

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

SUBJECT: COMMISSION OF ABSOLUTE CIVIL ENGINEERING SOLUTIONS, L.L.C., TO PROVIDE BUILDING CODE CONSULTANT (BCC) DOCUMENT REVIEW AND INSPECTION SERVICES FOR FOUR YEARS WITH EXTENSIONS AT THE OPTION OF THE BOARD

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction

In February 2020, a solicitation was issued for one or more BCC services firms. The selected firm will provide document review and inspection services, and other related services for four (4) years, with extension(s) at the option of the Board.

The District received four responses to the Request for Qualifications (RFQ) 182. After pre-screening to determine minimum qualifications all firms were evaluated per "Procedures for the Selection of Building Code Consultant (BCC) Services" updated September 4, 2019, interviewed and ranked, as follows, and the three (3) highest ranked firms were selected for negotiations.

<u>Ranking</u>	<u>Firm</u>
1	Absolute Civil Engineering Solutions, L.L.C. (ACES), (a) & (c)
2	Bermello Ajamil & Partners, Inc., (b)
3	C.A.P. Government, Inc., (b)
4	Architects International, Inc., dba AI, Inc., (b) & (c)

Notes:

- (a) Firm holds a current M-DCPS Minority/Women Business Enterprise (M/WBE) Certificate (Woman).
- (b) Firm holds a current M-DCPS Minority/Women Business Enterprise (M/WBE) Certificate (Hispanic).
- (c) Firm holds a current M-DCPS Small/Micro Business Enterprise (S/MBE) Certificate (SBE-Tier 2).

This solicitation includes mandatory SBE/MBE and M/WBE sub-consultant goals (as determined by the M-DCPS Goal Setting Committee), as follows:

S/MBE	M/WBE
8.00%	7.00%

The following Agreement General Terms and Conditions, fees and scope of services were successfully negotiated as enumerated.

General Terms and Conditions

- A. Staff initiated negotiations in order of ranking and successfully completed negotiations with the first negotiating firm (ACES), for services in accordance with “Exhibits A, B and C” Fee Schedules and “Exhibit D” Payment Intervals, attached hereto. Exhibit “A” reflects the District’s COVID 19 Price Relief Fee Reduction of 10% for the first year of the Agreement. Exhibits “B & C” reflect fees for the second through fourth years of the Agreement.
- B. Other negotiated flat fees and hourly rates for services are as follows (for first year of the Agreement. See Exhibit “C” for second, third and fourth years of the Agreement):

CATEGORIES	FLAT FEES
ARTICLE V - REIMBURABLE EXPENSES	-
Paragraph 5.3 - Missed Inspection Fee	\$180
Paragraph 5.4 - Re-Inspection Fee	\$180
ARTICLE VI - ADDITIONAL SERVICES	-
Paragraph 6.1.3 - Additional Review	\$405
Paragraph 6.1.5 - Forms Processing	\$225
Paragraph 6.1.6 1) Elementary School Sites 2) Middle School Sites 3) Senior High School Sites	1) \$360 2) \$405 3) \$585
Paragraph 6.1.7 1) Priority Review Phase I 2) Priority Review Phase III	1) \$405 2) \$585
ARTICLE IX - COMPENSATION	-
Paragraph 9.1.7 - Hourly Rates 1) Inspector 2) A/E Services 3) Principal	1) \$65/hr. 2) \$77/hr. 3) \$122/hr.

- C. Basic Services include, but are not limited to, review of contract documents, construction inspections, and other related services as described in the Agreement.

- D. The term of the Agreement is four years with extensions at the option of the Board. The base period of the Agreement commences on April 21, 2021 and expires on April 21, 2025.
- E. Work will be assigned on the basis of the firm's capabilities, workload and successful performance on previous assignments.
- F. Projects with Construction Budgets up to and including \$200,000 will be negotiated based on required level of effort, resulting in a not-to-exceed, lump sum fee. The Board, at its option, may also negotiate reduced fees for projects with Construction Budgets from \$200,001 up to and including \$1,000,000.
- G. The Board does not guarantee any minimum number of projects or any specific construction values. The Board reserves the right to limit the number of concurrent agreements held by a single firm with Miami-Dade County Public Schools.
- H. The BCC shall provide and maintain the required insurance coverage in accordance with Article VII of the Agreement.
- I. The Board may terminate the Agreement with or without cause upon thirty (30) days written notice to the BCC. The BCC may terminate the Agreement only with cause upon thirty (30) days written notice to the Board.
- J. The standard multiplier for hourly compensation is limited to 2.40 for any Additional Services approved by the Board.

Office of Economic Opportunity (OEO) Review

M-DCPS' OEO staff established the Small Business Enterprise/Micro Business Enterprise (SBE/MBE) and Minority/Woman Business Enterprise (M/WBE) certification status of the firms and sub-consultants, and verified the existence of Memoranda of Understanding, outlining roles and responsibilities, as follows:

LIST OF M-DCPS OEO CERTIFICATIONS						
PRIME FIRM: ACES is M-DCPS certified as M/WBE (Women) and SBE (Tier 2). Certifications expire on 06-01-2021.						
SUB-CONSULTANTS FIRM NAME	ROLE OR RESPONSIBILITY	M/WBE CERTIFICATION CATEGORY & EXPIRATION DATE	M/WBE GOAL (%) COMMITMENT	SBE/MBE CERTIFICATION CATEGORY & EXPIRATION DATE	SBE/MBE GOAL (%) COMMITMENT	NOT CERTIFIED SBE/MBE OR M/WBE %
Hammond & Associates, Inc.	Mechanical Engineer	-	-	SBE Tier-1 06-02-2023	8.0%	-
Hammond & Associates, Inc.	Electrical Engineer	African-American 06-02-2023	7.0%	-	-	-
TOTAL SUB-CONSULTANTS PARTICIPATION PER CATEGORY:		M/WBE: 7.0%		SBE/MBE: 8.0%		0%

The BCC 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.

Principal

The Principal responsible to the Board and address for the firm follows:

- Tiffany Leal. The firm is located at 2875 N.E. 191, Suite 500, Aventura, FL 33180.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, commission Absolute Civil Engineering Solutions, L.L.C., to provide Building Code Consultant Document Review and Inspection Services for four years with extensions at the option of the Board, as follows:

- 1) Compensation as negotiated and set out in Exhibit "A, B & C", Fee Schedule, Exhibit "D", Payment Intervals, and miscellaneous flat fees and hourly rates as shown in the body of the agenda item;
- 2) Terms and conditions as set forth in the body of the agenda item, and in the Agreement; and
- 3) The firm agrees to commence services upon commissioning by the Board.

NAD:EF

EXHIBIT "A"
BUILDING CODE CONSULTANT (BCC) FEE SCHEDULE
(FIRST YEAR OF THE AGREEMENT -
for the District's COVID-19 Price Relief Fee Reduction of 10%)

ADDITIONS, REMODELING & RENOVATIONS					
CONTRACT CATEGORIES (CONSTRUCTION BUDGET)		% OF CONSTRUCTION BUDGET		LUMP SUM SERVICES	
BASIC SERVICES		BASIC SERVICES			
FROM	TO	REVIEW	INSPECTIONS	Fire Safety Occupancy Inspection	Enhanced Structural Review
\$0	\$200,000	HR NTE/Lump Sum	HR NTE/Lump Sum	HR NTE/Lump Sum	HR NTE/Lump Sum
\$200,001	\$500,000 *	1.58	2.03	\$ 756	\$ 621
\$500,001	\$750,000 *	1.19	1.64	\$ 756	\$ 621
\$750,001	\$1,000,000 *	1.01	1.37	\$ 756	\$ 621
\$1,000,001	\$2,000,000	0.83	1.10	\$1,026	\$801
\$2,000,001	\$3,000,000	0.60	0.84	\$1,026	\$ 801
\$3,000,001	\$4,500,000	0.50	0.78	\$1,026	\$1,116
\$4,500,001	\$6,000,000	0.38	0.55	\$1,026	\$1,116
\$6,000,001	\$10,000,000	0.33	0.48	\$1,161	\$1,251
\$10,000,001	\$24,000,000	0.27	0.40	\$1,251	\$1,251

NEW FACILITIES (NEW CONSTRUCTION)					
CONTRACT CATEGORIES (CONSTRUCTION BUDGET)		% OF CONSTRUCTION BUDGET		LUMP SUM SERVICES	
BASIC SERVICES		BASIC SERVICES			
FROM	TO	REVIEW	INSPECTIONS	Fire Safety Occupancy Inspection	Enhanced Structural Review
\$1,000,000	\$2,000,000	0.57	0.94	\$1,512	\$801
\$2,000,001	\$3,000,000	0.47	0.69	\$1,512	\$891
\$3,000,001	\$4,500,000	0.37	0.52	\$1,512	\$1,116
\$4,500,001	\$6,000,000	0.33	0.49	\$1,512	\$1,206
\$6,000,001	\$10,000,000	0.27	0.45	\$1,512	\$1,251
\$10,000,001	\$24,000,000	0.19	0.28	\$2,228	\$1,296
\$24,000,000	OVER	0.13	0.18	\$2,493	\$1,341

Note:

*Fee for projects with Construction Budgets from \$200,001 up to and including \$1,000,000 may also be negotiated lower, based on level of effort required, at the option of the Board.

EXHIBIT "B"
BUILDING CODE CONSULTANT (BCC) FEE SCHEDULE
 (SECOND, THIRD AND FOURTH YEARS OF THE AGREEMENT)

ADDITIONS, REMODELING & RENOVATIONS					
CONTRACT CATEGORIES (CONSTRUCTION BUDGET)		% OF CONSTRUCTION BUDGET		LUMP SUM SERVICES	
BASIC SERVICES		BASIC SERVICES			
FROM	TO	REVIEW	INSPECTIONS	Fire Safety Occupancy Inspection	Enhanced Structural Review
\$0	\$200,000	HR NTE/Lump Sum	HR NTE/Lump Sum	HR NTE/Lump Sum	HR NTE/Lump Sum
\$200,001	\$500,000 *	1.75	2.25	\$ 840	\$ 690
\$500,001	\$750,000 *	1.32	1.82	\$ 840	\$ 690
\$750,001	\$1,000,000 *	1.12	1.52	\$ 840	\$ 690
\$1,000,001	\$2,000,000	0.91	1.22	\$1,140	\$ 890
\$2,000,001	\$3,000,000	0.67	0.93	\$1,140	\$ 890
\$3,000,001	\$4,500,000	0.56	0.87	\$1,140	\$1,240
\$4,500,001	\$6,000,000	0.42	0.61	\$1,140	\$1,240
\$6,000,001	\$10,000,000	0.37	0.53	\$1,290	\$1,390
\$10,000,001	\$24,000,000	0.30	0.44	\$1,390	\$1,390

NEW FACILITIES (NEW CONSTRUCTION)					
CONTRACT CATEGORIES (CONSTRUCTION BUDGET)		% OF CONSTRUCTION BUDGET		LUMP SUM SERVICES	
BASIC SERVICES		BASIC SERVICES			
FROM	TO	REVIEW	INSPECTIONS	Fire Safety Occupancy Inspection	Enhanced Structural Review
\$1,000,000	\$2,000,000	0.63	1.04	\$1,680	\$890
\$2,000,001	\$3,000,000	0.52	0.77	\$1,680	\$990
\$3,000,001	\$4,500,000	0.41	0.58	\$1,680	\$1,240
\$4,500,001	\$6,000,000	0.37	0.54	\$1,680	\$1,340
\$6,000,001	\$10,000,000	0.30	0.50	\$1,680	\$1,390
\$10,000,001	\$24,000,000	0.21	0.31	\$2,475	\$1,440
\$24,000,000	OVER	0.14	0.20	\$2,770	\$1,490

Note:

*Fee for projects with Construction Budgets from \$200,001 up to and including \$1,000,000 may also be negotiated lower, based on level of effort required, at the option of the Board.

EXHIBIT "C"
BUILDING CODE CONSULTANT (BCC) FLAT FEE SCHEDULE
 (SECOND, THIRD AND FOURTH YEARS OF THE AGREEMENT)

CATEGORIES	FLAT FEES
ARTICLE V - REIMBURABLE EXPENSES	-
Paragraph 5.3 - Missed Inspection Fee	\$200
Paragraph 5.4 - Re-Inspection Fee	\$200
ARTICLE VI - ADDITIONAL SERVICES	-
Paragraph 6.1.3 - Additional Review	\$450
Paragraph 6.1.5 - Forms Processing	\$250
Paragraph 6.1.6. 1) Elementary School Sites 2) Middle School Sites 3) Senior High School Sites	1) \$400 2) \$450 3) \$650
Paragraph 6.1.7 1) Priority Review Phase I 2) Priority Review Phase III	1) \$450 2) \$650
ARTICLE IX - COMPENSATION	-
Paragraph 9.1.7 - Hourly Rates 1) Inspector 2) A/E Services 3) Principal	1) \$72.50/hr. 2) \$85.00/hr. 3) \$135.00/hr.

EXHIBIT “D”
BUILDING CODE CONSULTANT (BCC) FEE SCHEDULE - PAYMENT INTERVALS
 (ALL YEARS OF THE AGREEMENT)

CATEGORY	BASIC SERVICES		Fire Safety Occupancy Inspection	Enhanced Structural
	Inspections	Review		
Phase I Review/Joint Scope Meeting		30%		
Phase III (or Phase II/III) Review		70%		100%
Construction (Monthly Payments)	90% / N*			
Fire Safety Occupancy Inspection			100%	
Final Completion Form (FM-5463)	5%			
Provisos completed (i.e. Punch List Inspections-Basic Services)	5%			
TOTAL PAYMENT	100%	100%	100%	100%

N* = number of construction months (invoicing to commence after the first General Contractor (GC) requested inspection)

Notes:

1. For Design/Build projects 10% of the Review Fee will be paid upon review of the Design Criteria Package. The remainder of the fee will be paid upon Phase I review.
2. The BCC agrees that the final billing for each Work Order shall take place within sixty (60) days of and that the BOARD shall not be requested by the BCC to pay, nor be required to pay any amounts for any services performed prior to the second Proviso Inspection (as Basic Services), if those services were not properly invoiced within sixty (60) days following said second Proviso Inspection.