



# Broward County

## Legislation Details (With Text)

|                       |   |                      |                         |                |              |
|-----------------------|---|----------------------|-------------------------|----------------|--------------|
| <b>File #:</b>        | 21-028  | <b>Version:</b>      | 1                       | <b>Status:</b> | Agenda Ready |
|                       |   | <b>In control:</b>   | PUBLIC WORKS DEPARTMENT |                |              |
| <b>On agenda:</b>     | 4/6/2021  | <b>Final action:</b> | 4/6/2021                |                |              |
| <b>Title:</b>         | MOTION TO APPROVE Agreement between Broward County and DPR Construction, A General Partnership, for Request for Proposals (RFP) No. PNC2119546P1, Managing General Contractor for Broward County's Medical Examiner's Office and BSO's Crime Lab Combined Facility, for the Construction Management Division, in the total estimated Guaranteed Maximum Price of \$156,112,465, contingent upon future financing as approved by the Board, and an estimated time for project completion of 1,545 days, and authorize the Mayor and Clerk to execute same. (Commission District 9) |                      |                         |                |              |
| <b>Sponsors:</b>      |   |                      |                         |                |              |
| <b>Indexes:</b>       |   |                      |                         |                |              |
| <b>Code sections:</b> |   |                      |                         |                |              |
| <b>Attachments:</b>   | 1. Exhibit 1 - Agreement, 2. Exhibit 2 - Goal Compliance Review Memorandum dated February 5, 2020, 3. Agenda Report   |                      |                         |                |              |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

### Broward County Commission Regular Meeting

**Director's Name:** George Tablack

**Department:** Finance and Administrative Services **Division:** Purchasing

### Information

#### Requested Action

MOTION TO APPROVE Agreement between Broward County and DPR Construction, A General Partnership, for Request for Proposals (RFP) No. PNC2119546P1, Managing General Contractor for Broward County's Medical Examiner's Office and BSO's Crime Lab Combined Facility, for the Construction Management Division, in the total estimated Guaranteed Maximum Price of \$156,112,465, contingent upon future financing as approved by the Board, and an estimated time for project completion of 1,545 days, and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

#### Why Action is Necessary

In accordance with the Broward County Procurement Code, Section 21.31.a.4, Award Authority, Board approval is required for awards exceeding \$500,000.

#### What Action Accomplishes

Provides for preconstruction services and managing general contractor services for construction of Broward County's Medical Examiner's Office and BSO's Crime Lab Combined Facility.

#### Is this Action Goal Related

No

### **Previous Action Taken**

None.

### **Summary Explanation/Background**

THE PURCHASING DIVISION AND THE PUBLIC WORKS DEPARTMENT/CONSTRUCTION MANAGEMENT DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

The Office of Economic and Small Business Development (OESBD) established a County Business Enterprise (CBE) participation goal of 25% for this project. DPR Construction, A General Partnership (DPR) has committed to meet the CBE participation goal. The OESBD determined that this project is subject to the Broward County Workforce Investment Program (Exhibit 2).

The purpose of this Agreement is to have DPR perform Managing General Contractor (MGC) services that include pre-construction and construction services for the Broward County's Medical Examiner's Office and Broward Sheriff's Office Crime Lab Combined Facility (Project).

On November 5, 2019 (Item No. 75), the Board approved the Request for Proposals (RFP) No. PNC2119546P1, Broward County Office of Medical Examiner and Trauma Services and Broward Sheriff's Office Crime Laboratory Combined Facility. Four firms submitted proposals in response to the RFP.

The Project consists of a new state-of-the-art crime lab combined facility serving the joint needs of both the Office of Medical Examiner and Trauma Services and BSO. The new combined facility will be a multi-story building or series of buildings. The building site location is a vacant parcel of land comprising approximately 7.29 acres located at 1625 NW 23rd Avenue, Fort Lauderdale, Florida.

The program consists of, but is not limited to, the following: toxicology laboratories, crime laboratories, autopsy suites, administration offices, sally-port, training rooms, central plant, building systems, specialized laboratory mechanical ventilation systems, electrical, plumbing systems, and redundant power. Other construction services will include roadway improvements, utility work, underground cistern, photovoltaic panel arrays, and stand-alone parking garage for approximately 225 vehicles, and will also include electric vehicle charging stations.

The Forensic Science Center will be designed to be inclusive of the surrounding community. The new facility will include training rooms, mock-up crime scene room and will allow access to students that may be interested in forensic sciences. The intent is to create programs in coordination with the Arthur Ashe, Jr. Campus/Atlantic Technical College directly adjacent to the new facility.

The MGC's services under this Agreement include pre-construction services, constructability reviews, cost estimating, scheduling, CBE identification and recruitment, subcontractor bidding, relocation assistance, building systems commissioning, Leadership in Environmental and Engineering Design (LEED) certification, life-cycle cost assistance, warranty services and post-occupancy evaluations for this complex combined facility (Exhibit 1).

On April 13, 2020, an Initial Evaluation Committee (EC) meeting was held. The EC determined that four firms were both responsive and responsible to the RFP requirements.

On May 1, 2020, a Final EC meeting was held. After presentations, evaluation, scoring and ranking, the EC named DPR as the first-ranked firm.

The EC's proposed recommendation of ranking was posted on the Purchasing Division's website from May 21-26, 2020, which provided an opportunity for any proposer or interested party to present any new or additional information regarding the responsibility of the proposers.

On May 26, 2020, the Director of Purchasing received an objection letter on behalf of The Robins & Morton Group (RMG), the second-ranked firm. RMG's objection made various assertions regarding DPR's qualifications and litigation history.

On August 28, 2020, the Director of Purchasing issued a response to RMG's objection stating that upon review of the solicitation response, supporting documentation, procurement record, correspondence regarding the objection, and the proceedings of the EC, the undisclosed "material" cases involving both DPR and RMG represented new significant information that should be taken into consideration by the EC. The remaining assertions made by RMG were not determined to be new or significant information according to Section 21.84.f of the Broward County Procurement Code.

On September 9, 2020, a reconvened Final EC meeting was held. Information was reviewed by the EC and the EC voted, unanimously, to ratify the final ranking list from the Final EC meeting held on May 1, 2020.

The Evaluation Committee's final recommendation of ranking was posted on the Purchasing Division website from September 10-16, 2020, which provided an opportunity for any aggrieved proposer to file a formal protest. No formal protest was received.

On October 20, 2020 (Item No. 81), the Board approved the Evaluation Committee's final ranking of qualified firms and authorized staff to proceed with negotiations.

Four Sunshined meetings were held to negotiate this Agreement: November 23, December 7, December 18, 2020; and January 6, 2021. These negotiation meetings were attended by representatives of DPR, and staff from the Construction Management Division, the Risk Management Division, the Office of the County Auditor, and the Purchasing Division.

The final negotiated, estimated Guaranteed Maximum Price (GMP) of \$156,112,465 is comprised of the following estimated GMP price elements:

- A. Pre-construction Services of \$957,190
- B. Direct Construction Cost of \$125,100,000
- C. General Conditions Cost of \$18,765,000
- D. Fixed Fee (3.5%) of \$5,035,275, and
- E. Owner's Allowance Account of \$6,255,000.

Additional supporting documentation provided to the Evaluation Committee regarding this procurement can be found on Broward County Purchasing Division website at <http://www.broward.org/Purchasing/Pages/Repository.aspx>.

#### **Source of Additional Information**

Brenda J. Billingsley, Director, Purchasing Division, (954) 357-6070

Ariadna Musarra, Director/County Architect, Construction Management Division, (954) 357-6419

### **Fiscal Impact**

#### **Fiscal Impact/Cost Summary**

The source of funding for this project is the General Capital Outlay Fund. Fiscal Year 2021 funds are approved in total estimated amount of \$1,222,980, inclusive of pre-construction services and a portion of the owner's allowance. The remaining balance of the estimated GMP, including construction services, is programmed in the following Fiscal Year's capital budget, contingent upon future financing as approved by the Board.

Requisition No.: CMD0000482