

Office of School Facilities  
Raul F. Perez, Chief Facilities Design & Construction Officer

**SUBJECT: COMMISSION OF NYARKO ARCHITECTURAL GROUP, INC., AS ARCHITECT/ENGINEER OF RECORD, SHELTERED MARKET FOR MICRO BUSINESS ENTERPRISE, FOR PART 2 (FULL A/E) SERVICES FOR GENERAL OBLIGATION BOND FUNDED RENOVATIONS AT LENORA BRAYNON SMITH ELEMENTARY SCHOOL, PROJECT NUMBER 01529200**

**COMMITTEE: FACILITIES AND CONSTRUCTION**

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

Introduction:

On October 11, 2017, the Board commissioned Nyarko Architectural Group, Inc. (NAG) for Part 1 Services (Program/Master Plan) as advertised under Request for Qualifications 152 for Architect/Engineer of Record (A/E), Sheltered Market for Small Business Enterprises (SBE) or Micro Business Enterprises (MBE), for General Obligation Bond (GOB) funded Renovations at Lenora Braynon Smith Elementary School, located at 4700 NW 12 Avenue, Miami, FL 33127. The Final Scope Definition Program/Master Plan document submitted by NAG dated April 12, 2019 received M-DCPS approval on April 24, 2019. Negotiations with NAG were successfully concluded and the firm has agreed to provide Part 2, full A/E services, for the project as follows:

Project Scope:

The project must be designed, phased, coordinated and constructed to maximize safety and minimize disruption to the existing, occupied campus. Based on the Final Scope Definition Program/Master Plan, the general scope of campus-wide renovations includes, but is not limited to:

Building 01 – Main

- Replacement of 29 unit ventilators and their corresponding condenser units in all classrooms, including the Computer Classroom and Rack Room with new two-stage cooling unit ventilators, including concealment of all piping serving the unit ventilators, cleaning of condensate lines and replacement of damaged ends to drywells. Provide three Direct Expansion (DX) split air conditioning (AC) units and ductwork to serve the corridor with condenser units on the roof and air handling

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units in ceiling spaces; replacement of a 20 Ton air handling unit (AHU) and corresponding condenser unit serving the Dining and the Stage with a new AHU and condensing unit, including replacement of damaged ductwork, all properly sized with CO2 sensors, motorized outside air dampers and connections to the Energy Management System (EMS) controls, and wall AC units in the Kitchen Manager's Office and Dry Storage with new roof top mounted DX mini split AC units. Scope includes structural and roofing upgrades;

- Renovation of four Student Group Restrooms to ADA compliance including replacement of plumbing fixtures and accessories, water, waste and vent piping in walls and part of underground lines;
- Replacement of double Stainless-Steel sink in Laboratory 016;
- Replacement of ten electrical panels (200 amp each) recessed in the partition wall along the hallway with new electrical panels (250 amp each); including upgrading conduits, wiring and breakers to main panel;
- Replacement of approximately 32,000 SF of acoustical ceiling and 550 light fixtures in classrooms, hallways and dining, with new acoustical ceiling and LED light fixtures;
- Provide 20 new electrical receptacles to serve Custodial and Equipment Rooms; demolition of empty/exposed electrical conduits along the stage wall;
- Replacement of 42 fire alarm booster modules and re-certification of the fire alarm system to comply with code; replacement of damaged Public Announcement (PA) call button with conduit to the PA system;
- Provide 33 emergency exit signs in classrooms;
- Replacement of base storage cabinets in all classrooms with new built-in counters and cabinets, repair the damaged framed wall behind the cabinets, replacement of vinyl composition tile and base board along the adjacent walls and cabinets; and
- Renovation of stairway structure including replacement of approximately 780 SF of metal grid enclosure, power wash concrete structure and railing, and upgrade landscape surrounding stairway.

#### Building 02 - Primary Classrooms (Six Pack)

- Remodeling of six single-stall restrooms to ADA compliance including sinks, replacement of plumbing fixtures and accessories, water, waste and vent piping in walls and part of underground lines.

#### Building 03 - K POD

- Remodeling of four individual Student Restrooms 040A, 040B, 042A and 042B, into two ADA restrooms (M/F), each accessible from two adjacent classrooms. Renovation includes replacement of water, waste and vent piping in walls and part of underground line; and replacement of two exhaust fans properly sized, serving two restrooms.

#### Building 04 - Storage

- Provide one electrical receptacle to serve Storage Room 001A.

#### Building 05 - Mechanical

- Provide one roof mounted exhaust fan properly sized, and new safety guard rail at roof for the Generator Room 136 including related roofing.

#### Building 07 - Flammable Storage

- Provide one roof mounted explosion proof exhaust fan, new safety guard rail at roof, new louver for outside air and new security alarm contact at entry door connected to the existing security alarm system panel, including related roofing.

#### Building 08 - PE Shelter

- Provide new high/low water coolers with bottle filler to comply with ADA.

#### Building 09 - Media Center, Building 10 - Arts and Building 11 - Music

- Replacement of the existing AHU and condensing unit, provide variable air volume (VAV) boxes and variable frequency drives connected to the EMS controls, reconfiguration of the ductwork layout as necessary to meet the supply and return air CFM capacities; scope includes mechanical, electrical and plumbing upgrades.

#### Building 12 - Clinic

- Renovation of one single restroom to ADA compliance, including enlarging space, replacing plumbing fixtures and accessories, water, waste and vent piping in walls and part of underground lines.

#### Campus-Wide

- Connection of HVAC equipment to the existing EMS (controls commissioning by M-DCPS Energy Management Department);
- Replacement of main galvanized domestic water line from the meter to Buildings 01, 02, 03 and 12;
- Provide 12 wall-mounted light fixtures at entrances throughout the facility;
- Provide conduit and pull-string for 42 security cameras to connect to the existing security camera system panel;
- Exterior painting throughout the entire campus, and selective interior painting in Building 01;
- Deductive alternates; and
- All scope shall include related repairs to plumbing, electrical and finishes as required and in compliance with M-DCPS Design Standards.

#### Construction Delivery Method:

To minimize disruption to students and faculty during construction, and in accordance with the M-DCPS Construction Delivery Method Matrix, the Construction Management at-Risk (CMR) delivery method has been selected for this project. On October 11, 2017, the Board commissioned JCI International, Inc. as CMR firm for the project. 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:

<p align="center"><b>PRIME FIRM</b>  <u>NAG is M-DCPS certified as MBE and African-American owned firm (certifications expiration date: 8/21/19)</u>  <i>see note (2)</i></p> <p align="center"><b>SUB-CONSULTANT FIRM NAME</b></p>	<p align="center"><b>DISCIPLINE/ ROLE</b></p>	<p align="center"><b>M/WBE CERTIFICATION CATEGORY &amp; EXPIRATION DATE</b></p>	<p align="center"><b>SBE/MBE CERTIFICATION CATEGORY &amp; EXPIRATION DATE</b></p>	<p align="center"><b>GOAL % COMMITMENT</b>  <i>see note (3)</i></p>
MEP Engineering, Inc.	Electrical Engineer	Hispanic-American (9/6/19)	SBE Tier 1 (9/6/19)	17%
MEP Engineering, Inc.	Mechanical Engineer	Hispanic-American (9/6/19)	SBE Tier 1 (9/6/19)	11%
Lakdas/Yohalem Engineering, Inc.	Structural Engineer	Asian-American (12/7/21)	SBE Tier 2 (12/7/21) <i>see note (1)</i>	4%
AMBRO, Inc.	Civil Engineer	African-American (7/6/20)	SBE Tier 1 (7/6/20)	2%
<p><b>TOTAL SBE/MBE PARTICIPATION - <i>see note (2)</i></b>                      (M-DCPS Mandatory SBE/MBE Goal: <u>15%</u>)</p>				<p align="center"><b>34%</b></p>

Notes:

- (1) At the time of the RFQ response on July 6, 2017, Lakdas/Yohalem Engineering, Inc. (LYE) was not certified as SBE nor MBE. However, as of December 7, 2018 (after the Part 1 commission) LYE is an M-DCPS SBE.
- (2) Subsequent to the negotiations, NAG submitted revised utilization commitment percentage for each of their sub-consultants. Accordingly, their total revised SBE/MBE participation increased from 15% to 34%.
- (3) SBE/MBE certification is based on OEO's review of each firm's Annual Eligibility Affidavit to determine compliance with the eligibility criteria of the respective certification requirements.

Construction Budget: \$2,688,534 (GOB-funded)

Project Schedule:

NAG has agreed to the following A/E's document submittal schedule for Part 2 Services:

- Phase I - Schematic Design July 24, 2019
- Phase II/III - Construction Documents 50% complete September 17, 2019
- Phase II/III - Construction Documents 100% complete November 15, 2019

Note: Phase II/III submittals are predicated on M-DCPS' Phase I - Schematic Design acceptance no later than August 1, 2019.

Construction milestone dates:

- Board Award - Guaranteed Maximum Price (GMP) by April 2020
- Construction - Substantial Completion by June 2021

Terms & Conditions:

1. Basic Services Fees:

NAG has agreed to a lump sum fee for Basic Services of \$207,000 which represents approximately 7.70% of the Construction Budget of \$2,688,534. This Basic Services fee includes all required services, consultants and phasing, in order to comply with the project schedule and budget, unless noted otherwise as Supporting Services fees. Basic Services fees shall be paid based on completion of the following listed phases:

<b>BASIC SERVICES - PHASE DESCRIPTION</b>	<b>% OF FEE</b>	<b>FEE</b>
Phase I - Schematic Design (complete/accepted by M-DCPS)	10.0%	\$20,700
Phase II/III - Construction Documents, 50% (complete/accepted by M-DCPS)	25.0%	\$51,750
Phase II/III - Construction Documents, 100% (complete/accepted by M-DCPS)	16.0%	\$33,120
Phase II/III - Construction Documents, 100% (complete & approved for construction by the Building Code Consultant/Building Official)	16.0%	\$33,120
Phase IV - Bid/Award	2.0%	\$4,140
Phase V - (A) Construction Administration	26.0%	\$53,820
Phase V - (B) Punch List/Closeout	4.0%	\$8,280
Phase VI - Warranty	1.0%	\$2,070
<b>TOTAL BASIC SERVICES LUMP SUM FEE:</b>	<b>100.0%</b>	<b>\$207,000</b>

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2. Should funding become available, the following services require prior written authorization by the Board's designee:

a) ADA Scope, Domestic Water Line Replacement & Exterior Paint as Deductive Alternate (Design thru Bid/Award): \$38,778

b) ADA Scope, Domestic Water Line Replacement & Exterior Paint as Deductive Alternate (Construction Administration): \$17,422

Note: If the Deductive Alternate is taken, then this fee will not be required.

3. The following services require prior written authorization by the Board's designee:

a) Additional Site Visits: A maximum of 75 additional site visits at a flat fee of \$250/site visit: \$18,750

b) Project-Specific Land Survey, Not-to-Exceed:	\$ 5,000
c) Test & Balance, Not-to-Exceed:	<u>\$20,000</u>
Total Supporting Services Fees:	\$99,950

4. Other Terms & Conditions:

- 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 and District Design Standards and Policies;
- A/E requested testing shall be arranged and paid for by the Board; specialized testing, pre-approved by the Board, but not available through the Board, shall be reimbursed by the Board on a direct cost basis;
- The cost of printing will be reimbursed by the Board on a direct cost basis, per conditions stipulated by the A/E Agreement;
- The Principals' rates are set at \$135/hour for the Architect, and \$135/hour for the Sub-consultants' Principals, for Board-authorized additional services;
- The standard multiplier for hourly compensation is limited to 2.40 for any Additional Services approved by the Board;
- The provisional multiplier for hourly compensation, for assignment of technical personnel housed in places other than A/E's offices, is limited to 1.70 for any Additional Services approved by the Board;
- The A/E shall maintain no less than a \$500,000 Professional Liability Practice Policy with a maximum deductible of \$25,000; Workers Compensation/Employers' Liability Insurance; Commercial General Liability Insurance, Automobile Liability Insurance, all as specified in the Agreement;
- The Agreement may be terminated by the Board, with or without cause, upon thirty (30) days written notice to the A/E; whereas, the A/E may terminate the Agreement, with cause only, upon thirty (30) days written notice to the Board;
- The A/E 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; and
- The A/E has agreed to the terms and conditions of the Agreement and will commence services upon Board commissioning.

Project Funding (partially GOB-funded):

Fund	Commitment Item	Funds Center	Program	Function	Funded Program
351000	568000	1008100	18210000	740000	01529200
369000	568000	1008100	11200000	740000	01529200

Prior Commissions:

The Board has commissioned NAG for the following services within the last three years:

- A/E at North Hialeah Elementary School  
Part 2 services (Full A/E Services) for GOB-funded Renovations - Project Number 01529600  
Date of Commission: April 17, 2019
- A/E at North Hialeah Elementary School  
Part 1 services (Program/Master Plan) for GOB-funded Renovations - Project Number 01529600  
Date of Commission: February 21, 2018
- A/E at Lenora Braynon Smith Elementary School  
Part 1 services (Program/Master Plan) for GOB-funded Renovations - Project Number 01529200  
Date of Commission: October 11, 2017
- Architectural/Engineering Projects Consultant (Sheltered Market for Small Micro Business Enterprises) for Miscellaneous Projects up to \$2M each for a four-year term  
Date of Commission: July 25, 2018 – July 25, 2022

Performance Evaluation:

M-DCPS' A/E Performance Evaluation for NAG is 3.18 (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 first quarter of 2019).

Principal:

The Principal/Owner designated to be directly responsible to the Board for Nyarko Architectural Group, Inc., is Charles Nyarko. The firm is located at 5931 NW 173 Drive, Suite 2, Miami, FL 33015.

**RECOMMENDED:**

That The School Board of Miami-Dade County, Florida, commission Nyarko Architectural Group, Inc., as Architect/Engineer of Record, Sheltered Market, Micro Business Enterprise, for Part 2 (Full A/E) Services for General Obligation Bond Funded Renovations at Lenora Braynon Smith Elementary School, located at 4700 NW 12 Avenue, Miami, FL 33127, Project Number 01529200, as follows:

- 1) A lump sum fee of \$207,000 for Part 2 Basic Services; and
- 2) Project scope and all terms and conditions as set forth in the Agreement and the body of the agenda item.

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