

Memorandum



Date: January 21, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Recommending the Rejection of all Proposals for Design-Build Services for the Miami-Dade Police Academy, ISD Project No. DB12-ISD-01; ISD Contract No: W100028

Agenda Item No. 8(F)(1)

Resolution No. R-16-15

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the rejection of two proposals received in response to the solicitation for ISD Project No. DB12-ISD-01, which was issued under full and open competition for the purposes of obtaining design-build services to construct a new two-story, classroom/training facility for the Miami-Dade Police Department (MDPD) Police Academy.

Reason for Rejection

The recommendation to reject all proposals is based on unsuccessful attempts to reach agreement on compensation for this project with the two respondents that were in compliance with the solicitation requirements, Munilla Construction Management, LLC (MCM) and Team Contracting, Inc. (TCI).

When bid proposals for this solicitation were received, the proposed pricing by both firms was well in excess of the budgeted project amount. However, it was thought that negotiations could ultimately yield a price within the project budget. Negotiations with MCM, the top ranked proposer, were initiated and four separate negotiation meetings were conducted. However, an acceptable price could not be agreed upon. The Competitive Selection Committee ultimately agreed to terminate negotiations with MCM and requested approval to initiate negotiations with the second ranked firm, TCI. Negotiations with TCI also did not produce acceptable pricing and negotiations were terminated.

As a result, it is recommended that the Board reject all proposals. The project will be re-advertised with a modified scope, as well as modified experience and technical certification categories, to attract additional proponents and increase the competition for this solicitation. It is expected that the new solicitation will be re-advertised by the end of 2014.

Scope

The MDPD Police Academy will be located at 9601 NW 58 Street, Miami, Florida, which is located in Commission District 12 and is represented by Commissioner Jose "Pepe" Diaz.

Fiscal Impact/Funding Source

The budget for the Police Academy Training Facility (W100028) is \$4,350,000 and within *Capital Project 323440 – Miami-Dade Public Safety Training Institute Improvements*. The advertised value of the construction and design was \$2,215,000, which includes \$2,000,000 for construction and \$215,000 for design services. The balance of this project budget includes costs associated with technology, furniture, permitting, soil testing, administration, and Art in Public Places.

The total budget for Capital Project 323440 is \$5,386,000, funded from Police Impact Fees and the Capital Outlay Reserve fund. The balance of funds within Project 323440 (\$1,036,000) includes classroom upgrades, firearm range improvements, renovations to existing Survival City buildings, and resurfacing of parking areas.

Track Record/Monitor

Fernando Ponassi, Internal Services Department, Design and Construction Services Division, is the contract manager.

Proposers Not Recommended for Award

Munilla Construction Management, LLC d/b/a/ MCM	Rejection of all proposals is based on the Competitive Selection Committee's determination that the cost differential between the proposed amount by the bidders and the County's updated cost estimate was excessive and warranted re-advertising.
Team Contracting, Inc.	

Contract Measures

Community Business Enterprise Goal – 28 percent
Community Small Business Enterprise Goal – 21 percent

Background

MDPD is the largest local law enforcement department in the southeastern United States, serving a community of over 2.4 million residents. MDPD is committed to providing professional law enforcement and investigative services to the community. The design and construction of a new Police Academy classroom/training facility is an important component of MDPD's effort to continue providing such services to Miami-Dade County.

The new facility is planned as a two-story, classroom/training facility, with approximately 16,100 square feet of total constructed area. The facility is expected to be fully air-conditioned, with a reinforced masonry or concrete block structure, illuminated asphalt parking lot adjacent to the building including accessible walkways to the new facility, and appropriate landscaping and drainage. The facility will be located within MDPD's existing Public Safety Training Institute.

Attachments



Russell Benford
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 21, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(1)

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
- 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 ____, 3/5's ____, unanimous ____) 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)(1)
1-21-15

RESOLUTION NO. R-16-15

RESOLUTION REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR DESIGN-BUILD SERVICES FOR THE MIAMI-DADE POLICE ACADEMY, ISD PROJECT NO. DB12-ISD-01; ISD CONTRACT NO: W100028

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, 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 hereby approves the rejection of all proposals received in response to the Request for Design-Build Services for the Miami-Dade Police Academy, ISD Project No. DB12-ISD-01, ISD Contract No. W100028.

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

	Jean Monestime, Chairman	aye	
	Esteban L. Bovo, Jr., Vice Chairman	aye	
Bruno A. Barreiro	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Sally A. Heyman	absent	Barbara J. Jordan	aye
Dennis C. Moss	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2015. 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal

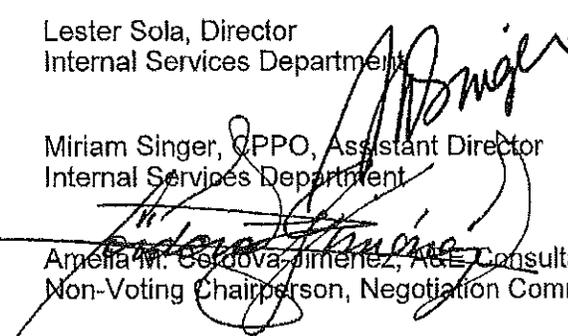
Memorandum



Date: August 8, 2014

To: Lester Sola, Director
Internal Services Department

Through: Miriam Singer, CPPO, Assistant Director
Internal Services Department

From: 
Amelia W. Cordero Jimenez, A/E Consultant Selection Coordinator
Non-Voting Chairperson, Negotiation Committee

Subject: Authorization to Terminate Negotiations with Team Contracting, Inc. and Request of Approval to Reject All Proposals Re: Design-Build Services for the Miami-Dade Police Academy Building ISD Project No. DB12-ISD-01

On July 8, 2014, the Internal Services Department (ISD) received your authorization to commence negotiations with Team Contracting, Inc. (TCI) for design-build services for the Miami-Dade Police Academy Building. Seven proposers responded to this procurement and two were found to be responsive to the requirements of the solicitation; Munilla Construction Management, LLC (MCM) and TCI. The remaining five proposers were eliminated as the firms surpassed the teaming restriction maximum, or failed to meet the technical certification requirements noted in the Request for Design-Build Services.

MCM was the top ranked respondent, and was deemed qualified and responsive by the Competitive Selection Committee (CSC). Pursuant to your approval, negotiations began on December 18, 2013 between MCM and the Negotiation Committee (Committee), and concluded unsuccessfully on June 4, 2014. Attached for your perusal is the Authorization to Terminate Negotiations with MCM combined with the Request of Approval to Initiate Negotiations with TCI. One Negotiations meeting was held with TCI and an agreement could not be reached as detailed below.

Negotiation Meeting No. 1 – July 8, 2014

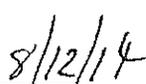
The Committee and TCI met to discuss the original price proposal of \$4,145,500, the scope of services, and possible value engineering (VE) items. TCI was advised that negotiations had failed with MCM, and that the same compensation terms previously proposed to MCM would be offered to their firm. As a result, TCI was asked to evaluate their firm's ability to provide the advertised scope of service for \$2,975,406. Mr. Rudy Ayan, Vice President, TCI, requested additional time to re-evaluate the scope of services and determine if the firm would be able to reduce their price offer to meet the referenced amount. The Committee unanimously agreed to grant Mr. Ayan additional time, and instructed the firm to submit a response no later than July 18, 2014. In addition, the Committee unanimously agreed to terminate negotiations with TCI, request approval to reject all proposals, and re-advertise the solicitation in the event TCI did not meet the compensation threshold.

On July 17, 2014, TCI advised that an agreement could not be reached for the proposed amount of \$2,975,406. After conducting VE reviews, the firm's final offer was reduced to

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Authorization to Terminate Negotiations with TCI and Request of Approval to Reject All Proposals for ISD Project No. DB12-ISD-01

\$3,500,000 which represents \$524,594 over the Committee's proposed compensation. As a result, the Committee's recommendation to terminate negotiations with TCI and request approval to reject all proposals and re-advertise the project is being submitted for your consideration.

 
Approved _____ Date

Attachment

c: J.D. Patterson, Director, MDPD
Gus Knoepfler, Chief Financial Officer, MDPD
Faith Samuels, Sr. A&E Consultant Selection Coordinator, ISD
Negotiations Committee
Clerk of the Board

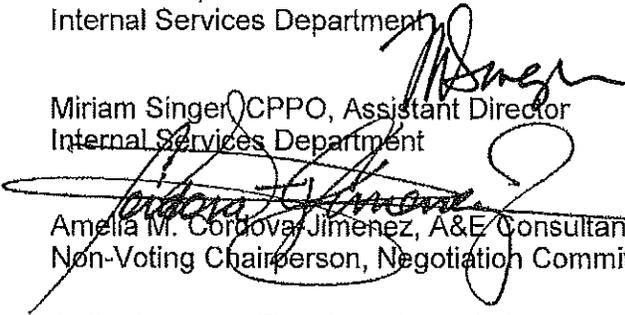
Memorandum

MIAMI-DADE
COUNTY

Date: June 27, 2014

To: Lester Sola, Director
Internal Services Department

Through: Miriam Singer, CPPO, Assistant Director
Internal Services Department

From: 
Amelia M. Cordova Jimenez, A&E Consultant Selection Coordinator
Non-Voting Chairperson, Negotiation Committee

Subject: Authorization to Terminate Negotiations
with Munilla Construction Management, LLC and
Request of Approval to Initiate Negotiations with
Team Contracting, Inc.
Internal Services Department
Design-Build Services for the Miami-Dade Police Academy Building
ISD Project No. DB12-ISD-01

On December 10, 2013, the Internal Services Department (ISD) received your authorization to negotiate with Munilla Construction Management, LLC (MCM) for design-build services for the Miami-Dade Police Academy Building. Seven proposers responded to this procurement and two were found to be responsive to the requirements of the solicitation; MCM and Team Contracting, Inc. (TCI). The remaining five proposers were eliminated due to surpassing the teaming restriction maximum, or failing to meet the technical certification requirements noted in the Request for Design-Build Services. MCM was the top ranked respondent on this project and was deemed qualified and responsive by the appointed Competitive Selection Committee (CSC).

Pursuant to your approval, negotiations began between MCM and the Negotiation Committee (Committee) comprised of Lissette Reyes-Wilcox, Miami-Dade Police Department (MDPD), Michael Alvarez, MDPD, and Patrick Brown, ISD. There have been four Negotiation Meetings with MCM and three Negotiation Discussion Sessions to present. See below.

Negotiations Meeting No. 1 – December 18, 2013

The Committee and MCM met to discuss the original price proposal of \$3,793,787, scope of service, schedule of values, and possible value engineering (VE) items. The firm was instructed to identify additional opportunities for VE, without impacts to the scope of service, to reduce the proposed fee. MCM requested a second negotiation meeting date in early February in order to allow ample time to revisit their price and submit additional VE items.

Negotiations Meeting No. 2 – February 5, 2014

The Committee and MCM met to discuss the firm's proposed changes to the Design-Build Services Contract and potential reductions to the original fee. The Committee agreed to research the proposed MCM modifications to the contract language, and instructed the firm to revisit the VE items in order to substantially reduce the fee.

Negotiations Committee Discussion Session No. 1 - April 16, 2014

The Committee met to review the project scope and budget. ISD advised that in-house staff conducted a new cost estimate of the project that increased the original design and construction

budget from \$2,215,000, as calculated in 2009 and re-checked in 2011/2012, to \$2,975,406; a \$760,406 difference. The Committee also reviewed MCM's March 18th VE submittal and approved \$76,864 worth of VE items. A funding gap of approximately \$1,500,000 was identified.

Negotiations Meeting No. 3 - April 29, 2014

The Committee met with MCM to advise of their acceptance of \$76,864 worth of VE items, and to reveal the approximately \$1.5 million funding gap identified. The firm was asked to take a closer look at their fee in an attempt to bridge the gap. MCM agreed to re-evaluate any areas that could offer substantial savings. As a result of this meeting, a revised fee proposal was submitted by MCM on May 1, 2014. The proposal outlined the following reductions:

Base Price Proposal for Professional Services	\$351,900
Base Price Proposal for Construction Services	<u>\$3,228,100</u>
Subtotal	\$3,580,000
Direct Purchase Order (sales tax savings)	<u>-\$50,000</u>
Total Lump Sum Price Proposal	\$3,530,000

Negotiations Committee Discussion Session No. 2 - May 9, 2014

The Committee met to review MCM's May 1, 2014 fee proposal, and \$1.7 million in additional funds identified by the Office of Management and Budget (OMB) and MDPD. Review of the total project budget, and MCM's newly revised fee, however, revealed that the additional funds identified by OMB and MDPD were not sufficient.

ISD's newly revised estimate for the project brings the total project cost to \$5,186,203. Given MCM's May 1, 2014 fee proposal, as outlined above, the total project budget now equals \$6,042,220. This results in a funding gap of \$513,115.76 over the \$1.7 million identified in additional funds by OMB and MDPD. See below:

MDPD Total Project Budget	\$4,350,000.00
MDPD Funds Spent to Date	- \$520,895.76
<u>(Includes soil testing, ISD fees, and other miscellaneous items)</u>	
MDPD Total Available Funds	\$3,829,104.24

ISD Total Project Cost Inclusive of Re-Estimate	\$5,186,203.00
<u>MDPD Total Available Funds</u>	<u>- \$3,829,104.24</u>
Total Project Funding Gap Based on Internal Amounts	\$1,357,098.76

Total Project Budget Inclusive of MCM's Final Fee Proposal	\$6,042,220.00
<u>MDPD Total Available Funds</u>	<u>- \$3,829,104.24</u>
Total Project Funding Gap Based on MCM's Final Fee Proposal	\$2,213,115.76

Total Project Funding Gap Based on MCM's Final Fee Proposal	\$2,213,115.76
<u>OMB Additional Funds Identified</u>	<u>- \$1,700,000.00</u>
Remaining Funds Gap After OMB/MDPD Identification of Additional Funds	\$513,115.76

The Committee agreed to meet with MCM to request a price reduction in order to bridge the gap noted above and keep the project viable. In the absence of a price reduction, the Committee unanimously agreed that the County would be best served by terminating negotiations with MCM, and proceeding to negotiate with the second ranked firm, TCI.

Negotiations Meeting No. 4 - May 13, 2014

The Committee and MCM met to discuss the price proposal. The Committee expressed their desire to keep the project viable and explained the funding gap discussed at the May 9th Negotiation Committee Discussion Session. MCM was asked to reduce their fee in order to come to an agreement; MCM declined. The Committee unanimously agreed to terminate negotiations with MCM, and request approval to initiate negotiations with TCI. The motion was made by Patrick Brown, ISD, seconded by Lissette Reyes-Wilcox, MDPD, and passed unanimously. On May 28, 2014, however, MDPD advised that their department was able to identify the \$513,115.76 needed to keep the project viable. As a result, the Committee was reconvened.

Negotiations Committee Discussion Session - June 4, 2014

The Committee was advised the funding required to fill the gap in the amount of \$513,115.76 was identified, and as such, was asked to consider this new development in making a final recommendation for award. Following discussions, the Committee indicated its position that it was not in the County's best interest to offer the additional funding. The rationale for their recommendation is based on the difference between the final MCM offer of \$3,580,000 as compared to the County's updated project cost estimate completed in April 2014 of \$2,975,406. The Committee unanimously confirmed their original motion to request termination of negotiations with MCM, and approve commencement of negotiations with TCI.

Authorization to terminate negotiations with MCM and initiate negotiations with TCI is:

 7/8/14
Approved _____ Date

- c: J.D. Patterson, Director, MDPD
- Gus Knoepfner, Chief Financial Officer, MDPD
- Faith Samuels, Lead Sr. A&E Consultant Selection Coordinator, ISD
- Negotiations Committee
- Clerk of the Board