

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

**SUBJECT: COMMISSIONING OF ATKINS NORTH AMERICA, INC.,
AS AN ADDITIONAL BUILDING CODE CONSULTANT
FOR A FOUR- YEAR TERM WITH EXTENSIONS AT
THE OPTION OF THE BOARD**

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

**LINK TO STRATEGIC
FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY**

Introduction

A Request for Qualifications for Building Code Consultant (BCC) Services issued in August, 2011, resulted in the final ranking of four qualified firms. Staff negotiated successfully with all four firms. On February 15, 2012, the Board commissioned three firms to provide BCC services, for a four-year term (Bermello Ajamil & Partners, Inc.; C.A.P. Government, Inc.; and Architects International, Inc.).

Atkins North America, Inc., (Atkins), was selected by the Selection Committee (ranked third), and successfully negotiated with the District, but withdrew from the commissioning process due to consideration of potential conflicts with another contract the firm held with M-DCPS for Cost Estimating Consulting Services. The firm's Cost Estimating Consultant contract has expired, thus the potential conflict no longer exists.

In order to increase the District's BCC capacity to service the Board's aggressive implementation of the General Obligation Bond projects, staff requested that Atkins reconsider providing BCC services to the District, utilizing all of the previously negotiated terms and conditions. Atkins has agreed to do so and staff is recommending their commissioning for a four-year term, with extensions at the option of the Board.

The following general terms and conditions, fees and scope of services were successfully negotiated with Atkins, as further enumerated below.

General Terms and Conditions

- A. Staff initiated negotiations based on the order of ranking and successfully completed negotiations with Atkins 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 VI – REIMBURABLE EXPENSES	
Paragraph 3. Missed Inspection Fee	\$180
Paragraph 4. Re-Inspection Fee	\$180
ARTICLE VII – ADDITIONAL SERVICES	
Paragraph A.3. Additional Review	\$431
Paragraph A.5. Forms Processing	\$250
Paragraph A.6. 1) Elementary School Sites 2) Middle School Sites 3) Senior High Sites	1) \$377 2) \$431 3) \$628
Paragraph A.7. 1) Priority Review Phase I 2) Priority Review Phase III	1) \$431 2) \$628
ARTICLE X – COMPENSATION	
Paragraph A.7. Hourly Rates	
1) Inspector	1) \$67.00/hr.
2) A/E Services	2) \$81.00/hr.
3) Principal	3) \$112.50/hr.

- C. Basic Services include, but are not limited to, review of construction 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 **June 18, 2014**, and expires on **June 18, 2018**.
- 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 VIII of the Agreement.
- I. The Board or the BCC may terminate the Agreement, with or without cause, at any time during the term of the Agreement upon written notice to the other party at least ninety (90) days in advance.
- J. Atkins has agreed to the fees, terms and conditions of the BCC Agreement and will commence services upon commissioning by the Board.

Principals

The Principals responsible to the Board and address for the firm are::

- Kathleen S. Leo, Vice President
482 South Keller Road, Orlando, Florida 32810
and
- David J. Carter, Senior Vice President
2001 N.W. 107 Avenue, Miami, Florida 33172

) **RECOMMENDED:** That The School Board of Miami-Dade County, Florida, commission Atkins North America, Inc., as an additional Building Code Consultant for a four-year term 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:SGK:sgk

EXHIBIT "A"
BUILDING CODE CONSULTANT FEE SCHEDULE

Atkins North America, Inc.

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
\$200,001	\$500,000 *	1.75	2.25	\$ 765	\$ 630
\$500,001	\$750,000 *	1.32	1.82	\$ 765	\$ 630
\$750,001	\$1,000,000 *	1.12	1.52	\$ 765	\$ 630
\$1,000,001	\$2,000,000	0.91	1.22	\$1035	\$ 810
\$2,000,001	\$3,000,000	0.67	0.93	\$1035	\$ 810
\$3,000,001	\$4,500,000	0.56	0.87	\$1035	\$1125
\$4,500,001	\$6,000,000	0.42	0.61	\$1035	\$1125
\$6,000,001	\$10,000,000	0.37	0.53	\$1170	\$1260
\$10,000,001	\$24,000,000	0.30	0.44	\$1260	\$1260

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	\$1530	\$810
\$2,000,001	\$3,000,000	0.52	0.77	\$1530	\$900
\$3,000,001	\$4,500,000	0.41	0.58	\$1530	\$1125
\$4,500,001	\$6,000,000	0.37	0.54	\$1530	\$1215
\$6,000,001	\$10,000,000	0.30	0.50	\$1530	\$1260
\$10,000,001	\$24,000,000	0.21	0.31	\$2250	\$1305
\$24,000,000	OVER	0.14	0.20	\$2520	\$1350

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"
BCC FEE SCHEDULE – PAYMENT INTERVALS

Atkins North America, Inc.

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

Notes:

1. For Design/Build projects 10% of the Review Fee will be paid upon review of the Design Criteria Package. The remaining 10% 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.