

Office of School Facilities
Rose Diamond, Chief Facilities Officer

SUBJECT: COMMISSIONING OF JAMES B. PIRTLE CONSTRUCTION COMPANY, INC., D/B/A PIRTLE CONSTRUCTION COMPANY, AS CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR NEW STATE SCHOOL "E-1" (TO RELIEVE NORTH MIAMI, BISCAYNE GARDENS, AND OAK GROVE ELEMENTARY SCHOOLS, AND TO REPLACE NORTH MIAMI MIDDLE SCHOOL), A RE-USE OF THE K-8 PROTOTYPE PROJECT NO. 00253000

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Introduction

Staff has completed the selection process for Construction Management (CM) at-Risk firms for the Facilities Work Program FY 05-06 (as may be amended from time to time) and which may include three additional years. Firms were solicited for **Category "A"** projects to provide pre-construction services for projects with construction values greater than \$15 million.

Of the six (6) firms that applied for this category, the following were interviewed and ranked by the Selection Committee on January 5, 2006:

1. James A. Cummings, Inc.
2. Pirtle Construction Company
3. Betancourt Castellon Associates, Inc.
4. Skanska USA Building, Inc.
5. Turner Construction Company
6. Coastal Construction Company

The Selection Committee was comprised of the following individuals:

Committee Member

Representing

Dr. Bhagwan Gupta, Office of School Facilities	Office of the Superintendent
Dr. Steven Gallon III, Office of School Operations	School Operations
Jorge Luaces, Office of School Facilities	Construction
Rolando Pardo, Region V, Capital Improvements	Construction
Chuks Chinyere, Region I, Capital Improvements	Maintenance Operations
Brad Powell, Educational Facilities Compliance	Educational Facilities Compliance
Dennis Caserta, Business Development	Business Development and Assistance
Carlton Crawl (non-voting), A/E Selection	A/E Selection, Negotiations & Design Mngt.

Assignment of projects will be based on alignment of projects construction values with each firm's capabilities, pre-qualification certificate amounts and scheduling of each project.

Background

On May 10, 2006 the Board commissioned Suffolk Construction Company, Inc., (Suffolk) for CM at-Risk services at State School "E-1" (to relieve North Miami, Biscayne Gardens and Oak Grove Elementary Schools and to replace North Miami Middle School) a re-use of the K-8 prototype, Project No. 00253000. However, the Board and Suffolk could not reach an agreement on the Guaranteed Maximum Price for the construction of the project. Therefore, pursuant to paragraph 8.3 of the CM at-Risk Agreement, those negotiations were declared not to be successful.

Staff initiated negotiations with the second-ranked firm in the Category "A" solicitation, Pirtle Construction Company, Inc. (Pirtle), for pre-construction services at State School "E-1". In part, Pirtle was assigned to this project since they are the CM at-Risk firm for the K-8 prototype which was commissioned on August 17, 2005.

Negotiations with Pirtle have been successfully completed as follows:

Project Scope

The scope of the Project includes, but is not limited to, the following:

A re-use of the new K-8 Prototype School to house approximately 1000 middle school student stations (grades 6 to 8) and approximately 730 elementary school student stations (Pre-K to grade 5). This project will require complex project phasing to accommodate the construction, all on-site and off-site utilities improvements, drop-offs, parking, up-grade to water/sewer services and road improvements as needed. This facility will be constructed on the fields west of the North Miami Senior High School. The CM at-Risk firm will be required to coordinate this project with the North Miami Senior High Replacement School (State School "BBB-1").

The CM at-Risk firm will be required to submit a Guaranteed Maximum Price (GMP) at the completion of construction documents, or at any point thereafter, to execute this project. If accepted by staff, the negotiated GMP will then be submitted to the Board for its approval.

Actual construction must commence no later than December 2006 with construction duration of 18 months in order to meet the 2008 school opening deadline.

The preliminary estimated cost of construction for this project is \$30 million.

Terms and Conditions

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

1. Pirtle agrees to provide the requisite pre-construction services for this project, including, but not limited to, the following:
 - Review all design and construction documents prepared by the Project Architect/Engineer, as well as all existing on-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/Engineer to ensure that all the necessary 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. The negotiated lump sum re-use fee for pre-construction services is **\$65,000** for an estimated construction cost of approximately \$30 million. Included in this fee is the cost for verification of all existing underground utility services. This fee represents approximately 0.22% of the construction cost;
3. Costs for all printing shall be the Contractor's responsibility;
4. 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;
5. 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;
6. Upon completion of the pre-construction services, the CM at-Risk firm shall negotiate a Guaranteed Maximum Price (GMP) for the construction project. If accepted, staff will submit the negotiated GMP for Board approval; and
7. Pirtle has agreed to the time-sensitive schedule and the terms and conditions of the contract and will commence services upon Board commissioning.

Project Fund

Fund: 0301 Object: 5630 Location: 0341 Program: 2843 Function: 7400

Prior Commissionings & Performance Evaluation

The Board has commissioned Pirtle as CM at-Risk for the following projects and/or continuing contracts within the last three years:

- CM at-Risk for the New State School "TT-1" (to serve Homestead's Educational Facilities Benefit District), a re-use of the K-8 Prototype, Project No. A01106:
Estimated Total Construction Cost: \$30 million
Commissioned October 11, 2006
- CM at-Risk for the New K-8 Prototype projects at the following three sites:

State School "D", Project No. A0798, (Relief for Virginia A. Boone/Highland Oaks Elementary, Madie Ives Elementary & Highland Oaks Middle Schools)

State School "CC-1", Project No. A01031, (Relief for Pine Villa Elementary, Redland Elementary, Naranja Elementary, Redland Middle & Mays Middle Schools)

State School "DD-1", Project No. A01089, (Relief for Irving and Beatrice Peskoe Elementary, Leisure City K-8 Center & W. Chapman Elementary Schools)

Estimated Total Construction Cost: \$63 million
Commissioned: August 17, 2005
- CM at-Risk for One, Two or More Story Prototype Additions at Various Sites as provided in the Facilities Work Program FY 03-04 (aka Modulars)
Commissioned: July 14, 2004
- CM At-Risk for Miscellaneous Projects, Four-year term contract for projects with construction cost less than \$1 million each
Commissioned: May 19, 2004 (Pirtle declined subsequent renewal years).

The most recent overall performance evaluation score issued by staff to Pirtle was for the quarter ending June 30, 2006. Based on a performance scale of 1-5, Pirtle received a score of 3.73.

Principals

The Principals/Owners designated to be directly responsible to the Board for Pirtle Construction Company are James B. Pirtle and Michael S. Geary. The office is located at 4740 Davie Road, Davie, Florida 33314.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, commission the firm of James B. Pirtle Construction Company, Inc., d/b/a Pirtle Construction Company, as Construction Management at-Risk firm for New State School "E-1" (to relieve North Miami, Biscayne Gardens, and Oak Grove Elementary Schools, and to replace North Miami Middle School), a re-use of the K-8 Prototype, Project No. 00253000, as follows:

- 1) A total lump sum re-use fee of \$65,000 for pre-construction services; and
- 2) the Project Scope and the Terms and Conditions, items 1 through 7, as set forth in the body of the agenda item.

NAD:CC:cc