



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Special Order Request <input type="radio"/> Yes <input checked="" type="radio"/> No
Time
Open Agenda <input checked="" type="radio"/> Yes <input type="radio"/> No

ITEM No.:

JJ-4.

MEETING DATE

Dec 9 2014 10:15AM - Regular School Board Meeting

AGENDA ITEM

OPEN ITEMS

CATEGORY

JJ. OFFICE OF FACILITIES AND CONSTRUCTION

DEPARTMENT

Facilities & Construction

TITLE:

Second Amendment to Professional Services Agreement Forbes Architects (f.k.a. Forbes Architects, Inc.) General Renovations Attucks Middle School Hollywood Project No. P.000061 (f.k.a. 0343-24-01)

REQUESTED ACTION:

Approve the Second Amendment to the Professional Services Agreement dated April 12, 2005, previously amended on August 29, 2006 with Forbes Architects (f.k.a. Forbes Architects, Inc.), Attucks Middle School, General Renovations, Project No. P.000061 (f.k.a. 0343-24-01).

SUMMARY EXPLANATION AND BACKGROUND:

Upon completion of construction of the General Renovations project at Attucks Middle School, Project No. P.000061 (f.k.a. 0343-24-01) (the "Project"), Staff determined that various change order costs on the Project were attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$12,409.75. The Parties also mutually agreed that the Project Consultant provided additional design services and extended construction contract administration benefitting the Project, and that such services were valued at \$67,747.27. See Supporting Docs for continuation of Summary Explanation and Background.

SCHOOL BOARD GOALS:

☐ Goal 1: High Quality Instruction ☒ Goal 2: Continuous Improvement ☐ Goal 3: Effective Communication

FINANCIAL IMPACT:

The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.

EXHIBITS: (List)

(1) Continuation of Summary Explanation and Background (2) Executive Summary (3) Amendment (4) Collaboration Form

BOARD ACTION:

APPROVED

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Sonja V. Coley, Senior Project Manager

Phone: 754-321-1520

Name:

Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Senior Leader & Title

Derek Messier - Chief Facilities Officer

Signature

Derek Robert Messier

Tuesday, December 02, 2014 6:06:13 PM

Approved In Open
Board Meeting On:

By:

DEC 9 2014

Donna Kohn

School Board Chair

(Continuation of Summary Explanation and Background)

Upon completion of construction of General Renovations, at Attucks Middle Schools, Project No. (0343-24-01) (the "Project"), Staff determined that various change order costs on the Project were attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$12,409.75. The Parties also mutually agreed that the Project Consultant had provided additional design services and extended construction contract administration benefitting the Project, and that such services were valued at \$67,747.27. This Second Amendment reconciles all additional costs to the Owner resulting from the Project Consultant's errors and omissions and additional costs associated with additional design services and extended construction administration, resulting in a net increase to the Professional Services Agreement in the amount of \$55,337.52.

This Second Amendment has been reviewed and approved as to form and legal content by the Office of the General Counsel and will be executed by the Project Consultant upon Board approval.

EXECUTIVE SUMMARY

EXHIBIT 2

Second Amendment to Professional Services Agreement Forbes Architects

Attucks Middle

Scope:

General Renovations, ADA Restrooms, Signage, Bleachers and Wheelchair Lift @ Stage

Project Number:

P.000061 (f.k.a. 0343-24-01)

Project Budget Summary

Original:	\$1,109,335
Current Approved:	\$1,139,469
Current Request:	\$ -
Proposed New:	\$1,139,469

Construction Schedule Summary

Notice to Proceed:

June 15, 2009

Planned Substantial Completion:

November 12, 2009

Actual Substantial Completion:

September 10, 2012

Actual Final Completion:

October 16, 2012

Project Overview:

This Project consists of the design and construction of general renovations throughout the facility, ADA restrooms, signage, bleachers, and a wheelchair lift at the stage.

Project Consultant

Financial Overview:

Original Basic Services Fees	\$98,150.00
Previously Approved Additional Fees	\$5,000.00
Current Requested Additional Fees	\$55,337.52
PROPOSED FEE AT COMPLETION:	\$158,487.52

Status of Work:

Project was completed and was closed per Policy 7005. There are no additional fees or supplemental services anticipated after this current request is approved. The project has a Certificate of Occupancy and Certificate of Final Inspection.

Key Issues:

The major issues attributable to additional fees were resultant of the re-phasing of the project at the request of school administration, an unforeseen condition in which a structural beams' width was deeper than shown on the as-built drawings and required design and permit revisions in order to accommodate a new egress door, and a change in design from a portable wheelchair lift to a permanent lift.

Solution /Action Plan:

Various change order costs on the Project were attributable to architectural errors and omissions. It was agreed that the relevant change orders resulted in additional costs to the District in the amount of \$12,409.75 and that the Project Consultant provided additional services valued at \$67,747.27. This Agenda Item reconciles all additional costs to SBBC resulting from the Consultant's errors and omissions and additional costs associated with additional services in a net increase to the Professional Services Agreement in the amount of \$55,337.52.

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

BETWEEN
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA AND PROJECT
CONSULTANT FOR ARCHITECTURAL/ENGINEERING SERVICES

This Second Amendment to the Professional Services Agreement ("Agreement") between The School Board of Broward County, Florida (hereinafter referred to as the Owner) and Forbes Architects, Inc. (now known as Forbes Architects) (hereinafter referred to as Project Consultant) for architectural/engineering services dated the 12th day of April, 2005, previously amended on August 29th, 2006, is entered into this 9th day of December, 2014 by and between the School Board of Broward County, Florida and the Project Consultant.

For the project known as: **Attucks Middle School**
 Project No. P.000061 (f.k.a. 0343-24-01)
 General Renovations
 FLCC: \$890,000

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 12th day of April, 2005, as previously amended, is in full force and effect except to the extent this Second Amendment modifies specific provisions thereof;

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and the sums of money agreed to be paid by the Project Consultant to the Owner, the parties agree as follows:

This Second Amendment reconciles the variance of additional fees for design services and extended construction administration provided by the Project Consultant in the amount of \$67,777.27 with additional construction costs associated with change orders attributable to design errors and omissions in the amount of \$12,409.75 resulting in a net increase to professional fees totaling \$55,337.52 as set forth below:

Change Order #/ Item #	Change Order Category	Additional Services	Description	Amount
003/019	Consultant Error		Relocate existing horn strobe	<\$41.52>
003/020	Consultant Error		Remove existing light hanger and install new	<\$110.08>
003/024	Consultant Error		Provide 12 LF of thickened edge at sidewalk.	<\$22.44>
003/027	Consultant Error		Fill opening in exterior wall with concrete and reinforcing steel	<\$34.65>

004/017	Consultant Error		Provide and install 17 additional room signs.	<\$315.28>
005/029	Consultant Error		Install emergency light connected to emergency circuit, two way communication device, signage, rated doors and modify handrail.	<\$1,849.14>
006/028	Consultant Error		Remove originally permitted fire sprinkler and fire alarm monitoring devices from student restrooms	<\$8,112.50>
007	Consultant Omission		Reimburse Contractor on pro-rata basis for costs of Builders Risk Insurance	<\$1,924.14>
		Basic Services	Extend Construction Contract Administration including re-phasing of project at request of Owner	\$67,747.27
Net Change				\$55,337.52

Authority:


Each person signing this Second Amendment on behalf of either party warrants that he or she has full legal power to execute this Second Amendment on behalf of the party for whom he or she is signing it to bind and obligate such party with respect to all provisions contained in this Second Amendment.

IN WITNESS THEREOF, the parties hereto, the School Board of Broward County, Florida (Owner) and Forbes Architects have caused this Second Amendment to be executed and their Corporate Seal affixed by and through their proper offices, thereunto duly authorized on this day and year first above written.


For the School Board of Broward County, Florida

(SEAL)

**ATTEST THE SCHOOL BOARD OF
BROWARD COUNTY, FLORIDA**

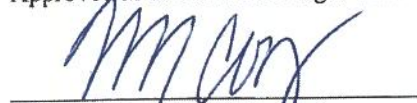


Superintendent of Schools
Robert W. Runcie



Chair
Donna P. Korn


Approved as to Form and Legal Content:



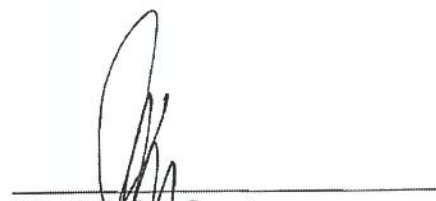
Office of the General Counsel

FORBES ARCHITECTS

**ATTEST
FORBES ARCHITECTS**



John R. Forbes, President



John R. Forbes, Secretary

(Corporate Seal)

AAF000104
Project Consultant's
Registration Number

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 1ST day of December, 2014 by

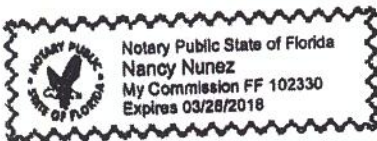
John R. Forbes of Forbes Architects on behalf of the corporation or agency.

He/she is personally known to me or produced _____ as

Identification and did/did not first take an oath.

My commission expires:

(SEAL)



Nancy Nunez
Signature, Notary Public

Nancy Nunez
Printed Name of Notary

FF 102330

Notary's Commission

COLLABORATION

SIGN-OFF FORM

Title of Agenda Request Item:

Second Amendment to Professional Services Agreement
Forbes Architects (f.k.a. Forbes Architects, Inc.)
General Renovations
Attucks Middle School, Hollywood
Project No. P.000061 (f.k.a. 0343-24-01)

School Board Meeting Date:

12-9-14

☐ All projects have been appropriated in the Adopted District Educational Facilities Plan (September 23, 2014) and in the District's Capital Budget.

☐ The following project(s) have not been appropriated in the Adopted District Educational Facilities Plan (September 23, 2014) and in the District's Capital Budget.

☒ **Comments: The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.**

Department Name

Capital Budget

Department Head Name

Omar Shim
Director

Department Head Signature

 12.2.14

Note: By signing this collaboration the Capital Budget Department is acknowledging that the budget impact as stated is correct. Other aspects of the agenda item are the responsibility of the department submitting the item.