

Office of School Facilities
Jaime Torrens, Chief Facilities Officer

SUBJECT: COMMISSIONING OF SR ARCHITECTS, PA; JORGE A. GUTIERREZ, LLC; FANJUL & ASSOCIATES, LLC; AND SCHINDLER ARCHITECTS, INC., AS SHELTERED MARKET ARCHITECTURAL/ENGINEERING PROJECTS CONSULTANTS 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 to 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 Architectural/Engineering Projects Consultant (A/EPC) SBE firms and this present item seeks to do likewise by recommending commissioning of A/EPC 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 A/EPC firm(s) to provide architectural/engineering continuing contract services for miscellaneous projects in which the construction budgets do not exceed \$200,000 for MBE, study activities for which professional fees do not exceed \$20,000 each, and services of a specified nature per Florida Statute. The entire process from issuance of a Request for Qualifications (RFQ) to the present board item recommending commissioning of several MBE design firms was extremely successful and has created meaningful business opportunities for local architects and engineers falling in this Sheltered Market category.

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The RFQ, which was issued based on Board-approved updated “*Procedures for the Selection of Architectural/Engineering Projects Consultants (A/EPC) and Special Projects Consultants (SPC)*” with unique conditions for Sheltered Markets yielded a total of thirty (30) responses. Of the thirty (30) firms, twenty (20) were evaluated for Category a. SBE and four (4) firms evaluated for Category b. MBE. Six (6) firms were not evaluated due to incomplete RFQ responses. Based on the established evaluation criteria, four (4) firms were short-listed for A/EPC, Category b. MBE professional services and on February 7th, 2014, the A/EPC Selection Committee, interviewed and ranked the four (4) **MBE** Firms as follows:

Final

<u>Ranking</u>	<u>Firm</u>
1	SR Architects, PA *
2	Jorge A. Gutierrez Architects, LLP *
3	Fanjul & Associates, Inc. *
4	Schindler Architects, Inc.

Based on the Selection Committee’s scores, all four short-listed (4) 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 firms hold a valid MBE (or SBE/MBE) Certificate as required in the RFQ. Firms noted with an (*) also hold a valid M-DCPS M/WBE certificate. None of the selected firms have been commissioned by the Board within the last three (3) years.

The following individuals served on the Selection Committee:

<u>Committee Member</u>	<u>Representing</u>
Jose Solares, Regional Manager Florida Power & Light Company	Office of the Superintendent
Theron Clark, Program Administrator 5000 Role Models	Office of School Facilities
Mike Krtausch, Executive Director M-DCPS Maintenance Operations	Office of School Facilities
Glen White, Program Manager Parsons Brinckerhoff	Office of School Facilities
Torey Alston, Executive Director Office of Economic Opportunity	Office of Economic Opportunity
Meriel Seymore, M-DCPS Attendance Boundary Committee (community representative)	Office of the Superintendent
<u>Alternate Committee Member</u>	
Janet Kelly, Executive Director, North Region M-DCPS Capital Improvement Projects	Office of School Facilities
<u>Facilitator (Non-Voting)</u>	
Carolina Velez, A/E Selection Analyst	A/E Selection & Negotiation

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. Additionally, a representative of the Miami-Dade Office of the Inspector General attended the interviews and scoring tabulations as an observer.

Terms and Conditions

A. Basic Services - General

The negotiated fees for Basic Services are based on a percentage of the construction budget, as approved by staff, prior to the start of each project. Individual work orders will be issued for required services based on the percentage fee converted to a Lump Sum (LS) fee.

At the option of the District, the A/EPC will conduct on-site observations (site visits) and/or additional project meetings during construction, at pre-negotiated rates.

Basic Services fees include all required services and consultants, unless otherwise noted in a specific work order. Basic Services fees shall be paid on the basis of M-DCPS-accepted deliverables at each Phase of a project, per terms of the A/EPC Agreement. **Attachment "A"** provides detailed information on the fees negotiated with each of the firms.

B. Other Terms and Conditions

- The term of the Agreement is four years, commencing April 9, 2014, and ending April 8, 2018, with extensions at the option of the Board.
- For study activities for which professional fees do not exceed \$20,000, the Board and the A/EPC must agree, in writing, prior to the commencement of the work, on the maximum number of hours and a not-to-exceed amount, or a lump sum fee for each project.
- 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.
- To the extent possible, work will be assigned on a rotational basis by ranking. The firm's workload, qualifications for the task and performance on previous assignments will also be considered.
- 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 firms, contact persons, and expenditures paid to date.

- The standard multiplier for hourly compensation shall be limited to the multiplier in Attachment "A" times the actual hourly rates. This rate is subject to audit by the Board and may be adjusted as the result of audit findings. If so, any changes would be submitted to the Board for final approval.
- The provisional multiplier for Direct Personnel Expense, for assignment of A/EPC technical staff (i.e. Architects, Engineers, Project Managers and Field Representatives) to specific projects and housed in offices other than the A/EPC's own offices, shall be limited to the multiplier in Attachment "A" times the actual hourly rates. This rate is subject to audit by the Board and may be adjusted as the result of audit findings. If so, any changes would be submitted to the Board for final approval.
- The Agreement provides for indemnification and hold harmless provisions to the Board and its employees by the A/EPC due to A/EPC's negligence. The A/EPC shall maintain at least a \$250,000 Professional Liability insurance policy with a maximum deductible of \$2,500 per claim, unless otherwise accepted by M-DCPS' Office of Risk Management and Benefits.
- The Agreement may be terminated by the Board, with or without cause, upon thirty (30) days written notice to the A/EPC; whereas, the A/EPC may terminate the Agreement, with cause only, upon thirty (30) days written notice to the Board.
- The Board is under no obligation to assign a minimum number of work orders or to compensate a minimum amount of professional fees to any A/EPC firm.
- All firms have agreed to the Terms and Conditions of the A/EPC Agreement and will commence services upon commissioning by the Board.

Principals / Location

1. SR Architects, PA - The Principal/Owner designated to be directly responsible to the Board is Ernesto L. Santos. The firm is located at 7469 S.W. 50th Terrace, Miami, Florida 33155.
2. Jorge A. Gutierrez Architects, LLC - The Principal/Owner designated to be directly responsible to the Board is Jorge A. Gutierrez. The firm is located at 20801 Biscayne Blvd. 4th Floor Aventura, Miami, Florida 33180.
3. Fanjul & Associates, LLC. - The Principal/Owner designated to be directly responsible to the Board is Arturo G. Fanjul. The firm is located at 165 Madeira Avenue Suite 7, Coral Gables, Florida 33134.
4. Schindler Architects, Inc. - The Principal/Owner designated to be directly responsible to the Board is Jacek Schindler. The firm is located at 2964 Aviation Avenue, Miami, Florida 33133.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, commission SR Architects, PA; Jorge A. Gutierrez Architects, LLC; Fajul & Associates, LLC; and Schindler Architects, Inc., as Sheltered Market Architectural/Engineering Projects Consultant (A/EPC) for miscellaneous projects up to \$200,000 each, Category b. Micro Business Enterprises, for a four-year term, based on negotiated fees in accordance with **Attachment "A"**; and other terms and conditions as set forth in the body of the agenda item and the Agreement.

NAD:CV:cv

ATTACHMENT "A"

Architectural/Engineering Projects Consultants Schedules of Fees

1. SR ARCHITECTS, PA			
BASIC SERVICES		PHASE I, II AND III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION	PHASE II / III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION
CONSTRUCTION BUDGET (CB)		Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000		8.50	8.00
MULTIPLIERS:	SITE VISITS	ADDITIONAL PROJECT MEETINGS	PRINCIPALS' HOURLY RATES
Standard: 2.21	\$225/ Visit/Discipline*	\$225 / Meeting/Discipline*	\$112.50/hr*
Provisional: 1.53			

(*) Architect, Mechanical Engineer, Electrical Engineer, Structural Engineer, Civil Engineer & Landscape Architect, if applicable

2. JORGE A. GUTIERREZ ARCHITECTS, LLC			
BASIC SERVICES		PHASE I, II AND III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION	PHASE II / III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION
CONSTRUCTION BUDGET (CB)		Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000		8.50	7.00
MULTIPLIERS:	SITE VISITS	ADDITIONAL PROJECT MEETINGS	PRINCIPALS' HOURLY RATES
Standard: 2.21	\$225/ Visit/Discipline*	\$225 / Meeting/Discipline*	\$112.50/hr*
Provisional: 1.53			

(*) Architect, Mechanical Engineer, Electrical Engineer, Structural Engineer, Civil Engineer & Landscape Architect, if applicable

3. FANJUL & ASSOCIATES, LLC			
BASIC SERVICES		PHASE I, II AND III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION	PHASE II / III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION
CONSTRUCTION BUDGET (CB)		Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000		8.00	7.00
MULTIPLIERS:	SITE VISITS	ADDITIONAL PROJECT MEETINGS	PRINCIPALS' HOURLY RATES
Standard: 2.21	\$225/ Visit/Discipline*	\$225 / Meeting/Discipline*	\$112.50/hr*
Provisional: 1.53			

(*) Architect, Mechanical Engineer, Electrical Engineer, Structural Engineer, Civil Engineer & Landscape Architect, if applicable

ATTACHMENT "A"
Architectural/Engineering Projects Consultants Schedules of Fees

4. SCHINDLER ARCHITECTS, INC.			
BASIC SERVICES		PHASE I, II AND III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION	PHASE II / III DESIGN SERVICES & CONSTRUCTION ADMINISTRATION
CONSTRUCTION BUDGET (CB)		Fee as a % of CB	Fee as a % of CB
\$ 0 to \$ 200,000		8.50	8.0
MULTIPLIERS:		SITE VISITS	ADDITIONAL PROJECT MEETINGS
Standard:	2.21	\$200/ Visit/Discipline*	\$200 / Meeting/Discipline*
Provisional:	1.53		

(*) Architect, Mechanical Engineer, Electrical Engineer, Structural Engineer, Civil Engineer & Landscape Architect, if applicable