



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
J-2.

MEETING DATE	2018-04-24 10:05 - Regular School Board Meeting
AGENDA ITEM	ITEMS
CATEGORY	J. OFFICE OF FACILITIES & CONSTRUCTION
DEPARTMENT	Facilities Pre-Construction

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

TITLE:
Second Amendment of Program Manager - Owner's Representative Services Agreement - Heery International, Inc. - Name Change

REQUESTED ACTION:
Approve the Second Amendment to the Agreement for Program Manager - Owner's Representative Services, from Heery International, Inc. to CBRE Heery, Inc.

SUMMARY EXPLANATION AND BACKGROUND:
See Exhibit 1.

SCHOOL BOARD GOALS:
 Goal 1: High Quality Instruction Goal 2: Continuous Improvement Goal 3: Effective Communication

FINANCIAL IMPACT:
There is no financial impact to the District.

EXHIBITS: (List)
(1) Summary Explanation and Background (2) Amendment

BOARD ACTION:
APPROVED
(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:	
Name: Shelley N. Meloni, Director	Phone: 754-321-1515
Name:	Phone:

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

Leo Bobadilla - Chief Facilities Officer

Signature
Leo Bobadilla Jr
4/11/2018 3:34:54 PM

Approved In Open Board Meeting On: **APR 24 2018**
By: *Nora Rupert*
School Board Chair

Summary Explanation and Background

The name change and acquisition of Heery International, Inc. by CBRE Group, Inc. was filed with the Division of Corporations (Sunbiz) on December 28, 2017. The change in ownership has not affected Heery's Agreement with the School Board. The terms and conditions of the Agreement shall remain in full force and effect. Except as expressly provided in this Second Amendment and as may have been previously amended, all other portions of the Agreement remain in full force and effect.

**AMENDMENT TO AGREEMENT FOR
PROGRAM MANAGER-OWNER'S REPRESENTATIVE SERVICES**

between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

and

HEERY INTERNATIONAL, INC.

THIS SECOND 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 24th day of April 2018.

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 the First Amendment dated May 2, 2017 and this Second Amendment modifies specific provisions thereof;

WHEREAS, in October of 2017 the ownership of Heery International, Inc. was acquired by CBRE, Inc. via stock purchase;

WHEREAS, there has been no merger, consolidation, sale of assets or other change in the corporate structure of Heery International, Inc., and all Heery International, Inc. employees and management remain the same and Heery International, Inc.'s Federal Identification number remains the same;

WHEREAS, in December of 2017 the name Heery International, Inc. was formally changed to CBRE Heery, Inc. (also now known as CBRE | Heery); and

WHEREAS, the SBBC and Heery desire to amend the Agreement to reflect Heery's new name.

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. **Name.** Wherever in the Contract, its exhibits and prior amendments, the name "Heery International, Inc." appears it is hereby revised to read "CBRE Heery, Inc."
2. **"Heery."** Wherever the abbreviation "Heery" appears it is revised to read "CBRE | Heery."

All other terms and conditions of the Agreement shall remain in full force and effect. Except as expressly provided herein, and as may have been previously amended, all other portions of the Agreement remain in full force and effect.

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


FOR SBBC

(Seal)


THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
Nora Rupert, Chair

ATTEST:


Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:


Office of the General Counsel

*** INTENTIONALLY LEFT BLANK ***

FOR CBRE HEERY

(Corporate Seal)

CBRE HEERY, INC.

ATTEST:

Wade Purcell
Wade Purcell, Secretary

By [Signature]
Robert Chomiak, Senior Managing Director

-or-

Witness

Witness

The Following Notarization is Required for Every Agreement Without Regard to Whether the Party Chose to Use a Secretary's Attestation or Two (2) Witnesses.

STATE OF GEORGIA

COUNTY OF FULTON

The foregoing instrument was acknowledged by for me this 5th day of April, 2018, by Robert Chomiak of CBRE Heery, Inc., on behalf of the corporation or agency, who is personally known to me and did/did not first take an oath.

My commission expires: April 26, 2018

[Signature]
Signature – Notary Public

Deborah A. Coats
Printed Name of Notary

(SEAL)

