

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

SUBJECT: COMMISSION OF ASSET BUILDERS, LLC (DBA MESSAM CONSTRUCTION), AS CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR GENERAL OBLIGATION BOND FUNDED RENOVATIONS AT RIVIERA MIDDLE SCHOOL, PROJECT NUMBER 01530200

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction:

In August 2018, a solicitation, Request for Qualifications (RFQ) #171, was published to competitively select Construction Management at-Risk (CMR) firms for the following General Obligation Bond (GOB) funded projects under the "Procedures for the Selection of Construction Management (CM), CM at-Risk and Program Management Services" (updated November 15, 2017):

- Renovations & New P.E. Shelter at Leisure City K-8 Center (K-8)
14950 S.W. 288 Street, Miami, Florida 33033, Project No. 01529100
- Renovations at Palm Springs Elementary School (ES)
6304 East First Avenue, Hialeah, Florida 33013, Project No. 01529700
- Renovations & Classroom Addition at Miami Shores Elementary School (ES)
10351 N.E. 5 Avenue, Miami Shores, Florida 33138, Project No. 01529500
- Renovations at Riviera Middle School (MS)
10301 S.W. 48 Street, Miami, Florida 33165, Project No. 01530200

Fifteen (15) firms responded to the solicitation. All fifteen (15) firms were evaluated and of those, ten (10) firms were shortlisted and invited to interview. On October 31, 2018, the shortlisted firms were interviewed and subsequently ranked by the Selection Committee, as follows:

<u>Rank</u>	<u>Firm</u>
1	M.A.C. Construction, Inc. ^{(a) (b)}
2	State Contracting & Engineering Corporation
3	Thornton Construction Company, Inc. ^(a)
4	Asset Builders, LLC d/b/a Messam Construction ^{(a) (b)}
5	Stobs Bros. Construction Co.
6	D. Stephenson Construction, Inc. ^(a)
7	Link Construction Group, Inc. ^(a)

<u>Rank</u>	<u>Firm</u>
8	BDI Construction Company ^(a)
9	Veitia Padron Incorporated ^{(a) (b)}
10	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 (LWFU) Goal (determined by the M-DCPS Goal Setting Committee), as follows:

SBE/MBE Sub-consultant and Sub-contracting Goals			LWFU 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 (Leisure City K-8), the second-ranked firm for the second-valued project (Palm Springs ES) the third-ranked firm for the third-valued project (Miami Shores ES) and the fourth-ranked firm for the fourth-valued project (Riviera MS).

Asset Builders, LLC dba Messam Construction (Asset), was the fourth-ranked firm and therefore, negotiated for the fourth-valued GOB-funded Renovations project at Riviera MS. The first, second and third-ranked firms successfully negotiated their respective projects and are also being presented to the Board under separate agenda items.

Negotiations with Asset were successfully concluded, and the firm has agreed to provide the required CMR Programming and Pre-construction Services, as follows:

School Profile

Riviera Middle School is located at 10301 S.W. 48 Street, Miami, Florida 33165 on approximately 8 acres. The campus is comprised of 16 permanent buildings built between 1958 and 2000 with approximately 128,779 GSF and associated covered walkways. The school campus also includes a service drive and yard, and on-site staff parking. There are 2 portable buildings on site.

Preliminary Project Scope:

The GOB-funded deficiencies to be addressed for this project include, but are not limited to:

- Demolition of 2 portable buildings and site restoration;
- Resurfacing and restriping of the parking lots and drives;
- Recoating and restriping of basketball courts and additional walkways;
- Replacement of stairs and exterior railings in Buildings 01 & 02;
- Selective replacement of epoxy flooring throughout, and interior partitions and wood doors in Building 05;
- Selective replacement of aluminum windows, steel doors and frames;
- Replacement of benches and metal lockers in Building 08 as required;
- Selective replacement of acoustical ceiling, and fluorescent lights with Light Emitting Diode lights in Buildings 01, 05 & 07 including related finishes and electrical upgrades;
- Selective replacement of mop sinks and sinks in Building 03, water heater in Building 07 and water coolers in Buildings 01 - 04, 07, 08 & 13;
- Renovation of group toilets, fixtures and related domestic water piping and sanitary sewer upgrades in Buildings 03 & 07;
- Campus-wide HVAC system component replacement including Direct Digital Controls, roof top units at Buildings 04 & 13, Variable Air Volume box in Building 06, air handling unit and refrigerant condensing unit in Building 10, exhaust fans and related electrical upgrades;
- Replacement of wall AC units with new interior classroom HVAC packaged unit in Building 12;
- Replacement of electrical receptacles in Buildings 03 & 05, and emergency signage in Building 10; and
- Selective exterior/interior 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 the prime firm and each sub-consultant and verified the existence of a Memorandum of Understanding, outlining their role and responsibility, as follows:

LIST OF M-DCPS OEO CERTIFICATIONS				
PRIME FIRM: Asset is certified as an AA and SBE-T1 (certificates expire 6-15-2019)				
SUB-CONSULTANTS FIRM NAME	ROLE/ RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE (*) CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE GOAL (%) COMMITMENT
Richlin Plumbing, Inc.	Plumbing Consulting	W 6-15-2019	MBE 6-15-2019	2%
S&F Engineers, Inc.	Engineering Services	AS 4-28-2019	SBE-T1 4-28-2019	2%
IMR Development Corp.	Pre-construction Consulting	VBE 8-20-2019	SBE-T1 8-20-2019	2%
O.R. Painting, Inc.	Pre-construction Consulting	NA 10-23-2020	MBE 10-23-2020	2%
Hip Rock Star, LLC	SMBE Outreach	AA 3-4-2021	MBE 3-4-2021	2%
TOTAL PARTICIPATION FOR PRE-CONSTRUCTION (M-DCPS Mandatory Goal 10%)				10%

M/WBE category codes:

AA = African-American
 AS = Asian-American
 NA = Native American
 W = Women
 VBE = Veteran Business Enterprise

SBE/MBE (*) category codes:

SBE T1 = Small Business Enterprise -Tier 1
 MBE = Micro Business Enterprise

Note:

(*) SBE/MBE certification is based on OEO's review of each firm's Annual Eligibility Affidavit to determine compliance with eligibility criteria of the respective certification requirements.

Construction Budget: \$3,995,219 (GOB-funded)

Project Schedule:

Asset has agreed to the following A/E's document submittal schedule for PART 1 Programming/Scope Definition and PART 2 - Design Basic Services for the project, including all required consultants, as follows:

PART 1

- Preliminary Scope and Estimate Submittal March 28, 2019
- Draft Scope Definition Program and Master Plan Submittal May 9, 2019
- Final Scope Definition Program and Master Plan complete May 31, 2019

Note: It is anticipated that Issue Resolution by M-DCPS will be completed by April 18, 2019. The Final Scope Definition Program and Master Plan must be approved prior to moving forward with PART 2 negotiations.

PART 2 (milestones contingent on approval and signoffs for PART 1)

- Board Commission - Full A/E Services July 24, 2019
- Phase I - Schematic Design August 19, 2019
- Phase II/III Construction Documents 50% complete October 14, 2019
- Phase II/III Construction Documents 100% complete January 6, 2020

Construction milestones (contingent on approved documents)

- Board Award - (GMP) June 2020
- Construction - Substantial Completion by January 2022

Terms & Conditions:

1. Asset has agreed to a lump sum fee for CMR Pre-construction Services of \$35,440 which represents approximately 0.88% of the Construction Budget of \$3,995,219. 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)	\$7,088
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$8,860
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/ Building Official)	\$10,632
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$8,860
TOTAL PRE-CONSTRUCTION FEE:	\$35,440

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)	\$8,5400

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 A/E 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 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 State Requirements for Educational Facilities, the Florida Building Code, National Fire Protection Association, Florida Fire Prevention Code (life safety), barrier-free design guidelines, Florida Statutes, District Standards and District Policies.
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 report monthly on SBE/MBE Utilization to the Office of Economic Opportunity. All compliance reporting shall be submitted through the M-DCPS Online Diversity Compliance System.
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

Meriel Seymore, ABC Member
Tom Dixon, ABC Member
James Dillard, Admin. Director, School Operations
Francis Hoar, Admin. Director, Maintenance
Jeanette Garcia, Director, OEO
Israel Rodriguez-Soto, Project Manager II, Capital
Miguel Silva, Project Manager II, Capital
Julio Navarrete, Staff Assistant, Code Compliance

Representing

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

Representatives from 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 served as Chief Negotiator during negotiations.

Project Funding (GOB-Funded):

FUND	COMMITMENT ITEM	FUNDS CENTER	PROGRAM	FUNCTION	FUNDED PROGRAM
351000	568000	1680100	25290000	740000	01530200

Prior Commissions:

The Board has commissioned Asset for the services within the last three years as follows:

- Commissioned as a CMR (Sheltered Market - SBE) firm for Miscellaneous Projects up to \$2 million each (four-year term with extensions at the option of the Board)
Date of Commission & Contract term: August 15, 2018 - August 15, 2022

- Commissioned as a CMR (Sheltered Market - Category B. MBE) firm for Miscellaneous Projects up to \$200,000 each (four-year term with extensions at the option of the Board)
Date of Commission & Contract term: April 9, 2014 - April 8, 2018

Amendment (SBE graduation authorized for projects up to \$1million each): Feb. 21, 2018

Amendment (One-year extension): February 21, 2018 - extended until April 8, 2019 (contract became null & void on August 15, 2018)

Performance Evaluation:

M-DCPS' CMR Performance Evaluation for Asset is 3.15 (most recent average scores for projects currently underway or completed within the last three years, based on a scale of 1-5, low to high, for third quarter 2018).

Principal:

The Principal/Owner designated to be directly responsible to the Board for Asset Builders, LLC dba Messam Construction is Ms. Angela Messam. The firm is located at 18300 N.W. 62 Avenue, Suite 320, Miami Gardens, Florida 33015.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission Asset Builders, LLC (dba Messam Construction), as the Construction Management at-Risk firm for General Obligation Bond funded Renovations project at Riviera Middle School, located at 10301 S.W. 48 Street, Miami, Florida 33165, Project No. 01530200, as follows:

- 1) Lump sum fee of \$35,440 for CMR Pre-construction Services;
- 2) Project scope support fee of \$8,500 during programming; and
- 3) All terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:CC:cc