

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

SUBJECT: COMMISSIONING OF WOLFBERG ALVAREZ & PARTNERS AS REPLACEMENT ARCHITECT/ENGINEER OF RECORD FOR A PULL-OUT PROJECT FROM THE DEFERRED MAINTENANCE PACKAGE #19, RENOVATIONS, MAINTENANCE AND REPAIRS AT SUNSET ELEMENTARY SCHOOL PROJECT No. 00261701

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES

Project History

On March 25, 2009, the Board approved termination, without cause, of Berger Avart, Inc. (formerly known as Avart, Inc.) as Architect/Engineer (A/E) of Record in connection with Deferred Maintenance Package (DMP) # 19, Renovations, Maintenance and Repairs at Sunset Elementary School, Project No. 00261700. In the termination item, staff noted that a new two-story modular classroom building was under construction at the facility and that it would be in the District's best interest to re-assign the DMP project to the modular project's A/E, Wolfberg Alvarez & Partners (WAP).

The original proposed construction budget for DMP #19 was \$1,859,731; however, the project scope and the construction budget have since been adjusted downward to \$1,150,000. The reduced Scope of Work, (pull-out project), is Project #00261701. The A/E will be responsible for the inclusion of one or more deductive alternates in the Construction Documents to keep the project within current budget.

Negotiations with WAP have successfully concluded as follows:

Construction Budget: \$1,150,000

Project Scope

- Buildings 01-06 and 11-13: Exterior and interior re-painting, water-proofing and stucco repairs, including but not limited to window sealing and re-caulking and replacement of water-damaged interior partitions (drywall and insulation);
- Building 01, Room 106 (aka Room "J"): Provide new cabinets, ceiling and wall finishes and flooring (after structural repairs are completed by Maintenance); and

- Convert Media Center (Room 017, Building 01, 2nd floor) into one classroom and a teachers' lounge.
- Bid (deductive) Alternates:
 - Building 02, Room 001A - Jalousie window replacement;
 - Buildings 02 and 04 – all Window replacement; and
 - Provide up-graded electrical service to support the future installation of MDCPS-supplied interactive white boards at all classrooms.

Document Schedule

The A/E has agreed to the following document submittal and overall project schedules:

I. A/E Document Submittal Schedule:

Phase II/III Construction Documents – 50% Complete:	March 15, 2010
Phase II/III Construction Documents – 100% Complete:	May 15, 2010

II. Preliminary Project Schedule:

Construction Documents approved by BCC:	June 15, 2010
GMP – Award:	July 14, 2010
Substantial Completion:	May 2011
(Construction duration approximately 9 months)	

Construction of the project will be executed using the Construction Management (CM) at-Risk delivery method and must comply with requirements of the Davis-Bacon Act. 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 proposal(s) will be submitted to the Board for approval.

A. Basic Services Fee:

WAP has agreed to a lump sum fee for Basic Services of \$44,900, as detailed in the table below, which represents approximately 3.9% of \$1,150,000, the construction budget. This fee includes all required services, and consultants. Basic Services fees shall be paid based on completion of the phases enumerated in the table below.

Terms & Conditions

BASIC SERVICES	% OF TOTAL FEE	\$ AMOUNT
Phase II/III – Construction Documents, 50% Complete/accepted by MDCPS – Construction Documents, 100% Complete/BCC-approved documents	22%	\$ 9,727
	26%	\$ 11,825
Phase IV – Bid / Award	6%	\$ 2,694
Phase V – Construction Administration a) through Substantial completion: b) Punch List/Close-out:	40%	\$ 17,960
	5%	\$ 2,245
Phase VI – Warranty Inspection / Report	1%	\$ 449
TOTAL BASIC SERVICES FEE:	100%	\$ 44,900

B. Supporting Services Fees:

1. Program validation, existing conditions verification, development of As-built drawings, as required, etc. (Lump Sum Fee): \$11,022

2. The following services require prior written authorization by the Board-designee:
 - a) Site visits –12 additional site visits during construction at a flat fee of \$225/visit for the A/E and/or for the Designated Specialists: Not-to-exceed \$ 2,700

TOTAL SUPPORTING SERVICES FEES: Not-to-exceed \$13,722

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;
- If required/requested by the Board, 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 \$112.50/hour for the Architect, and \$112.50/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 shall maintain no less than a \$1 million professional liability insurance policy with a maximum deductible of \$25,000;

- 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: 0386 Object: 5680 Location: 5401 Program: 2325 Function: 7400

Prior Commissioning & Performance Evaluation

The Board has commissioned WAP for the following projects and/or term contracts within the last three years:

- Architectural/Engineering Projects Consultant for Projects less than \$1M each, for a four-year term

A/EPC Services

Date Commissioned: 3-12-08 (2-11-09, 1st Option Year)

- Special Projects Consultant – Mechanical Engineering for Projects less than \$1M each, for a four-year term

SPC – Mechanical Engineering Services

Date Commissioned: 4-18-07 (5-21-08 1st Option Year; 7-15-09 2nd Option Year)

- Emergency Electrical and HVAC Up-grades at MDCPS Information Technology Services Building, Project No. 00400000

A/E Services

Date Commissioned: 3-14-07

The most recent overall performance evaluation score issued by staff to WAP was for the quarter ending September 30, 2009. Based on a scale of 1-5 (low to high), the firm received an average score of 4.70 for A/E services.

Principal

The Principal/Owner designated to be directly responsible to the Board for WAP is Mario Gutierrez. The firm is located at 1500 San Remo Avenue, Suite 300, Coral Gables, Florida 33146.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, commission Wolfberg Alvarez & Partners as Replacement Architect/Engineer of Record for a Pull-Out project from the Deferred Maintenance Package #19, Renovations, Maintenance and Repairs, at Sunset Elementary School, Project No. 00261701, as follows:

- 1) a lump sum fee of \$44,900 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