Colony Beach

Attendees: Mayor Freddie Foster, Vice-Mayor Doug Colonell, Commissioner Tom Harding, Commissioner Kirk Diehl, Commissioner Tom DiFransico, Christian Brisson – Pedro Falcon, Ken Bygler – Pedro Falcon, City Administrator John Bartus, Assistant City Attorney Scott Black, Assistant City Attorney Jim Hicks, Building Official Tony Lorenzo, Building Assistant Samantha Rodamer, City Clerk Silvia Roussin.

Public Attendance: 3

Mayor Foster opened the meeting and asked all attendees and guests to introduce themselves. Mayor Foster mentioned that no public comments would be taken during this meeting, as the workshop is intended solely for the Commissioners to meet publicly under the Sunshine Law and discuss matters with the contractor. Mayor Foster then asked Vice-Mayor Colonell to continue with the agenda.

Vice-Mayor Colonell discussed the work needed for a successful project and items on the agenda to address open questions about processes, protocols, and timelines.

1. Terms and Conditions

a. Documents

i. Grant Requirements & Pertinent Documents.

Mayor Foster explained that the grant has specific requirements, and it is important for the contractor to understand these requirements and adhere to the schedule of deliverables. Ken Bygler confirmed that he can create a schedule based on the outlined grant deliverables. Mayor Foster mentioned the possibility of scheduling a meeting with the State Grant Administrator for assistance and confirmed he will be the Point of Contact for the grant. Ken Bygler stated there are no issues with this.

ii. Clarity between contractual responsibility of electrical company tied to general contracting entity. (Legal may want a letter from owner stating cooperation between the two entities.)

Mayor Foster asked for clarification on the companies' entities. Christian Brisson provided the background of the original owner of the company, Pedro Falcon, as an electrical contractor and explained the expansion of his joining the company, holding the General Contractors License. Assistant City Attorney Scott Black confirmed that

all requirements are in order and that there is only one company with the General Contractor to be the signatory for the contract. Christian Brisson clarified that the Original Company, Pedro Falcon Electrical Contractors, is doing business as Pedro Falcon Contractor under the same corporation. There were no further questions on the topic.

iii. NTP (offsite, on site)

Assistant City Attorney Black stated that the Notice to Proceed would be issued after the contract is in place, possibly on November 14th after the Special Meeting. Mayor Foster requested a detailed payment schedule to be provided, with Vice-Mayor Colonell emphasizing the need for a cash-flow chart.

2. Management

a. GC's Personnel

- i. PM: Christian Brisson was identified as the primary contact with Ken Bygler as the second primary contact. Ken Bygler confirmed he will submit a subcontract list when available. Building Official Loreno confirmed that all contact information has been submitted through permits. Assistant City Attorney Black confirmed they have a preliminary list in the bid response identifying the primaries. Mayor Foster stated that for the city to be safe, materials will be well protected.
- ii. Supt: Ken Bygler informed that a Superintendent will be determined once the project starts. Christian Brisson confirmed to Vice-Mayor Colonell that safety regulations are in place and that Ken Bygler is an authorized OSHA Trainer.
- iii. Office Admin: See under 6i.
- iv. Bookkeeping: See under 6i.
- v. Senior – Owner: See under 6i.
- vi. Authorized people to make a commitment on Pedro Falcone's behalf? See under 6i.
- vii. List of GC's Subcontractors/Vendors: See under 6i.

b. Insurance and Bonds

- i. Certificate of Insurance, name KCB, in compliance with the grant.

Mayor Foster asked for confirmation that the City will be listed on the Insurance Certificate, which Christian Brisson confirmed, and that it will be turned over once a contract is in place.

ii. Lien Waivers for all subcontractors and material

iii. Builder's Risk

Vice-Mayor Colonell inquired about carrying Builders Risk Insurance, to which Ken Bygler responded that they are not holding it. Assistant City Attorney Black explained that the cost is usually passed through to the city if required. Ken Bygler mentioned possible difficulties in obtaining builders' risk insurance due to a prior flood event. Mayor Foster stated that the cost should be reviewed to determine if the insurance is worth it. Ken Bygler confirmed that bonds will be issued for the entire project. Mayor Foster discussed the possibility of holding meetings at Marble Hall and scheduling necessary work for plumbing and electrical. Ken Bygler suggested reviewing needs during the pre-construction meeting. Mayor Foster proposed stacking meetings to help with time management and reduce disruptions to the contractor. Vice-Mayor Colonell recommended providing priority meeting dates to the contractor to help with scheduling according to the city's needs. Mayor Foster confirmed that they will work on the schedule.

c. Billings

i. Stored Materials and Equipment – Requirements.

Mayor Foster commented on the location of material storage and asked the contractor for confirmation. Ken Bygler had no objections to the location at the front of the building. Mayor Foster informed about important city events, including setups by vendors and bands, and the weekly Farmer's Market. He also cautioned about the Post Office Truck's access to the parking lot. Ken Bygler stated he would have more knowledge once a staging plan is drawn. He also mentioned setting up deliveries based on the schedule so that subcontractors and vendors understand lead times for materials. Vice Mayor Colonell emphasized the importance of scheduling and receiving regular schedule updates. Further discussion followed regarding scheduling software and project tracking.

ii. Grant compliance, requirements by Pedro Falcone for billing submissions:
See under 1a.

d. Permits & Inspections

i. Key Colony Beach Building Department permits issue date: _#_.

Mayor Foster instructed Building Official Lorenzo to manage permits and not to expect any issues.

ii. Inspections

Mayor Foster inquired about whether a third-party inspection company will be hired. Ken Bygler explained that he received an unsolicited proposal from All

Aspects Inspections. Vice-Mayor Colonell asked about the protocol for certification and the necessity of a third-party inspector. Building Official Loreno detailed the inspection requirements for the contractor for various parts of the building project. Further discussion ensued regarding concrete testing requirements, rebar inspections, and specific specifications. Assistant City Attorney Black stated that the city should cover the costs of concrete testing and analysis according to the contract. Additional comments stressed the importance of inspections and protocols to ensure compliance and adherence to engineering standards. Mayor Foster emphasized the need to review what is required, with further remarks on the topic. Ken Bygler confirmed he would follow up by obtaining a proposal. The discussion continued regarding the designation of a Point of Contact for change orders, with the final decision to be made later and included in the final contract.

iii. 3rd Party Inspections and Quality Control Inspections.

3. Submissions by Pedro Falcone

- a. Long Lead equipment & materials.
- b. Alternate materials/equipment

Ken Bygler was not aware of any alternate materials or substitutions. Vice-Mayor Colonell stated the importance of having any important information as soon as possible.

- c. Staging Plans
- d. Material Storage Plan
- e. Subcontractor List

Schedules

- a. Cash Flow Charting
- b. Preliminary Construction Schedule

Ken Bygler stated he expects to provide a preliminary construction schedule within a couple of weeks after a contract is in place. He also mentioned being comfortable with the timelines and durations, despite a tight schedule, and anticipates being on site for possibly 9 months.

- c. Milestones, Owner use of Marble Hall
 - i. Owners' use of Marble during certain functions – electric, air conditioning, lighting, safety, noise, and cleanliness.

Further discussion followed about changing meeting dates or times to help lessen the impact of construction during meetings. Mayor Foster commented on the need for construction site cleanup, which Ken Bygler confirmed.

5. Safety

- ii.* Jobsite safety publications
- iii.* Temporary fencing
- iv.* Public management

Vice-Mayor Colonell discussed the importance of safety signage for the public and different methods to manage safety.

6. Contract Deliverables/Items/Deducts

- a. Staff Patio Pergola
- b. Staff Patio Concrete Pad
- c. Marble Hall Patio
- d. Marble Hall Patio Concrete Pad
- e. Generator (?)
- f. Unit cost for spalling repairs

Mayor Foster informed about possible deducts to be discussed at the City Commission Special Meeting, including open questions on the staff patio material and construction of the concrete pad. A discussion followed on the size of the generator and a potential deduct, as well as its inclusion in the bid and design specifications. Ken Bygler confirmed he can provide information on an alternative generator. Further discussion covered fueling the generator, the city's own fuel tank, and gas station requirements. Assistant City Attorney Scott confirmed that landscaping was also a deduct and provided details per the bid requirements. Ken Bygler confirmed that the work would include constructing concrete landscaping beds but not installing landscaping or irrigation systems. He also mentioned Blue Native as a subcontractor for plantings and irrigation. Assistant City Attorney Scott believed landscaping and irrigation should be included in the deduct.

7. Follow-Up Meeting for AIA Finalization Wednesday, November 12

Assistant City Attorney Scott confirmed to have the contract ready by the City Commission Special Meeting with no need for a meeting on November 12th.

8. Comments

Assistant City Attorney Scott Black explained the Commission's ability to approve deducts, change orders, and overall contract approval on November 14th. Mayor Foster reiterated the need for the contract to be ready for approval and for the legal team to work with the contractor to have a contract ready for signature. Assistant City Attorney Black confirmed that the contract is ready to go. Ken Bygler informed that if the contract is approved, including deducts, he will be writing subcontracts, which will make it more difficult to issue change orders. Mayor Foster stated the ability to call a Special Meeting to identify deducts to ensure no change orders are needed. Further discussion followed on the deducts, approval of the contract, and upcoming timelines. Building Official Loreno confirmed on a timely permit approval process. Mayor Foster

confirmed that the Special Meeting date would remain November 14th and asked if there were any items that could be completed before that date. Ken Bygler stated that the matter of Builders' Risk insurance is a significant issue. Vice-Mayor Colonell gave understanding that no true commitments are made at this point; however, preliminary tasks could be completed. Assistant City Attorney Black confirmed to be asking for a quote for Builders Risk Insurance, which the City would be responsible for paying for. Assistant City Attorney Black provided further comments on coverage through Builders Risk Insurance, along with additional Commissioner comments on mitigation factors.

Assistant City Attorney Black gave further comment on the general warranty for one year and default to the law if not specified. Mayor Foster asked for questions from Pedro Falcon Contractors. Ken Bygler expressed appreciation for the meeting and voiced support for holding meetings every two weeks, either in person or via Zoom. Vice-Mayor Colonell asked for cost-saving ideas. Ken Bygler mentioned HVAC comments on ductwork, as well as the ceiling tile in Marble Hall, being very expensive. Ken Bygler commented to be able to provide alternatives for consideration. Further discussion followed on ductwork, ceiling, tiles, and flooring. Commissioner Diehl commented on the possibility of an early completion date, with comments suggesting it is not necessary. There were no further comments.

9. Adjournment: The meeting adjourned at 11:39 AM.

Respectfully submitted,

Silvia Roussin

City Clerk

ADOPTED: November 20, 2025

Silvia Roussin

City Clerk