

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

SUBJECT: COMMISSION OF LIVS ASSOCIATES, L.L.C. AS ARCHITECT/ENGINEER FOR PART 1 SERVICES (PROGRAM/MASTER PLAN) FOR GENERAL OBLIGATION BOND FUNDED RENOVATIONS & CLASSROOM ADDITION AT MIAMI SHORES ELEMENTARY SCHOOL, PROJECT NUMBER 01529500

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Introduction:

In August 2018, a solicitation, Request for Qualifications (RFQ) #170, was published to competitively select an Architect/Engineer of Record (A/E) for the following General Obligation Bond (GOB) funded projects under the "Procedures for the Selection of Architects and Engineers" (Pilot Program 2nd Revision dated September 6, 2016):

- Renovations & New P.E. Shelter at Leisure City K-8 Center (K-8)
14950 S.W. 288 Street, Miami, Florida 33033, Project Number 01529100
- Renovations at Palm Springs Elementary School (ES)
6304 East First Avenue, Hialeah, Florida 33013, Project Number 01529700
- Renovations & Classroom Addition at Miami Shores Elementary School (ES)
10351 N.E. 5 Avenue, Miami Shores, Florida 33138, Project Number 01529500
- Renovations at Riviera Middle School (MS)
10301 S.W. 48 Street, Miami, Florida 33165, Project Number 01530200

Fifteen (15) firms responded to the solicitation. Two (2) firms were not evaluated due to incomplete RFQ responses. Thirteen (13) firms were evaluated, and nine (9) firms were shortlisted and invited to interview. On October 30, 2018, the shortlisted firms were interviewed and subsequently ranked by the Selection Committee, as follows:

| <u>Rank</u> | <u>Firm</u> |
|-------------|--|
| 1 | Alleguez Architecture, Inc. ^{(a) (b)} |
| 2 | Wolfberg Alvarez and Partners, Inc. ^(a) |
| 3 | LIVS Associates, L.L.C. ^{(a) (b)} |
| 4 | KVH Architects, P.A. ^{(a) (b)} |
| 5 | Laura M. Perez and Associates, Inc. ^{(a) (b)} |
| 6 | Rodriguez Architects, Inc. ^{(a) (b)} |

| <u>Rank</u> | <u>Firm</u> |
|-------------|---|
| 7 | Jorge A. Gutierrez Architect, L.L.C. ^{(a) (b)} |
| 8 | M. Hajjar & Associates, Inc. ^(b) |
| 9 | Nyarko Architectural Group, 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 a mandatory SBE/MBE Sub-Consultant Utilization Goal of 20% (as determined by the M-DCPS Goal Setting Committee).

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).

LIVS Associates, L.L.C. (LIVS) is the third-ranked firm and therefore, negotiated for the third-valued GOB-funded Renovations & Classroom Addition project at Miami Shores ES. The first, second and fourth-ranked firms successfully negotiated their respective projects and are being presented under separate Board agenda items.

Negotiations with LIVS were successfully concluded and the firm has agreed to provide Program/Master Plan services, as follows:

Scope of Services:

The project must be designed, phased, coordinated and constructed to maximize safety and minimize disruption to the existing, occupied campus.

The A/E scope of services will be commissioned in two parts, as follows:

PART 1 - Development and approval of a Final Scope Definition Program and Master Plan (based on the Pre-programming Package developed by M-DCPS dated November 2017, including, but not limited to, site/building analysis, mechanical/electrical/plumbing systems analysis, scope/feasibility options, construction cost estimates, project scheduling, and phasing plans). A/E services may include other services as required by the Board.

PART 2 - Staff will negotiate A/E professional services for full design and construction administration services and submit a Board agenda item to recommend commission following approval of Part 1 services. The Board reserves the right to negotiate with another ranked firm under this solicitation or re-advertise the services using the Final Scope Definition Program and Master Plan developed by LIVS.

School Profile:

The school is located at 10351 N.E. 5 Avenue, Miami Shores, Florida, 33138, on approximately 8 acres. The campus is comprised of 9 permanent buildings built between 1929 and 2003 with approximately 52,924 GSF and associated covered walkways. The school campus also includes a service drive and yard, on-site staff parking and curb-side drop-off. 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;
- New primary classroom addition to include 6 classrooms, 6 toilets and a custodial closet;
- Replacement of backflow preventer;
- Resurfacing and restriping of the parking lots and drives;
- Recoating and restriping of basketball courts; and replacement of basketball goals
- Addition of 20 parking spaces and walkways (as required);
- Replacement of 2 Kindergarten play areas including safety surfaces with artificial turf;
- Addition of a covered walkway to connect to Kindergarten Building;
- Selective reroofing at Building 09 & at covered walkway between Buildings 01 & 07;
- Repair of structural settlement areas at stairwell in Building 01;
- Selective replacement of exterior and interior doors;
- Selective replacement of existing acoustical ceiling, interior lighting with new Light-Emitting Diode (LED) fixtures, related electrical upgrades and finishes in Buildings 01 & 09; and fly fans in Building 09;
- Replacement of interior/exterior lighting with new LED fixtures and related electrical upgrades in Buildings 04 & 08;
- Replacement of moveable partitions in Building 03;
- Replacement of group toilets, single student toilets, classroom lavatory fixtures and cabinets in Buildings 01, 02 & 03; and related domestic water and sanitary sewer upgrades;
- Replacement of existing drinking fountains & water coolers; and custodial mop sink;
- Repair of stage wood flooring, upgrade of stage lighting and replacement of auditorium sound system in Building 09;
- Installation of additional security cameras in Buildings 01 & 09;
- Replacement of fixed shelving storage cabinets in Building 02;
- Campus-wide HVAC system replacement including Direct Digital Controls, exhaust fans and electrical upgrades (as required);
- Replacement of electrical panelboards and exterior electrical enclosure;
- Upgrade of fire alarm system;
- Miscellaneous electrical upgrades including selective replacement of electrical wiring and receptacles in Buildings 01, 02 & 05; and
- Selective exterior/interior paint.

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 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 roles and responsibilities, for Part 1 services, as follows:

| LIST OF M-DCPS OEO CERTIFICATIONS | | | | |
|--|-------------------------|--|--|-----------------------------------|
| PRIME FIRM: LIVS is certified as a HA and SBE-T2 (certifications expire on 10-25-2020) | | | | |
| SUB-CONSULTANTS FIRM NAME | ROLE/ RESPONSIBILITY | M/WBE CERTIFICATION CATEGORY & EXPIRATION DATE | SBE/MBE (*) CERTIFICATION CATEGORY & EXPIRATION DATE | SBE/MBE GOAL (%) COMMITMENT |
| In-House | Electrical Engineer | HA 10-25-2020 | SBE-T2 10-25-2020 | - |
| RPJ, Inc. | Mechanical Engineer | HA 10-3-2021 | SBE-T2 1-26-2021 | 12% |
| Nifah & Partners Consulting Engineers, Inc. (**) | Structural Engineers | AA 4-15-2020 | MBE 10-15-2020 | 11% |
| Absolute Civil Engineering Solutions, L.L.C. | Civil Engineer | W 6-1-2021 | SBE – T2 6-1-2021 | 10% |
| TOTAL SBE/MBE PARTICIPATION (M-DCPS Mandatory Goal 20%) | | | | 33% |

M/WBE Category Codes:

AA = African-American
HA = Hispanic-American
W = Women

SBE/MBE (*) Category Codes:

SBE-T2 = Small Business Enterprise - Tier 2
MBE = Micro Business Enterprise

Notes:

- (*) 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.
- (**) Edwards & Partners, Inc. (EPI) was the original Structural Engineer sub-consultant for LIVS; however, subsequent to the negotiations, LIVS requested replacement of EPI with the firm of Nifah & Partners Consulting Engineers, Inc., to provide Structural services for Part 1 and Part 2.
- Subsequent to the negotiations, LIVS submitted increased commitment percentages for their sub-consultants. Accordingly, their total revised SBE/MBE participation increased from 20% to 33%.

Construction Cost Estimate: \$4,105,994 (GOB-funded)

Project Schedule:

LIVS has agreed to the following A/E's document submittal schedule for PART 1 Services - Program/Master Plan for the project, including all required consultants, as follows:

PART 1 (Program/Master Plan Services)

- 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 - Guaranteed Maximum Price (GMP) June 2020
- Construction - Substantial Completion by January 2022

Terms & Conditions:

1. Program/Master Plan Services Fees:

LIVS has agreed to a lump sum fee for Program/Master Plan Services of \$23,500 (with a Construction Budget of \$4,105,994). The fee includes all required services, consultants and phasing to comply with the project schedule. The fee shall be paid based on completion of the following listed deliverables:

| PROGRAM/MASTER PLAN SERVICES | % OF FEE | FEE |
|--|-----------------|-----------------|
| Draft Submittal (complete/accepted by M-DCPS) | 60% | \$14,100 |
| Final Submittal (complete/accepted by M-DCPS) | 30% | \$7,050 |
| Final M-DCPS Approval | 10% | \$2,350 |
| TOTAL PROGRAM/MASTER PLAN SERVICES FEE: | 100% | \$23,500 |

2. Supporting Services Fees:

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

- Project Specific Land Survey, (at cost x 1.06), Not-to-Exceed: \$5,000

Total Supporting Services Fees, Not-to-Exceed: \$5,000

3. 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, District Standards, and District 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 \$135.00/hour for the Architect, and \$135.00/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 \$1,000,000 professional liability insurance policy with a maximum deductible of \$50,000, Workers Compensation/Employers Liability Insurance, Comprehensive General Liability, and Comprehensive Auto 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.

Selection Committee:

The Selection Committee consisted of the following individuals:

Committee Members:

Meriel Seymore, ABC Member
Julian Garcia, Sr. Project Manager, Maintenance
Miguel Silva, Project Manager, Capital
Erskin Howard, Sr. Project Manager, Capital
Jeannette Garcia, Director, OEO
Jenny Murillo, Director, Office of Ed. Facilities

Representing

Superintendent of Schools
Office of School Facilities
Office of School Facilities
Office of School Facilities
Office of Economic Opportunity
Office of Ed. Facilities

Representatives of the Office of Management and Compliance Audits validated the interview scoring calculations and final tabulation. Carolina Velez, Professional Selection Analyst, 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 | 1334100 | 21420000 | 740000 | 01529500 |

Prior Commissions:

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

- Special Projects Consultant (SPC) (Electrical Engineer) for Miscellaneous Projects up to \$2M each for a four-year continuing term with extensions at the option of the Board
Date of Commission: August 15, 2018
- A/E of Record for Toussaint L'Ouverture
GOB-funded Renovations - Project Number 01435500
Date of Commission: October 14, 2015
- A/E of Record for Citrus Grove Elementary
GOB-funded ESE Classroom Addition - Project Number 01509200
Date of Commission: January 25, 2017

Performance Evaluation:

M-DCPS' A/E Performance Evaluation for LIVS 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 2nd quarter of 2018).

Principal:

The Principal/Owner designated to be directly responsible to the Board for LIVS Associates, L.L.C., is F. Antonio Rosabal. The firm is located at 2121 Ponce De Leon Boulevard, Suite 610, Coral Gables, Florida 33134.

RECOMMENDED:

That the School Board of Miami-Dade County, Florida, commission LIVS Associates, L.L.C., as Architect/Engineer for Part 1 Services (Program/Master Plan) for General Obligation Bond funded Renovations & Classroom Addition at Miami Shores Elementary School, located at 10351 N.E. 5 Avenue, Miami Shores, Florida 33138, Project Number 01529500 as follows:

- 1) A lump sum fee of \$23,500 for Part 1 services; and
- 2) Fees, preliminary project scope and all terms and conditions as set forth in the Agreement and the body of the agenda item.

NAD:CV:cv