

**CITY OF MIAMI, FLORIDA
INTER-OFFICE MEMORANDUM**

TO: Emilio T. González, Ph.D.
City Manager

DATE: April 30, 2019

FILE:

FROM: Annie Perez, CPPO, Director
Department of Procurement



SUBJECT: Recommendation for Award of
Design-Build Services for Dinner Key Marina
Repairs and Restoration Project

REFERENCES: Request for Proposals ("RFP")
No. 18-19-005

ENCLOSURES: Bid Security List, Respondent's
Price Proposal, Report of Evaluation Committee

RECOMMENDATION:

Based on the findings below, the Department of Procurement ("Procurement") hereby recommends that the referenced Project be awarded to Kearns Construction, Co. ("Kearns"), who has been determined to be the sole lowest responsive and responsible Proposer, for RFP No. 18-19-005, Design-Build Services for Dinner Key Marina Repairs and Restoration Project (the "Project").

FISCAL IMPACT:

The fiscal impact to the City of Miami (City) for the negotiated contract is **\$22,488,038** on a phased basis. The not-to-exceed amount is comprised of \$16,880,381 for the base Scope of Work, plus \$3,919,619 for the Additive Alternatives #1, and #3 through #8, as negotiated, plus an Owner's Contingency Allowance for \$1,688,038. The original bid offer presented by Kearns for the above items totaled \$21,976,645; therefore, negotiations resulted in \$1,176,645 of considerable savings for our taxpayers.

BACKGROUND:

On November 7, 2018, Procurement issued a solicitation under full and open competition to obtain proposals from qualified firms. On December 6, 2018, Procurement received three (3) proposals in response to the solicitation from Dock and Marine Construction Corp. ("Dock and Marine"), Marina Utilities, Inc., (Marina Utilities), and Kearns; a Bid Security List is attached.

Pursuant to the solicitation, Proposers were required to have a General Contractor (GC) or a marine contractor with a GC license, as the team's lead firm. The GC shall possess a minimum of five (5) years of experience in marine and/or overwater marina utility construction, and hold a current active certified license as a General Contractor under its current business name as authorized to do business in the State of Florida. In addition, the GC shall have experience as the prime contractor for at least three (3) completed projects of similar scope and complexity (e.g., marine structures, marina improvements/repairs, and marina (overwater) utilities), within the last eight (8) years.

Proposers also were required to demonstrate that they have a Lead Engineer/Design Manager firm, as well as other full-time key personnel with the necessary experience to perform the Project's Scope of Work. Said key personnel included a Project Manager, a Construction Manager, Structural/Fire Protection/Plumbing/Electrical Engineers, a Special Inspector, a Quality Assurance/Quality Control Manager, a Utility Coordinator, and a Health and Safety Manager. Key Personnel were required to have experience in their individual roles on at least three (3) completed projects of similar scope and complexity (e.g., marine structures, marina improvements/repairs, and marina (overwater) utilities), within the last five (5) years, and as described in Section 3.5, "Minimum Qualification Requirements" of the RFP document.

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FINDINGS:

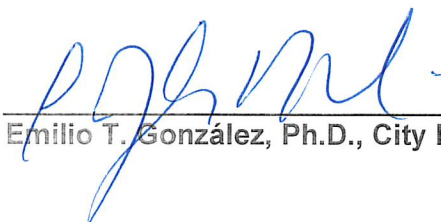
On or around January 25, 2019, Procurement completed an extensive review and due diligence on all three proposals following the guidelines published in the solicitation. As a result of such process, Dock and Marine and Marine Utilities were found to be non-responsive to the conditions set forth in the RFP document, and therefore, disqualified from the selection process. Separate notices detailing the reasons leading to the City's decision were sent to each Proposer on January 28, 2019.

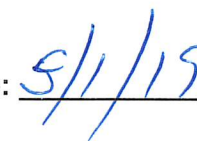
Subsequently, on January 31, 2019, the Evaluation Committee ("Committee") met and completed the Step 1 evaluation and ranking of the sole responsive proposal submitted by Kearns. Following the stipulated guidelines in the solicitation, Kearns' proposal was evaluated in accordance with four (4) qualification-driven criteria: Qualifications and Experience of the Team, Proposer's Qualifications and Experience, Qualifications of Project Manager and Construction Manager, and Past Performance of the Firms. On March 18, 2019, Kearns submitted a Step 2 Technical Proposal, inclusive of a bid offer, according to the conditions set forth in the RFP document. Later, on March 26, 2019, the Committee met and evaluated Kearns' Technical Proposal while receiving a formal presentation by Kearns on the proposed solution for the project, following the guidelines stipulated in the solicitation. The Committee completed the Step 2 evaluation and ranking of Kearns' proposal based on three (3) technical criteria: Design and Construction Approach and Process, Contract and Financial Compliance, and Technical Capabilities. Subsequently, the envelope containing the price offer was opened and the bid was read aloud into the record (please refer to enclosed Evaluation Committee Report).

On April 25, 2019 the Negotiations Committee, appointed by the City Manager on April 5, 2019, met and negotiated the terms and conditions of a design-build agreement with Kearns. The City's technical staff from the Office of Capital Improvements, with the assistance of the Design Criteria Professional assigned to the Project, Moffat & Nichol, reviewed and compared Kearns' bid to the City's probable project cost estimate, and determined that Kearns' negotiated bid is acceptable. Based on the above findings, Procurement hereby recommends that the Project be awarded to Kearns.

CONTRACT EXECUTION:

Accordingly, Procurement hereby requests authorization to prepare for execution a design-build agreement with Kearns, for a not-to-exceed total amount of **\$22,488,038** on a phased basis and as shown above. The City has the right to accept/reject any and all negotiated Additive Alternatives at any point during the construction of this Project. Your signature below indicates your agreement with Procurement's recommendation, subject to subsequent final approval by the City Commission.

Approved: 
Emilio T. González, Ph.D., City Manager

Date: 

- c: Joseph F. Napoli, Deputy City Manager
- Nzeribe Ihekweba, P.E., Ph.D., Assistant City Manager
- Sandra Bridgeman, Assistant City Manager/Chief Financial Officer
- Rafael Suarez-Rivas, Chief Assistant City Attorney
- Daniel Rotenberg, Director, Department of Real Estate and Asset Management
- Steven C. Williamson, Director, Office of Capital Improvements
- Fernando V. Ponassi, MA Arch., MA PPA, LEED®AP, Assistant Director, Procurement

**CITY OF MIAMI, FLORIDA
INTER-OFFICE MEMORANDUM**

TO: Emilio T. González, Ph.D.,
City Manager

DATE: March 28, 2019


FROM: Annie Perez, CPFO, Director
Department of Procurement

SUBJECT: Report of Evaluation Committee for
RFP No. 18-19-005, Design-Build Services for
Dinner Key Marina Repairs and Restoration
Project

ENCLOSURES: Response Security List,
Evaluation Committee Tabulation Sheets, and
Evaluation Committee Appointment Memo

Background

On November 7, 2018, the Department of Procurement ("Procurement") issued Request for Proposals ("RFP") No. 18-19-005 for the provision of Design-Build ("D/B") Services for the Dinner Key Marina Repairs and Restoration Project ("Project"), on behalf of the Department of Real Estate Asset Management (DREAM). While governed by Florida Statutes Section 287.055, any typical D/B selection is comprised of two (2) steps. On December 6, 2018, Procurement received three (3) Step 1 Proposals in response to this solicitation. Subsequently, the proposals were reviewed by Procurement staff, upon which one (1) proposal, submitted by Kearns Construction, Co. (Kearns), was deemed responsive and responsible in accordance with the minimum qualifications and experience requirements of the RFQ. The other two (2) proposals, submitted by Dock and Marine Construction, Corp. and Marina Utilities, Inc., were deemed non-responsive and, therefore, disqualified from the procurement process for failure to meet the minimum requirements of the RFQ.

Summary of Evaluation

On January 31, 2018, the Evaluation Committee ("Committee") met and completed the Step 1 evaluation of the only responsive and responsible proposal, following the guidelines stipulated in the solicitation. The proposal was evaluated pursuant to the four (4) evaluation criteria listed below:

Evaluation Criteria Step 1	Maximum Points (Per Committee Member)
1. Qualifications and Experience of the Team	100
2. Proposer's Qualifications and Experience	100
3. Qualifications of Project Manager and Construction Manager	100
4. Past Performance of the Firms	100

After the evaluation and scoring activities were completed, Kearns' Step 1 proposal garnered a total of 1,732 points over a possible total of 2,000 points, or 87%. As a result, the Committee voted unanimously to advance Kearns to the Step 2 phase of the selection process, and required that an oral presentation be conducted to allow Kearns to present its Technical Proposal, and the Committee to ask further questions on its merits. Subsequently, on March 18, 2019, Procurement received a Step 2 Technical Proposal, inclusive of a Price Proposal, from Kearns, the sole responsive and responsible Proposer in this selection process.

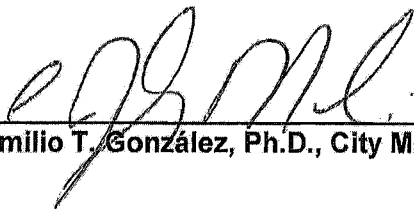
On March 26, 2019, the Committee met and evaluated Kearns' Technical Proposal and received a full presentation by Kearns on the proposed solution for the project, following the guidelines stipulated in the solicitation. The proposal was evaluated pursuant to the four (4) evaluation criteria listed below:

Evaluation Criteria Step 2	Maximum Points (Per Committee Member)
1. Design & Construction Approach and Process	100
2. Contract and Financial Compliance	100
3. Technical Capabilities	100
4. Price	300

After the evaluation and scoring activities were completed, Kearns' Step 2 proposal garnered a total of 2,805 points over a possible total of 3,000 points, or 94%. As a result, the Committee voted unanimously to recommend to the City Manager that negotiations of a D/B agreement be initiated with Kearns. The tabulation and individual Committee member score sheets for both Steps 1 and 2 meetings are attached as supporting documentation.

Recommendation

The Committee hereby requests authorization for Procurement, in collaboration with the nominated Negotiations Committee, Messrs. Andrew Schimmel (DREAM), Hector Badia and Jose Oliveros (OCI), to commence negotiations with the highest ranked firm, Kearns, for a Design-Build Agreement to provide design-build services for the Dinner Key Marina Repairs and Restoration Project. In addition, the Committee nominated a representative from DREAM (name to be determined) and Mr. Robert Fenton (OCI) as Technical Advisors for the Negotiations Committee. Should negotiations with Kearns fail, the Committee further recommends rejecting all proposals, canceling the current RFP, and authorizing Procurement to issue a new RFP, in accordance with Section 18-87 of the City of Miami Code.

Approved: 
Emilio T. González, Ph.D., City Manager

Date: 4/15/19

- c. Joseph F. Napoli, Deputy City Manager, COM
- Fernando Casamayor, Assistant City Manager, COM
- Nzeribe Ihekwa, Ph.D., P.E., Assistant City Manager, COM
- Sandra Bridgeman, Assistant City Manager/Chief Financial Officer, COM
- Steven C. Williamson, Director, OCI, COM
- Daniel Rotenberg, Director, DREAM, COM
- Rafael Suarez-Rivas, Sr. Assistant City Attorney, City Attorney's Office, COM
- Fernando V. Ponassi, MA Arch., MA PPA, LEED®AP, Assistant Director, Procurement, COM

STEP 1 MEETING JANUARY 31, 2019		EVALUATION COMMITTEE						TOTAL Qualitative Points	Qualitative RANK	Local Preference Ranges	Local Preference RANK	FINAL RANK
DESIGN-BUILD SERVICES FOR THE DINNER KEY MARINA REPAIRS AND RESTORATION PROJECT		Andrew Schimmel, DREAM, City of Miami (COM)	Hector Badia, Office of Capital Improvements, COM	Jose Oliveros, Office of Capital Improvements, COM	L. Carolina Alfonso, Cultural Affairs, Miami-Dade County (MDC)	Enrique Perez, Aviation Department, (MDC)	SUB-TOTAL	Average				
TABULATION SHEET, RFP NO. 18-19-005		NAME OF FIRM(S)										
1	KEARNS CONSTRUCTION, CO.	95	80	90	84	75	424	85				
	1A - Qualifications and Experience of the Team (Max. 100 points)	96	80	80	87	70	413	83				
	1B - Proposer's Qualifications and Experience (Max. 100 points)	95	85	85	88	85	438	88				
	1C - Qualifications of Project Manager and Construction Manager (Max. 100 points)	97	99	100	90	80	457	91				
	1D - Past Performance of the Firms (Max. 100 points)	383	335	355	349	310			1,732	87%	1	
	Tie Breakers for Total Qual= Total Qualitative Points for 1A, 1B, 1C, and 1D, in that order.											
2	DOCK AND MARINE CONSTRUCTION (*)											
	1A - Qualifications and Experience of the Team (Max. 100 points)							0				
	1B - Proposer's Qualifications and Experience (Max. 100 points)							0				
	1C - Qualifications of Project Manager and Construction Manager (Max. 100 points)							0				
	1D - Past Performance of the Firms (Max. 100 points)							0				
	Tie Breakers for Total Qual= Total Qualitative Points for 1A, 1B, 1C, 1D, in that order.								0		DQ	
3	MARINA UTILITIES (*)											
	1A - Qualifications and Experience of the Team (Max. 100 points)							0				
	1B - Proposer's Qualifications and Experience (Max. 100 points)							0				
	1C - Qualifications of Project Manager and Construction Manager (Max. 100 points)							0				
	1D - Past Performance of the Firms (Max. 100 points)							0				
	Tie Breakers for Total Qual= Total Qualitative Points for 1A, 1B, 1C, 1D, in that order.								0		DQ	

Fernando V. Ponce, City of Miami Non-Voting Chairperson
 (*) Proposer was found to be non-responsive, and therefore disqualified for further consideration.

**CITY OF MIAMI, FLORIDA
INTER-OFFICE MEMORANDUM**

TO: Emilio T. González, Ph.D.
City-Manager

DATE: November 29, 2018

FILE:

FROM: Annie Perez, CFPO, Director
Department of Procurement

SUBJECT: Appointment of Evaluation Committee for Request for Proposals (RFP) No. 18-19-005, Design-Build Services for the Dinner Key Marina Repairs and Restoration Project

REFERENCES: RFP No. 18-19-005

The Procurement Department ("Procurement"), on behalf of the Office of Capital Improvements ("OCI") and the Department of Real Estate and Asset Management (DREAM), issued RFP No. 18-19-005 on November 7, 2018, for Design-Build Services for the Dinner Key Marina Repairs and Restoration Project. It is respectfully requested that you approve the appointment of the following individuals to serve as members of the Evaluation Committee to evaluate and score proposals due on December 6, 2018. Each proposed member has the requisite knowledge and experience to evaluate the proposals pursuant to the RFP.

Chairperson (non-voting)

Fernando V. Ponassi, MA Arch., MA PPA, LEED@AP, Assistant Director, Procurement, City of Miami ("COM")

City of Miami Committee Members (voting)

Hector Badia, Assistant Director, OCI, COM
Andrew Schimmel, Sr. Project Representative, DREAM, COM

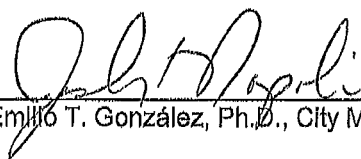
External Committee Members (voting)

Carolina Alfonso, AIA, NCARB, LEED@AP, Construction Projects Manager, Miami-Dade County ("MDC") Department of Cultural Affairs
Jose Hevia, RA, CGC, President, Aligned Bayshore Marina, LLC
Enrique Perez, BS, MBA, Chief of Construction for Facilities Development, MDC Aviation Department

Alternate Committee Members

Jose L. Oliveros, Chief Project Manager, OCI, COM
Mark Burns, Lease Manager, DREAM, COM

APPROVED:


Emilio T. González, Ph.D., City Manager


Date

AP: fvp

c: Joseph F. Napoli, Deputy City Manager
Nzeribe Ihekwebaba, Ph.D., P.E., Assistant City Manager
Sandra Bridgeman, Assistant City Manager/Chief Financial Officer
Rafael Suarez-Rivas, Chief Assistant City Attorney
Daniel Rotenberg, Director, DREAM
Steven C. Williamson, Director, OCI
Hector Badia, Assistant Director, OCI
Fernando V. Ponassi, MA Arch., MA PPA, LEED@AP, Assistant Director, Procurement

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