

Business Operations
Ofelia San Pedro, Deputy Superintendent

SUBJECT: COMMISSIONING OF BASULTO & ASSOCIATES, INC., LIVS ASSOCIATES, AND THE RC GROUP CONSULTING ENGINEERS AS SPECIAL PROJECTS CONSULTANTS (SPC) FOR ELECTRICAL ENGINEERING SERVICES FOR MISCELLANEOUS PROJECTS OF UP TO \$1.0 MILLION EACH FOR A FOUR-YEAR TERM

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Introduction

Staff has completed the selection process for consultants to provide Special Projects Consultant – Electrical Engineering Services.

Seven (7) firms applied and on November 3, 2004, the Selection Committee interviewed and ranked the following five (5) firms:

- Basulto & Associates, Inc. (B&A)
- LIVS Associates (LIVS)
- The RC Group Consulting Engineers (RC)
- Tilden Lobnitz Cooper, Inc. (TLC)
- ADA Engineering, Inc. (ADA)

The Selection Committee was comprised of the following individuals:

Committee Members

Representing

- | | |
|-------------------------------|---|
| • Maria E. Sanchez | Office of the Superintendent |
| • John Nebblet | Capital Improvement Projects |
| • Jeffrey Ware | Facilities Operations Maintenance |
| • Lissette Gonzalez | Dept. of A/E Selection, Negotiations & Design Mngt. |
| • Dennis Caserta (non-voting) | Division of Business Development & Assistance |

Of the above, the firms of B&A, LIVS and RC were selected for these contracts. Negotiations with the selected firms regarding fees and other related terms and conditions have been successfully completed.

The negotiated fees for Basic Services are based on a percentage of the construction budget as approved by staff prior to the start of each project. Individual work orders will be issued for required services based on percentage fee converted to Lump Sum (LS)

fee. At the Board designee's option, the SPC will conduct on-site observations (site visits) and/or additional project meetings during construction at agreed to rates. The agreements include the following negotiated fee schedules:

A. Basulto & Associates, Inc.

| BASIC SERVICES FEE SCHEDULE | | | | |
|-----------------------------|----------------------|---|----------------------|---|
| CONSTRUCTION BUDGET | FULL DESIGN SERVICES | | PHASE II / III ONLY | |
| | DESIGN SERVICES ONLY | DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION | DESIGN SERVICES ONLY | DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION |
| Up to \$50,000 | HRLY / LS | HRLY / LS | HRLY / LS | HRLY / LS |
| \$ 50,001 to \$ 100,000 | 8.25% | 11.00% | 7.50% | 10.00% |
| \$ 100,001 to \$ 200,000 | 7.50% | 10.00% | 6.75% | 9.00% |
| \$ 200,001 to \$ 300,000 | 6.75% | 9.00% | 6.00% | 8.00% |
| \$ 300,001 to \$ 500,000 | 5.63% | 7.50% | 5.25% | 7.00% |
| \$ 500,001 to \$ 750,000 | 5.25% | 7.00% | 4.88% | 6.50% |
| \$ 750,001 to \$1,000,000 | 4.88% | 6.50% | 4.50% | 6.00% |

| | | | |
|---|--------------------------------------|--|-------------------------------|
| SPC AND DESIGNATED SPECIALISTS (*) | Site Visits \$ 225 / Visit | Additional Project Meetings \$ 225 / Visit | Hourly Rates \$ 115 |
|---|--------------------------------------|--|-------------------------------|

(*) Architect, Mechanical Engineer, Structural Engineer, Civil Engineer and Landscape Architect

The Principal/Owner designated to be directly responsible to the Board for B&A is Rene I. Basulto. The firm is located at 480 West 83rd Street, Hialeah, FL 33014.

Prior Commissioning & Performance Evaluation

The Board has not commissioned B&A within the last three years.

The most recent overall performance evaluation score issued by staff to B&A was for the quarter ending September 30, 2004. Based on a scale of 1-5, the firm received a score of 3.78 for A/E services.

B. LIVS Associates

| BASIC SERVICES FEE SCHEDULE | | | | |
|------------------------------------|-----------------------------|--|-----------------------------|--|
| CONSTRUCTION BUDGET | FULL DESIGN SERVICES | | PHASE II / III ONLY | |
| | DESIGN SERVICES ONLY | DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION | DESIGN SERVICES ONLY | DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION |
| Up to \$50,000 | HRLY / LS | HRLY / LS | HRLY / LS | HRLY / LS |
| \$ 50,001 to \$ 100,000 | 7.88% | 10.50% | 7.13% | 9.50% |
| \$ 100,001 to \$ 200,000 | 7.31% | 9.75% | 6.38% | 8.50% |
| \$ 200,001 to \$ 300,000 | 6.94% | 9.25% | 6.00% | 8.00% |
| \$ 300,001 to \$ 500,000 | 6.38% | 8.50% | 5.63% | 7.50% |
| \$ 500,001 to \$ 750,000 | 5.81% | 7.75% | 4.88% | 6.50% |
| \$ 750,001 to \$1,000,000 | 5.25% | 7.00% | 4.50% | 6.00% |

| | | | |
|---|--------------------------------------|--|-------------------------------|
| SPC AND DESIGNATED SPECIALISTS (*) | Site Visits \$ 250 / Visit | Additional Project Meetings \$ 250 / Visit | Hourly Rates \$ 100 |
|---|--------------------------------------|--|-------------------------------|

(*) Architect, Mechanical Engineer, Structural Engineer, Civil Engineer and Landscape Architect

The Principal/Owner designated to be directly responsible to the Board for LIVS is Carlos A. Alvarez. The firm is located at 151 Majorca Avenue, Suite A, Coral Gables, Fl. 33134.

Prior Commissioning & Performance Evaluation

The Board has commissioned LIVS for the following contracts within the last three years:

- SPC – Structural Engineering for projects up to \$ 300,000, on April 9, 2003 for a two-year term
- Architectural/Engineering Projects Consultant for projects up to \$ 500,000, on October 23, 2002 for a two-year term

The most recent overall performance evaluation score issued by staff to LIVS was for the quarter ending September 30, 2004. Based on a scale of 1-5, the firm received a score of 3.49 for A/E Services.

C. The RC Group Consulting Engineers

| BASIC SERVICES FEE SCHEDULE | | | | |
|------------------------------------|-----------------------------|--|-----------------------------|--|
| CONSTRUCTION BUDGET | FULL DESIGN SERVICES | | PHASE II / III ONLY | |
| | DESIGN SERVICES ONLY | DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION | DESIGN SERVICES ONLY | DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION |
| Up to \$50,000 | HRLY / LS | HRLY / LS | HRLY / LS | HRLY / LS |
| \$ 50,001 to \$ 100,000 | 8.25% | 11.00% | 6.00% | 8.00% |
| \$ 100,001 to \$ 200,000 | 7.50% | 10.00% | 5.25% | 7.00% |
| \$ 200,001 to \$ 300,000 | 6.75% | 9.00% | 4.88% | 6.50% |
| \$ 300,001 to \$ 500,000 | 5.63% | 7.50% | 4.50% | 6.00% |
| \$ 500,001 to \$ 750,000 | 5.25% | 7.00% | 4.13% | 5.50% |
| \$ 750,001 to \$1,000,000 | 4.88% | 6.50% | 3.75% | 5.00% |

| | | | |
|---|---------------------------------------|---|--------------------------------|
| SPC AND DESIGNATED SPECIALISTS (*) | Site Visits \$ 225 / Visit | Additional Project Meetings \$ 225 / Visit | Hourly Rates \$ 115 |
|---|---------------------------------------|---|--------------------------------|

(*) Architect, Mechanical Engineer, Structural Engineer, Civil Engineer and Landscape Architect

The Principal/Owner designated to be directly responsible to the Board for RC is Reinerio (Ray) P. Cruz. The firm is located at 10621 N. Kendall Drive, Suite 215, Miami, Fl. 33176.

Prior Commissioning & Performance Evaluation

The Board has commissioned RC for the following contract within the last three years:

- SPC – Electrical Engineering for projects up to \$ 300,000, on August 22, 2001 for a two-year term

The most recent overall performance evaluation score issued by staff to RC was for the quarter ending September 30, 2004. Based on a scale of 1-5, the firm received a score of 3.31 for A/E services.

Other terms and conditions

The term of these agreements is for a four-year period, commencing January 19, 2005 through January 18, 2009.

- In the absence of record drawings, compensation for services performed for the development of record drawings and verification of existing field conditions will be based on a not-to-exceed hourly rate basis as follows:

| RECORD DRAWINGS AND EXISTING CONDITIONS VERIFICATION | | |
|--|--------------|--------------------------------------|
| CONSTRUCTION BUDGET | | Hourly Rates Not-to-Exceed LS Fee |
| From | To | |
| \$ - 0 - | \$ 250,000 | \$ 2,500 |
| \$ 250,001 | \$ 500,000 | \$ 5,000 |
| \$ 500,001 | \$ 750,000 | \$7,500 |
| \$ 750,001 | \$ 1,000,000 | \$10,000 |

- For study activities with professional fees of up to \$50,000, the board and the SPC must agree in writing prior to the commencement of the work, on the maximum number of hours and a not-to-exceed amount, or in the case of a lump sum fee, the amount for each applicable project.
- The provisional multiplier for hourly compensation shall be limited to **2.45**. This rate is subject to audit by the Board and may be adjusted as the result of audit findings. If so, any changes would be submitted to the Board for final approval.
- The multiplier for Direct Personnel Expense, for assignment of SPC technical staff (i.e. Architects, Engineers, Project Managers and Field Representatives) to specific projects and working in offices other than the SPC's own offices, shall be limited to a **1.70** multiplier times the actual hourly rates.
- The agreements provide for indemnification and hold harmless provisions to the Board and its employees by the consultant due to consultant's negligence. The consultant shall maintain at least a \$1,000,000 Professional Liability insurance policy with a maximum deductible of \$25,000 per claim. These limits and terms are as recommended by the District's Office of Risk & Benefits Management.
- The agreement may be terminated by Board, with or without cause, upon thirty (30) days written notice to consultant; whereas, the consultant may terminate the agreement with cause only upon thirty (30) days written notice to the Board.
- The Board is under no obligation to assign a minimum number of projects nor to compensate a minimum amount to any one SPC firm.
- The firms have agreed to the terms and conditions of the agreement.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, commission the firms of Basulto & Associates, Inc., LIVS Associates, and The RC Group Consulting Engineers as Special Projects Consultants for Electrical Engineering services for miscellaneous projects of up to \$1.0 million each for a four-year term commencing on January 19, 2005, through January 18, 2009, for the following considerations:

- 1) negotiated fees based on the above schedules of fees; and
- 2) other terms and conditions as set forth in the body of the agenda item and the agreement.

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