

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 FUNDED RENOVATIONS PROJECT AT MIAMI SUNSET SENIOR HIGH SCHOOL, LOCATED AT 13125 SW 72 STREET, MIAMI, FL 33183, PROJECT NO. 01339300

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY

Introduction

In April 2014, a solicitation (Request for Qualification #109) was published to competitively select one Construction Management at-Risk (CMR) firm for Pre-construction Services for each of the following General Obligation Bond (GOB) funded renovations projects:

- Miami Southridge Senior High School
- Miami Sunset Senior High School

On July 8, 2014, the seven short-listed firms were interviewed and subsequently ranked by the Selection Committee, as follows:

<u>Rank</u>	<u>Firm</u>
1	D. Stephenson Construction, Inc. (DSC) ^(a)
2	Stobs Bros. Construction Co. (SBCC)
3	Thornton Construction Company, Inc. (TCC) ^(a)
4	H. A. Contracting Corp.
5	T&G Constructors ^(a)
6	BDI Construction Company
7	State Contracting & Engineering Corp.

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

In accordance with the solicitation, on August 6, 2014, the Board commissioned the highest-ranked firm (DSC) for the top-valued project (Miami Southridge Senior High

School) and the second-ranked firm (SBCC) for the second-valued project (Miami Sunset Senior High School). However, the District was not able to reach an agreement on a Guaranteed Maximum Price (GMP) Amendment with SBCC. In accordance with Article VIII of the CMR Agreement, the District has taken possession of the documents and will make all required payments to SBCC. SBCC completed all required Pre-construction Services. Therefore, the Board and SBCC are mutually released from any further obligation, each to the other on the project. Staff proceeded to negotiate with the third-ranked firm (TCC) from the original solicitation for CMR Pre-construction Services at Miami Sunset Senior High School.

As determined by the M-DCPS Goal Setting Committee, this original solicitation includes mandatory Small/Micro Business Enterprise (SMBE) sub-consultant and sub-contracting participation goals, as follows:

Pre-construction sub-consultant	10%
Construction sub-contracting	20%
Construction Management	10%

In addition, this solicitation also has a Countywide Construction Local Workforce Utilization Goal of 20%.

Negotiations

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

Project Description and Scope

- The existing school campus consists of nine (9) permanent buildings with covered walkways (total of 287,197 GSF), hard courts, athletic fields, driver's ed., service drive and staff and student parking. Building 01 consists of two stories constructed in 1977; Buildings 02, 03 and 06 - 09 are single-story buildings, also constructed in 1977; Building 04 is a two-story building constructed in 1994; and Building 11 is a single-story building constructed in 2001.
- The project scope includes, but is not limited to: air conditioning and heating repair/improvement; roofing repair/replacement; restroom and plumbing renovation; exterior door/window repair/replacement; interior door and hardware replacement; interior wall, ceiling/flooring improvement; lighting replacement/upgrades; field improvements, i.e. a new PE track; security/surveillance enhancement; portable removal; elevator repairs; exterior paint.

Construction Budget \$3,933,877 (GOB-funded)

Project Schedule

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

- Phase II/III - Construction Documents 100%: completed April 24, 2015
- Phase IV – Bidding: July 15, 2015

Project construction milestone dates are as follows:

- Board Award - Guaranteed Maximum Price (GMP): September 2015
- Construction - Substantial Completion by: October 2016
- Final Completion/Acceptance by: December 2016

Terms & Conditions

1. TCC has agreed to a lump sum fee for CMR Pre-construction Services of \$14,850, which represents approximately 0.38% of the Construction Budget of \$3,933,877. 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 PHASE)
Phase I - Schematic Design (completed/accepted by M-DCPS)	N/A
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	N/A
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/Building Official)	\$9,900
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$4,950
TOTAL PRE-CONSTRUCTION FEE:	\$14,850

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

Office of Economic Opportunity (OEO) Review

M-DCPS OEO staff reviewed the SBE, MBE and M/WBE certification status of all team members and verified the existence of Memoranda of Understanding outlining roles and responsibilities, as follows:

PRIME FIRM <u>Thornton Construction Co is an</u> <u>M-DCPS certified Hispanic-American</u> <u>Owned firm</u> SUB-CONSULTANT FIRMS (Pre-construction Services)	ROLE / RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY	SBE/MBE CERTIFICATION CATEGORY	GOAL (%) COMMITMENT
Cooper Construction Management & Consulting, Inc.	Constructability Review	A	SMBE	2.5%
A Green World Construction, Inc.	Estimating Services	W	SMBE	2.5%
Fanjul & Associates	Plan Review and Constructability Services	H	SMBE	2.5%
Espirito Santo Graphics, Inc.	Reprographics	H	SBE1	2.5%
TOTAL PARTICIPATION (M-DCPS Mandatory Goal <u>10%</u>)				<u>10.0%</u>

Legend: A - African-American
 H - Hispanic-American
 SBE1 - Small Business Enterprise - Tier I
 SMBE - Small/Micro Business Enterprise
 W - Woman

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 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 Office of Economic Opportunity documenting compliance with the Mandatory Small/Micro Business Enterprise 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.

Project Funding - General Obligation Bond

Fund: 351000; Object: 568000; Location: 1753100; Program: 26780000; Function: 740000

Prior Commissioning

The Board has commissioned TCC for the following CMR Services within the last three years:

- Shenandoah Middle School
Renovations - Project No. 01339000
Board GMP approval: January 14, 2015

Principal

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

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission Thornton Construction Company, Inc., as the Construction Management at-Risk firm for Pre-construction Services related to a General Obligation Bond-funded Renovations and Repairs Project at Miami Sunset Senior High School, located at 13125 SW 72 Street, Miami, Florida 33183, Project No. 01339300, as follows:

- 1) a lump sum fee of \$14,850 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.

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