

# Memorandum



**Date:** April 7, 2020  
**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

Agenda Item No. 8(F)(6)

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Change Order No. 1 to the Design Services for the Renovation of the Culmer Neighborhood Service Center, ISD Project No: A05-GSA-02-GOB ESP; Contract No: Z000120D-217-A05-GSA-02GOB ESP, Capital Project No. 844020

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) authorize Change Order No. 1 to the Professional Services Agreement (PSA), Z000120, Design Services for the Renovation of the Culmer Neighborhood Service Center with CBRE|Heery formerly known as Sequeira & Gavarrete, Inc. (S&G) for architectural and engineering consulting and contract administration services, ISD Project No. A05-GSA-02 GOB ESP. As specified on Page 1 and 2 of the Change Order No. 1, this amendment does the following:

- Increases the contract value by \$173,245 (from \$502,000 to \$675,245), and will fund additional architectural and engineering consulting and contract administration, special inspection services and project management support services required in order to successfully complete the project;
- Extends the original contract completion date by 705 days to adjust the contract term with that of the construction completion; and
- Replenishes the design contingency allowance up to \$26,100. This amount is inclusive of the \$173,245 increase to the contract value.

This project is part of the Economic Stimulus Plan (ESP), as approved by the Board through Resolution No. R-196-13. As such, this Change Order is being expedited under the County Mayor's delegated authority pursuant to Section 2-8.2.7 of the Code and does not require Committee review.

## **Scope**

Although the project is located within the boundaries of District 3, which is represented by Commissioner Audrey M. Edmonson, the impact of this project is countywide in nature.

## **Fiscal Impact/Funding Source**

This change order will not increase the overall budgeted project amount of \$7,500,000 for the Renovation of the Culmer Neighborhood Service Center. The \$173,245 is being requested for Change Order No. 1 and will be funded using Building Better Communities General Obligation Bond (BBC-GOB) Program proceeds (Capital Project No. 844020).

## **Track Record/Monitor**

Aundria Blatch of the Internal Services Department (ISD) is managing the capital project on behalf of the Community Action and Human Services Department (CAHSD).



**Background**

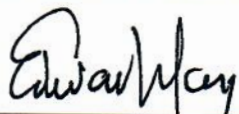
On April 2, 2013 the Board approved Resolution R-196-13 adding the Renovation of the Culmer Neighborhood Service Center to the approved project list of the Economic Stimulus Plan (ESP). This project involves the design and construction to renovate the existing 38,493-square-foot Culmer Neighborhood Service Center. Design services under the Professional Services Agreement (PSA) include, but are not limited to, modernizing the interior and exterior of the facility, improving handicap accessibility for the buildings and necessary upgrades to meet current building code requirements. The design also incorporates LEED approved green building principles as required for compliance with Miami-Dade County's Implementing Order No. 8-8 "Sustainable Building Program."

The Culmer Neighborhood Service Center, located at 1600 NW 3<sup>rd</sup> Avenue, Miami, FL 33136, is comprised of three buildings that are utilized by multiple organizations that provide various services to the community. The facility is maintained by Community Action and Human Services Department (CAHSD), and the services provided by CAHSD are year-round. The ongoing services provided in this facility require full occupancy and operation during construction, which has contributed to some delays.

The design began on September 26, 2014 with a contract duration of 1,460 days. The Notice to Proceed for construction was issued on July 24, 2017. The renovation is approximately 50 percent complete and approximately 90 percent of the design contract has been exhausted to date. Due to a series of unforeseen design conditions and regulatory Building Department requests that required redesign during construction, additional planning services and design changes were rendered by CBRE|Heery.

The project's construction experienced several delays. On July 9, 2019, the awarded construction contractor was terminated due to the contractor's failure to execute work and failure to provide adequate resources and manpower necessary to maintain progress of work. Internal Services Department is currently involved in a Dispute Resolution with the terminated contractor. Internal Services Department is now working directly as the permit holder and qualifier to complete the renovation of the Culmer Neighborhood Service Center Renovation. The remaining construction is estimated to be completed in eight (8) months.

Approval of this change order is recommended for CBRE|Heery to perform additional architectural and engineering consulting and contract administration services for the Renovation of the Culmer Neighborhood Service Center project's completion.



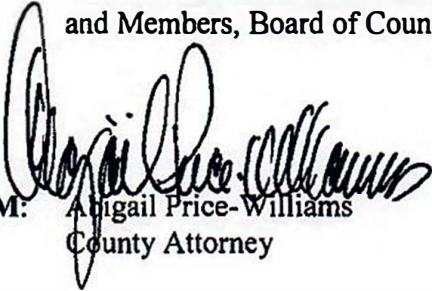
Edward Marquez  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** April 7, 2020

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(F)(6)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(F)(6)  
4-7-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN MIAMI-DADE COUNTY AND CBREIHEERY FORMERLY KNOWN AS SEQUEIRA & GAVARRETE, INC. FOR DESIGN SERVICES FOR THE RENOVATION OF THE CULMER/OVERTOWN NEIGHBORHOOD SERVICES CENTER, ISD PROJECT NO: A05-GSA-02-GOB ESP; CONTRACT NO: Z000120D-217-A05-GSA-02GOB ESP PROVIDING FOR AN INCREASE OF \$173,245.00 AND 705 CALENDAR DAYS OF ADDITIONAL DESIGN AND CONSTRUCTION ADMINISTRATION TIME; AUTHORIZING FUNDING FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves Change Order No. 1 to the Professional Services Agreement between Miami-Dade County and CBREIHeery formerly known as Sequeira & Gavarrete, Inc. for architectural and engineering consulting and contract administration services for the Renovation of the Culmer/Overtown Neighborhood Services Center, ISD Project No. A05-GSA-02 GOB ESP ("Change Order No. 1"), providing an increase of \$173,245.00 and 705 calendar days of additional design and construction administration time, in substantially the form attached hereto and made a part hereof, and authorizes the County Mayor or the County Mayor's designee to execute the Change Order No. 1 for and on behalf of Miami-Dade County. The Board authorizes funding of Change Order No. 1 from the Building Better Communities General Obligation Bonds.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:



The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of April, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Hugo Benitez



# MIAMI-DADE COUNTY, FLORIDA

## INTERNAL SERVICES



### CHANGE ORDER TO ORIGINAL PROFESSIONAL SERVICE AGREEMENT

CHANGE ORDER NO: 1 CONTRACT NO: Z000120D-217-A05-GSA-02GOB ESP DATE: 11/25/2019  
PROJECT TITLE: Renovation of the Culmer Neighborhood Service Center  
TO CONTRACTOR: Sequeira & Gavarrete, Inc. (CBRE | Heery) 7650 Corporate Center Drive, Suite 302 Miami Florida, 33126

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

**Description of work authorized:** The original scope of services consists of providing architectural and engineering (A/E) professional services including, but not limited to, architectural and engineering design, landscape architecture, and construction administration services to renovate the existing 38,493-square foot Culmer Neighborhood Service Center. The scope of additional work covered by this amendment includes the following:

#### Programming and Schematic Design/Construction Documents (\$65,000)

1. Additional planning services from CBRE|Heery were requested by the County to attend additional meetings for the coordination of shared parking agreements, parking layouts and correspondence with the Alonzo Mourning Project. This coordination was not contemplated in the original scope or negotiations.
2. Additional planning services from CBRE|Heery were requested by the County to provide progress power point presentations to demonstrate the design intent of the facility to the Client. This coordination was not contemplated in the original scope or negotiations.
3. Project was on hold for a month duration due to a change in scope of work regarding the renovation of Building #3. The Agency decided to only partially renovate, but required confirmation/authorization from City of Miami that Life Safety upgrades were not required.
4. Additional planning and design services from CBRE|Heery were requested by the County to remove the renovation of Building #3 from the project's scope and accommodate the budget items of removed scope to the design of Building #1 and Building #2. This design change was not contemplated in the original scope or negotiations.
5. Upon design completion of construction documents, CBRE|Heery was requested to provide alternate to the design plans to circumvent high bid proposals. This caused a revision to the designed plans. This design change was not contemplated in the original scope or negotiations.
6. Additional planning and design services from CBRE|Heery were requested by the County to provide multiple Interior Design Schemes for Building #1 and Building #2. This interior design effort was not contemplated in the original scope or negotiations.
7. The project experienced bidding delays due to lack of response for approvals of finishes by Stakeholders. CBRE|Heery maintained constant communication and preparation of materials and exhibits for meetings. This effort was not contemplated in the original scope or negotiations.
8. The negotiated contract included a 90-day bidding process that was actually 182-days. CBRE|Heery maintained constant involvement in responses during the Request for Information (RFI) Period. This extensive effort was not contemplated in the original scope or negotiations.
9. Owner changes during the dry-run review process for additional restroom accommodations, roof-top cages, removal of fire alarm scope and additional kitchen design for culinary caused additional design services from CBRE|Heery. The plans revisions to the completed construction documents was an effort not contemplated in the original scope or negotiations.

#### Extended Construction Administration Services (\$27,000)

The original anticipated construction duration of 585 days is being extended. Therefore, extended CA services from CBRE|Heery were requested by the County to the project's completion. The County requested for the attendance of weekly construction progress meeting in lieu of bi-weekly meetings. The described extended architectural CA services were not contemplated in the original scope or negotiations.

#### Proposed Project Management Support Services (\$32,800)

Additional services from CBRE|Heery were requested by the County to provide Project management Support with additional site observation and monitoring the progress of work, including, but not limited to: photographs, site reports and daily logs. The described PM services were not contemplated in the original scope or negotiations.

#### Proposed MEP Design Services (\$8,345)

Additional services from sub-consultants of CBRE|Heery were requested by the County to provide HVAC modifications to Building #2, fire alarm design for the Washington Heights space in Building #1 and hood removal design for an existing kitchen. The described MEP design services were not contemplated in the original scope or negotiations.

#### Proposed Special Inspector Services (\$14,000)

Structural inspections are required for review and approval of various structural installations throughout the project. These additional services from CBRE|Heery were requested by the County. The described Special Inspector Services were not contemplated in the original scope or negotiations.

#### Contingency Replenishment (\$26,100)

Replenishment of Contingency Allowance: As a result of the various work authorizations issued to CBRE|Heery for additional planning and design services, the original contingency allowance account was expended in its entirety. As part of this amendment, \$26,100 will be used to replenish the original contingency allowance account.

#### Monetary Justification:

As a result of the above modifications in scope and redesign efforts, an increase of \$173,245 to the total contract amount is being requested.

#### Time Justification:

The original contract completion was September 25, 2018. Due to the above mentioned modifications and various project delays, CBRE|Heery requires an additional 705 days in order to complete the project.

4



**Time Justification Declaration:**

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.


**SUMMARY OF CONTRACT AMOUNT / TIME**

ORIGINAL CONTRACT AMOUNT-----	\$502,000.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$502,000.00
COST OF CHANGES WITH THIS DOCUMENT-----	\$173,245.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$675,245.00
PERCENT INCREASE WITH THIS CHANGE-----	35%
TOTAL PERCENT INCREASE TO DATE-----	35%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	1460 / 0 / 705
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	146 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	2311

CERTIFYING STATEMENT: *The Contractor certifies that the changes and supporting cost data included is in its considered opinion necessary and accurate and that the prices quoted are fair and reasonable.*

**Accepted By:**

<b>Organization</b>	<b>Name</b> <u>FERNANDO GAVARRETE</u>	<b>Title</b> <u>VICE PRESIDENT</u>	<b>Date</b>
<u>Sequeira &amp; Gavarrete, Inc.</u> (CBRE   Heery)		<b>Contractor</b>	<u>12/3/19</u>

<b>Title</b>	<b>Name</b>	<b>Date</b>
Approved By: <u>County Attorney</u> (for legal sufficiency)		<u>3/6/2020</u>
Approved By: <u>Director</u>	_____	_____
Attested By: <u>Clerk of the Board</u>	_____	_____