

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

**SUBJECT:           AMENDMENT TO THE CONSTRUCTION MANAGEMENT AT-RISK AGREEMENT WITH MEXAL CORP., TO INCLUDE NECESSARY ADA WORK AT ROCKWAY MIDDLE SCHOOL PROJECT NO. 00438300**

**COMMITTEE:           FACILITIES AND CONSTRUCTION REFORM**

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

Introduction

On January 16, 2008, the Board commissioned Mexal Corp., (Mexal) as a CM at-Risk firm to provide pre-construction services for Electrical Upgrades at Rockway Middle School, Project No. 00443500.

Subsequent to this commissioning, additional ADA Renovations, Maintenance and Repairs were identified at Rockway Middle School. In order to maintain continuity of CM at-Risk services and to expedite the project, staff recommends that Mexal's agreement be amended to include the additional ADA scope of work.

Additional Project Scope (Part III)

Base upon the Programming Package prepared by M-DCPS Office of Advanced Planning and URS Corporation for this project dated December 15, 2007, the scope of work for this project includes, but is not limited to, the following:

- Single use toilet room upgrades
- New elevator
- Additional covered walkways
- Clinic upgrades
- New wheelchair lift
- Auditorium seating modifications
- Casework, sink and water fountain modifications
- Hardware and signage upgrades
- Fire alarm upgrades

Negotiations with Mexal Corp. have been successfully completed as follows:

### Terms & Conditions

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

1. Mexal Corp. 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 fee for additional pre-construction services (Part III) for Rockway Middle School is **\$17,800** for the added construction budget of \$1,143,200. This fee represents approximately 1.55% of the construction budget. Part I and Part II pre-construction services were commissioned for \$25,033 with a budget of \$1,500,000. Therefore, the combined construction budget is \$2,643,200 for Parts I, II and III.
3. Costs for printing shall be reimbursed by the Board on a direct cost basis;
4. The agreement provides for termination by the Board prior to the GMP, with or without cause, upon written notice to the CM at-Risk firm; whereas the CM at-Risk firm may terminate the agreement, with special cause only, upon written notice to the Board in accordance with the terms of the Agreement;
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 Guaranteed Maximum Price (GMP) proposals for the construction project. If accepted, staff will submit the negotiated GMP proposals for Board approval; and

7. Mexal Corp. has agreed to the terms and conditions of the contract and will commence services upon Board commissioning.

Project Funding

Fund: 0331, Object: 5680, Location: 6821, Program: 1508, Function: 7400

Prior Commissioning & Performance Evaluation

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

- Electrical Upgrades at Rockway Middle School, Project No. 00403500 and HVAC Replacement at William H. Turner Technical Arts High School, Project No. 00443600  
Combine Estimated Construction Cost: \$3 million  
Commissioned: January 16, 2008
- CM at-Risk for Deferred Maintenance Package #16 General Repairs and Rehabilitation at Crestview Elementary School, Project No. 00263800  
Estimated Construction Cost: \$5,512,629  
Commissioned: February 15, 2006

Staff did not evaluate Mexal Corp. for the year 2007 and therefore no score is available for this firm for contracting services.

Principal

The Principal/Owner designated to be directly responsible to the Board for Mexal Corp. is Francisco Llamozas. The firm is located at 7424 SW 48th Street, Miami, FL 33155.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, amend the agreement with Mexal Corp, as Construction Management at-Risk firm to include necessary ADA work at Rockway Middle School, Project No. 00438300, as follows:

- 1) a lump sum fee of \$17,800 for added ADA pre-construction services; and
- 2) the Project Scopes and all the Terms and Conditions, items 1 through 7, as set forth in the body of the agenda item.

NAD:CC:cc