

Office of Superintendent of Schools  
Board Meeting of September 12, 2001

September 10, 2001

Management and Accountability  
Carol Cortes, Deputy Superintendent

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: INITIAL READING 6Gx13-  
7B-1.02, ARCHITECTURAL, ENGINEERING, AND INSPECTION  
SERVICES--AUTHORITY OF SUPERINTENDENT OF SCHOOLS TO  
EMPLOY**

This item is submitted for consideration by the Board to amend School Board Rule 6Gx13- 7B-1.02, Architectural, Engineering, and Inspection Services - Authority of Superintendent of Schools to Employ, and the document, Procedures for the Selection of Technical Review Services Consultant and Uniform Building Code Inspector, which is incorporated by reference and part of this rule, in order to remove obsolete language and comply with new Florida State law.

Attached are the Notice of Intended Action and the rule proposed for amendment. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

REVISED

Copies of the amended document, Procedures for the Selection of Building Code Consultants, which is incorporated by reference and is a part of this rule will be forwarded to the School Board Members under separate cover prior to the School Board meeting of September 12, 2001, and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

ADDED

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of Board Rule 6Gx13- 7B-1.02, Architectural, Engineering, and Inspection Services-- Authority of Superintendent of Schools to Employ.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Rule 6Gx13- 7B-1.02, Architectural, Engineering, and Inspection Services-- Authority of Superintendent of Schools to Employ, and the document, Procedures for the Selection of Technical Review Services Consultant and Uniform Building Code Inspector, which is incorporated by reference and part of this rule.

CC:mh

**Revised**

**B-20**

## **NOTICE OF INTENDED ACTION**

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**, announced on September 12, 2001, its intention to amend Board Rule 6Gx13- 7B-1.02, Architectural, Engineering, and Inspection Services--Authority of Superintendent of Schools to Employ, at its meeting of October 24, 2001.

**PURPOSE AND EFFECT:** To amend the rule in order to reflect new requirements in State Statute 235.26 and current Board practice.

**SUMMARY:** The intent of the amendment to the rule is to comply with state requirements for building code enforcement and School Board practice.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 230.22(2); 230.23(22) F.S.

**LAW IMPLEMENTED OR MADE SPECIFIC:** 230.23005(2)(d)(4); 235.26; 287.055; 468 Part XII F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF October 24, 2001, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by October 8, 2001 to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Rudy L. Gonzalez  
Supervisor: Ms. Carol Cortes  
Date: August 29, 2001

**Designing****ARCHITECTURAL, ENGINEERING, AND INSPECTION SERVICES--AUTHORITY OF SUPERINTENDENT OF SCHOOLS TO EMPLOY****I. Rationale**

The Superintendent of Schools shall recommend professional architectural and engineering consultants to the Board for commissioning in accordance with the **Procedures for the Selection of Architects and Engineers, Procedures for the Selection of ~~Technical Review Services Consultant and Uniform Building Code Inspector~~ Building Code Consultant, Procedures for the Selection of Architectural/Engineering Projects Consultant (APC/EPC), and the Procedures for the Selection of Construction Management Services** as approved by the Board, which are incorporated herein by reference and are a part of this Board Rule. The Board shall, in open meeting, commission all project architects and engineers, except that the projects estimated to cost \$500,000 or less are to be assigned as described below.

**II. Services****A. Design/Construction Supervision - Projects under \$500,000**

These services shall be provided by separate consultants: Architectural Projects Consultants (APC) who may be assigned projects estimated to cost \$500,000 or less, which are predominantly architectural in nature and content; and Engineering Projects Consultants (EPC) who may be assigned projects estimated to cost \$500,000 or less, which are predominantly engineering in nature and content. The Chief Facilities Officer, ~~Facilities Planning and (Construction), or designee, or the Chief Facilities Officer, (Maintenance),~~ or designee, will analyze the project requirements and make the determination regarding which design discipline is predominant, and which consultant is best able to handle the project.

The Chief Facilities Officer, ~~Facilities Planning and (Construction), or designee, or the Chief Facilities Officer, (Maintenance), or designee,~~ will also review the backlog of such projects and, as necessary, select and recommend the commissioning of additional consulting firms pursuant to the **Procedures for the Selection of Architects and Engineers**, or reassigning projects as necessary for expeditious completion of projects.

- B. Technical Review services and ~~Uniform Building Code Inspection and Review~~ services shall be performed by the same entity. Within the District, the functions of a Building Department shall be established in accordance with Florida Statute 235.26 and 468 Part XII. The Office of Prequalifications and Educational Facilities Compliance shall perform the functions of the Building Department, create and implement all necessary administrative procedures, and present to the Board such matters as required for Board approval. Among other duties, the office shall coordinate, monitor and oversee the Building Code Inspection and Technical Review services. The person in charge of the office shall be known as the Building Official as defined in Florida Statute 468.603.

1. Inspection Services (~~TRSG/UBCI~~)

The ~~Technical Review Services/Uniform Building Code Consultant (BCC)~~ must have full architectural and engineering capabilities, however, joint ventures will be considered.

Inspections by the ~~TRSG/UBCI~~ BCC will not supplant those inspections required for the Project Architect or the Architectural and/or Engineering Projects Consultants to ensure that the work is in accordance with their design and meets the specifications in regard to quality, methods of performance and standard construction practices.

The ~~TRSG/UBCI~~ BCC will be concerned with ~~Uniform Building Code~~ enforcement and technical review.

~~The TRSG/UBCI will not be considered for any other architectural/engineering or construction management projects or assignments, either solely or in partnership or joint venture with other individuals or firms, during the tenure as TRSG/UBCI.~~

2. Technical Review Services (TRSG/UBCI)

~~The Technical Review Services/Uniform Building Code Consultant (BCC) must have full architectural and engineering capabilities. However, joint ventures will be considered.~~

~~The TRSG/UBC BCC will be responsible for ensuring that all submittals conform to the various Board, State, and other code requirements.~~

~~The TRSG/UBCI BCC will not be considered for any architectural/engineering or construction management projects or assignments, for which the TRSG/UBCI BCC is to provide technical and/or code review or inspection services, either solely or in partnership or joint venture with other individuals or firms, during the tenure as TRCS/UBCI BCC.~~

C. ~~Projects estimated to cost \$200,000 or less may be approved and assigned to the Capital Improvement Force by the Chief Facilities Officer, Facilities Planning and (Construction), or designee, or approved and assigned to Maintenance Operations by the Chief Facilities Officer, (Maintenance), or designee.~~

REVISED

D. ~~Projects assigned by the Chief Facilities Officer, Facilities Planning and (Construction), or designee, or the Chief Facilities Officer, (Maintenance), or designee, may be discontinued at the discretion of either the Chief Facilities Officer.~~

E. ~~Project Assignment and Approval Procedures for APC/EPC Projects Less Than \$500,000:~~

1. The assignment of projects shall initially be based upon the best available unofficial estimate of cost. Except in case of an emergency, prior to commencing the design work, the APC or EPC shall develop a detailed cost estimate and, where applicable, a completion schedule.
  2. The official assignment of a project shall be confirmed through the approval of the detailed official cost estimate and schedule, which shall be submitted to the Chief Facilities Officer, ~~Facilities Planning and (Construction)~~, or designee, or the Chief Facilities Officer, (Maintenance), or designee, within 30 days of the original assignment date.
  3. Upon approval or confirmation of approval by the Chief Facilities Officer, ~~Facilities Planning and (Construction)~~, or designee, or the Chief Facilities Officer, (Maintenance), or designee, work will commence on the project, and its status will be reported monthly.
- F. The Chief Facilities Officer, ~~Facilities Planning and (Construction)~~, or designee, and the Chief Facilities Officer, ~~(Maintenance)~~, or designee, shall determine which projects are to be constructed through the utilization of Construction Management Services.

Construction Management Services will include the coordination of contractors during the construction phase of projects.

Specific Authority: 230.22(2); 230.23~~(17)~~(22); F.S.

Law Implemented, Interpreted, or Made Specific: 230.23005(2)(d)(4); 235.26; 287.055; 468 Part XII F.S

### History

### **THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

Repromulgated: 12-11-74

Technical Change: 5-1-98

Amended: 4-19-89; 9-5-90; 5-8-91; 9-25-91; 11-6-91; 12-19-91; 11-2-94; 10-21-98