

Office of School Facilities
Rose Diamond, Chief Facilities Officer

**SUBJECT: COMMISSIONING OF HEWETT-KIER CONSTRUCTION, INC., AS CONSTRUCTION MANAGEMENT (CM) AT-RISK FIRM FOR THE NEW MIDDLE LEARNING CENTER AT FRANK C. MARTIN ELEMENTARY
PROJECT NO. A01093**

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Introduction

Staff has completed the selection process for a Construction Management (CM) at-Risk firm to provide pre-construction services for the above referenced project.

Three (3) firms that applied were evaluated and short-listed. On July 17, 2005, the Selection Committee interviewed the three (3) firms and ranked them as follows:

1. Hewett-Kier Construction Inc.
2. Stobs Bros. Construction, Co.
3. Coastal Construction Company

The Selection Committee was comprised of the following individuals:

<u>Committee Member</u>	<u>Representing</u>
Cliff Stein	Office of the Superintendent
Carlos Fernandez	School Operations
Carlos Hevia	Office of Capital Improvements Projects
Nils Bellido de Luna	Office of Capital Improvements Projects
Carl Nicoleau	Maintenance Operations
Brad Powell	Educational Facilities Compliance
Dennis Caserta	Business Development and Assistance
Carlton Crawl (non-voting)	Dept. of A/E Selection, Negotiation, Design Mgt.

Project Scope

The revised scope of work for this project includes the following construction phases:

Phase I

- A new two-story classroom addition (consisting of approximately 69,000 square feet) that will house 595 new student stations and will include a media center, dining room with stage, kitchen and covered patio.

In addition, the following site improvements are also included to convert the school into a K-8 facility:

1. Additional staff and visitor parking.
2. New parent drop-off and covered walkway.
3. New bus drop-off and covered walkway.
4. New covered P.E. shelter.
5. Two new middle school hardcourts and two new elementary school hardcourts.
6. New covered walkways and sidewalks to connect the new middle school building to the existing facilities.
7. New landscaping, fences and improvements to the existing irrigation system.
8. Improvements to on-site and off-site utilities.
9. Renovations of the service yard to accommodate the requirements of both the elementary and middle school components.

Phase II

- Remodeling and conversion of the existing media center to two (2) primary classrooms, a K-4 Music Lab and Art Lab (a total of 36 new student stations).
- Remodeling and conversion of the existing Music and Art labs to two (2) intermediate classrooms (a total of 44 new student stations).
- Demolition of existing cafeteria, P.E. shelter and storage facilities, flammable storage shed, as well as the removal of portable classrooms.

The initial phase of this project (Phase I) is scheduled to be completed and ready to occupy by October 2006. The remainder of the project (Phase II) is scheduled to be completed by December 2006. However, the CM at-Risk firm for this project will be required to submit a Guaranteed Maximum Price (GMP) at completion of 50% construction documents; if accepted by the Board, the scheduled completion date will be accelerated by up to 3 months, with a new target completion date of July 2006 for Phase I and September 2006 for Phase II.

Given the results of the Selection Committee interviews, staff proceeded to negotiate with the top ranked firm, Hewett-Kier Construction, Inc. (Hewett-Kier), to provide CM At-Risk services for the referenced project. The negotiations with Hewett-Kier have been successfully completed.

Terms and Conditions

The agreement negotiated by staff contains the following terms and conditions:

1. Hewett-Kier agrees to provide the requisite pre-construction services for this prototype, including, but not limited to, the following:
 - Review all design and construction documents prepared by the Project Architect, as well as all existing on-site and off-site conditions, to ensure constructability of the project.
 - Provide the District with value engineering analysis, cost saving

- recommendations and estimates throughout the various phases of design.
 - Prepare a master construction schedule to identify potential time saving measures and to facilitate the timely completion of the project.
 - Coordinate with District staff and Project Architect to ensure that all the necessary on-site and off-site testing, permitting applications and regulatory agency reviews are accomplished.
 - Identify all the various bid packages needed to successfully execute the project, and conduct pre-bid conferences with qualified sub-contractors, material suppliers and equipment vendors.
2. Hewett-Kier agrees to submit a Guaranteed Maximum Price (GMP), based on the sum of accepted low sub-contract bids and general conditions, profit and overhead, at 50% completion of the construction documents for the project. The primary goals of this 50% GMP submittal are as follows:
- If accepted by the District, the 50% GMP will facilitate an earlier start of construction packages (such as the foundation and underground work) and therefore an earlier finish date for the project.
 - The 50% GMP submittal will also provide the District with an earlier opportunity to assess the actual cost to construct these project and to determine what impact, if any, it has on the construction budget, project scope and/or value engineering options.
 - If the 50% GMP submittal is accepted, the District reserves the right to request that specific portions of the GMP be re-bid (on or about 100% completion of the construction documents) in order to seek a potential reduction of the overall construction cost for the project.
 - In the event that the 50% GMP submittal is rejected, the District will have several options it may exercise including, but not limited to, directing the CM at-Risk firm to re-bid the project or discontinuing the services of the CM at-Risk firm, or constructing the project by the using an alternate delivery method. Depending on which option the District elects to exercise; the project schedule will be adjusted accordingly.
 - Upon submittal of the 50% GMP or any subsequent re-bid that may take place thereafter, staff will submit its recommendation to the Board, to accept or reject the proposed GMP or any portion thereof.
3. The negotiated lump sum fee for pre-construction services is \$72,000, which represents approximately 0.68% of the estimated construction cost of \$10.6 million
4. Costs for printing, as authorized by M-DCPS, shall be reimbursed by the Board on a direct cost basis;
5. 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;
6. 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;

7. Upon completion of the pre-construction services, the CM at-Risk firm shall negotiate a Guaranteed Maximum Price (GMP) for the construction project. Staff will then submit the negotiated GMP for Board approval; and
8. Hewett-Kier Construction, Inc. has agreed to the terms and conditions of the contract.

Prior Commissionings & Performance Evaluation

The Board has commissioned Hewett-Kier Construction, Inc. for the following projects and/or continuing contracts within the last three years:

- CM at-Risk for One, Two, or More Story Prototype additions for pre-construction and site adaptation services at various sites as provided in the Facilities Work Program FY 03-04.
Commissioned: June 15, 2005
- CM at-Risk for Pre-Construction Services for Remodeling and Renovations at Coral Park Senior, Project No. A01084
Estimated Construction Cost: \$4,531,920
Commissioned: March 16, 2005
- CM at-Risk for Pre-Construction Services for Historical Restoration/Structural Repairs of Gym and Classroom/Administration Building at Ponce de Leon Middle, Project No. A01003
Estimated Construction Cost: \$7,020,000
Commissioned: December 15, 2004

The most recent overall performance evaluation score issued by staff to Hewett-Kier Construction, Inc., was for the quarter ending March 31, 2005. Based on a performance scale of 1-5, the firm received a score of 3.35.

Principals

The Principal for Hewett-Kier Construction, Inc., is James Hewett. This firm is located at 3451 N.W. 14th Avenue, Pompano Beach, Florida 33064.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, commission the firm of Hewett-Kier Construction, Inc. as Construction Management (CM) at-Risk firm for the New Middle Learning Center at Frank C. Martin Elementary, Project No. A01093, for the following considerations:

- 1) a negotiated lump sum fee of \$72,000 for pre-construction services, which represents approximately 0.68% of the estimated construction cost of \$10.6 million; and
- 2) other terms and conditions as set forth in the body of the agenda item.

NAD:CC:cc