


**MEMORANDUM**

**August 1, 2011**

**TO:** The Honorable Chair and Members of The School Board of  
Miami-Dade County, Florida

**FROM:** Alberto M. Carvalho, Superintendent of Schools 

**SUBJECT: WITHDRAWAL OF ITEM F-21  
REQUEST FOR AUTHORIZATION TO EXTEND AND AMEND THE  
AGREEMENTS WITH BERMELLO AJAMIL & PARTNERS, INC.;  
RONALD E. FRAZIER & ASSOCIATES, P.A.; AND CAP  
GOVERNMENT, INC., TO PROVIDE BUILDING CODE  
CONSULTANT SERVICES**

The attached Agenda item F-21 is being withdrawn from the August 3, 2011, Board Meeting in order to provide an additional opportunity for review of agreement's term, and any other pertinent elements.

If you have any questions, or require additional information, please call Mr. Jaime G. Torrens, Chief Facilities Officer, Office of School Facilities, at 305-995-1401.

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Attachment

cc: Superintendent's Cabinet  
School Board Attorney

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

**SUBJECT: REQUEST FOR AUTHORIZATION TO EXTEND AND AMEND THE AGREEMENTS WITH BERMELLO AJAMIL & PARTNERS, INC.; RONALD E. FRAZIER & ASSOCIATES, P.A.; AND CAP GOVERNMENT, INC., TO PROVIDE BUILDING CODE CONSULTANT SERVICES**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

**LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY**

Background

On August 2, 2006, the Board commissioned Bermello Ajamil & Partners, Inc. (BAP); Ronald E. Frazier & Associates, P.A. (REF); and CAP Government, Inc. (CAP), formerly CSA Southeast, Inc., to provide Building Code Consultant (BCC) services for a four-year term commencing August 2, 2006, and ending July 31, 2010, with extension(s) at the option of the Board. On August 4, 2010, the Board approved a one (1) year extension until July 31, 2011.

Agreement Extension, Amendment and Renegotiation of Selective Fees

To effectively support on-going and future design and construction projects, staff is recommending that Agreements with BAP, REF and CAP be extended for an additional two (2) years, ending July 31, 2013.

In keeping with the District's goal of reducing costs, staff re-negotiated the previously reduced fees (of approximately 10% across the board) and for this extension, and have reached agreement with all firms to further reduce or eliminate fees as follows:

- 1) Fees are to be calculated using the Construction Budget established at the time the BCC work order is written and will be subject to an adjustment (decrease) when the actual construction cost is less than the Construction Budget, and subject to adjustment (increase) only in specific instances where changes in scope of work are in excess of 10% of the Construction Budget, or due to unreasonable delays (in accordance with Article X, Section A, Paragraph 4, subparagraphs a, b & c). Any other description in the Agreement of calculating work order fees shall be disregarded.

**ITEM WITHDRAWN**

**(08/01/11)**

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- 2) Eliminate the Mobilization fee (this is no longer an allowed fee). All mention of mobilization in the Agreement shall be disregarded.
- 3) Phase I through III reviews and the first re-review of each Phase, as applicable, (when the particular Phase submittal is rejected) will be part of Basic Services, rather than an additional fee. Additional reviews beyond this will be reduced from 50% to 20% of the normal fee (Article X, Section A, Paragraph 5 of the Agreement).
- 4) For projects that do not warrant a full Phase I review, the review fee shall include the Phase III plan review fee, plus 35% of the Phase I review fee, as opposed to the current 75% (Article X, Section A, Paragraph 6 of the Agreement). Again, this only applies to projects which do not require a full Phase I review.
- 5) The initial inspection and the first re-inspection (when any item has failed) will be part of Basic Services; currently the first re-inspection is subject to an additional fee.

#### Additional Information

The most recent performance evaluation scores issued by the Building Official to the firms were for the year ending September 1, 2010. Based on a scale of 1-5 (low to high) the scores are:

BAP	4.63 for Review Services and 4.65 for Inspection Services
REF	4.57 for Review Services and 4.26 for Inspection Services
CAP	4.91 for Review Services and 4.84 for Inspection Services

The re-negotiated fees will become effective upon the Board's authorization to extend the Agreement. The fee payment interval schedule and all other terms and conditions of the original Agreements remain unchanged, as amended August 4, 2010.

Based on the information above, staff recommends that the Board extend and amend the Agreements with BAP, REF and CAP for BCC services for a period of two (2) years ending July 31, 2013.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to extend and amend the Agreements with Bermello Ajamil & Partners, Inc.; Ronald E. Frazier & Associates, P.A.; and CAP Government, Inc., to provide Building Code Consultant services, as follows:

- 1) For an additional two (2) year period ending July 31, 2013;
- 2) with selected fee reductions and eliminations as outlined in the body of the item; and
- 3) all other terms and conditions of the original Agreements remain unchanged, as amended August 4, 2010.

NAD:EF:ef