

Office of Superintendent of Schools  
Board Meeting of January 14, 2015

January 8, 2015

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

**SUBJECT:** COMMISSIONING OF THORNTON CONSTRUCTION COMPANY, INC., AS THE CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR GENERAL OBLIGATION BOND (GOB) FUNDED RENOVATIONS PROJECT AT SHENANDOAH MIDDLE SCHOOL, (PHASE I), LOCATED AT 1950 SW 19 STREET, MIAMI, FL 33145, PROJECT NO. 01339000

**COMMITTEE:** FACILITIES AND CONSTRUCTION } REVISED

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

Introduction

In September 2014, a solicitation was published to competitively select a Construction Management at-Risk (CMR) firm for each of the following three (3) General Obligation Bond (GOB) funded Projects at:

- American Senior High School – GOB Renovations, Project No. 01419100
- Shenandoah Middle School – GOB Renovations, Project No. 01339000
- West Homestead Elementary School - K-8 Conversion Addition, Remodeling Renovations, Project No. 01336300

Eighteen (18) firms responded to the solicitation; six (6) firms were not evaluated due to incomplete submittals; twelve (12) firms were evaluated and seven (7) firms were short-listed to interview for the projects. On November 20, 2014, the seven (7) short-listed firms were interviewed and subsequently ranked by the Selection Committee, as follows:

<u>Rank</u>	<u>Firm</u>
1	MCM
2	D. Stephenson Construction, Inc., (DSC) <sup>(a)</sup>
3	Thornton Construction Company, Inc. <sup>(a)</sup>
4	OHL Building, Inc.
5	BDI Construction Company <sup>(a)</sup>
6	Stobs Bros. Construction Co.
7	Unitech Builders, Corp. <sup>(a)</sup>

Note: (a) Prime firm holds a current M-DCPS Minority/Women Business Enterprise (M/WBE) Certificate

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This solicitation included Mandatory Small Business Enterprise (SBE) / Micro Business Enterprise (MBE) Sub-consultant & Sub-contracting Goals, and Local Workforce Utilization Goals as follows:

SBE / MBE Sub-consultant & Sub-contracting Goals			Local Workforce Utilization
Pre-construction	Construction	Construction Management	
10%	25%	20%	20% (County Wide)

Selection

In accordance with the solicitation, and the interview process, the highest-ranked firm was selected to negotiate for the highest-valued project, the second-ranked firm for the second-valued project, and the third-ranked firm for the third-valued project.

Thornton was ranked #3 and, therefore, selected to negotiate for the third-valued GOB-funded Renovations Project at Shenandoah Middle School. The highest-ranked and second-ranked firms successfully negotiated for their respective projects as presented under separate Board agenda items.

Negotiations were successfully concluded and Thornton has agreed to provide CMR Pre-construction Services as follows:

Project Description & Scope

Architect will provide a Final Scope Definition Report and Phasing Plan for Phases I & II and full design services for Phase I scope, as follows:

PHASE I:

- Chiller replacement
- Exterior painting
- Selective re-roofing (including downspouts)
- Window & exterior door replacement
- Structural repairs
- Handrail/railing replacement
- Metal stair replacement
- Interior door/hardware/frame replacement
- Complete HVAC system-wide replacement
- Complete Kitchen HVAC installation

The project must be designed, phased, coordinated and constructed to maximize safety and minimize disruption to the existing, occupied campus. New construction shall be designed and constructed to meet the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) for Schools rating system.

Construction Delivery Method

To minimize disruption to students and faculty during construction, and in accordance with the M-DCPS Construction Delivery Method Matrix, the CMR delivery method has been selected for this project. However, the Board reserves the right to utilize an alternative delivery method, if necessary.

Office of Economic Opportunity (OEO) Review

M-DCPS OEO staff established the SBE/MBE and M/WBE certification status of all team members and verified the existence of a Memorandum of Understanding for each sub-consultant outlining roles and responsibilities, as follows:

PRIME FIRM: <u>Thornton</u>  SUB-CONSULTANT FIRM NAME:	ROLE / RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY	SBE/MBE CERTIFICATION CATEGORY	GOAL (%) COMMITMENT
A Green World Construction, Inc.	Estimating	W	S/MBE	3.0%
Cooper Construction Management & Consulting, Inc.	Outreach	A	S/MBE	3.0%
Fanjul & Associates, Inc.	Plan Review & Constructability	H	S/MBE	3.0%
Gamax Consulting	Scheduling	H	S/MBE	1.0%
<b>TOTAL PARTICIPATION FOR PRE-CONSTRUCTION (M-DCPS Mandatory Goal <u>10 %</u>)</b>				<b>10.0%</b>

- Legend:
- A - African-American
  - H - Hispanic-American
  - W - Woman
  - MBE - Micro Business Enterprise
  - S/MBE - Small & Micro Business Enterprise

Construction Budget \$4,735,851 (GOB-funded)

Project Schedule

Thornton has agreed to the following Architect's time-sensitive document submittal schedule:

- Program Validation/Final Scope Definition Report: February 13, 2015
- Phase I - Schematic Design: March 30, 2015

- Phase - II/III Construction Documents 50% complete: June 8, 2015
- Phase - II/III Construction Documents 100% complete: August 7, 2015

Project construction milestone dates are as follows:

- Board Award – Guaranteed Maximum Prime: January 2016
- Construction - Substantial Completion: May 2017
- Final Completion/Acceptance (Occupancy): July 2017

Terms & Conditions

1. Thornton has agreed to a lump sum fee for CMR Pre-construction Services of \$43,000, which represents approximately 0.90% of the Construction Budget of \$4,735,851. In consideration for entering into this Agreement, the CMR agrees that any and all costs and fees incurred by the CMR associated with the CMR's performance of all pre-construction services set forth in this Agreement shall be borne solely by the CMR. Pre-construction Services fees shall be paid based on completion of the following listed phases/deliverables:

PRE-CONSTRUCTION SERVICES	LUMP SUM FEE (PER TASK)
Phase I - Schematic Design (completed/accepted by M-DCPS)	\$8,600
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$10,750
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/Building Official)	\$12,900
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment.	\$10,750
<b>TOTAL PRE-CONSTRUCTION FEE:</b>	<b>\$43,000</b>

Note: Hourly rates do not apply to this service and were not negotiated.

2. The CMR agrees to provide the requisite pre-construction services for this project, including, but not limited to, the following:
  - Review all design and construction documents prepared by the project Architect/Engineer, as well as all existing on-site conditions, to ensure constructability of the project. Review of existing conditions includes cost for all Ground Penetration Radar services;
  - 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;
  - Coordinate with District staff and project Architect/Engineer to ensure that all the necessary testing, permitting applications and regulatory agency reviews are accomplished;

- Identify all the various bid packages needed to successfully execute the project, and conduct pre-bid conferences with qualified sub-contractors, material suppliers and equipment vendors.
3. The cost of printing will be reimbursed by the Board on a direct cost basis, per conditions stipulated by the CMR Agreement.
  4. Upon completion of the pre-construction services, the CMR firm shall negotiate a GMP for the construction project. If accepted, staff will submit the negotiated GMP for Board approval.
  5. The CMR shall maintain no less than a \$1 million Professional Liability Insurance policy with a maximum deductible of \$50,000, Worker's Compensation/Employers Liability Insurance, Comprehensive General Liability and Comprehensive Auto Liability Insurance.
  6. The Agreement may be terminated by the Board, with cause or for convenience prior to GMP, upon ten (10) days written notice to the CMR; whereas, the CMR may terminate the Agreement if the work is stopped for a period of 60 days through no act or fault of the CMR.
  7. The CMR is required to submit a monthly report to the OEO documenting compliance with the Mandatory SBE/MBE Utilization Goals for Sub-consultants and Sub-contractors.
  8. The CMR has agreed to the terms and conditions of the Agreement and will commence services upon Board commissioning.

Selection Committee

The Selection Committee consisted of the following individuals:

Committee Members

Thomas Spaulding, District 1 Representative  
 Christa Dotson Dean, ABC Committee member  
 Michelle Hicks-Levy, Supervisor  
 Rudy Gonzalez, Executive Director  
 Brandon DeCaro, Sr. Project Manager  
 Michael Krtausch, Executive Director  
 Lewis Cooper, Registered Architect  
 Dr. Alexis L. Martinez, South Region Supt.

Representing

Superintendent of Schools  
 Community Representative  
 M-DCPS OEO  
 M-DCPS Office of School Facilities  
 M-DCPS Office of School Facilities  
 M-DCPS Office of School Facilities  
 Educational Facilities Code Compliance  
 Office of District School Operations

A representative of the Office of Management and Compliance Audits validated the interview scoring calculations and final tabulation. A representative of M-DCPS A/E Selection & Negotiations acted as the Facilitator (non-voting) for the interviews and Chief Negotiator during negotiations.

Project Funding (GOB funded Phase I only)

Fund: 351000; Object: 568000; Location: 1684100; Program: 25350000; Function: 740000

Prior Commissioning & Performance Evaluation

The Board has commissioned Thornton for the following services within the last three years:

- CMR Miscellaneous Projects up to \$2M for a four-year term, with extensions at the option of the Board  
Commissioned: January 18, 2012

The most recent three-year average performance evaluation score issued by staff to Thornton was for the quarter ending, September 2014. Based on a performance scale of 1-5 (low to high), Thornton received a score of 3.50.

### Principal

The Principal/Owner designated to be directly responsible to the Board for Thornton is Thomas Thornton. The firm is located at 4300 Biscayne Blvd., Suite 207, Miami, Florida 33137.

### **RECOMMENDED:**

That The School Board of Miami-Dade County, Florida, commission Thornton Construction Company, Inc., as Construction Management at-Risk firm for General Obligation Bond-funded Renovations project at Shenandoah Middle School, located at 1950 SW 19 Street, Miami, Florida 33145, Project No. 01339000, as follows:

- 1) a lump sum fee of \$43,000 for Pre-construction Services; and
- 2) the project scope and all terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:CC:cc