

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

SUBJECT: REQUEST FOR AUTHORIZATION TO EXTEND THROUGH FEBRUARY 2012 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 planned design and construction projects, staff is recommending that Agreements with BAP, REF and CAP be extended until February 29, 2012. This action will allow sufficient time to complete the competitive selection and negotiation process. A request for qualifications for BCC services has been advertised.

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, 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) in those 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, sub-paragraphs a, b & c). Any other description in the Agreement of calculating work order fees shall be disregarded.

- 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, except 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 until February 29, 2012.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to extend until February 29, 2012 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) with selected fee reductions and eliminations as outlined in the body of the item; and
- 2) all other terms and conditions of the original Agreements remain unchanged, except as amended on August 4, 2010.

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