

Business Operations
Ofelia San Pedro, Deputy Superintendent

SUBJECT: COMMISSIONING OF WILLIAMS-RUSSELL & JOHNSON, INC., LIVS ASSOCIATES, AVART, INC., AND EAC CONSULTING, INC., AS SPECIAL PROJECTS CONSULTANTS (SPC) FOR STRUCTURAL 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 – Structural Engineering Services.

Six (6) firms applied and on November 23, 2004, the Selection Committee interviewed and ranked the six (6) firms:

- Williams-Russell & Johnson, Inc. (WR&J)
- LIVS Associates (LIVS)
- Avart, Inc. (Avart)
- EAC Consulting, Inc. (EAC)
- Avart, Inc. (Avart)
- Tasnium Uddin & Associates Int'l (TU&A)
- J.H.Manucy, Inc. (JHM)
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The Selection Committee was comprised of the following individuals:

Committee Members

Representing

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| • John Nebblet | Office of the Superintendent |
| • Marilyn Capone | Capital Improvement Projects |
| • Lourdes Mendez-Lopez | Capital Improvement Projects |
| • Ray Davis | Facilities Operations Maintenance |
| • Lissette Gonzalez | Dept. of A/E Selection, Negotiations & Design Mgmt. |
| • Dennis Caserta (non-voting) | Division of Business Development & Assistance |

Of the above, the firms of WR&J, LIVS, Avart and EAC 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. Williams-Russell and Johnson, 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	7.88%	10.50%	6.38%	8.50%
\$ 100,001 to \$ 200,000	7.13%	9.50%	6.00%	8.00%
\$ 200,001 to \$ 300,000	6.38%	8.50%	5.63%	7.50%
\$ 300,001 to \$ 500,000	5.63%	7.50%	5.25%	7.00%
\$ 500,001 to \$ 750,000	5.25%	7.00%	5.25%	7.00%
\$ 750,001 to \$ 1,000,000	4.50%	6.00%	5.25%	7.00%

SPC AND DESIGNATED SPECIALIST (*)	Site Visits \$ 150 / Visit	Additional Project Meetings \$100 / Visit	Hourly Rates \$ 100 (1) \$ 125 (2)

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

(1) SPC

(2) Principals for Designated Specialist – Architect

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Project Scope Meeting	\$ 235	\$ 250
Site Visit / Summary Report	\$ 295	\$ 350
Specific Purpose Survey - Topographic / Elevation	\$ 800	\$ 990

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Re-survey due to Alternate Location	\$ 250	\$ 300
Final Finish Floor Elevation Certification	\$ 200	\$ 250
Geotechnical Engineering Services - Soil Boring Tests	\$ 800	\$ 950
Geotechnical Engineering Services - Engineer Re-evaluation for future use	\$ 200	\$ 200
Site Plan	\$ 700	\$ 900
Prototypical Foundation Design (if requested)	\$ 900	\$ 900
Miscellaneous Coordination	\$ 160	\$ 225
Record Drawings (including utility connections)	\$ 400	\$ 485

The Principal/Owner designated to be directly responsible to the Board for WR&J is Pelham Williams. The firm is located at 3900 NW 79th Avenue, Suite 250, Miami, FL. 33166.

Prior Commissioning & Performance Evaluation

The Board has not commissioned WR&J within the last three years.

The most recent overall performance evaluation score issued by staff to WR&J was for the quarter ending September 30, 2004. Based on a scale of 1-5, the firm received a score of 3.00 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
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(*) Architect, Electrical Engineer, Mechanical Engineer, Civil Engineer and Landscape Architect

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Project Scope Meeting	\$ 250	\$ 300
Site Visit / Summary Report	\$ 300	\$ 360
Specific Purpose Survey - Topographic / Elevation	\$ 720	\$ 850
Re-survey due to Alternate Location	\$ 200	\$ 250
Final Finish Floor Elevation Certification	\$ 200	\$ 250
Geotechnical Engineering Services - Soil Boring Tests	\$ 850	\$ 1,000
Geotechnical Engineering Services - Engineer Re-evaluation for future use	\$ 250	\$ 250
Site Plan	\$ 730	\$ 900
Prototypical Foundation Design (if requested)	\$ 985	\$ 985

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Miscellaneous Coordination	\$ 225	\$ 275
Record Drawings (including utility connections)	\$ 200	\$ 300

The Principal/Owner designated to be directly responsible to the Board for LIVS is Paul Ingelmo. 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. Avart, 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	7.88%	10.50%	7.13%	9.50%
\$ 100,001 to \$ 200,000	7.13%	9.50%	6.38%	8.50%
\$ 200,001 to \$ 300,000	6.38%	8.50%	6.00%	8.00%
\$ 300,001 to \$ 500,000	6.00%	8.00%	5.63%	7.50%
\$ 500,001 to \$ 750,000	5.63%	7.50%	5.25%	7.00%
\$ 750,001 to \$ 1,000,000	5.25%	7.00%	4.88%	6.50%

SPC AND DESIGNATED SPECIALISTS (*)	Site Visits \$ 200 / Visit	Additional Project Meetings \$200 / Visit	Hourly Rates \$ 125 (1) \$ 115 (2)
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- (*) Architect, Electrical Engineer, Mechanical Engineer, Civil Engineer and Landscape Architect
- (3) SPC and Principals for Designated Specialist – Architect and Landscape Architect
- (4) Principals for Designated Specialist – Electrical & Mechanical

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Project Scope Meeting	\$ 250	\$ 300
Site Visit / Summary Report	\$ 295	\$ 350
Specific Purpose Survey - Topographic / Elevation	\$ 600	\$ 800
Re-survey due to Alternate Location	\$ 200	\$ 200
Final Finish Floor Elevation Certification	\$ 175	\$ 175
Geotechnical Engineering Services - Soil Boring Tests	\$ 710	\$ 710

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Geotechnical Engineering Services - Engineer Re-evaluation for future use	\$ 200	\$ 200
Site Plan	\$ 730	\$ 1,020
Prototypical Foundation Design (if requested)	\$ 975	\$ 975
Miscellaneous Coordination	\$ 175	\$ 240
Record Drawings (including utility connections)	\$ 145	\$ 190

The Principal/Owner designated to be directly responsible to the Board for Avart is Arthur J. Miller. The firm is located at 1150 NW 72nd Avenue, Suite 350, Miami, Fl. 33126.

Prior Commissioning & Performance Evaluation

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

- SPC – Structural Engineering for projects up to \$ 300,000, on April 9, 2003 for a two-year term

The most recent overall performance evaluation score issued by staff to Avart was for the quarter ending September 30, 2004. Based on a scale of 1-5, the firm received a score of 3.45 for A/E Services and 4.00 for Consultant Services.

D. EAC Consulting, 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	7.69%	10.25%	6.75%	9.00%
\$ 200,001 to \$ 300,000	6.75%	9.00%	6.00%	8.00%
\$ 300,001 to \$ 500,000	6.00%	8.00%	5.63%	7.50%
\$ 500,001 to \$ 750,000	5.63%	7.50%	4.88%	6.50%
\$ 750,001 to \$ 1,000,000	5.06%	6.75%	4.50%	6.00%

SPC AND DESIGNATED SPECIALISTS (*)	Site Visits \$ 250 / Visit	Additional Project Meetings \$ 250 / Visit	Hourly Rates \$ 125 (1) \$ 115 (2)

(*) Architect, Mechanical Engineer, Structural Engineer, Civil Engineer and Landscape Architect
 (1) SPC and Principals for Designated Specialist – Architect, Electrical, Mechanical, & Civil Engineer
 (2) Principal for Designated Specialist – Landscape Architect

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Project Scope Meeting	\$ 250	\$300
Site Visit / Summary Report	\$ 300	\$ 350
Specific Purpose Survey - Topographic / Elevation	\$ 850	\$ 990
Re-survey due to Alternate Location	\$ 250	\$ 300
Final Finish Floor Elevation Certification	\$ 200	\$ 250
Geotechnical Engineering Services - Soil Boring Tests	\$ 800	\$ 950

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
Geotechnical Engineering Services - Engineer Re-evaluation for future use	\$ 200	\$ 200
Site Plan	\$ 700	\$ 900
Prototypical Foundation Design (if requested)	\$ 900	\$ 900
Miscellaneous Coordination	\$ 200	\$ 250
Record Drawings (including utility connections)	\$ 400	\$ 485

The Principal/Owner designated to be directly responsible to the Board for EAC Enrique "Rick" Crooks. The firm is located at 815 N.W. 57th Avenue, Suite 402, Miami, Fl. 33166.

Prior Commissioning & Performance Evaluation

The Board has not commissioned EAC previously. There is no performance evaluation score for EAC available.

Other terms and conditions

- The term of these agreements is for a four-year period, commencing February 16, 2005 through February 15, 2009, with the second, third and fourth years being at the Board's option.
- 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 Williams-Russell & Johnson, Inc., LIVS Associates, Avart, Inc., and EAC Consulting, Inc., as Special Projects Consultant for Structural Engineering services for miscellaneous projects of up to \$1.0 million each for a four-year term commencing on February 16, 2005, through February 15, 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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