

Office of School Facilities
Raul F. Perez, Chief Facilities Design & Construction Officer

SUBJECT: COMMISSION OF C.A.P. GOVERNMENT, INC., TO PROVIDE BUILDING CODE CONSULTANT (BCC) DOCUMENT REVIEW AND INSPECTION SERVICES FOR FOUR YEARS WITH EXTENSIONS AT THE OPTION OF THE BOARD

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction

In October and November 2019, solicitations were issued for one or more BCC services firms. The selected firm will provide document review and inspection services, and other related services for four (4) years, with extension(s) at the option of the Board.

The District received five responses to the Request for Qualifications (RFQ). After pre-screening to determine minimum qualifications, three firms were not evaluated due to incomplete responses. The remaining two (2) firms were evaluated per "Procedures for the Selection of Building Code Consultant (BCC) Services" updated September 4, 2019, and ranked, as follows:

<u>Ranking</u>	<u>Firm</u>
1	Architects International, Inc., dba AI, Inc. (AI), (a) & (b)
2	C.A.P. Government, Inc. (CAP), (a)

Notes:

- (a) Firm holds a current M-DCPS Minority/Women Business Enterprise (M/WBE) Certificate (Hispanic-American).
- (b) Firm holds a current M-DCPS S/MBE Certificate (SBE-Tier 2).

This solicitation includes mandatory SBE/MBE and M/WBE sub-consultant goals (as determined by the M-DCPS Goal Setting Committee), as follows:

S/MBE	M/WBE
8.00%	7.00%

**Revised
F-27**

The following Agreement General Terms and Conditions, fees and scope of services were successfully negotiated as enumerated.

General Terms and Conditions

A. Staff initiated negotiations in reverse order of ranking (at the request of the first ranked firm and with the agreement of both firms) and successfully completed negotiations with only the first negotiating firm (CAP), for services in accordance with “Exhibit A” Fee Schedule and “Exhibit B” Payment Intervals, attached hereto.

B. Other negotiated flat fees and hourly rates for services are as follows:

CATEGORIES	FLAT FEES
ARTICLE V - REIMBURABLE EXPENSES	-
Paragraph 5.3 - Missed Inspection Fee	\$200
Paragraph 5.4 - Re-Inspection Fee	\$200
ARTICLE VI - ADDITIONAL SERVICES	-
Paragraph 6.1.3 - Additional Review	\$450
Paragraph 6.1.5 - Forms Processing	\$250
Paragraph 6.1.6 1) Elementary School Sites 2) Middle School Sites 3) Senior High School Sites	1) \$400 2) \$450 3) \$650
Paragraph 6.1.7 1) Priority Review Phase I 2) Priority Review Phase III	1) \$450 2) \$650
ARTICLE IX - COMPENSATION	-
Paragraph 9.1.7 - Hourly Rates 1) Inspector 2) A/E Services 3) Principal	1) \$72.50/hr. 2) \$85.00/hr. 3) \$135.00/hr.

C. Basic Services include, but are not limited to, review of contract documents, construction inspections, and other related services as described in the Agreement.

D. The term of the Agreement is four years with extensions at the option of the Board. The base period of the Agreement commences on February 12, 2020 and expires on February 12, 2024.

E. Work will be assigned on the basis of each firm’s capabilities, workload and successful performance on previous assignments.

- F. Projects with Construction Budgets up to and including \$200,000 will be negotiated based on required level of effort, resulting in a not-to-exceed, lump sum fee. The Board, at its option, may also negotiate reduced fees for projects with Construction Budgets from \$200,001 up to and including \$1,000,000.
- G. The Board does not guarantee any minimum number of projects or any specific construction values. The Board reserves the right to limit the number of concurrent agreements held by a single firm with Miami-Dade County Public Schools.
- H. The BCC shall provide and maintain the required insurance coverage in accordance with Article VII of the Agreement.
- I. The Board may terminate the Agreement with or without cause upon thirty (30) days written notice to the BCC. The BCC may terminate the Agreement only with cause upon thirty (30) days written notice to the Board.
- J. The standard multiplier for hourly compensation is limited to 2.40 for any Additional Services approved by the Board;

Office of Economic Opportunity (OEO) Review

M-DCPS' OEO staff established the Small Business Enterprise/Micro Business Enterprise (SBE/MBE) and Minority/Woman Business Enterprise (M/WBE) certification status of the firm and the sub-consultant, and verified the existence of a Memorandum of Understanding, outlining role and responsibility, as follows:

LIST OF M-DCPS OEO CERTIFICATIONS						
PRIME FIRM: CAP is M-DCPS certified as Hispanic-American (certification expires on 03-08-2022)						
SUB-CONSULTANTS FIRM NAME	ROLE OR RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY & EXPIRATION DATE	M/WBE GOAL (%) COMMITMENT	SBE/MBE CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE GOAL (%) COMMITMENT	NOT CERTIFIED SBE/MBE OR M/WBE %
Nifah and Partners Consulting Engineers, Inc.	Structural Engineer	African-American 04-15-2020	7.0%	-	-	-
Nifah and Partners Consulting Engineers, Inc.	Civil Engineer	-	-	MBE - Tier 2 04-15-2020	8.0%	-

TOTAL SUB-CONSULTANTS PARTICIPATION PER CATEGORY:	M/WBE: 7.0%	SBE/MBE: 8.0%	0%
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The BCC is required to report monthly on SBE/MBE and M/WBE Utilization to OEO. All compliance reporting shall be submitted through the M-DCPS Online Diversity Compliance System. } **Added**

Principal

The Principal responsible to the Board and address for the firm follows:

- Carlos A. Penin. The firm is located at 343 Almeria Avenue, Coral Gables, FL 33134.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, commission C.A.P. Government, Inc., to provide Building Code Consultant document review and inspection services for four years with extensions at the option of the Board, as follows:

- 1) Compensation as negotiated and set out in Exhibit “A”, Fee Schedule; Exhibit “B”, Payment Intervals; and miscellaneous flat fees and hourly rates as shown in the body of the agenda item;
- 2) Terms and conditions as set forth in the body of the agenda item, and in the Agreement; and
- 3) The firm agrees to commence services upon commissioning by the Board.

NAD:EF:rg

EXHIBIT "A"
BUILDING CODE CONSULTANT (BCC) FEE SCHEDULE

ADDITIONS, REMODELING & RENOVATIONS					
CONTRACT CATEGORIES (CONSTRUCTION BUDGET)		% OF CONSTRUCTION BUDGET		LUMP SUM SERVICES	
BASIC SERVICES		BASIC SERVICES			
FROM	TO	REVIEW	INSPECTIONS	Fire Safety Occupancy Inspection	Enhanced Structural Review
\$0	\$200,000	HR NTE/Lump Sum	HR NTE/Lump Sum	HR NTE/Lump Sum	HR NTE/Lump Sum
\$200,001	\$500,000 *	1.75	2.25	\$ 840	\$ 690
\$500,001	\$750,000 *	1.32	1.82	\$ 840	\$ 690
\$750,001	\$1,000,000 *	1.12	1.52	\$ 840	\$ 690
\$1,000,001	\$2,000,000	0.91	1.22	\$1,140	\$890
\$2,000,001	\$3,000,000	0.67	0.93	\$1,140	\$ 890
\$3,000,001	\$4,500,000	0.56	0.87	\$1,140	\$1,240
\$4,500,001	\$6,000,000	0.42	0.61	\$1,140	\$1,240
\$6,000,001	\$10,000,000	0.37	0.53	\$1,290	\$1,390
\$10,000,001	\$24,000,000	0.30	0.44	\$1,390	\$1,390

NEW FACILITIES (NEW CONSTRUCTION)					
CONTRACT CATEGORIES (CONSTRUCTION BUDGET)		% OF CONSTRUCTION BUDGET		LUMP SUM SERVICES	
BASIC SERVICES		BASIC SERVICES			
FROM	TO	REVIEW	INSPECTIONS	Fire Safety Occupancy Inspection	Enhanced Structural Review
\$1,000,000	\$2,000,000	0.63	1.04	\$1,680	\$890
\$2,000,001	\$3,000,000	0.52	0.77	\$1,680	\$990
\$3,000,001	\$4,500,000	0.41	0.58	\$1,680	\$1,240
\$4,500,001	\$6,000,000	0.37	0.54	\$1,680	\$1,340
\$6,000,001	\$10,000,000	0.30	0.50	\$1,680	\$1,390
\$10,000,001	\$24,000,000	0.21	0.31	\$2,475	\$1,440
\$24,000,000	OVER	0.14	0.20	\$2,770	\$1,490

Note:

*Fee for projects with Construction Budgets from \$200,001 up to and including \$1,000,000 may also be negotiated lower, based on level of effort required, at the option of the Board.

EXHIBIT “B”
BUILDING CODE CONSULTANT (BCC) FEE SCHEDULE - PAYMENT INTERVALS

CATEGORY	BASIC SERVICES		Fire Safety Occupancy Inspection	Enhanced Structural
	Inspections	Review		
Phase I Review/Joint Scope Meeting		30%		
Phase III (or Phase II/III) Review		70%		100%
Construction (Monthly Payments)	90% / N*			
Fire Safety Occupancy Inspection			100%	
Final Completion Form (FM-5463)	5%			
Provisos completed (i.e. Punch List Inspections-Basic Services)	5%			
TOTAL PAYMENT	100%	100%	100%	100%

N* = number of construction months (invoicing to commence after the first General Contractor (GC) requested inspection)

Notes:

1. For Design/Build projects 10% of the Review Fee will be paid upon review of the Design Criteria Package. The remainder of the fee will be paid upon Phase I review.
2. The BCC agrees that the final billing for each Work Order shall take place within sixty (60) days of and that the BOARD shall not be requested by the BCC to pay, nor be required to pay any amounts for any services performed prior to the second Proviso Inspection (as Basic Services), if those services were not properly invoiced within sixty (60) days following said second Proviso Inspection.