

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

SUBJECT: COMMISSION OF BDI CONSTRUCTION COMPANY, AS CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR GENERAL OBLIGATION BOND FUNDED RENOVATIONS PROJECT AT ERNEST R. GRAHAM K-8 ACADEMY, PROJECT NUMBER 01528500

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction:

In July 2018, a solicitation, Request for Qualifications (RFQ) #169, was published to competitively select Construction Management at-Risk (CMR) firms for General Obligation Bond (GOB) funded projects under the "Procedures for the Selection of Construction Management (CM), CM at-Risk and Program Management Services" (updated November 15, 2017):

- Renovations (Phase II) at Norland Middle School (MS)
1235 N.W. 192 Terrace, Miami Gardens, Florida 33169, Project No. 01509500
- Renovations at Ernest R. Graham K-8 Academy (K-8)
7330 West 32 Avenue, Hialeah, Florida 33018, Project No. 01528500

Eight (8) firms responded to the solicitation. Two (2) firms were not evaluated due to incomplete RFQ responses and six (6) firms were shortlisted and invited to interview. On September 14, 2018, the shortlisted firms were interviewed and subsequently ranked by the Selection Committee, as follows:

<u>Rank</u>	<u>Firm</u>
1	JCI International, Inc. ^{(a) (b)}
2	BDI Construction Company ^(a)
3	Veitia Padron Incorporated ^(a)
4	State Contracting & Engineering Corporation
5	Asset Builders, LLC d/b/a Messam Construction ^{(a) (b)}
6	Link Construction Group, Inc. ^(a)

Notes:

- (a) Prime firm holds a current M-DCPS Minority/Woman Business Enterprise (M/WBE) Certificate.
- (b) Prime firm holds a current M-DCPS Small Business Enterprise (SBE)/Micro Business Enterprise (MBE) Certificate.

This solicitation includes mandatory SBE/MBE sub-consultant, sub-contracting goals, and a Local Workforce Utilization (LWFU) Goal (determined by the M-DCPS Goal Setting Committee), as follows:

SBE/MBE Sub-consultant and Sub-contracting Goals			LWFU Goal (Construction)
Pre-construction	Construction	Construction Management	
10%	25%	15%	20% (10-mile Radius)

Selection:

In accordance with the solicitation and interview process, the highest-ranked firm was selected to negotiate for the highest-valued project (Norland MS), and the second-ranked firm for the second-valued project (Ernest R. Graham K-8).

BDI Construction Company (BDI), was the second-ranked firm and therefore, negotiated for the second-valued GOB-funded Renovations project at Ernest R. Graham K-8. The highest-ranked firm successfully negotiated their respective project and is also being presented to the Board under a separate agenda item.

Negotiations with BDI were successfully concluded and BDI has agreed to provide the required CMR Programming and Pre-construction Services, as follows:

School Profile

The school is located at 7330 West 32 Avenue, Hialeah, Florida 33018, on approximately 21 acres and is part of the North Region. The campus is comprised of 10 permanent buildings built from 1994 and 2006 with a total of approximately 206,311 GSF and associated covered walkways. The school campus also includes a service drive and yard and on-site staff parking.

Preliminary Project Scope (GOB deficiencies to be addressed)

The preliminary scope of campus-wide, miscellaneous renovations includes, but is not limited to:

- New bus drop-off including drives and covered walkways;
- New covered walkway extension at parent drop-off and additional concrete walkways/patio (as required);
- New Kindergarten playground with shade cover and replacement of existing playground surface with new safety surface (both with artificial turf);
- Resurfacing and restriping of asphalt parking lot and hardcourts;

- Regrading of site to provide proper drainage (as required);
- New security fencing above existing concrete screen wall at service yard;
- Repair of retaining wall (as required);
- Selective replacement of steel doors, frames and hardware;
- Selective replacement of windows in Music Classroom (Building 03) and Media Center (Building 06);
- Replacement of flooring at Media Center (Building 06), Classrooms and Kitchen (Building 07);
- Refinishing of stage flooring and replacement of electrical floor receptacles (Building 07);
- Restoration of unit masonry and gypsum plaster including fire stopping (as required);
- Repair of two elevator cabs including controls in Buildings 06 & 08 (as required);
- Selective replacement of water coolers;
- Replacement of HVAC including direct digital controls (as required);
- Replacement/upgrade of exit signs, public address, security and fire alarm systems (as required); and
- Selective exterior/interior painting.

Scope of Services:

The CMR is required to provide Pre-construction Services (during all phases of programming and design) including Guaranteed Maximum Price (GMP) proposal(s) and guaranteed completion date(s). If the GMP is awarded, the CMR must secure appropriate surety bonding pursuant to Florida Statute 255.05, and must hold construction sub-contracts. If the GMP(s) is not awarded, the Board may select another CMR under the original solicitation, re-advertise the required services or select an alternate construction delivery method.

The project must be designed, phased, coordinated and constructed to maximize safety and minimize disruption to the existing, occupied campus.

Construction Delivery Method:

To minimize disruption to students and faculty during construction, and in accordance with the M-DCPS Construction Delivery Method Matrix, the CMR delivery method has been selected for this project. However, the Board reserves the right to utilize an alternative delivery method, if deemed to be in the best interest of the Board.

Office of Economic Opportunity (OEO) Review:

M-DCPS OEO staff established the SBE, MBE and M/WBE certification status of the prime firm and each sub-consultant and verified the existence of a Memorandum of Understanding, outlining their role and responsibility, as follows:

LIST OF M-DCPS OEO CERTIFICATIONS				
PRIME FIRM: BDI is certified as a HA (certificate expires on 3-24-2019)				
SUB-CONSULTANTS FIRM NAME	ROLE/ RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE (*) CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE GOAL (%) COMMITMENT
Ford Shutters, Shades & Draperies, Inc.	Construction Scheduling	W 11-02-2019	MBE 11-02-2019	5%
The EFCA Group, L.L.C.	Contractibility Analysis & Community Outreach, Local Community Advocate	AA 8-10-2019	MBE 8-10-2019	5%
TOTAL PARTICIPATION FOR PRE-CONSTRUCTION (M-DCPS Mandatory Goal 10%)				10%

M/WBE category codes:

AA = African-American
 HA = Hispanic-American
 W = Women

SBE/MBE (*) category codes:

MBE = Micro Business Enterprise

(*) SBE/MBE certification is based on OEO's review of each firm's Annual Eligibility Affidavit to determine compliance with eligibility criteria of the respective certification requirements.

Construction Budget: \$5,156,571 (GOB-funded)

Project Schedule:

BDI has agreed to the following A/E's document submittal schedule for PART 1 Programming/Scope Definition and PART 2 - Design Basic Services for the project, including all required consultants, as follows:

PART 1

- Preliminary Scope and Estimate Submittal February 18, 2019
- Draft Scope Definition Program and Master Plan Submittal March 4, 2019
- Final Scope Definition Program and Master Plan complete April 8, 2019

Note: It is anticipated that Issue Resolution by M-DCPS will be completed by March 4, 2019. The Final Scope Definition Program and Master Plan must be approved prior to moving forward with PART 2 negotiations.

PART 2 (milestones contingent on approval and signoffs for PART 1)

- Board Commission - Full A/E Services June 12, 2019
- Phase I - Schematic Design July 22, 2019
- Phase II/III Construction Documents 50% complete September 19, 2019
- Phase II/III Construction Documents 100% complete January 29, 2020

Construction milestones (contingent on approved documents)

- Board Award - Guaranteed Maximum Price (GMP)
- Construction - Substantial Completion by

April 2019
January 2022

Terms & Conditions:

1. BDI has agreed to a lump sum fee for CMR Pre-construction Services of \$45,000 which represents approximately 0.88% of the Construction Budget of \$5,156,571. In consideration for entering into this Agreement, the CMR agrees that any and all costs and fees incurred by the CMR associated with the CMR's performance of all pre-construction services set forth in the Agreement shall be borne solely by the CMR. Pre-construction services fees shall be paid based on completion of the following listed phases/deliverables:

PRE-CONSTRUCTION SERVICES	LUMP SUM FEE (PER TASK)
Phase I - Schematic Design (completed/accepted by M-DCPS)	\$9,000
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$13,500
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/ Building Official)	\$13,500
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$9,000
TOTAL PRE-CONSTRUCTION FEE:	\$45,000

Note: Hourly rates do not apply to this service and were not negotiated.

SUPPORT SERVICES	LUMP SUM FEE
Programming/Scope Definition (during A/E's Part 1 Services)	\$5,100

2. The CMR 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 A/E of Record (A/E), as well as all existing onsite conditions, to ensure constructability of the project. Review of existing conditions includes cost for all Ground Penetration Radar services;
 - 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 A/E to ensure that all 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.

3. All work shall be in compliance with State Requirements for Educational Facilities, the Florida Building Code, National Fire Protection Association, Florida Fire Prevention Code (life safety), barrier-free design guidelines, Florida Statutes, District Standards and District Policies.
4. The cost of printing will be reimbursed by the Board on a direct cost basis, per conditions stipulated by the CMR Agreement.
5. Upon completion of the pre-construction services, the CMR firm shall negotiate a GMP for the construction project. If accepted, staff will submit the negotiated GMP for Board approval.
6. The CMR shall maintain no less than a \$1,000,000 Professional Liability Insurance policy with a maximum deductible of \$50,000, Worker's Compensation/Employers Liability Insurance, Comprehensive General Liability and Comprehensive Auto Liability Insurance.
7. The Agreement may be terminated by the Board, with cause or for convenience, prior to GMP, upon ten (10) days written notice to the CMR; whereas, the CMR may terminate the Agreement if the work is stopped for a period of 60 days through no act or fault of the CMR.
8. The CMR is required to report monthly on SBE/MBE Utilization to the Office of Economic Opportunity. All compliance reporting shall be submitted through the M-DCPS Online Diversity Compliance System.
9. The CMR has agreed to the terms and conditions of the Agreement and will commence services upon Board commissioning.

Selection Committee:

The Selection Committee consisted of the following individuals:

Committee Members

Meriel Seymore, ABC Member
 Thomas Spaulding, ABC Member
 James Dillard, Administrative Director
 Jeanette Garcia, Director
 Michael Wertz, Supervisor II, Maintenance
 Don Bailey, Senior Project Manager, Capital
 Israel Rodríguez-Soto, Project Manager II, Capital
 Julio Navarrete, Staff Assistant
 Dennis Arechavala, Planner, Advance Planning

Representing

Superintendent of Schools
 Community Representative
 Schools Operations
 Office of Economic Opportunity
 Facilities Operations, Maintenance
 Office of School Facilities
 Office of School Facilities
 Educational Facilities Code Compliance
 Alternate (At-Large)

Representatives from the Office of Management and Compliance Audits validated the interview scoring calculations and final tabulation. Luis F. Rodriguez, Professional Selection Analyst, of A/E Selection & Negotiations, acted as the Facilitator (non-voting) for the interviews and served as Chief Negotiator during negotiations.

Project Funding (GOB-Funded):

FUND	COMMITMENT ITEM	FUNDS CENTER	PROGRAM	FUNCTION	FUNDED PROGRAM
351000	568000	1505100	17710000	740000	01528500

Prior Commissioning Actions:

The Board has not commissioned/awarded BDI for services within the last three years.

Performance Evaluation:

M-DCPS' CMR Performance Evaluation for BDI is 3.25 (most recent average scores for projects currently underway or completed within the last three years, based on a scale of 1-5, low to high, for second quarter of 2018).

Principal:

The Principal/Owner designated to be directly responsible to the Board for BDI is Teobaldo Rosell. The firm is located at 7270 N.W. 12 Street, Suite 200, Miami, Florida 33126.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission BDI Construction Company, as the Construction Management at-Risk firm for General Obligation Bond funded Renovations project at Ernest R. Graham K-8 Academy, located at 7330 West 32 Avenue, Hialeah, Florida 33018, Project No. 01528500, as follows:

- 1) Lump sum fee of \$45,000 for CMR Pre-construction Services;
- 2) Project scope support fee of \$5,100 during programming; and
- 3) All terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:LFR:lfr

