

Office of School Facilities  
Jaime G. Torrens, Temporary Chief Facilities Officer

**SUBJECT: COMMISSIONING OF LIVS ASSOCIATES AS  
ARCHITECT/ENGINEER OF RECORD FOR STRUCTURAL  
REPAIRS AND RENOVATIONS AT NORTH DADE MIDDLE  
SCHOOL  
PROJECT NO. 00362703**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

**LINK TO  
STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES**

### Introduction

In February 2006, a solicitation was issued for one (or more) Architectural/Engineering (A/E) firms to provide services for the Facilities Work Program through FY 08-09, for New Schools, Additions, and Remodeling & Renovation Projects. Three categories were identified for the solicitation: Category A - projects with construction cost estimates greater than \$15 million; Category B - projects with construction cost estimates between \$5 million and \$15 million; and Category C - projects with an estimated construction cost less than \$5 million.

Staff has evaluated and ranked the firms in Category C as follows:

- 1 ACAI Associates, Inc.
- 2 Elements, LLC
- 3 Architektnics, Inc.
- 4 LIVS Associates, Inc.
- 5 Landera Associates, Inc.
- 6 Alleguez Architecture, Inc.
- 7 GLE Associates, Inc.

### Project Assignments

Assignment of projects is based on alignment of firm's capabilities, performance, workload, performance, construction values and scheduling of each project.

Based on the above criteria, staff assigned LIVS Associates (LIVS) as Architect/Engineer of Record for Structural Repairs and Renovations at North Dade Middle School, Project No. 00362703.

Negotiations with LIVS have been successfully concluded as follows:

Project Scope

In November 2006, Soares Da Costa, Contractor Inc. submitted a program for General Repairs and Rehabilitation at North Dade Middle School, with a total construction cost estimate of approximately \$15,000,000. Using this document, and LIVS' recent structural repairs priority report and recommendations, the A/E has been requested to identify work to be accomplished to up-grade this facility such that the actual construction cost does not exceed \$5,000,000. The priorities requested by MDCPS were as follows:

- Priority 1 – Structural Repairs (Estimated Construction Cost \$2,500,000)
- Priority 2 – Safety-to-Life
- Priority 3 – Electrical renovations
- Priority 4 – ADA renovations/remodeling

Total Construction Budget: Not-to-exceed \$5,000,000

The school must remain fully operational during construction, and therefore will require two Parts (Part A and Part B, with multiple phases for each Part) to minimize disruption to students and staff. The construction duration is planned at 14 months, with the following target milestone dates:

Part A

- Structural Repairs - GMP #1, Award: December 19, 2007
- Structural Repairs - Substantial Completion: December 19, 2008

Part B

- Balance of Scope – GMP #2, Award: May 14, 2008
- Entire Scope - Substantial Completion: February 14, 2009

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

Part A

- Phase II/III – Construction Documents, 100% complete  
(For Structural Repairs, GMP #1): October 15, 2007

Part B

- Final Scope Definition Report: November 5, 2007

- Phase I – Schematic Design Documents: January 15, 2008  
(for GMP #2)
- Phase II/III – Construction Documents (100% Complete, for GMP#2): March 11, 2008

Construction of the project will be executed using the Construction Management (CM) at-Risk delivery method. The selected CM at-Risk firm may be required to submit multiple Guaranteed Maximum Price (GMP) proposals for the project. If accepted by staff, the negotiated GMP(s) will be submitted to the Board for approval.

Terms & Conditions

A. Basic Services Fees:

LIVS has agreed to a lump sum fee for Basic Services of \$352,620 which represents approximately 7.05% of \$5,000,000, the Not-to-exceed Construction Cost. This fee includes all required services and consultants. Basic Services fees shall be paid based on completion of the following phases:

BASIC SERVICES - PHASE DESCRIPTION	PART A (STRUCT. REPAIRS)		PART B		TOTAL FEE
	% OF FEE	FEE AMOUNT	% OF FEE	FEE AMOUNT	
Phase I – Schematic Design	15%	\$26,447	15%	\$26,447	\$52,894
Phase II/III – Construction Documents, 100% complete/approved:	45%	\$79,340	50%	\$88,155	\$167,495
Phase IV – Bid/Award	5%	\$8,815	5%	\$8,816	\$ 17,631
Phase V – Construction Administration:					
a) Through Substantial Completion:	30%	\$52,893	25%	\$44,077	\$96,970
b) Punch List/ Closeout:	4%	\$ 7,052	4%	\$7,052	\$14,104
Phase VI – Warranty/Post Occupancy	1%	\$1,763	1%	\$1,763	\$3,526
<b>TOTAL BASIC SERVICES FEE:</b>	<b>100%</b>	<b>\$176,310</b>	<b>100%</b>	<b>\$176,310</b>	<b>\$352,620</b>

B. Supporting Services Fees

- In recognition of the A/E's extraordinary efforts to meet this project's aggressive schedule and complex construction phasing, the A/E shall receive a lump sum fee as follows: \$19,000  
Part A - \$8,500

- For timely submittal of 100% completed Phase II/III construction documents (i.e. by October 15, 2007); and
- For project construction phasing plans as required to maintain continuous operation of the facility.

Part B - \$8,500

- For completion of a system(s) and equipment verification and condition assessment;
- For development of as-built/record drawings (CADD files) to be used for design purposes; and
- For project construction phasing plans as required to maintain continuous operation of the facility.

2. For Part B, the A/E shall receive a lump sum fee for program validation and a prioritized Final Scope Definition Report, due no later than November 5, 2007: \$15,000

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

A. Site Visits: The A/E and Designated Specialists will provide up to 200 additional site visits, during construction at a flat fee of \$300/visit: Not-to-exceed \$60,000

TOTAL SUPPORTING SERVICES FEES: Not-to-exceed \$94,000

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 \$150/hour for the Architect, and \$150/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 A/E has requested the addition of Alfredo Quintero as Structural Engineer Designated Specialist specifically for this project, due to the firm's previous involvement and experience with this facility;
- The A/E shall maintain no less than a \$2 million professional liability insurance policy with a maximum deductible of \$50,000;
- 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 terms and conditions of the Agreement, and will commence services upon Board commissioning.

#### Project Fund

Fund: 0398 Object: 5680 Location: 6591 Program: 1511 Function: 7400

#### Prior Commissioning & Performance Evaluation

The Board has commissioned LIVS for the following projects within the last three years:

- Deferred Maintenance Package #30, Renovations, Maintenance and Repairs at Martin Luther King El, Project No. 00260900  
A/E Services  
Date Commissioned: October 11, 2006
- Special Projects Consultant (SPC) – Mechanical Engineering Services for miscellaneous projects up to \$1 million each for a four-year Term  
SPC Services  
Date Commissioned: October 11, 2006
- Special Projects Consultant (SPC) – Structural Engineering Services for miscellaneous projects up to \$1 million each for a four-year Term  
SPC Services  
Date Commissioned: February 16, 2005 (renewed 2-15-06 and 2-14-07)
- Special Projects Consultant (SPC) - Electrical Engineering Services for miscellaneous projects up to \$1 million each for a four-year Term  
SPC Services  
Date Commissioned: January 19, 2005 (renewed 2-15-06 and 1-17-07)

The most recent overall performance evaluation score issued by staff to LIVS was for the quarter ending March 31, 2007. Based on a scale of 1-5, the firm received an average score of 3.73 for A/E Services.

Principal

The Principal/Owner designated to be directly responsible to the Board for LIVS Associates is Tony F. Rosabal. The firm is located at 2121 Ponce de Leon Boulevard, Suite 610, Coral Gables, Florida 33134.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, commission LIVS Associates as Architect/Engineer of Record for Structural Repairs and Renovations at North Dade Middle School, Project No. 00362703, as follows:

- 1) a lump sum fee of \$352,620 for A/E Basic Services; and
- 2) the Project Scope and all the Terms and Conditions as set forth in the body of the agenda item.

NAD:SGG:sgg