

Office of School Facilities  
Jaime Torrens, Chief Facilities Officer

**SUBJECT: COMMISSIONING OF POST, BUCKLEY, SCHUH & JERNIGAN, INC. (d/b/a PBS&J, INC.) AND CMS – CONSTRUCTION MANAGEMENT SERVICES, INC. TO PROVIDE CONSTRUCTION COST ESTIMATING CONSULTING SERVICES FOR A FOUR YEAR TERM**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

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

Introduction

Staff has completed the selection process for one or more consultants to provide construction cost estimating services. The successful firm(s) will be contracted for a period of four years with the second, third and fourth years at the option of the Board.

Eight firms applied, and based on the established evaluation criteria, six firms were qualified and invited to interview. On October 10, 2008, the Selection Committee interviewed and ranked the six (6) firms as follows:

<u>Final Ranking</u>	<u>Firm</u>
1	PBS&J, Inc. (Miami, FL.)
2	ADA Engineering, Inc. (Miami, FL.)
3	CMS - Construction Management Services, Inc. (Deerfield Bch, FL.)
4	PACO Group, Inc. (Miami, FL.)
5	URS Corporation (Miami, FL.)
6	U.S. Cost, Inc. (Miami, FL.)

The following individuals served as voting members on the Selection Committee:

<u>Committee Members</u>	<u>Representing</u>
Cliff Stein, Executive Director	Office of the Superintendent
Nancy Tobin, Manager III	Office of School Facilities - Construction
Alberto Destrade, Director	Office of School Facilities - Construction
Carlos Bravo, Coordinator III	Office of School Facilities - Planning
Eduardo Beraldi, Senior Project Manager	Office of School Facilities - Maintenance

Staff initiated negotiations with the three top ranked firms for this term contract based on the order of final ranking. Negotiations with PBS&J and CMS regarding fees, scope and other related terms have been successfully completed. Staff was not able to reach an agreement with ADA Engineering, Inc. (the second ranked firm).

Terms and Conditions

A. Basic Services – General

Fees for Basic Services were agreed to by PBS&J and CMS according to the Schedule of Estimate Cost per Square Foot, below. Individual Work Orders will be issued for Cost Estimates based on the square foot cost converted to a Lump Sum (LS) fee. The firms shall receive lump-sum compensation based on project initial square footage and as established in the following Fee Schedule, and these fees will not be subject to adjustment:

<b>SCHEDULE OF ESTIMATE COST PER SQUARE FOOT</b>					
Note: Fees include attendance at an estimate reconciliation meeting if requested by the Board.					
	<b>Schematic</b>	<b>Phase III 50%</b>	<b>Phase III 100% (with a Previous Phase III 50%)</b>	<b>Phase III 100% (only)</b>	<b>Post Bid Analysis</b>
<b>Category 1</b> (under \$1 million)	HR NTE Lump Sum	HR NTE Lump Sum	HR NTE Lump Sum	HR NTE Lump Sum	HR NTE Lump Sum
<b>Category 2</b> (\$1 million to \$4,999,999)	HR NTE Lump Sum	\$0.14	\$0.12	\$0.18	HR NTE Lump Sum
<b>Category 3</b> (\$5 million to \$14,999,999)	\$0.015	\$0.12	\$0.10	\$0.16	\$0.01
<b>Category 4</b> (\$15 million to \$49,999,999)	\$0.015	\$0.09	\$0.08	\$0.13	\$0.01
<b>Category 5</b> (\$50 million and above)	\$0.015	\$0.08	\$0.06	\$0.10	\$0.01

**B. Hourly Rate Compensation**

At the option of the Board, negotiated compensation may also be paid on an hourly rate (HR) basis with a not-to-exceed (NTE) lump sum fee for the personnel required for each assignment as established in the Hourly Rates Schedule, below. These rates will not be subject to adjustment and are valid for the four-year duration of the contract:

<b>HOURLY RATES</b>		<b>HOURLY RATES</b>	
<b><u>Personnel</u></b>	<b><u>Hourly Rate</u></b>	<b><u>Personnel</u></b>	<b><u>Hourly Rate</u></b>
<b>Principal</b>	N/A	<b>Engineer (Specialist)</b>	\$51.80
<b>Project Manager</b>	\$88.00	<b>Senior Estimator</b>	\$83.00
<b>Architect (R.A.)</b>	\$72.50	<b>Estimator</b>	\$70.50
<b>Architect (Specialist)</b>	\$51.80	<b>Take-off Personnel</b>	\$43.50
<b>Engineer (P.E.)</b>	\$72.50		

**Other terms and conditions**

- The term of this Agreement is four years, commencing July 15, 2009 and ending July 14, 2013, with the second, third and fourth years at the option of the Board.
- The Agreement provides for indemnification and hold harmless provisions to the Board, its members, employees, agents, etc. by the consultant due to consultant's negligent acts. The consultant shall maintain at least a \$1,000,000 Professional Liability insurance policy with a maximum deductible of \$25,000 per claim, and a \$500,000 Commercial/General Liability insurance policy. These limits and terms are as recommended by the District's Office of Risk & Benefits Management.
- The Agreement may be terminated by the Board, with or without cause, upon thirty (30) days written notice to the consultant; whereas, the consultant may terminate the Agreement with cause only upon thirty (30) days written notice to the Board.
- The Board is under no obligation to assign a minimum number of Work Orders or to compensate a minimum amount of fees to the firms.
- The firms agree to the Terms and Conditions of the Cost Estimating Consulting Contract and will commence services upon commissioning by the Board.

## Prior Commissioning & Performance Evaluation

### 1. PBS&J, Inc.

The Board has commissioned this firm for the following projects and contracts within the last three years

- Construction Cost Estimating Consulting for Various Projects for a four-year term  
CEC Services  
Date of Commissioning: 12-15-04 (option years 11-16-05, 12-13-06, 11-20-07 and extended on 12-10-08 and 03-25-09 to June 14, 2009).
- Construction Scheduling Consulting for Various Projects for a four-year term  
CSC Services  
Date of Commissioning: 12-15-04 (option years 11-16-05, 12-13-06, 11-20-07 and extended on 12-10-08 and 03-25-09 to June 14, 2009).

The most recent overall performance evaluation score issued by staff was for the quarter ending March 31, 2009. Based on a scale of 1-5, the firm received a score of 4.13 for consultant services.

### 2. CMS – Construction Management Services, Inc.

The Board has commissioned this firm for the following projects and contracts within the last three years

- Construction Cost Estimating Consulting for Various Projects for a four-year term  
CEC Services  
Date of Commissioning: 12-15-04 (option years 11-16-05, 12-13-06, 11-20-07 and extended on 12-10-08 and 03-25-09 to June 14, 2009).
- Construction Scheduling Consulting for Various Projects for a four-year term  
CSC Services  
Date of Commissioning: 12-15-04 (option years 11-16-05, 12-13-06, 11-20-07 and extended on 12-10-08 and 03-25-09 to June 14, 2009).

The most recent overall performance evaluation score issued by staff was for the quarter ending March 31, 2009. Based on a scale of 1-5, the firm received a score of 3.71 for consultant services.

## Principals

1. PBS&J, Inc. – The Principal designated to be directly responsible to the Board is David Carter. The firm is located at 2001 NW 107<sup>th</sup> Avenue, Miami, Florida 33172.
2. CMS – Construction Management Services, Inc. – The Principal/Owner designated to be directly responsible to the Board is Keith Emery. The firm is located at 10 Fairway Drive, Suite 301, Deerfield Beach, Florida 33442-1805

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, commission the firm of Post, Buckley, Schuh & Jernigan, Inc. (d/b/a PBS&J) and CMS-Construction Management Services, Inc. to provide Construction Cost Estimating Consulting services for a four-year term, as follows:

- 1) negotiated fees based on estimate cost per square foot not-to-exceed lump sum and hourly rates as detailed in the agenda item; and
- 2) other terms and conditions as set forth in the body of the agenda item and the Agreement.

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