

Business Operations  
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: COMMISSIONING OF ADA ENGINEERING, INC., AND EAC CONSULTING, INC., AS SPECIAL PROJECTS CONSULTANTS (SPC) FOR CIVIL 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 – Civil Engineering Services.

Eleven (11) firms applied and on November 15, 2004, the Selection Committee interviewed and ranked the following five (5) firms:

- T-Y-Lin International / H.J. Ross (TYL / H.J. Ross)
- ADA Engineering, Inc. (ADA)
- EAC Consulting, Inc. (EAC)
- Avart, Inc. (Avart)
- J.H.Manucy, Inc. (JHM)

The Selection Committee was comprised of the following individuals:

Committee Members

Representing

- |                               |   |
|-------------------------------|---|
| • 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 TYL / H.J. Ross, ADA and EAC were selected for these contracts. However, at this time staff is not recommending TYL / H.J. Ross for commissioning due to a low current performance evaluation score. Negotiations with the remaining 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. ADA Engineering, Inc.**

<b>BASIC SERVICES FEE SCHEDULE</b>				
<b>CONSTRUCTION BUDGET</b>	<b>FULL DESIGN SERVICES</b>		<b>PHASE II / III ONLY</b>	
	<b>DESIGN SERVICES ONLY</b>	<b>DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION</b>	<b>DESIGN SERVICES ONLY</b>	<b>DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION</b>
Up to \$50,000	HRLY / LS	HRLY / LS	HRLY / LS	HRLY / LS
\$ 50,001 to \$ 100,000	8.80%	11.00%	8.00%	10.00%
\$ 100,001 to \$ 200,000	8.00%	10.00%	7.20%	9.00%
\$ 200,001 to \$ 300,000	7.20%	9.00%	6.40%	8.00%
\$ 300,001 to \$ 500,000	6.40%	8.00%	6.00%	7.50%
\$ 500,001 to \$ 750,000	6.00%	7.50%	5.60%	7.00%
\$ 750,001 to \$ 1,000,000	5.60%	7.00%	5.20%	6.50%

<b>SPC AND DESIGNATED SPECIALISTS (*)</b>	<b>Site Visits</b> \$ 250 / Visit	<b>Additional Project Meetings</b> \$ 250 / Visit	<b>Hourly Rates</b> \$ 125
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(\*) Architect, Mechanical Engineer, Structural Engineer, Civil Engineer and Landscape Architect

<b>FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES</b>		
<b>Task</b>	<b>Lump Sum 1-5 Portables</b>	<b>Lump Sum 6-10 Portables</b>
Project Scope Meeting	\$ 250	\$ 300
Site Visit / Summary Report	\$ 300	\$ 350
Specific Purpose Survey - Topographic / Elevation	\$ 720	\$ 800
Re-survey due to Alternate Location	\$ 250	\$ 300
Final Finish Floor Elevation Certification	\$ 170	\$ 200

FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES		
Task	Lump Sum 1-5 Portables	Lump Sum 6-10 Portables
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	\$ 200	\$ 265
Record Drawings (including utility connections)	\$ 350	\$ 420

The Principal/Owner designated to be directly responsible to the Board for ADA is Alberto D. Argudin. The firm is located at 11401 SW 40<sup>th</sup> Street, Suite 470, Miami, Fl. 33165.

Prior Commissioning & Performance Evaluation

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

- SPC – Civil Engineering for projects up to \$ 300,000, on June 19, 2002 for a two-year term
- Construction Scheduling services, on December 15, 2004 for a four-year term
- Construction Cost Estimating services, on December 15, 2004 for a four-year term

The most recent overall performance evaluation score issued by staff to ADA was for the quarter ending September 30, 2004. Based on a scale of 1-5, the firm received a score of 3.41 for A/E services and 4.00 for Consultant Services.

**B. EAC Consulting, Inc.**

<b>BASIC SERVICES FEE SCHEDULE</b>				
<b>CONSTRUCTION BUDGET</b>	<b>FULL DESIGN SERVICES</b>		<b>PHASE II / III ONLY</b>	
	<b>DESIGN SERVICES ONLY</b>	<b>DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION</b>	<b>DESIGN SERVICES ONLY</b>	<b>DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION</b>
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%

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

- (\*) 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

<b>FEE SCHEDULE FOR SITE ADAPTATION FOR THE LOCATION OF PORTABLES</b>		
<b>Task</b>	<b>Lump Sum 1-5 Portables</b>	<b>Lump Sum 6-10 Portables</b>
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. 57<sup>th</sup> 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 ADA Engineering, Inc., and EAC Consulting, Inc., as Special Projects Consultant for Civil 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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