

Office of School Facilities  
Rose Diamond, Chief Facilities Officer

**SUBJECT: COMMISSIONING OF ZYSCOVICH, INC. AS ARCHITECT/ENGINEER OF RECORD FOR NEW STATE SCHOOL "P-1" (TO RELIEVE EUGENIA B. THOMAS ELEMENTARY SCHOOL), A RE-USE OF THE K-8 PROTOTYPE PROJECT NO. 00252700**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

### **Introduction**

At the April 13, 2005, Board meeting, the Board commissioned the firm of Zyscovich, Inc., as Architects/Engineers (A/E) of Record for the District's new K-8 prototype facility. The April commissioning included three sites, with pre-negotiated professional services fees for future additional K-8 sites.

Staff has determined that the K-8 prototype meets the requirements of the District, and a re-use for State School "P-1" (to relieve Eugenia B. Thomas Elementary) will expedite both the design and construction phases of the project. Construction (site preparation) is anticipated to commence February 2007, with occupancy scheduled for August 2008.

Negotiations with Zyscovich, Inc. have been successfully concluded as follows:

### **Project Scope**

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

- Construction of a new, K-8 prototype to house 1088 elementary and 554 middle school students (a total of 1642 student stations), on a 9.81 acre site in the Doral area (Region 3). The site is bound on the East by NW 112<sup>th</sup> Avenue, on the North by NW 86<sup>th</sup> Street (future), on the South by NW 84<sup>th</sup> Terrace (under construction), and on the West by NW 113<sup>th</sup> Passage (future).
- All required site mitigation, water retention and drainage. Mitigation is expected to include an on-site drainage lake, or connection to an existing off-site drainage lake.
- All on-site and off-site utilities, de-mucking, grading, new roads, road improvements, signalization, parent and bus drop-offs, parking, playfields, hard courts, landscaping and related improvements.

Construction Cost Estimate: \$34.6 Million

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This project is anticipated to be delivered utilizing the Construction Management (CM) At-Risk method. The selected CM At-Risk firm may be required to submit several Guaranteed Maximum Price (GMP) proposals to execute this project. If accepted by staff, the negotiated GMP(s) will be submitted to the Board for approval.

The A/E has agreed to the following aggressive design and document submittal schedule:

- Phase I – Site Concept/Site Mitigation Package: January 17, 2007  
(for GMP#1 award February 14, 2007\*)  
(\* contingent upon site purchase, timely access and permitting)
- Phase II/III - Construction Documents, 80% submittal: February 23, 2007  
(for GMP#2 award April 18, 2007)
- Phase II/III – Construction Documents, 100 % submittal: May 8, 2007

Construction duration (Award to Substantial Completion): 440 days

**Terms and Conditions**

**A. Basic Services Fees:**

A lump sum fee for Basic Services of **\$1,200,000** which represents approximately 3.46% of \$34,600,000, the estimated construction cost, was negotiated. This fee includes a prototype re-use fee of \$848,782, all on-site and off-site civil engineering, and all other required services and consultants (except as listed below).

Basic Services fees shall be paid based on completion of the following phases:

- Phase I – Site Design/Construction Documents  
(for GMP #1, including Bid/Award): \$ 245,000
  - Phase II/III - Construction Documents, 80% complete  
(including GMP #2 Bid/Award) \$ 200,000
  - Phase II/III - Construction Documents, 100% complete/approved: \$ 250,000
  - Phase V - Construction Administration
    - a) through substantial completion: \$ 443,000
    - b) Punch List/Close Out: \$ 50,000
  - Phase VI - Warranty/Post Occupancy Services: \$ 12,000
- TOTAL BASIC SERVICES FEE: \$1,200,000**

## B. Supporting Services Fees

The following services require prior written authorization by the Board-designee:

1. Additional Site Visits:  
The A/E and Designated Specialists will provide up to **320** additional site visits during construction at a flat fee of **\$300/visit**: Not-to-exceed \$ 96,000
  2. Threshold Inspection Fees: Not-to-exceed \$ 95,000
  3. On-site Project Representative(s) Fees:  
Senior level, full-time; \$11,250/mo. X 16 months: Not-to-exceed \$180,000  
(Base salary \$100,000/yr x 1.35 = \$135,000 or \$11,250/mo.)
  4. Traffic Consultant Fee: Not-to-exceed \$ 26,500
  5. Insurance Premium reimbursement:  
(Unless otherwise instructed by MDCPS' Office of Risk Management, the A/E shall obtain a Project Specific Professional Liability policy in the amount of \$5,000,000, the premium for which, if acceptable to the Board, will be reimbursed on a direct cost basis.): Not-to-exceed \$270,000
- TOTAL SUPPORTING SERVICES FEES:** **Not-to-exceed \$667,500**

## C. Other Terms and Conditions

- A/E-requested testing shall be arranged and paid for by the Board; specialized testing, pre-approved by the Board, but not available through the Board, shall be reimbursed by the Board on a direct cost basis;
- The cost of printing will be reimbursed by the Board on a direct cost basis, per conditions stipulated by the A/E Agreement;
- The Principals' rates are set at \$180/hour for the Architect, and \$180/hour for the Designated Specialists, for Board-authorized additional services;
- The provisional multiplier for hourly compensation is limited to 2.45 for any additional services approved by the Board;
- The Agreement may be terminated by the Board, with or without cause, upon thirty (30) days written notice to the A/E; whereas, the A/E may terminate the agreement, with cause only, upon thirty (30) days written notice to the Board; and
- The A/E has agreed to the time-sensitive schedule and the terms and conditions of the Agreement, and will commence services upon Board commissioning.

## Project Fund

Transfer funds as follows:

**From:** Fund: 0331 Object: 5660 Location: 9128 Program: 0861 Function: 7400  
**To:** Fund: 0331 Object: 5630 Location: 6023 Program: 0861 Function: 7400

## Prior Commissioning & Performance Evaluation

The Board has commissioned Zyscovich, Inc. for the following projects within the last three years:

- State School TT-1 (to serve Homestead's Educational Benefit District) – Reuse of the K-8 Prototype, Project No. A01106  
A/E Services  
Date of Commission: 10-11-06
- Phase II - Historical Restoration, Renovations, Remodeling and New Additions at Miami Senior High School, Project No. 00176800  
A/E Services  
Date of Commission: 8-2-06
- Middle Learning Center Addition, State School "RR-1", at Madie Ives Elementary (K-8 Conversion) to Relieve Highland Oaks Middle, Project No. A0729  
A/E Services  
Date of Commission: 2-15-06
- State School E-1 (Relief for Biscayne Gardens, North Miami and Oak Grove Elementary Schools and North Miami Middle School) – Reuse of a K-8 Prototype, Project No. 00253000  
A/E Services  
Date of Commission: 1-18-06
- Master Planning (Phase I) of Historical Restoration, Renovation, Remodeling and Additions at Miami Senior High School, Project No. 00176700  
A/E Services - Master Plan (Phase I)  
Date of Commission: 9-7-05
- Addition at Ojus Elementary School, Project No. A0821  
DCP Services and Conversion of DCP to A/E Services  
Date of Commission: 12-10-03, 1-19-05 (amendment), and 5-18-05
- K-8 Prototypes at Three Sites; State School "D" (Relief for V.A. Boone/Highland Oaks El., M. Ives El. & Highland Oaks Mid.) Project No. A0798, State School "CC-1" (Relief for Pine Villa El., Redland El., Naranja El., Redland Mid. & Mays Mid.) Project No. A01031, and State School "DD-1" (Relief for Irving & Beatrice Peskoe El., Leisure City K-8 & W. Chapman El.) Project No. A01089

A/E Services

Date of Commission: 4-13-05

- State School "BBB-1" (North Miami Sr. Replacement), Project No. A01015  
DCP Services and Conversion of DCP to A/E Services  
Date of Commission: 10-20-04 and 3-16-05
  
- Miami Beach Senior High School, Additions, Remodeling, Renovations & Replacement Project, Project Nos. A0795 and A0795A  
A/E Services  
Date of Commission: 10-23-02 and 9-08-04 (amendment)
  
- State School "RR-1" (Highland Oaks Mid. Relief) and Other Schools in the Dr. Krop Sr. feeder pattern, Project No. A0729  
DCP Services (Master Plan and Programming)  
Date of Commission: 5-19-04
  
- Addition at Kinloch Park Elementary School, Project No. A01004  
DCP Services  
Date of Commission: 12-10-03

The most recent overall performance evaluation score issued by staff to Zyscovich, Inc. was for the quarter ending June 30, 2006. Based on a performance scale of 1-5, the firm received a score of 4.01.

### **Principals**

The Principal/Owner designated to be directly responsible to the Board for Zyscovich, Inc. is Bernard Zyscovich. The firm is located at 100 North Biscayne Boulevard, 27<sup>th</sup> Floor, Miami, Florida 33132.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, commission Zyscovich, Inc. as Architect/Engineer of Record for New State School "P-1" (to relieve Eugenia B. Thomas Elementary School), a re-use of the K-8 Prototype, Project No. 00252700, as follows:

- a) a lump sum fee of \$1,200,000 for A/E Basic Services; and
- b) the Project Scope and all the Terms and Conditions as set forth in the body of the agenda item.

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