

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

SUBJECT: COMMISSIONING THORNTON CONSTRUCTION COMPANY, INC., AS THE CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR GENERAL OBLIGATION BOND (GOB)-FUNDED ADDITION TO REPLACE PORTABLES AT GULFSTREAM ELEMENTARY SCHOOL, PROJECT NO. 01442700, LOCATED AT 20900 S.W. 97 AVENUE, CUTLER BAY, FL 33189

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY

Introduction

In March 2015, a solicitation was published to competitively select a Construction Management at-Risk (CMR) firm for each of the following five (5) GOB-funded projects:

- Norland Elementary School, Project No. 01439500
- Gulfstream Elementary School, Project No. 01442700
- Charles R. Hadley Elementary School and Primary Learning Center-A, Project No. 01432900
- Jesse J. McCrary, Jr. Elementary School, Project No. 01434000
- Henry H. Filer Middle School, Project No. 01433700

Twenty-three (23) firms responded to the solicitation. Nine (9) firms were not evaluated due to incomplete submittal; fourteen (14) firms were evaluated, and ten (10) firms were short-listed to interview for the project. On June 8, 2015, the 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. ^(a)
2	Thornton Construction Company, Inc. (TCCI) ^(a)
3	Veitia Padron Incorporated ^{(a)(b)}
4	Link Construction Group, Inc. ^(a)
5	Stobs Bros. Construction Co.
6	State Contracting & Engineering Corp.
7	H.A. Contracting Corp.
8	Unitech Builders Corp. ^{(a)(c)}
9	GEC Associates, Inc. ^{(a)(b)}
10	J.R.T. Construction Co. ^{(a)(b)}

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- Note 1: (a) Prime firm holds a current M-DCPS Minority and Woman Business Enterprise (M/WBE) Certificate.
- (b) Prime firm holds a current M-DCPS Small Business Enterprise (SBE) Certificate.
- (c) Prime firm holds a current M-DCPS Small and Micro Business Enterprise (SMBE) Certificate.

This solicitation included Mandatory SMBE Sub-consultant and Sub-contracting Goals, and Local Workforce Utilization Goals as follows:

SMBE Sub-consultant and Sub-contracting Goals			Local Workforce Utilization
Pre-construction	Construction	Construction Management	
10%	20%	15%	20% (10 mile radius)

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, the third-ranked firm for the third-valued project, the fourth-ranked firm for the fourth-valued project and the fifth-ranked firm for the fifth-valued project.

TCCI was ranked second and, therefore, negotiated for the second-valued GOB-funded Addition to Replace Portables Project at Gulfstream Elementary School. Negotiations were successfully concluded and TCCI has agreed to provide the required CMR Pre-construction Services. The first, third, fourth and fifth-ranked firms successfully negotiated for their respective projects and are being presented under separate Board agenda items.

Project Scope

The preliminary scope includes, but is not limited to:

- Demolition of 10 portables;
- New Classroom Building (to replace portables);
- New bus drop-off (to include all related drives and walks) and covered walkway to connect to main building; and
- Additional staff parking.

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(s), if necessary.

Office of Economic Opportunity (OEO) Review

The M-DCPS OEO staff established the SMBE and MWBE 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: TCCI is a M-DCPS Certified Hispanic American-Owned Business SUB-CONSULTANTS FIRM NAME:	ROLE / RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY	SBE/MBE CERTIFICATION CATEGORY	GOAL (%) COMMITMENT
1. Gamax Consulting, Inc.	Scheduling Assistance	HA	SMBE	2.5%
2. A Green World Construction, Inc.	Estimating	W	SMBE	2.5%
3. Cooper Construction Management & Consulting, Inc.	Constructability Review	AA	SMBE	2.5%
4. Fanjul & Associates, LLC	Plan Review	HA	SMBE	2.5%
TOTAL PARTICIPATION FOR PRE-CONSTRUCTION (M-DCPS Mandatory Goal 10%)				10%

- Legend: AA - African American
 HA - Hispanic American
 W - Women
 SMBE - Small & Micro Business Enterprise

Construction Budget: \$2,015,000 (GOB-funded)

Project Schedule

TCCI has agreed to the Architect's time-sensitive submittal schedule and CMR's deliverables, as follows:

- Program Validation/Final Scope Definition Report: July 15, 2015
- Phase I - Schematic Design: August 28, 2015
- Phase - II/III Construction Documents 50% complete: October 26, 2015
- Phase - II/III Construction Documents 100% complete: December 15, 2015

Project construction milestone dates are as follows:

- Board Award - Guaranteed Maximum Price (GMP): May, 2016
- Construction - Substantial Completion: June 2017
- Final Completion / Acceptance (Occupancy): August 2017

Terms & Conditions

1. TCCI has agreed to a lump sum fee for CMR - Pre-construction Services of \$18,540, which represents approximately 0.92% of the Construction Budget of \$2,015,000. 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)	\$3,710
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$4,635
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/Building Official)	\$5,560
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$4,635
TOTAL PRE-CONSTRUCTION FEE:	\$18,540

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 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

Selection Committee

The Selection Committee consisted of the following individuals:

Committee Members

Robert Esparragoza, Outside Representative
Thomas Spaulding, District 1 Representative
Luis E. Diaz, Administrative Director
Brian Williams, Development Officer
Lewis Cooper, Registered Architect
Erick Laventure, Executive Director
Rodney Williams, Project Manager
Russell Carroll, Coordinator

Representing

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

A representative of the Office of Management and Compliance Audits validated the interview scoring calculations and final tabulation and 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)

Fund: 391000 Object: 568000 Location: 1232100 Program: 20280000 Function: 740000

Prior Commissioning

The Board has commissioned/awarded TCCI the following services within the last three years:

- Shenandoah Middle School
 GOB Funded Renovations - Project No. 01339000
 Pre-construction Services Commissioned: January 14, 2015
- Miami Sunset Senior High School
 GOB Funded Renovations - Project No. 01339300
 Pre-construction Services Commissioned: June 17, 2015

Principal

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

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission Thornton Construction Company, Inc., as the Construction Management at-Risk firm for General Obligation Bond-funded Addition to Replace Portables at Gulfstream Elementary School, Project No. 01442700, located at 20900 S.W. 97 Avenue, Cutler Bay, FL 33189, as follows:

- 1) a lump sum fee of \$18,540 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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