

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

SUBJECT: COMMISSIONING OF THE GORDIAN GROUP, INC. (d/b/a THE GORDIAN ASSOCIATES, INC.), AS JOB ORDER CONTRACTING (JOC) SYSTEM CONSULTANT FOR A FOUR-YEAR TERM

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction:

In September 2015, a solicitation (Request for Qualifications #127) was published to competitively select one Job Order Contracting (JOC) System Consultant for a four year term with two, one-year extensions, at the option of the Board. The primary objective of the JOC System is to enable the Board to rapidly engage contractors to provide construction services and related activities.

Prior to the solicitation, the Miami-Dade County Public Schools (M-DCPS) Goal Setting Committee determined that due to the unique nature of these services, this solicitation would not require any mandatory sub-consultant Small or Micro Business Enterprise Goals.

Selection:

One firm, The Gordian Group, Inc. (TGG), responded to the solicitation. Therefore, the firm was evaluated, determined to be qualified, and the interview process was waived. Staff successfully negotiated with TGG to provide the required JOC System Consulting services indicated below, under the following terms and conditions:

Scope of Services:

- Customized Job Order Contracting Document Preparation - The JOC consultant is responsible for development of a full set of customized JOC documentation including a Board-specific Unit Price Book (UPB), Technical Specifications and the Contractual Terms and Conditions.

The UPB will contain no less than 100,000 individual construction tasks along with an associated unit price. Each unit price will be developed based on the prevailing equipment, material and labor prices within the South Florida area, updated each time contract documents are bid, and based on the M-DCPS Master Specification requirements.

The Technical Specifications development will be in conjunction with the UPB and, where available, Board standards will be incorporated.

The development of Contractual Terms and Conditions will be in conjunction with M-DCPS staff and will include all appropriate contract language and forms.

- Procurement Support - The JOC consultant will provide M-DCPS with complete technical and marketing support during the procurement phase and qualified staff with public-sector procurement experience to provide this support. The JOC consultant will also organize and conduct pre-bid meetings with the intended bidders, analyze bids and/or proposals, make award recommendations, as well as make presentations on behalf of the Board to various business and contracting organizations.
- Management Systems - The JOC consultant will provide the Board a comprehensive web-based JOC management information and support system. This system will be compatible with the District's Windows operating system for personal computers. The JOC management information and support system will be capable of providing full project tracking, automated development of cost proposals, independent Board estimates, generation of all project documentation, project scheduling capability, budget and cost control process, and generation of customized reports. The computerized system will also be able to validate and compare contractors' cost proposals to the Board's independent estimates. The system will be capable of incorporating current M-DCPS forms and documentation.
- Training - Training is essential to ensuring that the JOC system functions properly. As part of the Agreement, the JOC consultant is responsible for the development of initial, specialized training courses that will involve all parties utilizing the system including Procurement Staff, Project Managers, Field Staff, Engineers, Clerical Staff, Administrative Staff, Contractors, and any other M-DCPS employee deemed necessary by the District, and will be responsible for:
 - Development and maintenance of a written training manual for the duration of the Agreement; and
 - Development and maintenance of an execution manual for entire JOC program.

All aspects of the system will be covered in training, and additional training on a continuous basis will be provided as needed and determined by the District, in order to assist all parties utilizing the system. This training will include, but will not be limited to, the following:

- Contract Documents
- JOC Execution
- Implementation Procedures
- System Training
- Program Estimating Procedures

- Post Implementation Follow-up
- Refreshers as needed

All hands-on training will provide functional use and individual performance as objectives.

- Technical Support - A major component of the proposed system includes follow-up technical support which will include developing and assisting M-DCPS in execution procedures, troubleshooting, implementation, and continuous system monitoring. Technical support will be an on-going management support for the operational system.
- Potential Program Value - Based on the District's historical data and planned future projects, it is anticipated that the construction value put-in-place will be approximately \$8 million per year (\$30-60 million over the term of the agreement). However, the Board does not guarantee any minimum number of projects or any specific construction value.

Terms and Conditions:

- The term of the Agreement is four (4) years, commencing on December 20, 2015, and expiring on December 19, 2019. At the option of the Board, the Board may authorize two, one-year extensions;
- The consulting fee for the initial four (4) year term of the Agreement is **2.27%** of the construction value procured using JOC, developed under this Agreement.
- Extension Years - The consulting fee for extension years(s), should the Board authorize extension(s), shall be determined by the fee table provided below, using the greater of the average annual construction volume procured by the BOARD during the Initial Term, or the immediately preceding twelve (12) month period (4th contract year) to determine the annual volume discount to be applied during the Extension Year.

Annual Volume for Extension Year	Extension Year Rate	Reduction from Initial Extension Year Rate of 2.95%
\$0 - \$5M	2.95%	0%
>\$5M - \$7M	2.66%	10%
>\$7M - \$10M	2.63%	11%
>\$10M - \$13M	2.57%	13%
>\$13M - \$16M	2.51%	15%
>\$16M - \$20M	2.48%	16%
>\$20M - \$25M	2.45%	17%
>\$25M - \$30M	2.42%	18%
>\$30M - \$35M	2.39%	19%
>\$35M - \$40M	2.36%	20%
>\$40M - \$50M	2.33%	21%
>\$50M - \$60M	2.30%	22%
>\$60M - \$70M	2.27%	23%

- The standard multiplier for hourly compensation is limited to Direct Salary Expense times 2.21 (standard multiplier) for any Additional Services approved by the Board;
- The JOC System Consultant shall maintain no less than a \$1 million professional liability insurance policy with a maximum deductible of \$50,000; Workers Compensation/Employers Liability Insurance; Comprehensive General Liability; and Comprehensive Auto Liability Insurance; all as specified in the Agreement;
- The Agreement may be terminated by the Board, without cause, upon thirty (30) days written notice to the JOC System Consultant, and with cause, in accordance with Article XI of the Agreement; whereas, the JOC System Consultant may terminate the Agreement, with cause only, upon 30 thirty (30) days written notice to the Board to cure;
- Upon expiration or termination of this Agreement, the Job Order Contracting System Consultant shall continue to provide the requisite services for those Work Orders that have been issued prior to the expiration of this Agreement and have not yet been completed or have been reinstated. Insurance shall remain in force and records shall be retained beyond this term, per M-DCPS retention policy and state statutes.
- The JOC System Consultant has agreed to the terms and conditions of the Agreement and will commence services upon Board commissioning.

Designated Representative:

The designated / authorized representative of TGG directly responsible to the Board is Daniel O. Cook, Director of JOC Operations, Southeast Region. The firm is located at 30 Patewood Drive, Suite 350, Greenville, South Carolina 29615.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission The Gordian Group, Inc. (d/b/a The Gordian Associates, Inc.), as Job Order Contracting System Consultant, for a four-year term, as follows:

- 1) A consulting fee of 2.27% of the construction value procured using the Job Order Contracting System, for the Initial 4-year Term of the Agreement; and
- 2) Services, fees, and all terms and conditions as set forth in the Agreement and the body of the agenda item.

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