

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

SUBJECT: COMMISSION OF ASSET BUILDERS, L.L.C., DBA MESSAM CONSTRUCTION, AS CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR GENERAL OBLIGATION BOND-FUNDED RENOVATIONS AND NEW ELEVATOR AT FLAMINGO ELEMENTARY SCHOOL, PROJECT NUMBER 01528600

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction:

In October 2018, a solicitation, Request for Qualifications (RFQ) 173, 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 at Miami Springs Senior High School (SHS), 751 Dove Avenue, Miami Springs, FL 33166, Project Number 01413900
- Renovations & New Elevator at Flamingo Elementary School (ES), 701 East 33 Street, Hialeah, FL 33013, Project Number 01528600.

Eight (8) firms responded to the solicitation. One (1) firm was not evaluated due to incomplete RFQ response. Seven (7) firms were evaluated and six (6) were shortlisted and invited to interview. On January 10, 2019, the shortlisted firms were interviewed and subsequently ranked by the Selection Committee, as follows:

Rank Firm

- 1 Veitia Padron Incorporated ^{(a), (b)}
- 2 Asset Builders, L.L.C., dba Messam Construction ^{(a), (b)}
- 3 D. Stephenson Construction, Inc. ^(a)
- 4 BDI Construction Co. ^(a)
- 5 Thornton Construction Company, Inc. ^(a)
- 6 T&G Corporation, dba T&G Constructors ^(a)

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 and M/WBE sub-consultant, sub-contracting goals, and a Local Workforce Utilization (LWFU) Goal for this project (determined by the M-DCPS Goal Setting Committee), as follows:

FACILITY	MANDATORY SBE/MBE & M/WBE Sub-consultant & Sub-contracting Goals				Local Workforce Utilization Goal (Construction)
	Pre-construction	Construction		Construction Management	
	SBE/MBE	SBE/MBE	M/WBE	SBE/MBE	
Flamingo ES	10%	16.14%	8.86%	15%	20% (7.5 mi. radius)

Selection:

In accordance with the solicitation and interview process, the first-ranked firm was selected to negotiate the highest-valued project (Miami Springs SHS) and the second-ranked firm the second-valued project (Flamingo ES).

Asset Builders, L.L.C., dba Messam Construction (Messam), is the second-ranked firm and, therefore, negotiated for the second-valued, GOB-funded Renovations & New Elevator Project at Flamingo ES. The first-ranked firm successfully negotiated their respective project and is being presented under a separate Board agenda item. Negotiations with Messam were successfully concluded and the firm has agreed to provide the required CMR Pre-construction Services, as follows:

School Profile:

The school is located at 701 East 33 Street, Hialeah, FL 33013, on an approximate 4 acre parcel of land and is part of North Region. The campus is comprised of 7 permanent buildings (built between 1957 and 2004) and covered walkways with a total of 71,043 GSF. The school campus also includes a service drive and yard, on-site staff parking and curb-side drop-off.

Preliminary Project Scope (GOB Project Deficiencies to be Addressed)

Campus-wide, miscellaneous renovations include, but are not limited to:

- Addition of new elevator;
- Demolition of Building 06 and one Portable Building, site restoration and addition of entry court;
- Re-coating and re-striping of parking areas and drives;
- Replacement of existing K-Play area including shade and structure, and addition of new play area;
- New covered walkway and new additional drop-off location;

- Complete replacement of exterior railing system at Buildings 02 - 04, including stairs;
- Selective replacement of exterior doors;
- Re-roofing of Buildings 01 - 05;
- Replacement of windows at Buildings 01 - 04;
- Replacement of VCT flooring and rubber base, acoustical ceiling tile, grid and interior lighting;
- Toilet renovation and replacement of sanitary sewage and domestic water piping at Buildings 01 - 04;
- Removal of boiler and components and installation of new kitchen water heater;
- Replacement of and addition of water coolers with Hi/Low ADA compliant units;
- HVAC replacement (repair/replacement of HVAC components), controls and electrical service upgrades as required;
- Repair/replacement of PA and clock system as required and install security cameras and security alarm systems;
- Fire Alarm upgrades as required;
- Upgrades to sound system and stage lighting;
- Replacement of interior lighting and ceilings at Building 01; and
- Selective exterior 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 subcontracts. 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 Memoranda of Understanding, outlining roles and responsibilities, as follows:

LIST OF M-DCPS OEO CERTIFICATIONS				
PRIME FIRM: Messam is certified as an AA and SBE-T1 (certificates expire 06-15-2019)				
SUB-CONSULTANTS FIRM NAME	ROLE/ RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE (*) CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE GOAL (%) COMMITMENT
IMR Development Corp.	Pre-construction Consulting	SDV 08-20-2019	SBE-T1 08-20-2019	2.0%
S&F Engineers, Inc.	Structural Consulting	AS 04-28-2019	SBE-T1 04-28-2019	2.0%
Richlin Plumbing, Inc.	Plumbing Consulting	W 06-15-2019	MBE 06-15-2019	2.0%
Arbor Electrical Services, Inc., dba Mr. Wireman Electric	Electrical Consultant	AA 06-07-2019	MBE 06-07-2019	2.0%
O.R. Painting, Inc.	Waterproofing & Paint Consulting	NA 10-23-2020	MBE 10-23-2020	2.0%
TOTAL PARTICIPATION FOR PRE-CONSTRUCTION (M-DCPS Mandatory Goal <u>10%</u>)				10%

M/WBE category codes:

AA = African-American
AS = Asian-American
NA = Native America
W = Women
SDV = Service-Disabled Veteran

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: \$5,914,463 (GOB-funded)

Project Schedule:

Messam has agreed to the following Architect/Engineer of Record (A/E) 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: May 13, 2019
- Draft Scope Definition Program and Master Plan Submittal: June 17, 2019
- Final Scope Definition Program and Master Plan Complete: June 24, 2019

Note: It is anticipated that Issue Resolution by M-DCPS will be completed by July 11, 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 signoff for PART 1)

- Board Commission - Full A/E Services: September 4, 2019
- Phase I - Schematic Design: October 16, 2019
- Phase II/III - Construction Documents 50% complete: December 20, 2019
- Phase II/III - Construction Documents 100% complete: March 17, 2020

Construction milestones (contingent on approval documents)

- Board Award - GMP: September 2020
- Construction - Substantial Completion by: March 2022

Terms & Conditions:

1. Messam has agreed to a lump sum fee for CMR Pre-construction Services of \$55,300 (including Programming/Scope Definition) which represents approximately 0.94% of the Construction Budget of \$5,914,463. 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)	\$6,900
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$13,800
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/Building Official)	\$13,800
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$11,500
Total Pre-construction Services Fee:	\$46,000

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)	\$9,300

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, 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 application, and regulatory agency reviews are accomplished; and
 - 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 Million Professional Liability Insurance policy with a maximum deductible of \$50,000, Worker's Compensation/Employers Liability Insurance, Comprehensive General Liability Insurance 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

Alfred Billings, ABC Member
 Albert Marin, Project Manager II
 Jessica Ginart, Assistant Project Manager
 Thomas Quigley, Director
 Julio Navarrete, Staff Assistant
 James Dillard, Administrative Director

Representing

Superintendent of Schools
 Office of School Facilities
 Office of School Facilities
 Office of School Facilities-Maintenance
 Educational Facilities Code Compliance
 School Operations

Jeannette Garcia, Director
Meriel Seymore, ABC Member

Office of Economic Opportunity
Community Representative

Representatives 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 Chief Negotiator during negotiations.

Project Funding (GOB):

Fund	Commitment Item	Funds Center	Program	Function	Funded Program
351000	568000	1192100	19920000	740000	01528600

Prior Commissions:

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

CMR at Riviera Middle School, GOB-funded Renovations - Project Number 01530200

Pre-construction Services Commissioned: January 16, 2019

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):

February 21, 2018

Amendment (one-year extension):

February 21, 2018 - April 8, 2019 (Contract became null & void on August 15, 2018)

Performance Evaluation:

M-DCPS' CMR Performance Evaluation for Messam 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, as of December 31, 2018).

Principal:

The Principal/Owner designated to be directly responsible to the Board for Messam is Wayne Messam. The firm is located at 18300 N.W. 62 Avenue, Suite 320, Miami, FL 33015.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission Asset Builders, L.L.C., dba Messam Construction, as Construction Management at-Risk firm for General Obligation Bond-funded Renovations & New Elevator at Flamingo Elementary School, located at 701 East 33 Street, Hialeah, FL 33013; Project Number 01528600, as follows:

- 1) Lump sum fee of \$46,000 for Pre-construction Services;
- 2) Support Services fee of \$9,300 during programming; and
- 3) The project scope and all terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:EF:rg