

AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Polic schools	MEETING DATE	May 2 20	017 10:35AM - Schoo	ol Board Operational M	eeting	Special Ord	der Request No
ITEM No.:	AGENDA ITEM	ITEMS					
JJ-7.	CATEGORY		Time				
	DEPARTMENT		Pre-Construction	AND CONSTRUCTION		l	Agenda
TITLE:	DEPARTMENT	Lucinites				Yes	O No
Amendment of Prog	ram Manager - Owner's R	epresentative	e Services Agreement - H	eery International, Inc RFC	No. 15-115C		
REQUESTED A							
	ment to the Agreement to meeting to Heery Internati	-	inager - Owner's Represe	ntative Services, RFQ No. 15	-115C, previou	usiy awarded at t	ne August 18,
	PLANATION AND BA		***	he School Board of Broward			
Agreement was for a first three years of the amount of \$16,200,0 incorporates the add	an initial three-year term v he contract. This amendm 000 for the first three year	vith the ability nent revises to s of the contr gned to Heer	to be extended for two a he term of the Agreement act to \$27,498,000. The	the School Board meeting of dditional one-year periods for by increasing the cost of ser original Agreement covered if of the SMART Program in the second se	a maximum ex vices by \$11,29 alf of the SMA	kpenditure of \$16 98,000 from a no RT Program. Th	i,200,000 for the t-to-exceed is amendment
FINANCIAL IM	High Quality Instru		Goal 2: Continuou	is Improvement O		fective Comn	
•	ger - Owner's Representat (September 7, 2016).	ive Services	Agreement is included in	the individual SMART Progra	m construction	project budgets	and is included in
EXHIBITS: (Lis	st)						
(1) Executive Sur Collaboration For		t (3) Agend	la Request Form EE-5	Approved 8-18-15 (4) Fe	e Analysis (5	i) Organization	al Charts (6)
BOARD ACTIO	ON:			TIONAL INFORMATION:			
APPI	ROVED		Name: Shelley N.	Meloni, Director		Phone: 754	-321-1515
(For Official Sch	nool Board Records Office On	ly)	Name:			Phone:	
THE SCHOO Senior Leader	L BOARD OF B	ROWAR	D COUNTY, FLO	RIDA		_	
Leo Bobadilla - Chief Facilities Officer				Approved In Open Board Meeting On:	MAY	- 2 2017	
Signature				By: /	Alba.	m 1	nantan
Leo Bobadilla Jr			Бу: (<u> 71 109</u>	111-7/	WWW.	
Flactuania Signatur	4/21/2017, 11:	33:42 AM	1		S	chool Board (Chair

Electronic Signature
Form #4189 Revised 07/16
RWR/ LB/SNM:ma

EXECUTIVE SUMMARY

EXHIBIT _

In August, 2015, the District negotiated and entered into a contract with Heery International, Inc. (Heery) to provide Program Manager - Owner's Representative Services (OR). At that time, the District was contemplating having two firms who would provide OR services to oversee the District's SMART program and a separate cost/schedule controls consultant. However, the second OR firm the District was negotiating with at that time was not able to agree to contract terms, therefore, the District did not enter into a contract with that firm. Instead, the District asked Heery to manage the additional scope in order to continue to move the SMART Program forward.

Heery's original proposal was based on certain assumptions at the time of RFP, including managing a volume of work that would represent about half of the SMART program. Since that time, Heery has been acting as the sole OR overseeing the entire SMART program with a volume of work that is approximately \$900 million. In addition, Heery has provided additional support services/staff augmentation to other areas/departments that were not specifically identified at the time the original contract was negotiated. Staff is recommending that Heery's not-to-exceed fee be modified to capture the additional volume of work they are managing and the additional services that they have been asked to provide.

When the original agreement was initially discussed with the Board on August 18, 2015, staff at that time anticipated that the cost of the Heery contract (for the first 3 years), the Atkins contract (for the first 3 years) and a second OR contract (for the first 3 years) would be approximately \$39 million. The combined cost of the proposed amended OR agreement (\$27,498,000) and the Atkins contract (\$6,456,073) would be \$33,954,073 or \$5,045,927 below the original projected costs for these contracts. This also includes the costs for additional services of \$4,980,354 not specified when the OR agreement was first negotiated.

Since coming on board in late August, 2015, the Heery team has progressed the program as follows:

- 1. Assumed management as OR of DEFP and SMART projects with total value of approximately \$900 million.
- 2. Developed work plans and schedules for all projects in the program.
- 3. Progressed projects with combined value of over \$500 million into the design procurement and design phases. These projects are now beginning to emerge into the construction procurement phase.
- 4. Started and progressed over 140 School Choice Enhancement projects, several of which are now complete or nearing completion.
- 5. Expedited delivery of Single Point of Entry projects which will begin this summer.
- 6. Assumed management of projects started by previous OR.

At this stage in the SMART Program and based on current performance, it is recommended that Heery continue to provide OR services for the entire program. This will maintain clear accountability and provide certain cost and delivery efficiencies by having a single OR continue to oversee the entire program, at this stage. Heery is submitting this proposal for additional fees to formally incorporate and fund management of the entire program. This proposal is also based

on the following elements that have added to or impacted their original scope of work:

1. Complete Program Scope

As previously stated, Heery's original not-to-exceed only addressed half of the SMART Program. The revised fee proposal includes additional staffing for Heery to manage the entire program for the first three years.

2. School Choice Enhancement Projects

Heery's team was also assigned School Choice Enhancements projects for the entire program, allowing for consistent and efficient management of these projects. Again, Heery's fees were never adjusted to reflect this added scope.

3. Procurement Support - M/WBE Outreach Support

The SMART Program has created an extra workload on the Procurement team. Heery has been asked to provide augmentation to assist the Procurement department with this increase in workload. Heery's proposal includes staff that has been requested by the Procurement team in support of the procurement efforts for the SMART Program.

4. Communications Support

When Heery's scope of work was first negotiated, bond communications was not part of its scope. With the volume of information being generated on the program and the increased demand and expectations for reporting and communications, the need for communications support was identified. The current fee proposal includes this additional support.

5. Additional Support for Non-SMART Program Projects/PPO Support

Heery's initial staffing plan and fee development was based on information related to the SMART Program. As the District has continued to utilize external resources for its construction project management function, Heery's also been asked to support non-SMART projects that arise from time to time.

6. Small Projects Team

To expedite the delivery of Single Point of Entry projects and other small projects, Heery added a Small Projects Team to its OR team. The size of projects managed by this team is small relative to the effort required. The current fee proposal includes the marginal increase in costs related to the addition of this team.

7. Single Point of Entry Surveys and Other Special Studies/Supports

Heery was asked to conduct site surveys at all schools to assess the status and need for Single Point of Entry modifications. The current fee proposal includes this additional support. Heery has also included funding for future studies that may arise.

8. Roofing Consultant

Due to the large number of roofing projects and the need to make sure design consultants and design/build roofing firms are developing designs that are appropriate at each school, Heery has added a roofing consultant to the team. This firm will evaluate roofing designs from both a project level and programmatic level and will also perform site reviews and inspections, as required. This scope was not included in the original scope of work.

In addition, the OR committed to 32% M/WBE participation in its original proposal and as of the end of March 2017, has overall M/WBE participation of 34.2%.

The Funding for this request for additional Program Manager – Owner's Representative Services Agreement is included in the individual SMART Program construction project budgets and is included in the Adopted District Educational Facilities Plan (September 7, 2016).

AMENDMENT TO AGREEMENT FOR PROGRAM MANAGER/OWNER'S REPRESENTATIVE SERVICES

between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA and HEERY INTERNATIONAL, INC.

THIS FIRST AMENDMENT to the Program Manager/Owner's Representative Services Agreement by and between The School Board of Broward County, Florida ("SBBC") and Heery International, Inc. ("Heery") dated August 18, 2015 (the "Agreement"), is hereby entered into this 2nd day of May, 2017.

WHEREAS, the SBBC and Heery acknowledge and agree that the Agreement between SBBC and Heery dated August 18, 2015, is in full force and effect except to the extent this First Amendment modifies specific provisions thereof;

WHEREAS, the base scope of services under the Agreement involves managing one-half of the District Educational Facilities Plan approved in 2016 (the "DEFP"), exclusive of Technology and Musical Instruments;

WHEREAS, for the first fourteen (14) months of the Agreement, and without an increase in the not-to-exceed fee, Heery, pursuant to the SBBC's request, provided management of the entire DEFP, exclusive of Technology and Musical Instruments; and

WHEREAS, the SBBC and Heery desire to amend the Agreement to reflect Heery's added scope of work and to increase the not-to-exceed amount related thereto.

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and other good and valuable consideration, the parties agree as follows:

- 1. The recitals contained herein are true and correct, and are incorporated herein by reference.
- 2. The scope of the Agreement is hereby increased to include all projects funded in the DEFP, exclusive of Technology and Musical Instruments.
- 3. Heery's scope of services and fees defined in the Agreement are hereby increased to include those additional services described in the Executive Summary of this Board Item, and fees identified within the "Heery Owner's Representative Services, Contract Year 1 through 3 Staffing Plan" (the "Staffing Plan"), attached hereto and incorporated herein as Exhibit "A."
- 4. Heery's fees shall be increased as set forth Staffing Plan by a not-to-exceed amount of Eleven Million, Two Hundred Ninety-Eight Thousand Dollars (\$11,298,000.00) for years 1 to 3 of the Agreement, for a total not-to-exceed amount of Twenty-Seven Million, Four Hundred Ninety-Eight Thousand Dollars (\$27,498,000.00).

5. Upon agreement between Heery and the Chief Facilities Officer or his designee, and without further action by the SBBC, the fees set forth in the Staffing Plan may be adjusted and reallocated amongst and between Staffing Groups and Contract Years as deemed appropriate.

Authority:

Each person signing this First Amendment on behalf of either party warrants that he or she has full legal power to execute this First 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 First Amendment.

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment on the day and year first above written.

FOR SBBC

Seal)

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ATTEST:

Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

Office of the General Counsel

*** INTENTIONALLY LEFT BLANK ***

FOR HEERY

(Corporate Seal)	
ATTEST:	HEERY INTERNATIONAL, INC.
, Secretary	By Theodore Sak, President
Witness Witness	
Witness	
The Following Notarization is Req Whether the Party Chose to Use a S	uired for Every Agreement Without Regard to secretary's Attestation or Two (2) Witnesses.
STATE OF GEORGIA	
COUNTY OF FULTON	
The foregoing instrument was acknown by Theodore Sak of Heery International, Incorpersonally known to me and did/did not first to	c., on behalf of the corporation or agency, who is
My commission expires:	Signature - Notary Public Kind for Servan Printed Name of Notary
(SEAL)	· ·
	STATE OF WASHINGTON COUNTY OF KING
	Swom to (or affirmed) and subscribed before the
_	diana Seman
Paj	Kindra Bernan Notary Public My Commission Exp. September 08, 2017



Heery - Owner's Representative Services Contract Year 1 through 3 - Staffing Plan

STAFFING GROUP	Contract Year 1		Contract Year 2		Contract Year 3		TOTAL	
CORE STAFFING - PM	\$	2,057,206	\$	5,107,090	\$	6,180,396		13,344,692
SMALL PROJECTS GROUP	\$	31,108	\$	1,026,784	\$	1,424,659	\$	2,482,551
TECHNICAL SUPPORT STAFFING	\$	54,990	\$	822,008	\$	1,159,734	\$	2,036,732
STUDENT INTERNS	\$	16,358	\$	13,849	\$	14,207	\$	44,414
SENIOR STAFFING	\$	210,701	\$	195,167	\$	163,392	\$	569,260
DESIGN CRITERIA/SCOPE PKGING	\$	194,494	\$	592,081	\$	690,993	\$	1,477,568
COMMISSIONING	\$	-	\$	483,667	\$	1,210,984	\$	1,694,651
SPECIFICATIONS REVIEW	\$	27,426	\$	-	\$	-	,	27,426
SUBTOTAL BASE SERVICES	\$	2,592,282	\$	8,240,647	\$	10,844,365	5	21,662,557
ROOFING CONSULTANT	\$	-	\$	266,713	\$	500,600		767,313
COMMUNICATIONS	\$	76,634	\$	347,595	\$	426,543	\$	850,772
M/WBE OUTREACH	\$	-	\$	339,479	\$	384,482	\$	723,96
SINGLE POINT OF ENTRY SURVEYS	\$	-	\$	110,364	\$	-	\$	110,364
SPECIAL STUDIES	\$	-	\$	119,834	\$	204,197	\$	324,030
PROCUREMENT - BASELINE	\$	322,143	\$	482,889	\$	406,640	\$	1,211,671
PROCUREMENT – CONSTR.	\$	-	\$	198,799	\$	793,444	\$	992,243
SUBTOTAL SUPPLEMENTAL SERVICES \$ 398,777		\$	1,865,673	\$	2,715,905	\$	4,980,354	
TOTAL PROJECTED LABOR	\$	2,991,059	\$	10,106,319	\$	13,560,270		26,657,648
Total Projected Reimbursables	\$	186,600	\$	160,800	\$	164,820	\$	512,220
TOTAL LABOR AND REIMB.	\$	3,177,659	\$	10,267,119	\$	13,710,353	\$	27,169,868
PROPOSED Not-To-Exceed	\$	3,178,000	\$	10,420,000	\$	13,900,000	\$	27,498,000
Current Base Contract	\$	5,133,400	\$	5,749,600	\$	4,897,590	\$	15,780,590
	\$	256,600	\$	80,400	\$	82,410	\$	419,410
PROPOSED INCREASE	\$			5,830,000	\$	4,980,000	\$	16,200,000
Labor	s	(2,142,000)	\$	4,509,600	\$	8,837,590	\$	11,205,190
Reimbursables	S	, , , ,		80,400	\$	82,410	\$	92,810
Total			\$	4,590,000	\$	8,920,000	\$	11,298,000

TOTAL PROPOSED INCREASE: \$ 11,298,000

Heery International, Inc.
A group of professional service practices
7650 Corporate Center Drive, Suite 300, Miami, FL 33126 Telephone: (305) 441-1556

Planc school

ITEM No.:

EE-5.

AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE
AGENDA ITEM
OPEN ITEMS
AGENDA TO BROWARD COOKTY, PEORIDA
OPEN ITEMS

EXHIBIT	3
Special Order • Yes	Request No
Time 2:20 PM	Λ
Open Age	nda

Yes

TITLE:

CATEGORY

EE. OFFICE OF STRATEGY & OPERATIONS

DEPARTMENT Procurement & Warehousing Services

Recommendation of \$500,000 or Greater - 15-115C - Program Manager/Owner's Representative Services

REQUESTED ACTION:

Approve the recommendation to award the above RFP. Contract Term: August 19, 2015, through August 18, 2018, 3 Years; User Department: Facilities Office; Award Amount: \$16,200,000; Awarded Vendor(s): Heery International, Inc.; MWBE Vendor(s): None

SUMMARY EXPLANATION AND BACKGROUND:

The School Board of Broward County, Florida, received six (6) proposals in response to RFP 15-115C - Program Manager/Owner's Representative Services. This request is to recommend award to Heery International, Inc., to provide Owner's Representative Services. A copy of the RFP documents are available online at: http://www.broward.k12.fl.us/supply/agenda/15-115C-PMORS.pdf A copy of the complete RFP documents are available at the School Board members' office on the 14th floor of the K.C. Wright Administration Center.

The recordings of past Program Manager Evaluation Committee meetings are available online at: https://becon223.eduvision.tv/Default.aspx?q=d0F7qPKKlcdZXDwQ3ebIrQ%253d%253d

This Agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.

SCHOOL BOARD GOALS:

Goal 1: High Quality Instruction

Goal 2: Continuous Improvement

Goal 3: Effective Communication

FINANCIAL IMPACT:

The estimated financial impact to the District will be \$16,200,000 for the initial three (3) year period. The funding source will come from Capital Funding. The financial impact amount represents an estimated contract value; however, the amount authorized will not exceed the estimated contract award amount.

EXHIBITS: (List)

(1) Executive Summary (2) Agreement (3) Recommendation Tabulation

BOARD ACTION: APPROVED

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Derek Messier Phone: 754-321-2617

Name: Ruby Crenshaw Phone: 754-321-0501

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA Senior Leader & Title

Maurice L. Woods - Chief Strategy & Operations Officer Ap

Approved In Open Board Meeting On:

AUG 1 8 2015

Signature

Maurice Woods

Thursday, August 13, 2015 7:12:30 PM

By:

School Board Chair

Electronic Signature Form #4189 Revised 12/12 RWR/DM/RC:01

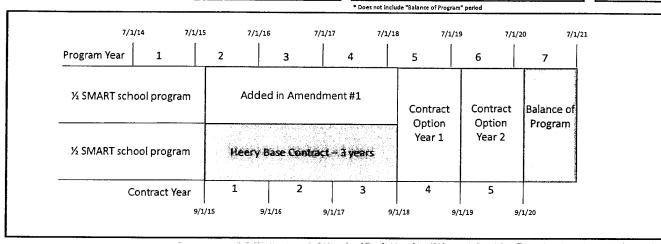
Heery - Owner's Representative Services Fee Analysis

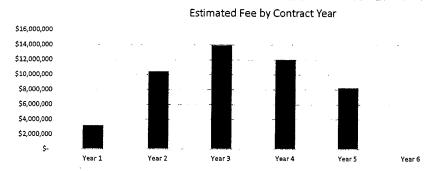
Program Value
Fee Proposal
Core PM
Other Services
Supp. Services
TOTAL FEE
Total Fee as %
Core PM Fee as %

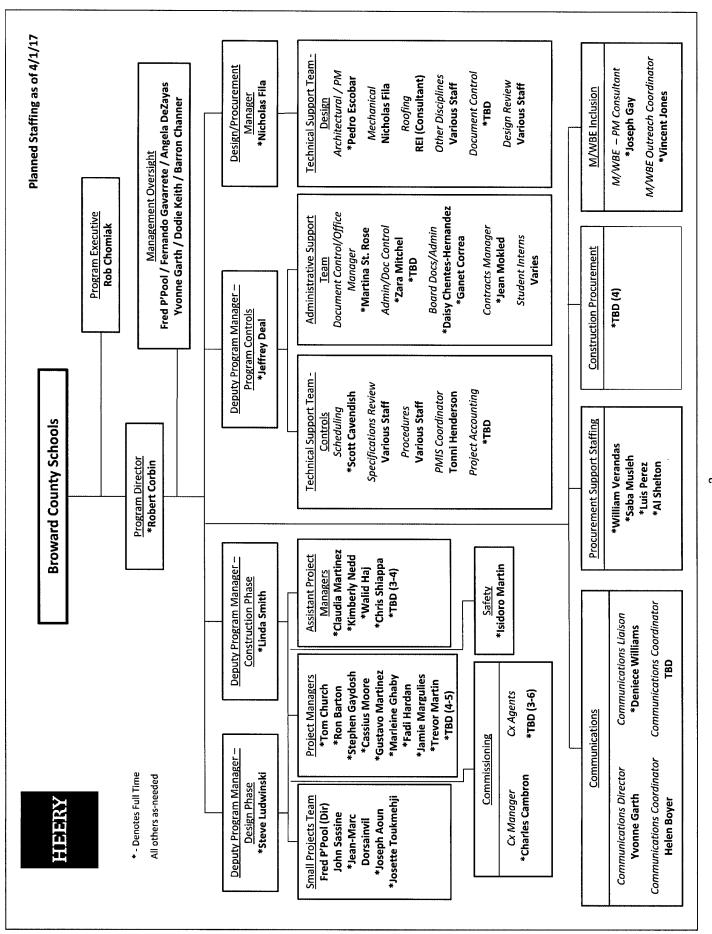
		CUF	RENT CONTRAC	Т		
Current Contract Years 1-3		Cı	urrent Contract Option Years 4-5	TOTAL		
\$	225,000,000	\$	150,000,000	\$	375,000,000	
\$ \$ \$	8,632,020 7,567,980 -	\$ \$ \$	5,721,923 2,860,669 -	\$ \$ \$	14,353,943 10,428,649 -	
\$	16,200,000	\$	8,582,592	\$	24,782,592	
	7.20%		5.72%		6.61%	
	3.84%		3.81%		3.83%	

CONTRACT WITH AMENDMENT + FORECAST							
	Current per Proposed Amendment Years 1-3		Estimated Years 4-5		TOTAL FORECAST*		
\$	540,000,000	\$	360,000,000	\$	900,000,000		
\$ \$ \$	16,835,450 5,682,196 4,980,354	-	13,000,000 3,200,000 4,000,000	\$ \$ \$	29,835,450 8,882,196 8,980,354		
\$	27,498,000	\$	20,200,000	\$	47,698,000		
	5.09%		5.61%		5.30%		
	3.12%		3.78%		3.28%		
L							

Original Contract if Extrapolated per Program Value
2.40
34,449,463 25,028,758 -
59,478,221
6.61%
3.83%







COLLABORATION

SIGN-OFF FORM

Title of Agenda Request Item:

Owner's Representative Services Agreement Amendment of Program Manager

Heery International, Inc.

RFQ No. 15-115C

School Board Meeting Date:

05-02-17

All projects have been appropriated in the Adopted District Educational Facilities Plan (September 7, 2016) and in the District's Capital Budget. The following project(s) have not been appropriated in the Adopted District Educational Facilities Plan (September 7, 2016) and in the District's Capital Budget.

Program Manager - Owner's Representative Services Agreement is included in the Comments: The financial impact increases the not-to-exceed amount by \$11,298,000. The revised not-to-exceed amount of this Agreement will be \$27,498,000. Funding for this individual SMART Program construction project budgets and is included in the Adopted DEFP (September 7, 2016).

Department Name

Department Head Name

Omar Shim Director

Department Head Signature

Capital Budget

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.