

Merrett R. Stierheim, Superintendent of Schools

- SUBJECT: A) REQUEST APPROVAL TO ACCEPT THE CONVEYANCE TO THE SCHOOL BOARD OF AN APPROXIMATE 20-GROSS-ACRE TRACT OF LAND FOR THE CONSTRUCTION OF A SENIOR HIGH SCHOOL IN THE DORAL AREA AT A REDUCED PRICE**
- B) COMMISSIONING OF SPILLIS CANDELA DMJM, AS DESIGN CRITERIA PROFESSIONAL (DCP) FOR A NEW SENIOR HIGH SCHOOL (STATE SCHOOL "FFF") TO BE LOCATED IN THE DORAL AREA PROJECT #A-0744**

A) Approval for Land Conveyance in Doral Area for Senior High School Facility

At its November 20, 2002 meeting, the School Board (Board) authorized the Superintendent to pursue the conveyance to the Board of an approximate 20-gross-acre site (Site) located on the west side of N.W. 107th Avenue and south of N.W. 89th Street (Section 7, Township 53 South, Range 40 East) for construction of a 2,000-student senior high school (State School FFF), subject to completion of due diligence and review by the School Site Planning and Construction Committee (SSPCC). At that time, the Board also authorized School District staff (District) to pursue off-site storm water retention mitigation within Section 7, at a capped figure of \$125,000/acre or appraised value, whichever is less. Please see attached copy of the November 20, 2002 Board item (Attachment A).

Since the November 20th Board meeting, the District commissioned and received a Phase II environmental assessment, which included soil borings and trenching at the Site, in accordance with protocol established in collaboration with the South Florida Water Management District, the Miami-Dade County Department of Environmental Resources Management (DERM), and the District's Department of Safety, Environment and Hazard Management. That assessment, which included both excavator and hand-augered test pits, "revealed no evidence of fill or dumping operations at the site at the tested locations." Additionally, based on the findings, no additional investigation of this concern is recommended by the District's environmental consultant. The assessment confirmed dense growth of *Melaleuca* as well as the presence of muck at the site varying from 18 to 42 inches (please see Attachment B). Preliminary cost estimates for demucking and backfilling of the Site, based on this range, are approximately \$2.5M to \$4.5M (please see Attachment C).

In addition to the environmental assessment, the particulars of the Site and the events leading up to the Board meeting of November 20, 2002 were also presented and described to the SSPCC at its meeting of December 4, 2002. Discussion at the meeting

REPLACEMENT

focused primarily on the advantages and disadvantages of building the proposed 2,000-student senior high school facility on the Site, versus pursuing a larger site in the same area for a larger high school. The discussion took place in the context of a number of different relevant elements, the most salient of which were: 1) the reduced and very attractive cost of the land; 2) the fact that the Site is located just north and adjacent to one of the two sites recommended for further exploration by the Technical Review Committee (TRC) on February 27, 2002 to locate a senior high school in the Doral area; 3) possible ramifications of limiting the number of students to 2,000 vis-à-vis future needs; and 4) other planned projects in the 5-year work plan, which will provide additional relief to Miami Springs Senior High, the primary school to be relieved by the senior high school in the Doral area. The consensus of the majority of the SPCCC, as reflected in its 4-2 favorable recommendation to the Board for acceptance of the conveyance of the 20-acre site, was that, despite the limitation on the number of students, acceptance of the conveyance at approximately 1/3 of appraised value made good business sense. The SSPCC's reasoning was predicated on the following: 1) the Site's attractive location relative to the area of need; 2) the fact that development costs associated with the Site such as wetland mitigation and the cost of related infrastructure are fairly typical in the particular geographic basin, and thus common to this Site as well as other undeveloped property in the Doral area; 3) the fact that the original two sites discussed by the TRC in February of this year did not have willing sellers; and 4) the scarcity of suitable sites given the intense competition for land from the private sector and aviation related location restrictions imposed on public school development. One infrastructure related question pending at the time of the SSPCC meeting, was whether or not the Miami-Dade Water and Sewer Department (WASA) would install a proposed 24" (sewer) force main along N.W. 107th Avenue; were that not to be the case, then the District would be required to install the sewer to serve the subject senior high school, with an estimated cost to the District of approximately \$1M. Staff is pleased to report that, subsequent to the SSPCC meeting, in a letter dated December 7, 2002, WASA has indicated that there is in fact a 24" force main project along N.W. 107th Avenue, adjacent to the Site; the sewer project, which is in the bidding stage, is projected to start in February 2003 and to be completed by September 2003 (please see Attachment D).

The conveyance agreement for the Site, as finally negotiated by the District, with the legal assistance of the School Board Attorney's Office, provides for the following terms, all subject to Board concurrence:

1. Century (a collective name for Century Builders Group, Inc., Century/Ferro Investment Group, LLC, and Ferro Investment Group), is to convey to the Board by warranty deed good and marketable title to the Site at a purchase price of \$75,000/acre for a total purchase price of \$1,500,000;
2. Conveyance of the Site would take place by the later of either thirty (30) days after final approval of Miami-Dade County (County) of Phase II of the Isles at Doral application, but in no event later than December 31, 2002, unless the closing date is extended by agreement of Century and the Board to address any issues arising from the title work;

3. The Board would agree to pay for actual attorney's fees incurred by Century to date in connection with the Site's conveyance, first to the West Dade Federation and now to the Board, in an amount not to exceed \$60,000, subject to submittal of invoices by Century substantiating such fees;
4. Century would agree to set aside up to the equivalent of four (4) additional acres within Section 7, and more specifically in Century's application for Phase IV of Doral Isles (Phase IV), to provide a storm water retention area within that Phase to meet the Site's storm water retention requirements prescribed by the South Florida Water Management District and DERM, calculated at \$125,000/per acre needed. Alternatively, should Century not obtain approval for or decide not to pursue Phase IV, then Century would further agree to provide up to six acres, as needed, within Section 7 and in close proximity to the Site for storm water retention purposes, and to make same available to the District at appraised value;
5. Century would agree to amend its environmental permit applications with the South Florida Water Management District and DERM to include the Site, subject to payment by the District of its pro-rata share of the permit and mitigation costs. Preliminary discussions between District staff and the referenced environmental agencies indicate that the joint permit application should prove beneficial to the District in terms of both costs and time, since Century has already been granted a conceptual environmental permit and as such has already completed much of the legwork involved with the permit application process;
6. Century would agree to clear, demuck and backfill the Site, in accordance with District specifications, subject to reimbursement by the District to Century for such work. Based on preliminary staff discussions, the District believes this option should prove beneficial to the District in terms of both costs and time;
7. The Board would develop and maintain the Site as a senior high school facility, and limit the student population to 2,000 students;
8. Construction on the Site would start within eighteen (18) months of conveyance, and be completed by the end of calendar year 2006;
9. The high school facility would be named Doral Senior High School, and a plaque would be maintained in perpetuity in the high school's main entrance area, acknowledging the efforts of the West Dade Federation and Century in the Site's conveyance. The wording for such plaque would be submitted to the District for review and approval, such approval not to be unreasonably withheld, and in accordance with board rule;
10. The District would be responsible for closing costs associated with the Site's conveyance, including but not limited to the cost of a title insurance policy insuring the School Board in the full amount of the purchase price, at a re-issue credit rate of \$4,030, to be issued by Rasco, Reininger, Perez & Esquenazi, PL.

The location of the proposed senior high school on the site is under the site size recommended by the Department of Education. Florida Statute currently authorizes the Board to waive the size standards in the Department of Education rule if it agrees that it can provide an appropriate and equitable educational program on the site and approves it by a 2/3 majority vote.

B) Commissioning of Spillis Candela DMJM, as Design Criteria Professional (DCP) for a New Senior High School ("FFF") to be Located in the Doral Area Project #A-0744

The firm of Spillis Candela DMJM, was previously selected on January 25, 1999, as Design Criteria Professional (DCP) to prepare design criteria packages for prototypical senior high schools.

Negotiations with Spillis Candela DMJM, to develop a prototype high school design criteria package for a new senior high school (State School "FFF") to be located in the Doral area, have been successfully completed.

- 1) The negotiated lump sum basic fee is \$734,250 for an estimated construction cost of \$32,000,000. The fee represents 2.29% of the construction cost. The summary of the negotiated lump sum basic fee is as follows:

Phase I	\$141,000
Design criteria package	\$125,000
Bidding/award services	\$ 45,250
Design-Builder's design and construction documents review	\$ 70,500
Construction administration services	<u>\$352,500</u>
TOTAL FEE	\$734,250

- 2) Additional fees were negotiated for the following consulting services:

- a) \$62,400 lump sum fee for Phase III/100% paving, grading and drainage plans of the school site and adjacent right-of-ways (except for the right-of-way contiguous to Century's property) to be completed by February 28, 2003. Fee includes cost analysis and evaluation of site preparation work to be performed by Century;
- b) a not-to-exceed fee of \$7,500 for additional coordination meetings related to scope validation and site plan approval during design and construction;
- c) a not-to-exceed fee of \$20,000 for a traffic engineering study;
- d) a not-to-exceed fee of \$15,000 for a food service consultant;
- e) \$30,000 lump sum fee for layout and coordination of all furniture, fixture and equipment; and
- f) \$20,000 lump sum fee for reproducing Board requested contract documents.

- 3) At the Board's option, the DCP will provide the following services during construction:
 - a) 208 site visits for a fee of \$52,000 for the duration of construction (estimated to be 26 months);
 - b) a fulltime on-site DCP representative for a not-to-exceed fee of \$227,500 for the duration of construction;
 - c) a fulltime on-site DCP assistant clerk for a not-to-exceed fee of \$35,000 for the critical months of construction (a maximum of one year); and
 - d) a lump sum fee of \$120,000 for threshold inspection.
- 4) the multiplier for hourly compensation was limited to 2.45 for extra work;
- 5) the DCP will maintain at least a \$2,000,000 General Practice Professional Liability insurance policy; and
- 6) this project is survey recommended and part of the current Five-Year Work Program. Authorization is requested to amend both these documents and transmit to the Department of Education as required.

Spillis Candela DMJM, is a subsidiary of Daniel, Mann, Johnson & Mendenhall (DMJM) which in turn is a subsidiary of AECOM, a 100% employee owned company.

RECOMMENDED: That The School Board of Miami-Dade County, Florida:

- 1) authorize the Superintendent to execute an agreement for the conveyance of a 20-gross-acre Site located on the west side of N.W. 107th Avenue, south of N.W. 89th Street at a reduced price of \$75,000/acre, for construction of a senior high school, subject to the terms and conditions outlined herein above;
- 2) commission and authorize the Superintendent to execute a contract in the amount of \$734,250 with the firm of Spillis Candela DMJM as the design criteria professional for the proposed senior high school in the Doral area (State School "FFF"), subject to the terms and conditions outlined herein above;
- 3) approve the exception to the site size for the Doral senior high school and authorize the Superintendent to submit to the Commissioner of Education at the Florida Department of Education, the Board-approved site exception for the educational facility referenced herein; and
- 4) authorize modification to the Five-Year Work Program to accommodate the proposed cap of 2,000 students.

MRS/ARC:aj