

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

**SUBJECT: COMMISSION OF LEGO CONSTRUCTION CO., AS  
CONSTRUCTION MANAGEMENT AT-RISK FIRM FOR  
GENERAL OBLIGATION BOND FUNDED RENOVATIONS  
AT GLADES MIDDLE SCHOOL, PROJECT NUMBER  
01613700**

**COMMITTEE: FACILITIES AND CONSTRUCTION**

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

Introduction:

In September 2019, a Request for Qualifications (RFQ) 179, was published to competitively select a Construction Management at-Risk (CMR) firm for General Obligation Bond (GOB) funded Renovations at Glades Middle School, located at 9451 S.W. 64 Street, Miami, Florida 33173, Project Number 01613700.

Eight (8) firms responded to the solicitation. Two (2) firms were not evaluated due to incomplete RFQ responses. Six (6) firms were evaluated, and five (5) were short-listed and invited to interview. On January 22, 2020, the short-listed firms were interviewed and subsequently ranked by the Selection Committee, as follows:

<u>Rank</u>	<u>Firm</u>
1	Lego Construction Co. (Lego) <sup>(a)</sup>
2	Thornton Construction Company, Inc. <sup>(a)</sup>
3	Stobs Bros. Construction, Co.
4	Asset Builders, LLC, d/b/a Messam Construction <sup>(a)(b)</sup>
5	State Contracting & Engineering Corporation

Notes:

- (a) Prime firm holds a current M-DCPS Minority/Women 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 and sub-contracting goals (as determined by the M-DCPS Goal Setting Committee), as follows:

<b>Pre-construction Services</b>		<b>Construction, Construction Management and Local Workforce Utilization Goals (Construction)</b>
<b>MANDATORY sub-consultant and sub-contracting goals</b>		
<b>SBE/MBE</b>	<b>M/WBE</b>	<b>T.B.D. at Phase II/III 50% Construction Document approval</b>
<b>10%</b>	<b>9.41%</b>	

Selection:

Lego was the highest-ranked firm and in accordance with the “Procedures for the Selection of Construction Management (CM), CM at-Risk and Program Management Services” (updated August 14, 2019), was selected to negotiate for this project. Negotiations with Lego were successfully concluded and the firm has agreed to provide the required CMR Pre-construction Services.

School Profile:

The existing facility is on approximately 17 acres and is part of the South Region. The campus is comprised of 5 permanent buildings and covered walkways with a total of 108,429 GSF. Building 01 (two-story) and Buildings 02 and 03 (both one-story) were built in 1962. Building 04 (one-story) was built in 1991 and Building 05 (one-story) was built in 1999. The school site also includes a service drive and yard, and on-site staff parking.

Preliminary Project Scope (GOB-funded project deficiencies to be addressed)

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

- Replacement of damaged concrete walks, chain link fencing and gates;
- New backflow preventer and chain link fence enclosure;
- Replacement of curtain wall system, windows, doors and frames in Building 01;
- Replacement of acoustical ceiling in Building 01;
- Renovation of group toilets including domestic water and sanitary sewer piping;
- Replacement of water coolers;
- New ADA-compliant signage, as required;
- Replacement of HVAC components (ductwork, chillers, air handling units, rooftop units, exhaust fans and unit ventilators), new outside air system and direct digital controls;
- Replacement of kitchen hood including fire suppression system;
- Selective replacement of lighting and emergency lighting in Building 01;
- Miscellaneous electrical upgrades in Building 01;
- New exterior wall-mounted lighting at Building 05;
- Additional security cameras and alarm devices;
- Replacement of fire alarm system; and
- Selective exterior/interior painting.

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 programed, 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 their roles and responsibilities, as follows:

<b>LIST OF M-DCPS OEO CERTIFICATIONS</b>					
<b>PRIME FIRM:</b> Lego is M-DCPS certified as Hispanic-American (certificate expires on 6-19-2022)					
<b>SUB-CONSULTANTS FIRM NAME</b>	<b>ROLE/ RESPONSIBILITY</b>	<b>M/WBE CERTIFICATION CATEGORY &amp; EXPIRATION DATE</b>	<b>M/WBE GOAL (%) COMMITMENT</b>	<b>SBE/MBE CERTIFICATION CATEGORY &amp; EXPIRATION DATE</b>	<b>SBE/MBE GOAL (%) COMMITMENT</b>
Charesse Chester & Associates, Inc., dba Creativision MEDIA, Inc.	Community Outreach	African-American 8-10-2020	2%	MBE - Tier 1 8-10-2020	4%
Bach Design Engineer	MEP Review	Asian-American 3-20-2020	6%	-	-
C. L. Elias Construction, Inc.	Finishes Analysis	Women 6-3-2020	1%	MBE - Tier 2 6-3-2020	4%
Electrical Alliance Corporation	Electrical Consulting	African-American 4-12-2022	2%	SBE - Tier 1 4-12-2022	3%
O. R. Painting, Inc.	Painting & Waterproofing	Native-American 10-23-2020	2%	MBE - Tier 1 10-23-2020	3%
<b>TOTAL SUB-CONSULTANTS PARTICIPATION PER CATEGORY</b>		<b>M/WBE: 13%</b>		<b>SBE/MBE: 14%</b>	

**Construction Budget:          \$4,798,172    (GOB-funded)**

**Project Schedule:**

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

- Program Validation July 27, 2020
- Phase I - Schematic Design September 22, 2020
- Phase II/III - Construction Documents 50% complete December 7, 2020
- Phase II/III - Construction Documents 100% complete March 18, 2021

Construction milestones (contingent on approved documents)

- Board Award - (GMP) September 2021
- Construction - Substantial Completion by March 2023

**Terms & Conditions:**

1. Lego has agreed to a lump sum fee for CMR Pre-construction Services of \$42,940 which represents approximately 0.89% of the Construction Budget of \$4,798,172. 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:

<b>PRE-CONSTRUCTION SERVICES</b>	<b>LUMP SUM FEE (PER TASK)</b>
Phase I - Schematic Design (completed/accepted by M-DCPS)	\$ 8,588
Phase II/III - 50% Construction Documents (completed/accepted by M-DCPS)	\$ 10,735
Phase II/III - 100% Construction Documents (completed/approved for construction by the Building Code Consultant/ Building Official)	\$ 12,882
Phase IV - Bidding/GMP Submittal/GMP Negotiations/Award of GMP Amendment	\$ 10,735
<b>TOTAL PRE-CONSTRUCTION FEE:</b>	<b>\$ 42,940</b>

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

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, 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; 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, and M-DCPS District Standards, including LEED for Building Design and Construction rating system as it relates to K-12 facilities 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 Practice Policy with a maximum deductible of \$50,000, Workers' Compensation/Employers' Liability Insurance, Commercial General Liability Insurance and Automobile Liability Insurance, all as specified in the Agreement.
  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 and M/WBE Utilization to OEO. 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

Thomas Spaulding, ABC Member  
Peter de la Horra, Project Manager II

Representing

Superintendent of Schools  
Office of School Facilities

Committee Members

Lino Fernandez, Architect  
Francis Hoar, Administrative Director  
Julio Navarrete, Staff Assistant  
James Dillard, Administrative Director  
Jeannette Garcia, Director  
Meriel Seymore, ABC Member

Representing

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

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	563000	1621100	24420000	740000	01613700
351000	568000	1621100	24420000	740000	01613700

Prior Commissions:

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

- CMR (Sheltered Market for Small/Micro Business Enterprises) for Miscellaneous Projects with Construction Budgets up to \$2 Million each for a 4-year term:  
Date of Commission: August 15, 2018  
Until: August 15, 2022
- CMR at Dr. Gilbert L. Porter Elementary School and PLC-Q  
GOB-funded Renovations - Project Number 01528700  
Pre-construction Services Commissioned: February 21, 2018
- CMR at Georgia Jones-Ayers Middle School  
GOB-funded Renovations - Project Number 01423900  
Pre-construction Services Commissioned: June 21, 2017
- CMR at South Miami Middle School  
GOB-funded Renovations - Project Number 01530300  
Pre-construction Services Commissioned: April 5, 2017

Performance Evaluation:

M-DCPS' CMR Performance Evaluation for Lego is 3.34 (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 fourth quarter 2019).

Principal:

The Principal/Owner designated to be directly responsible to the Board for Lego Construction Co., is Mr. 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 at Glades Middle School, located at 9451 S.W. 64 Street, Miami, Florida 33173, Project Number 01613700, as follows:

- 1) Lump sum fee of \$42,940 for CMR Pre-construction Services; and
- 2) The project scope and all terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:CC:cc