

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

SUBJECT: COMMISSIONING OF LEGO CONSTRUCTION CO., AS CONSTRUCTION MANAGEMENT AT-RISK FIRM (SHELTERED MARKET - SMALL BUSINESS ENTERPRISE) FOR GENERAL OBLIGATION BOND FUNDED RENOVATIONS PROJECT AT SOUTH MIAMI MIDDLE SCHOOL, LOCATED AT 6750 S.W. 60 STREET, MIAMI, FLORIDA 33143, PROJECT NUMBER 01530300

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction:

In December 2016, a solicitation (Request for Qualifications 149) was published to competitively select a Construction Management at-Risk (CMR) firm, Sheltered Market for Small Business Enterprise (SBE) or Micro Business Enterprise (MBE), for General Obligation Bond (GOB) funded Renovations Projects under the "Procedures for the Selection of Construction Management (CM), CM at-Risk and Program Management Services" (Pilot Program 2nd Revision September 6, 2016):

- Coral Way K-8 Center
1950 SW 13 Avenue, Miami, Florida 33145, Project No. 01528300
- South Miami Middle School
6750 SW 60 Street, South Miami, Florida 33143, Project No. 01530300
- Greynolds Park Elementary School
1536 NE 179 Street, North Miami Beach, Florida 33162, Project No. 01423700
- Redland Elementary School,
16001 SW 248 Street, Homestead, Florida 33031, Project No. 01440100

Thirteen (13) firms responded to the solicitation. All firms were evaluated and eight (8) firms were shortlisted and invited to interview. On March 3, 2017, all the firms interviewed and were subsequently ranked by the Selection Committee, as follows:

<u>Rank</u>	<u>Firm</u>
1	M.A.C. Construction, Inc. ^{(a) (b)}
2	LEGO Construction Co. ^{(a) (b)}
3	Carivon Construction Company ^{(a) (b)}
4	Veitia Padron Incorporated ^{(a) (b)}
5	Unitech Builders Corp. ^{(a) (b)}
6	GEC Associates, Inc. ^{(a) (b)}
7	JCI International, Inc. ^{(a) (b)}
8	Mexal Corp. ^{(a) (b)}

Note:

1. (a) Prime firm holds a current M-DCPS Minority/Woman Business Enterprise (M/WBE) Certificate.
- (b) Prime firm holds a current M-DCPS Small Business Enterprise (SBE)/Micro Business Enterprise (MBE) Certificate.

This solicitation includes mandatory SBE/MBE sub-consultant, sub-contracting goals, and a Local Workforce Utilization Goal (determined by the M-DCPS Goal Setting Committee), as follows:

SBE/MBE Sub-consultant and Sub-contracting Goals			Local Workforce Utilization Goal (Construction)
Pre-construction	Construction	Construction Management	
10%	20%	15%	20% County-wide

Selection:

In accordance with the solicitation and 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, and the fourth-ranked firm for the fourth-valued project.

LEGO Construction Co. (LEGO), was the second-ranked firm and, therefore, negotiated for the second-valued GOB-funded Renovations Project at South Miami Middle School. The first, third and fourth-ranked firms successfully negotiated their respective projects and are being presented under separate Board agenda items. Negotiations with LEGO were successfully concluded and LEGO has agreed to provide the required CMR Pre-construction Services, as follows:

School Profile

The existing facility, on approximately 3 acres, is comprised of 7 permanent buildings and associated covered walkways, built between 1955 and 2000 with a total of 71,550 GSF.

Preliminary Project Scope

The preliminary scope of campus-wide renovations includes, but is not limited to:

- Replacement of basketball goal standards, recoat and restripe parking lot and repaint parking lot markings, provide backflow preventer,
- Replacement of aluminum windows, replace damaged exterior metal panel,
- Selective replacement of HVAC components as required, provide HVAC to non-air conditioned area in cafeteria, provide adequate ventilation to kiln room,
- Replacement of inadequate electrical receptacles and damaged panelboard, provide emergency battery pack lighting as required,
- Provide fire alarm heat detector and incandescent lighting to storage building, and
- Selective paint as needed.

Scope of Services:

The successful CMR entity will be required to provide Pre-construction Services (during all phases of programming and design). The CMR may be required to provide Guaranteed Maximum Price (GMP) proposal(s) and construction services; or the Board may re-advertise the required services and select another CMR; or select an alternate construction delivery method.

The project must be designed, phased, coordinated and constructed to maximize safety and minimize disruption to the existing, occupied campus.

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 deemed to be in the best interest of the Board.

Office of Economic Opportunity (OEO) Review:

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

<p>PRIME FIRM: <u>LEGO is M-DCPS certified as a SBE-Tier 2 and Hispanic-American-owned firm</u></p> <p>SUB-CONSULTANTS FIRM NAME:</p>	<p>ROLE/ RESPONSIBILITY</p>	<p>M/WBE CERTIFICATION CATEGORY</p>	<p>SBE/MBE CERTIFICATION CATEGORY</p>	<p>GOAL (%) COMMITMENT</p>
<p>A+S Architects Planners, PA</p>	<p>Architectural Consultant</p>	<p>African-American</p>	<p>MBE</p>	<p>5.0%</p>
<p>TWR Engineers, Inc.</p>	<p>MEP Consultant</p>	<p>Asian-American</p>	<p>SBE Tier-1</p>	<p>5.0%</p>

PRIME FIRM: <u>LEGO is M-DCPS certified as a SBE-Tier 2 and Hispanic-American-owned firm</u> SUB-CONSULTANTS FIRM NAME:	ROLE/ RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY	SBE/MBE CERTIFICATION CATEGORY	GOAL (%) COMMITMENT
Ross Engineering, Inc.	Civil Consultant	Woman	SBE - Tier 1	2.5%
IMR Development Corp.	Quality Control Consultant	Service-Disabled Veteran	SBE - Tier 1	2.5%
TOTAL PARTICIPATION FOR PRE-CONSTRUCTION (M-DCPS Mandatory Goal 10%)				15.0%

Construction Budget: \$2,124,727 (GOB-funded)

Project Schedule:

LEGO has agreed to the following A/E's document submittal:

- 100% Final Scope Definition Program: June 26, 2017

Note: Design milestone dates (contingent on Final Scope Definition Program Approval by July 6, 2017) are as follows:

- Board Commission of A/E (Part 2 services): August 9, 2017
- Phase I - Schematic Design: September 1, 2017
- Phase - II/III Construction Documents 50% complete: October 16, 2017
- Phase - II/III Construction Documents 100% complete: December 5, 2017

Project construction milestone dates are as follows:

- Board Award - Guaranteed Maximum Price (GMP): May 2018
- Construction - Substantial Completion by: August 2019

Terms & Conditions:

1. LEGO has agreed to a lump sum fee for CMR Pre-construction Services of \$19,700, which represents approximately 0.93% of the Construction Budget of \$2,124,727. 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 the 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)	\$ 4,000
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$ 4,900
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/Building Official)	\$ 5,090
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$ 4,900
TOTAL PRE-CONSTRUCTION FEE:	\$ 19,700

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

SUPPORT SERVICES	LUMP SUM FEE
Programming / Scope Definition (during A/E's Part 1 Services)	\$ 2,825

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 Architect/Engineer of Record (A/E), as well as all existing onsite 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 A/E to ensure that all 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 \$500,000 Professional Liability Insurance policy with a maximum deductible of \$25,000, 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 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:

<u>Committee Members</u>	<u>Representing</u>
Thomas Spaulding, ABC Member	Superintendent of Schools
Blanca Bazan, Sr. P.M., Construction	Office of School Facilities
Alberto Marin, P.M., Construction	Office of School Facilities
Nicholas Capone, Director	Maintenance Operations
Julio Navarrete, Staff Assistant	Educational Facilities Code Compliance
Michelle Hicks-Levy, Executive Director	Office of Economic Opportunity
Meriel Seymore, ABC Member	Community Representative
Hilda Jimenez, Planner	Office of District Schools Operations

The Office of District Schools Operations' representative, Dr. Alexis Martinez, could not participate as a voting member on the Selection Committee. Therefore, Ms. Hilda Jimenez Planner, the Alternate at-large represented School Operations as a voting member. Representatives of the Office of Management and Compliance Audits validated the interview scoring calculations and final tabulation. Carlton Crawl, Professional Selection Analyst of A/E Selection & Negotiations, acted as the facilitator (non-voting) for the interviews and chief negotiator during negotiations.

Project Funding (GOB-funded):

Fund	Commitment Item	Funds Center	Program	Function	Funded Program
351000	568000	1688100	25410000	740000	01530300

Prior Commissioning Actions:

The Board has not previously commissioned/awarded LEGO for services within the last three years.

Principal:

The Principal/Owner designated to be directly responsible to the Board for LEGO is Luis Garcia. The firm is located at 1011 Sunnybrook Rd., Suite 905, Miami, Florida 33136.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission LEGO Construction Co., as Construction Management at-Risk firm (Sheltered Market - Small Business Enterprise) for General Obligation Bond funded Renovations Project at South Miami Middle School, 6750 S.W. 60 Street, South Miami, Florida 33143, Project Number 01530300, as follows:

- 1) Lump sum fee of \$19,700 for CMR Pre-construction Services and; and
- 2) Project scope, support fee of \$2,825 during programming, and all terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:CC:lfr