

Business Operations  
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: COMMISSIONING OF SUFFOLK CONSTRUCTION COMPANY, INC., AS CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR THE ADDITIONS, REMODELING, RENOVATIONS AND REPLACEMENT PROJECT AT MIAMI BEACH SENIOR HIGH SCHOOL  
PROJECT NOS. A0795 & A0795A**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

Introduction

On March 12, 2003, the Board commissioned Turner Construction Company (Turner) to provide Construction Management (CM) At-Risk services for the Additions, Remodeling, Renovations and Replacement Project at Miami Beach Senior High School. However, the proposed Guaranteed Maximum Price (GMP) submitted by Turner is significantly higher than the construction budget for this project and therefore has been rejected by staff. Moreover, negotiations between staff and Turner regarding their proposed GMP have proven to be unsuccessful. Consequently, staff has formally terminated any further negotiations with Turner and instead has proceeded to negotiate with another CM firm.

Pursuant to the Board approved Request For Qualifications (RFQ) issued for this project, staff must proceed to negotiate in accordance with the final order of ranking resulting from the RFQ process. Of the seven firms that responded to this RFQ, Turner was the highest ranked firm. The next highest ranked firm (Centex Rooney Construction Company, Inc.) has notified staff that it no longer wishes to pursue this project. Whereas, the third ranked firm under this RFQ (3D/International) is no longer certified by the Board to render construction services for the District. However, the fourth ranked firm under this RFQ (Suffolk Construction Company, Inc.) has agreed to prepare a GMP for this project and, if approved by the Board, to provide the necessary CM At-Risk services to deliver this project.

Negotiations with Suffolk Construction Company, Inc. (Suffolk) to provide pre-construction services for this project have been successfully completed.

Terms and Conditions

- The negotiated lump sum fee for pre-construction services is \$134,510; the fee represents approximately 0.31% of the total estimated construction cost of \$44.0 million. In an effort to expedite the execution of this project, Suffolk has agreed to

prepare and submit an initial GMP proposal ("site package") to be negotiated by staff and reviewed by the Board at its May 2005 meeting, which will include the following components:

- New parking lot.
  - New bus drop-off.
  - New chiller and electrical vault.
  - New sewer line.
- If the Board approves the initial GMP, a subsequent GMP proposal ("main package") encompassing the remainder of the scope of work for this project will then be submitted by Suffolk and negotiated with staff. If negotiations are successful, staff intends to submit the subsequent GMP for review and approval by the Board at its June 2005 meeting.
  - Costs for printing shall be reimbursed by the Board on a direct cost basis;
  - The agreement provides for termination by the Board, with or without cause, upon thirty (30) days written notice to the CM at-Risk firm; whereas the CM at-Risk firm 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 or minimum value to the CM at-Risk firm under this agreement;
  - Suffolk Construction Company, Inc., has agreed to the terms and conditions of the agreement.

#### Prior Commissioning & Performance Evaluation

The Board has commissioned Suffolk for the following project(s) and/or continuing contracts within the last three years:

- Addition at Howard D. McMillan Middle School (Project No. A0739)  
Construction Management At-Risk Services  
Estimated Construction Cost: \$4,426,272  
Date of Commission: 3-12-03

The most recent overall performance evaluation score issued by staff to Suffolk Construction Company, Inc., was for the quarter ending December 31, 2004. Based on a performance scale of 1-5, the firm received a score of 3.55

#### Principals

The Principal/Owner for Suffolk is Mr. Rex B. Kirby. The main office is located at 515 North Flagler Drive, 5<sup>th</sup> Floor, West Palm Beach, Florida 33401.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, commission the firm of Suffolk Construction Company, Inc., as Construction Management At-Risk firm for the Additions, Remodeling, Renovations and Replacement Project at Miami Beach Senior High School, Project No. A0795 and A0795A, as follows:

- 1) a lump sum basic services fee of \$134,510, which represents approximately 0.31% of the total estimated construction cost of \$44.0 million, to provide pre-construction services;
- 2) other terms and conditions as set forth in the body of the agenda item; and,
- 3) authorize the Superintendent to provide written notification of this action to Suffolk Construction Company, Inc.

NAD:AD:ad