

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

SUBJECT: COMMISSIONING OF ASSET BUILDER, LLC (DBA MESSAM CONSTRUCTION); CANYON CONSTRUCTION, INC.; LLORENS CONTRACTING, LLC; D2 CONSTRUCTION, INC.; DAYBREAK DESIGN/BUILD GROUP, LLC; PADRON CONSTRUCTION, INC.; PERRIN INTERNATIONAL SERVICES, INC.; AND IGWT CONSTRUCTION, INC., AS SHELTERED MARKET CONSTRUCTION MANAGEMENT AT-RISK FIRMS FOR MISCELLANEOUS PROJECTS UP TO \$200,000 EACH, CATEGORY B. MICRO BUSINESS ENTERPRISES, FOR A FOUR YEAR TERM

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY

Introduction:

As previously reported by the Board, the District has made a strong commitment to engage the local business community in the implementation of General Obligation Bond (GOB) projects. To that end, supporting Board policy and procedures have been adopted to further that goal, including the establishment of Small Business Enterprise (SBE) and Micro Business Enterprise (MBE) Sheltered Market opportunities. Smaller projects in Year 2 of the GOB program with construction values of \$1M or less were reserved for these Sheltered Markets both at the design professional and contracting levels. At its meeting of March 12, 2014, the Board approved the commissioning of several SBE Construction Management at-Risk (CMR) firms and this present item seeks to do likewise by recommending commissioning of CMR MBE firms. These action steps are in keeping with the District's action plan and promises made to the community.

Staff has completed the selection process for Sheltered Market CMR firm(s) to provide construction management continuing contract services for miscellaneous projects in which the construction budget does not exceed \$200,000 for MBE. The entire process, from issuance of a Request for Qualifications (RFQ) to the present board item, recommending commissioning of several MBE construction firms, was extremely successful and has created meaningful business opportunities for local contractors falling in this Sheltered Market category.

The RFQ, which was issued based on Board-approved updated “*Procedures for the Selection of Construction Management (CM), CM at-Risk and Program Management Services*” with unique conditions for Sheltered Markets yielded a total of twenty-two (22) responses. Of the twenty-two (22), eleven (11) were evaluated for Category a. SBE and nine (9) were evaluated for Category b. MBE. Two (2) firms were not evaluated due to incomplete RFQ responses. Based on the established evaluation criteria, all nine (9) firms were short-listed for CMR Category a. SBE services and invited to interview. The SBE firms were evaluated, short-listed and selected separately. One (1) firm Cami-Axle Construction, Corp., declined to interview. Based on the established evaluation criteria, eight (8) firms were short-listed for CMR, Category b. MBE miscellaneous services and on February 11, 2014, the CMR Selection Committee, interviewed and ranked the eight (8) **MBE** Firms as follows.:

<u>Final Ranking</u>	<u>Firm</u>
1	Asset Builders, LLC (dba Messam Construction)
2	Canyon Construction, Inc.
3	Llorens Contracting, LLC
4	D2 Construction, Inc.
5	Daybreak Design/Build Group, LLC
6	Padron Construction, Inc.
7	Perrin International Services, Inc.
8	IGWT Construction, Inc.

Based on the Selection Committee’s scores, all eight (8) firms were selected for negotiations. Staff initiated negotiations based on the order of final ranking and has successfully concluded negotiations with all selected MBE firms. All eight (8) firms are recommended for commissioning.

All firms hold a valid M-DCPS MBE (or SBE/MBE) Certificate as required in the RFQ and all firms also hold a valid M-DCPS M/WBE Certificate. None of the selected firms have been commissioned as a CMR firm, by the Board, within the last three (3) years.

The Selection Committee was comprised of the following individuals:

<u>Committee Member:</u>	<u>Representing:</u>
Jose Solares, Regional Manager Florida Power & Light	Office of the Superintendent
Armando Ubals, Exec. Director, Central Region M-DCPS Capital Improvement Projects	Office of School Facilities
Don Bailey, Project Manager II Parsons Brinkerhoff	Office of School Facilities
Eduardo Beraldi, Sr. Project Manager M-DCPS Capital Improvement Projects	Office of School Facilities - Maintenance

Committee Member (cont.):

Harry Munoz, Building Official
Educational Facilities Code Compliance
Glen White, Program Manager
Parsons Brinkerhoff
Torey Alston, Executive Director
M-DCPS Office of Economic Opportunity
Thomas Spaulding (Community Representative)

Representing:

Educational Facilities Code
Compliance
District/School Operations
Office of Economic Opportunity
Office of the Superintendent

Alternate Committee Member:

Silvia Gonzalez, Architect,
Office of Advance Planning

Alternate (at Large)

Facilitator (Non-voting):

Carlton Crawl, A/E Analyst
Parsons Brinkerhoff

A/E Selection & Negotiations

A representative of the M-DCPS Office of Management and Compliance Audits attended the interviews and scoring tabulations as an observer and a resource to the interview process.

Terms and Conditions:

The following Agreement terms and conditions, fees and scope of services have been successfully negotiated:

- A. The services include pre-construction services (design review through bidding), development of a Guaranteed Maximum Price (GMP) for construction and upon acceptance of the GMP, the actual construction of the project(s). Upon each project assignment, via work order(s), the Board and the CMR Miscellaneous firms shall agree to the level of service each project will require.

The firms have agreed to provide the requisite pre-construction services for the miscellaneous projects including, but not limited to, the following:

- Review all design and construction documents prepared by the Project Architect/Engineers as well as any existing on-site and off-site conditions, to ensure constructability of the project(s).
- 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(s).

- Coordinate with district staff and Project Architect/Engineers to ensure that all necessary on and off-site testing, permitting applications and regulatory agency reviews are accomplished.
 - Identify all the various bid packages needed to successfully execute the project(s), and conduct pre-bid conferences with qualified sub-Contractors, material suppliers and equipment vendors.
- B. Staff initiated negotiations for the continuing Agreements based on the order of ranking and has successfully completed negotiations with the firms for services in accordance with "**Attachment A**".

The Attachment includes three compensation schedules for each firm. Schedule "A" shall be used for pre-construction services when projects are assigned with full phase I (Schematic Design), phase II (Design Development), phase III (Construction Documents) design documents and; whereas, Schedule "B" shall be used for pre-construction services when projects are assigned with combination phase II/III design documents. No application for payment will be processed for partial completion of pre-construction services for any phase. In the event the project requires a Phase II/III 50% submittal by the A/E (in accordance with the A/E's Agreement) and/or multi-phased construction documents; the CM shall produce separate deliverables for each phase or package submitted. During each Design Phase, CM services include, but are not limited to, design review, constructability review, value engineering, review of existing conditions, construction cost estimating and construction scheduling. Schedule "C" shall be used for accepted GMPs (including general conditions, bonds, insurances, overhead and profit).

- C. The Agreement is for a term of up to four (4) years with extensions at the Board's option.
- D. Selected firms will be required to use State Requirements for Educational Facilities, the Florida Building Code, Fire Prevention Code, the Florida K-20 Education Code and M-DCPS Design Standards for assigned projects.
- E. To the extent possible, work will be assigned, on a rotational basis in order of ranking. The firm's workload, qualification for the task, and performance on previous assignments will also be considered.
- F. 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 CMR Miscellaneous agreements held by a single firm.
- G. Cost for printing authorized by M-DCPS, shall be reimbursed by the Board on a direct cost basis.

- H. A monthly report documenting efforts undertaken by the proposer, if any, regarding SBE/MBE and M/WBE participation will be required during the term of the Agreement, and must be submitted to the Office of Economic Opportunity. The report shall include the name of the firm, contact persons and expenditures paid to date.
- I. The CMR shall provide the required professional liability, general liability insurance coverage, and performance & payment bonds, in accordance with the agreement and General Conditions of the Contract for Construction. Projects shall be individually bonded.
- J. A possible Bond Waiver may apply to, and be considered for, projects up to \$100,000 in construction budget.
- K. The Agreements provide for termination by the Board, with or without cause, upon written notice to the CMR firms; whereas the CMR firms may terminate the Agreement, with cause only, upon seven (7) days written notice to the Board.
- L. All firms have agreed to the Terms and Conditions of the CMR Agreement and will commence services upon commissioning by the Board.

Principals / Location:

- Asset Builders, LLC (dba Messam Construction) - The Principal designated to be directly responsible to the Board is Wayne M. Messam. The firm is located at 18300 NW 62 Avenue, Suite 320, Miami, FL 33015.
- Canyon Construction, Inc. - The Principal designated to be directly responsible to the Board is Rosa LaRue. The firm is located at 6538 Collins Avenue, #172, Miami Beach, FL 33141.
- Llorens Contracting LLC - The Principal designated to be directly responsible to the Board is Carmen Llorens. The firm is located at 4383 NW 115 Court, Doral, FL 33178.
- D2 Construction, Inc. - The Principal designated to be directly responsible to the Board is Howard Diston. The firm is located at 15530 SW 112 Drive, Miami, FL 33196.
- Daybreak Design/Build Group, LLC - The Principal designated to be directly responsible to the Board is Arron Palmer. The firm is located at 8101 SW 72 Avenue, #321, Miami, FL 33143.
- Padron Construction, Inc. - The Principal designated to be directly responsible to the Board is David Padron. The firm is located at 4444 SW 71 Avenue, Suite #101A, Miami, FL 33155.

- Perrin International Services, Inc. - The Principal designated to be directly responsible to the Board is Gregory Perry. The firm is located at 12491 SW 134 Court, Unit #20, Miami, FL 33186.
- IGWT Construction, Inc. - The Principal designated to be directly responsible to the Board is Robert Tyler. The firm is located at 5931 NW 173 Drive, Suite #1, Miami, FL 33015.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, commission the firms of Asset Builders, LLC (dba Messam Construction); Canyon Construction, Inc.; Llorens Contracting, LLC; D2 Construction, Inc.; Daybreak Design/Build Group, LLC; Padron Construction, Inc.; Perrin International Services, Inc. and IGWT Construction, Inc., as Sheltered Market Construction Management at-Risk firms for Miscellaneous projects up to \$200,000 each, Category b. Micro Business Enterprises, for a four year term, as follows:

- 1) negotiated Compensation and Payment Schedules for miscellaneous projects up to \$200,000 per project (construction budget) in accordance with **Attachment "A"**; and
- 2) the Terms and Conditions, items A through L, as set forth in the body of the Agenda item and the Agreement.

NAD:CC:cc

ATTACHMENT "A"
CM at-Risk, MBE Schedules of Fees

1. Asset Builders, LLC (dba Messam Construction)		
CM SERVICES	A. PHASE I, II AND III	B. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	5.70%	5.10%
C. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$250	16.50%
\$ 50,001 to \$ 100,000	\$275	16.00%
\$ 100,001 to \$ 200,000	\$325	15.50%

2. Canyon Construction, Inc.		
CM SERVICES	A. PHASE I, II AND III	B. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	5.50%	5.00%
C. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$250	16.50%
\$ 50,001 to \$ 100,000	\$270	16.00%
\$ 100,001 to \$ 200,000	\$295	15.50%

3. Llorens Contracting, LLC		
CM SERVICES	D. PHASE I, II AND III	E. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	5.50%	5.00%
F. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$250	16.50%
\$ 50,001 to \$ 100,000	\$270	16.00%
\$ 100,001 to \$ 200,000	\$310	15.50%

NOTES:

1. During each Design Phase, CM services include, but are not limited to, design review, constructability review, value engineering, review of existing conditions, construction cost estimating and construction scheduling.
2. No application for payment will be processed for partial completion of pre-construction services for any phase.
3. In the event the project requires a Phase II/III 50% submittal by the A/E (in accordance with the A/E's Agreement) and/or multi-phased construction documents; the CM shall produce separate deliverables for each phase or package submitted.

ATTACHMENT "A"
CM at-Risk, MBE Schedules of Fees

4. D2 Construction, Inc.		
CM SERVICES	D. PHASE I, II AND III	E. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	5.50%	5.00%
F. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$245	16.00%
\$ 50,001 to \$ 100,000	\$275	15.50%
\$ 100,001 to \$ 200,000	\$315	15.00%

5. Daybreak Design/Build Group LLC		
CM SERVICES	G. PHASE I, II AND III	H. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	5.50%	5.00%
I. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$250	16.50%
\$ 50,001 to \$ 100,000	\$270	16.00%
\$ 100,001 to \$ 200,000	\$310	15.50%

6. Padron Construction, Inc.		
CM SERVICES	G. PHASE I, II AND III	H. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	5.50%	5.00%
I. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$250	16.50%
\$ 50,001 to \$ 100,000	\$275	16.00%
\$ 100,001 to \$ 200,000	\$315	15.50%

NOTES:

1. During each Design Phase, CM services include, but are not limited to, design review, constructability review, value engineering, review of existing conditions, construction cost estimating and construction scheduling.
2. No application for payment will be processed for partial completion of pre-construction services for any phase.
3. In the event the project requires a Phase II/III 50% submittal by the A/E (in accordance with the A/E's Agreement) and/or multi-phased construction documents; the CM shall produce separate deliverables for each phase or package submitted.

ATTACHMENT "A"
CM at-Risk, MBE Schedules of Fees

7. Perrin International Services, Inc.		
CM SERVICES	A. PHASE I, II AND III	B. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	4.60%	4.60%
C. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$250	16.00%
\$ 50,001 to \$ 100,000	\$275	15.50%
\$ 100,001 to \$ 200,000	\$315	15.00%

8. IGWT Construction Co.		
CM SERVICES	A. PHASE I, II AND III	B. PHASE II / III
CONSTRUCTION BUDGET (CB)	Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000	5.40%	4.90%
C. GMP FEES:	General Conditions (per diem)	Bond, Insurance and OH&P
\$ 0 to \$ 50,000	\$250	16.50%
\$ 50,001 to \$ 100,000	\$270	16.00%
\$ 100,001 to \$ 200,000	\$310	15.50%

NOTES:

1. During each Design Phase, CM services include, but are not limited to, design review, constructability review, value engineering, review of existing conditions, construction cost estimating and construction scheduling.
2. No application for payment will be processed for partial completion of pre-construction services for any phase.
3. In the event the project requires a Phase II/III 50% submittal by the A/E (in accordance with the A/E's Agreement) and/or multi-phased construction documents; the CM shall produce separate deliverables for each phase or package submitted.