

FAQ Documents

Frequently Asked Questions: Bayfront Tower Building Repairs

- 1. Before you begin discussing upcoming building repairs, please recap for me why we have higher assessments this year?**

A: There are three reasons why there will be a special assessments this year. First, the insurance costs for all condominiums jumped considerably. Our property premium went up 88%. Second, the Starr litigation for the Fitness Center was more than \$500,000. Finally, we had an operating shortfall in 2021 mainly from higher water costs. That is why there is a special assessment this year.

- 2. Will there be future special assessments?**

A: Yes, there will be.

- 3. Why?**

A: The 2021 condo collapse in Surfside, Florida drew special attention to the structural integrity of all condo buildings. The Bayfront Board of Directors took a proactive approach and in late 2021 hired an engineering company (Slider Engineering) to provide a building condition structural review. Bayfront Tower was well ahead of other condo buildings in acting.

- 4. And what were the findings of that review?**

A: The April 2022 report found the building to be structurally sound. It did recommend important repairs that need to be further investigated and then made. The major issues are:

- Metal Framing and stucco repair on the outside of the building
- Roof and track repair
- Garage concrete repair and waterproofing
- Post tension cable evaluation and repair

Additional tests are needed on the post tension cables (these are support cables used in most modern high-rise condos that are located inside the concrete floor). Once the additional tests are completed the engineering company can issue its final report. The Association will seek concurrent options from other experts and then develop a final plan for repair.

- 5. But our building is safe?**

A: Again, the report said the building is structurally sound and will remain so during the repair period. That is very good news. The bad news is there are going to be potentially significant costs associated with making the important repairs.

6. OK, so what will it cost?

A: This is a major project that will take years, and not months to complete. We need that final report to finalize the scope, timing, and cost of the project. It will not be cheap, and costs will be in the millions of dollars. The Association is working diligently to determine those costs and we will be actively discussing those costs with all owners as soon as we get them. We expect to have a better idea on costs by year's end. The bottom line is we want to do a thorough and comprehensive repair of the building.

7. So how will we pay for the repairs?

A: There will have to be a special assessment beginning next year. At this time, we do not know how much or how long the assessment will last. We do know it will be a major commitment from all our owners. But right now, we don't have all the facts to discuss specific numbers. To minimize the impact on owners, we will attempt to secure financing similar to what was done for the 28th floor project, but there is no assurance that such financing will be available.

8. Will we deplete our reserves to make the repairs?

A: No, regardless of this project's cost we intend to maintain the necessary reserves to continue other maintenance projects.

9. I am an owner on a fixed income. Should I be worried?

A: The cost of living in a safer building will place a burden on some of our owners. We are sympathetic to those owners, but this is something we must do. Each owner will need to evaluate their ability to handle the special assessments.

10. I am selling my condo; do I need to disclose these special assessments to potential buyers?

A: Yes, you are required by law to do so. If you have questions, please speak with the office staff.

11. I am scheduled to have new windows installed; will this affect that project?

A: The repairs will affect the exterior of the building, so the engineers have asked we pause window installation until we get the final report and recommendations expect by year's end. If you have questions, please contact Paul Owens.

Important Changes Regarding Fire Prevention at Bayfront Tower

I noticed staff is inspecting individual units. Why?

We are surveying all units to ensure they are in compliance with national and local fire codes. That means all units must have smoke alarms located in each sleeping area, outside each sleeping area, and in each continuous section of ceiling. The smoke alarms must be interconnected so that all the alarms sound when one alarm senses smoke. All of the units must also have a form of door closer that will make sure that the front entrance door closes and latches repeatedly on its own.

What happens if my unit does not have the proper equipment?

Our team will help you understand what equipment is needed and will install and program the correct equipment in your unit if necessary. You will only be responsible for the costs associated with the equipment needed to meet the current standards and communicate to our alarm system.

Any other changes?

Yes, all units must have a sprinkler system installed.

Do we really need sprinklers?

In 2016 the 6th edition of the Florida Fire Prevention Code allowed for a condominium to opt out of retrofitting the building with a fire sprinkler system if a majority of the owners voted to do so. Bayfront Tower Association residents voted to opt out of installing Fire Sprinklers in accordance with statute provisions.

In 2019 the legislature amended the law to require that residential high-rise condominiums “must retrofit either a fire sprinkler system or an engineered life safety system as specified in the Florida Fire Prevention Code.” This amendment was regardless of the facility having voted to opt out of fire sprinklers in 2016. The state amendment is believed to have been motivated by several fire related tragedies, particularly a tragic fire in London. In 2018, we approached a number of engineers with the qualifications to design an Engineered Life Safety System (ELSS) with the intent of implementing an ELSS in lieu of installing fire sprinklers in every unit. After discussions with several consultants, it was determined that the design and conditions in our building prevented us from implementing a fully functional ELSS (btw an ELSS is an Engineered Life Safety System.). The earlier statutes required retrofitting requirements to be implemented by January 1, 2020. The heavy impact of Covid-19 motivated the authorities to amend the completion date for retrofitting fire sprinklers to January 1, 2024.

Why are we doing this now and not in 2019 when the statute was amended?

We have worked very hard to get a variance allowing us to partially sprinkler the units and very recently were informed by the Fire Marshall that only fully sprinkling the unit would be accepted. One more thing, we are the only downtown high-rise condominium without sprinklers in the units.

Who is responsible for the installation?

Ultimately the owner of each unit is responsible for the fire sprinkler servicing their unit, but the Association will manage the project. To minimize costs to the owner we are evaluating engineers,

contractors, and equipment providers for this task. The costs for all aspects of the unit installation are to be paid by the unit owner.

Do I have to use the Association's Engineers and Contractors?

No, but if you plan on using your own Engineers and Contractors, please keep the following in mind:

- The work requires permits from the Association and the City of St. Petersburg.
- The shutdown of the Fire suppression on the floor must be coordinated with the Management office before the work is scheduled.
- You must have all work completed by 1/1/24
- There will likely be a cost savings associated with using the Association's Engineers and Contractors, as performing work on multiple units typically reduces the cost to those owners.

What happens if I don't put sprinklers in my unit?

If you do not have sprinklers installed in your unit by the January 1, 2024, you may be subject to fines and other enforcement methods such as loss of Certificate of Occupancy from the Fire Safety Division of St. Petersburg.

I thought we only needed two sprinkler heads, one at the entrance and one in the kitchen?

We tried to get approval to utilize only two heads in each unit, but the request has been denied and the Fire Marshall requires that each unit be fully sprinkled.

Is there a way to sprinkler the unit without having piping across the ceiling?

Maybe. Depending on the layout of your unit, it may be possible to utilize side mounted sprinkler heads to protect the same areas that ceiling mounted heads would protect.

What does the process look like if the Association Engineers and Contractors are used?

The following general steps will be performed in connection with retrofitting sprinklers in each unit:

- The Association chosen engineer will evaluate the unit and create a proper sprinkler plan for the unit in consultation with the owner. It will take into consideration the use of various heads and mounting locations.
- The approved design will then be used to create a "Permit Set" of drawings and submittals necessary to apply for a permit from the City of St. Petersburg.
- Upon receiving approval from the City, the materials necessary for the retrofit will be allocated to the unit and installation schedule is made with the owner of the unit, the contractor performing the installation, and the management company.
- On the day of installation, a shutdown of the fire sprinkler system will take place and a specially trained staff member will perform a fire watch on the floor for the duration of the retrofit.
- Invoicing for the Engineering, Permit, Contractor work, and Materials will be sent to the owner of the unit.

What does it cost if the association engineers and contractors are used?

The price varies by unit due to layout and type of heads used. We will be providing a quotation with more accurate pricing once it is determined that a Unit intends to utilize the Association installation

option. A very rough estimate for ceiling mounted fire sprinklers is approximately \$10,000 to \$15,000 per Unit.

When will this be done?

To minimize costs to owners the Association is evaluating engineers, contractors, and equipment providers for this task. Once we complete surveying all units, we will schedule an engineering visit to start the retrofit process. This will begin in the hallways and then move into each individual unit.

Is our current fire pump capable of handling the demand if all the units have sprinklers?

Yes, our engineers have verified that our current fire pump and piping are capable of servicing all the units because all sprinkler heads do not go off at the same time.

Status on Structural Building Repair Project November 8, 2023

RF

First and foremost, Slider Engineering has reported that the building is structurally safe, but repairs are needed.

The key elements of the project include:

- Metal Framing and Stucco Repair
- Post Tension Cable Evaluation and Repair
- Roof and Track Repair/Removal/Replacement
- Garage concrete repair and waterproofing

The Board is committed to performing the proper due diligence to obtain the right team of construction professionals. That includes legal advisors, a structural engineering firm, project management & liaison support to the board and owners, and skilled contractors.

Project Legal Advisor

- Last month we retained Alan Tannenbaum, with Tannenbaum, Lemole & Hill. Mr. Tannenbaum is a Florida construction lawyer concentrating his practice in representing owners preparing for major construction and repair projects, and defending and pursuing claims for owners in disputes with developers, design professionals, builders and contractors.

Project Structural Engineer

- We are ready to proceed with the approach recommended in the March 2023 Slider Engineering report.
- Slider Engineering has provided us with their engineering proposal to proceed on the project.
- Alan Tannenbaum has been in contact with Slider Engineering in reviewing the engineering proposal. There are aspects to the agreement that we need to improve.
- We have solicited three other structural engineering firms to provide proposals as part of the competitive bid process and expect to receive the proposals by mid-November.

Project Management / Liaison Support to the Board and owners

- Jillian Bandes, Bandes Construction/Make Builders, has been working with us through the pre-planning phase.
- Ms. Bandes has provided a proposed agreement to serve as our independent construction advisor & liaison to the Board and owners.
- Last month we met with Colliers International, a project management company. Colliers is interested in serving as a construction PM or advisor/liaison role.

Next Steps

We will review the proposals and work with our legal advisor to select the best engineering firm and Project Manager / Liaison for the project.

Key Additional Activities before Construction

- Engineering Firm -- detailed construction documents, bid administration.
- Select a General Contractor to obtain a firm project construction cost.
- Association obtains bank financing secured by Special Assessments.