

**EXECUTIVE SUMMARY****Construction Bid Recommendation of \$50,000 or Greater – RFP 15-081C (2<sup>nd</sup> Re-bid)  
City of Parkland Classroom Additions**

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The School Board of Broward County, Florida received five (5) proposals in response to RFP 15-081C (2<sup>nd</sup> Re-bid) City of Parkland Classroom Additions. The Qualification Selection Evaluation Committee (QSEC) reviewed and evaluated this Request for Proposals (RFP) on August 19, 2015, and is recommending JWR Construction Services, Inc., for award in the amount of \$1,871,561. The Design/Build services will provide for three (3) classrooms at Heron Heights Elementary and three (3) classrooms at Park Trails Elementary to be substantially complete by May 23, 2016 and achieve Final Completion by July 20, 2016.

**BACKGROUND**

On March 17, 2014, The School Board of Broward County, Florida, approved the Modular Classroom Agreement with the City of Parkland for the District to construct, maintain, and operate seven (7) permanent modular classrooms in the corporate limits of the City. Funding for the classrooms, in accordance with the Agreement, was to be derived from funds received by the City from several developers. The original Agreement anticipated receipt of \$1,771,000 to be made in installments for the construction of seven (7) modular classrooms. Furthermore, the Agreement identified the potential for an additional payment of \$254,000, on or before February 15, 2015, for the construction of one (1) additional modular classroom.

On October 21, 2014, the Board approved the Authorization to Advertise for Design/Build Services. Although the last payment had not yet been received, the Authorization to Advertise identified eight (8) modular classrooms to be built at Park Trails ES, in anticipation that the full \$2,025,000 would be available to construct all eight (8) classrooms. The Board item was amended that day to reflect consideration of four (4) units at Park Trails ES and four (4) units at Heron Heights ES, as an alternate to be considered, if the cost came in within the \$2,025,000 budget.

Subsequent to Board approval of the Authorization to Advertise, Procurement & Warehousing Services released Request for Proposals 15-081C (RFP) for Design/Build Services for four (4) modular classrooms at Park Trails ES and four (4) modular classrooms at Heron Heights ES. The RFP was advertised on October 27, 2014, with a bid opening date of November 17, 2014. Although the bidding community expressed interest in the project, there were no responses to the RFP, necessitating reissuance of the RFP for Design/Build Services for the design and construction of a four (4) classroom addition at Park Trails ES and a four (4) classroom addition at Heron Heights ES. The RFP was re-advertised on February 11, 2015, with a bid opening date of March 4, 2015. Response to this bid included two non-responsive bids and one responsive bid. Prior to award, a cone of silence violation occurred by the selected Design/Build firm, forcing rejection of all bids that was approved by the Board on June 23, 2015.

On May 1, 2015, a 2<sup>nd</sup> rebid of the RFP occurred. The RFP was advertised on May 1, 2015 with a bid opening date of June 24, 2015. Five (5) proposals were received in response to this RFP. On July 8, 2015, QSEC convened and selected a Design/Builder. Negotiations with the selected firm were conducted on July 15, 2015, however, these were unsuccessful and ended in an impasse. On that same day the First Amendment of the Agreement between The School Board of Broward County, Florida and the City of Parkland occurred, due to increased construction costs and a loss of originally anticipated contribution payments to the City and subsequently to the School District, reducing the budget from \$2,025,000 to

\$1,905,000 and reducing the number of units from eight (8) to seven (7). The First Amendment to the Agreement also specifically contemplated the possibility of further reduction of classroom units and an extension of time to reach Final Completion. The new budget of \$1,905,000, less monies expended for the removal of portables at Riverglades ES resulted in a net of \$1,871,561 for construction of the classrooms.

Following the impasse, a new Design/Build firm had to be selected. Due to lack of a provision in the RFP to address moving to the second ranked firm, QSEC had to be reconvened on August 19, 2015. Additionally, some corrections had to be made regarding the composition of QSEC, and rescoring of the five (5) proposers was carried out. This resulted in a different Design/Build firm being selected, namely JWR Construction Services, Inc. Negotiations were conducted with JWR on the same day as they were selected. The negotiations specifically discussed the following:

Reduction of JWR's proposal to meet the approved budget of \$1,871,561. Items agreed to as part of this discussion included reduction of cost for Divisions 1 thru 17, Design Fee, Bonds and Insurance, and Owner's Contingency.

This resulted in a reduced cost, however, both parties were unable to reach consensus. Since the budget was fixed, with no option to increase, it was agreed that the only means by which to meet the budget would be to reduce scope by one (1) unit. It was agreed that the reduction by one (1) classroom would occur at Heron Heights ES. By doing so, JWR was able to establish a cost within the budget of \$1,871,561.

On August 25, 2015, a letter was issued by the Superintendent of Schools to the City of Parkland's City Manager explaining the outcome of the August 19, 2015 QSEC meeting and subsequent negotiations. The letter also requested acknowledgement and agreement in writing to the reduction of classroom units to six (6) and an extension of the Final Completion date to July 20, 2016. On August 28, 2015, the City of Parkland called a Special Commission Meeting to address the classrooms at the two schools, specifically the reduction from seven (7) units to six (6), and the extension of the schedule for a later opening date than had previously contemplated. After discussion, the City of Parkland's commission voted unanimously in favor of the requested changes.

This item requests approval of the award to JWR Construction Services, Inc. for the design and construction of a three (3) classroom addition at Heron Heights ES and a three (3) classroom addition at Park Trails ES for the sum of \$1,871,561. Additionally, the item requests an amendment of Addendum #2 of the DEFP 2015-16 to include a three (3) classroom addition at Heron Heights ES and a three (3) classroom addition at Park Trails ES. Addendum #2, approved during the First Public Hearing of the TDEFP on August 18, 2015, removed the eight (8) modular classroom addition at Riverglades ES, added a four (4) classroom modular addition at Heron Heights ES and added a two (2) to four (4) modular classroom addition at Park Trails ES.

## **PROCUREMENT PROCESS**

Five (5) proposers responded to RFP 15-081C, City of Parkland Classroom Additions. The firms responding were:

- CB Constructors, Inc.
- FHP Tectonics Corporation
- Grace & Naeem Uddin, Inc.
- JWR Construction Services, Inc.

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- State Contracting & Engineering Corporation

The following timeline has been provided to describe the procurement process during the past nine (9) months for the City of Parkland classroom additions project:

<b>TIMELINE</b>	
<b>Date</b>	<b>Procurement Process</b>
October 21, 2014	Authorization to Advertise - School Board Item J-1
<b>ORIGINAL RFP 15-081C</b>	
October 27, 2014	RFP Advertised Demand Star, District website, and Sun-Sentinel (10/27, 11/3 & 11/10/14)
November 7, 2014	Addendum No. 1 Issued
November 17, 2014	Bids Due – No Bids Received
<b>RFP 15-081C (RE-BID)</b>	
February 11, 2015	RFP Advertised Demand Star, District website, and Sun-Sentinel (2/11, 2/13; 2/25/15)
February 23, 2015	Addendum No. 1 Issued
February 25, 2015	Addendum No. 2 Issued
March 10, 2015	Addendum No. 3 Issued
March 4, 2015	Bids Due - 3 Bids Received (2 Vendors Non-Responsive)
March 13, 2015	Recommendation/Tabulation Posted Recommendation for Award to JWR Construction Services, Inc..
April 9, 2015	Revised Recommendation / Tabulation Posted Rejecting JWR Construction Services, Inc. for Violation of the Cone of Silence
June 23, 2015	Board Approved Recommendation to Reject all Proposals – School Board Item E-6
<b>RFP 15-081C (2<sup>ND</sup> RE-BID)</b>	
May 1, 2015	RFP Advertised Demand Star, District website, and Sun-Sentinel (5/1, 5/7 & 5/15/15)
May 4, 2015	Addendum No. 1 Issued
May 6, 2015	Addendum No. 2 Issued
May 19, 2015	Addendum No. 3 Issued

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May 20, 2015	Addendum No. 4 Issued
May 25, 2015	Addendum No. 5 Issued
June 4, 2015	Addendum No. 6 Issued
June 24, 2015	Bids Due – 5 Bids Received
July 4, 2015	QSEC Meeting Advertised Demand Star, District website, and Sun-Sentinel
July 8, 2015	QSEC Meeting Held
July 9, 2015	Recommendation/Tabulation Posted Recommendation for Award to Grace & Naeem Uddin, Inc. - Pending Final Negotiations
July 15, 2015	Negotiations with Grace & Naeem Uddin, Inc.
July 22, 2015	Cease Negotiations with Grace & Naeem Uddin, Inc. Impasse Declared
August 6, 2015	Special QSEC Meeting Advertised Demand Star, District website, and Sun-Sentinel *
August 19, 2015	QSEC Meeting Held
September 1, 2015	Recommendation/Tabulation Posted Recommendation for Award to JWR Construction Services, Inc.

\* While reviewing the documents, staff realized there was an error in the process regarding Policy 7003, Pre-Qualification of Contractors and Selection of Architects, Engineers, Design Builders, Construction Managers, and Total Program Managers; there were errors concerning the voting members on QSEC. In an abundance of caution, the committee conducted a special meeting to ensure compliance with Policy 7003. With the guidance of the Office of the General Counsel, a special evaluation meeting was held to ensure all policies were adhered to.

The special meeting involved staff restarting the entire evaluation process. The meeting was noticed and recorded as required by Sunshine Law, Section 1001.372, and Florida Statute 286.01. The outcome of the scores changed and JWR Construction Services, Inc. (JWR) was the successful respondent to the RFP.

Immediately following the evaluation of the proposal, District staff and QSEC conducted negotiations with JWR. The process was done in this manner because QSEC is required to make a motion to award a recommended vendor.

**M/WBE PARTICIPATION**

JWR Construction Services, Inc., will provide for M/WBE participation during its performance of services under this Agreement by using ten (10) M/WBE certified vendors:

- ACAI Associates, Inc. (Hispanic American Male ) 13.2 percent
- Hart Mechanical Contractors, Inc. (Hispanic American Male) 7.0 percent

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- Tropic Fence, Inc. (Caucasian Female) .5 percent
- FMA Construction, Inc. (Hispanic American Male) 7.0 percent
- Francis Engineering, Inc. (African American Male) 1.5 percent
- Keith and Associates, Inc. (Caucasian Female) .5 percent
- Landscape Service Professionals, Inc. (Caucasian Female) 2.0 percent
- Stanford & Sons Trucking Corp. (African American Male) 4.0 percent
- All Specialty Sales, Inc. (Caucasian Female) 1.0 percent
- Bergolla, Inc. (Hispanic American Male) 1.0 percent

**DOCUMENTS**

A copy of the documents below can be viewed online at:

<http://www.broward.k12.fl.us/supply/agenda/15-081C-2nd-Re-bid-City-of-Parkland-Classroom-Additio.pdf>

A copy of the following documents for RFP 15-081C, City of Parkland Classroom Additions, are available at the School Board members' office on the 14<sup>th</sup> floor of the K.C. Wright Administration Center:

<b>DOCUMENTS</b>	
<b>Title</b>	<b>Date</b>
Approved School Board Agenda Request for Authorization to Advertise, J-1	October 21, 2014
<b>ORIGINAL RFP 15-081C</b> A copy of the RFP Document can be viewed online at: <a href="http://www.broward.k12.fl.us/supply/agenda/15-081C-Original.pdf">http://www.broward.k12.fl.us/supply/agenda/15-081C-Original.pdf</a>	
RFP Advertised Demand Star and Sun-Sentinel (10/27, 11/3 & 11/10/14)	October 27, 2014
Addendum No. 1 Issued	November 7, 2014
Bids Due – No Bids Received	November 17, 2014
<b>RFP 15-081C (RE-BID)</b> A copy of the RFP Document can be viewed online at: <a href="http://www.broward.k12.fl.us/supply/agenda/15-081C-1st-Re-Bid.pdf">http://www.broward.k12.fl.us/supply/agenda/15-081C-1st-Re-Bid.pdf</a>	
RFP Advertised Demand Star and Sun-Sentinel (2/13, 2/18 & 2/25/15)	February 11, 2015
Addendum No. 1 Issued	February 23, 2015
Addendum No. 2 Issued	February 25, 2015

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Addendum No. 3 Issued	March 10, 2015
Bid Opening Form	March 4, 2015
Recommendation/Tabulation Posted Recommendation for Award to JWR Construction Services, Inc.	March 13, 2015
Revised Recommendation/Tabulation Posted Rejected JWR Construction Services, Inc., for Violation of the Cone of Silence	April 9, 2015
Approved Recommendation to Reject all Proposals – E-6	June 23, 2015
<b>RFP 15-081C (2<sup>ND</sup> RE-BID)</b> A copy of the RFP Document can be viewed online at: <a href="http://www.broward.k12.fl.us/supply/agenda/15-081C-2nd Re-bid.pdf">http://www.broward.k12.fl.us/supply/agenda/15-081C-2nd Re-bid.pdf</a>	
RFP Advertised Demand Star and Sun-Sentinel (5/1, 5/7 & 5/15/15)	May 1, 2015
Addendum No. 1 Issued	May 4, 2015
Addendum No. 2 Issued	May 6, 2015
Addendum No. 3 Issued	May 19, 2015
Addendum No. 4 Issued	May 20, 2015
Addendum No. 5 Issued	May 25, 2015
Addendum No. 6 Issued	June 4, 2015
Bid Opening Form	June 24, 2015
QSEC Meeting Advertised Sun-Sentinel	July 4, 2015
QSEC Meeting Agenda, Roll Call, Sign-In Sheets, and Meeting Minutes *	July 8, 2015
QSEC Meeting Score Sheets	July 8, 2015
Recommendation/Tabulation Posted Recommendation for Award Grace & Naeem Uddin, Inc. - Pending Final Negotiations	July 9, 2015
Negotiations with Grace & Naeem Uddin, Inc. * Cone of Silence Memo, Sign In Sheet, Best & Final Offer	July 9 - 15, 2015
Cease Negotiations with Grace & Naeem Uddin, Inc. Impasse Declared	July 22, 2015
<b>Recommended Vendor's Proposal</b> A copy of the vendor's proposal can be viewed online at: <a href="http://www.broward.k12.fl.us/supply/agenda/JWR-City-of-Parkland-Classroom-Add-with-Cost.pdf">http://www.broward.k12.fl.us/supply/agenda/JWR-City-of-Parkland-Classroom-Add-with-Cost.pdf</a>	
JWR Construction Services, Inc.	June 24, 2015

\* Audio recordings are available upon request.