

June 5, 2017

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

SUBJECT: COMMISSIONING OF LEGO CONSTRUCTION CO. AS
CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR
GENERAL OBLIGATION BOND-FUNDED RENOVATIONS
AND NEW P.E. SHELTER PROJECT AT GEORGIA
JONES-AYERS MIDDLE SCHOOL, LOCATED AT 1331
N.W. 46 STREET, MIAMI, FLORIDA 33142, PROJECT
NUMBER 01423900

COMMITTEE: FACILITIES AND CONSTRUCTION

**LINK TO STRATEGIC
BLUEPRINT:** EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction:

In February 2017, a solicitation (Request for Qualifications 151) was published to competitively select a Construction Management at-Risk (CMR) firm for General Obligation Bond (GOB) funded 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):

- Renovations at Miami Edison Senior High School
6161 N.W. 5 Court, Miami, Florida 33127, Project No. 01508400
- Renovations at North Miami Elementary School
655 N.E. 145 Street, North Miami, Florida 33161, Project No. 01509000
- Renovations and New P.E. Shelter at Georgia Jones-Ayers Middle School
1331 N.W. 46 Street, Miami, Florida 33142, Project No. 01423900
- Renovations at Pinecrest Elementary School
10250 S.W. 57 Avenue, Pinecrest, Florida 33156, Project No. 01530100

Fourteen (14) firms responded to the solicitation. All firms were evaluated and seven (7) firms were shortlisted and invited to interview. On April 28, 2017, the firms were interviewed and subsequently ranked by the Selection Committee, as follows:

<u>Rank</u>	<u>Firm</u>
1	H.A. Contracting Corp.
2	Veitia Padron Incorporated (a) (b)
3	LEGO Construction Co. (a) (b)
4	GEC Associates, Inc. (a) (b)
5	State Contracting & Engineering Corp.

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- 6 Thornton Construction Company, Inc. (a)
7 JCI International, Inc. (a) (b)

Notes:

- (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% (10-mile radius)

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) is the third-ranked firm and therefore, negotiated for the third-valued GOB-funded Renovations and New PE Shelter Project at Georgia Jones-Ayers Middle School. The first, second 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 Programming and Pre-construction Services, as follows:

SCHOOL PROFILE:

The facility, is located on an approximate 10-acre site, and is comprised of 2 permanent buildings built between 1963 and 1999, with a total of 138,223 GSF. The school site also includes a service drive and yard, on-site parking and 6 portable buildings.

PROJECT SCOPE:

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

- New P.E. Shelter;
- Re-coating and re-stripping of basketball courts and replacement of goal standards;
- Demolition of 6 portable buildings and site restoration;
- Replacement of campus-wide HVAC system components to include air handlers, unit ventilators, condenser, Direct Digital Controls (DDC), etc. (as required);

- Building 01: Renovation of group restrooms (to include lavatories, toilets and urinals), replacement of aluminum windows, metal roof, stage curtains, electrical generator, transformers, panelboards and enclosures, water and sewer lines (as required), selective doors, carpet, A/C wall units, provide outside air to classrooms, perform corrective work on selective HVAC components, boiler repairs and installation of security cameras;
- Building 02: Provide exhaust fan; and
- Selective paint.

Scope of Services:

The CMR is required to provide Pre-construction Services (during all phases of programming and design) including Guaranteed Maximum Price (GMP) proposal(s) and guaranteed completion date(s). If the GMP is awarded, the CMR must secure appropriate surety bonding pursuant to Florida Statute 255.05, and must hold construction sub-contracts. If the GMP(s) is not awarded, the Board may select another CMR under the original solicitation, re-advertise the required services 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:

PRIME FIRM: LEGO is certified by M-DCPS as SBE Tier 2 and Hispanic-American firm	ROLE/ RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY	SBE/MBE CERTIFICATION CATEGORY	GOAL % COMMITMENT
SUB-CONSULTANTS FIRM NAME:				
Gili-McGraw Architects, LLP	Constructability Consultant	Woman	MBE	5%
HP Consultants, Inc.	Design Review Consultant	Asian-American	MBE	5%
M. Gill & Associates, Inc.	Outreach Consultant	African-American	MBE	5%
Dominion Builders, LLC	Scheduling Consultant	Native-American	SBE-Tier 2	5%
IMR Development Corp.	Quality Control Consultant	Service-Disabled Veteran	SBE-Tier 1	5%
TOTAL PARTICIPATION FOR PRE-CONSTRUCTION (M-DCPS Mandatory Goal 10%)				25%

Construction Budget: \$2,400,560 (GOB-funded)

Project Schedule:

LEGO has agreed to provide required deliverables in accordance with the A/E's document submittal schedule:

- 100% Final Scope Definition Program: August 31, 2017

Note: Design milestones (contingent on Final Scope Definition Program Approval by September 5, 2017) are as follows:

- Board Commission of A/E (Part 2 services): October 2017
- Phase I - Schematic Design: November 2017
- Phase - II/III Construction Documents 50% complete: January 2018
- Phase - II/III Construction Documents 100% complete: March 2018

Project construction milestones are as follows:

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

Terms & Conditions:

1. LEGO has agreed to a lump sum fee for CMR Pre-construction Services of \$22,000 which represents approximately 0.92% of the Construction Budget of \$2,400,560. 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)	\$ 4,400
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$ 5,500
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/Building Official)	\$ 6,600
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$ 5,500
TOTAL PRE-CONSTRUCTION FEE:	\$ 22,000

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)	\$ 2,850

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. All work shall be in compliance with the State Requirements for Educational Facilities, the Florida Building Code, National Fire Prevention Code, applicable life safety codes, barrier-free design guidelines, Florida Statutes, District Standards and District Policies. Passive design elements and low-energy usage features shall be incorporated in the new work.
4. The cost of printing will be reimbursed by the Board on a direct cost basis, per conditions stipulated by the CMR Agreement.
5. 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.
6. The CMR shall maintain no less than a \$1,000,000 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.
7. 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.
8. 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.
9. 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

Wilfredo Sabater, Coordinator Facilities Design
Peter de la Horra, Project Manager II, Capital
Marlene Rett, Project Manager II, Capital
Thomas Quigley, Director, Maintenance
Julio Navarrete, Staff Assistant
Dr. Alexis Martinez, Administrative Director
Christopher Gardner, Compliance Analyst
Thomas Spaulding, ABC Member

Representing

Superintendent of Schools
Office of School Facilities
Office of School Facilities
Maintenance Operations
Educational Facilities Code Compliance
School Operations
Office of Economic Opportunity
Community Representative

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

Project Funding (GOB-funded):

Fund	Commitment Item	Funds Center	Program	Function	Funded Program
351000	568000	1601100	24090000	740000	01423900

Prior Commissioning Actions:

The Board has commissioned/awarded LEGO for services within the last three years as follows:

- CMR SBE at South Miami Middle School
GOB-funded Renovations, Project Number 01530300
Preconstruction Services Commissioned: April 5, 2017

Principal:

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

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission LEGO Construction Co. as the Construction Management at-Risk firm for General Obligation Bond-funded Renovations and New P.E. Shelter Project at Georgia Jones-Ayers Middle School, located at 1331 N.W. 46 Street, Miami, Florida 33142, Project Number 01423900, as follows:

- 1) Lump sum fee of \$22,000 for CMR Pre-construction Services;
- 2) Project scope, support fee of \$2,850 during programming; and
- 3) all terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:EF:rg