



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:

JJ-1.

MEETING DATE	2018-08-07 10:05 - School Board Operational Meeting
AGENDA ITEM	ITEMS
CATEGORY	JJ. OFFICE OF FACILITIES & CONSTRUCTION
DEPARTMENT	Facilities Construction

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

TITLE:

First Amendment to Construction Agreement 00520 - DiPompeo Construction Corporation - Annabel C. Perry Pre K-8 - Miramar - Project No. P.001728 - SMART Program Renovations - ITB 18-169C

REQUESTED ACTION:

Approve the First Amendment to the Construction Agreement 0052 dated May 22, 2018, with DiPompeo Construction Corporation, Annabel C. Perry Pre K-8, Project No. P.001728, SMART Program Renovations, RFQ 18-169C, which modifies the construction duration time from 420 days to 330 days.

SUMMARY EXPLANATION AND BACKGROUND:

Purpose of Amendment: See Executive Summary (Exhibit 1).
A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://webapps.browardschools.com/eAgenda/>
This Amendment 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:

There is no direct financial impact. No costs will be incurred, only a modification to the construction duration dates on the original Construction Agreement 00520.

EXHIBITS: (List)

(1) Executive Summary (2) First Amendment

BOARD ACTION:

APPROVED

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Frank Girardi, Director	Phone: 754-321-1525
Name: Robert C. Corbin, CBRE Heery Director	Phone: 754-321-4850

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Senior Leader & Title

Leo Bobadilla - Chief Facilities Officer

Signature

Leo Bobadilla Jr

7/30/2018 12:22:34 PM

Electronic Signature

Form #4189 Revised 08/04/2017
RWR/ LB/SNM/RC:ljc

Approved In Open Board Meeting On:

By:

AUG 07 2018

Nora Ruper
School Board Chair

EXECUTIVE SUMMARY

**First Amendment to Construction Agreement 00520
DiPompeo Construction Corporation
Annabel C. Perry Pre K-8 School, Miramar
Project No. P.001728
SMART Program Renovations
ITB 18-169C**

PROJECT OVERVIEW:

Type of Contract:	Construction Agreement
Contractor:	DiPompeo Construction Corporation
Notice to Proceed Date:	Pending Board Approval
Budget:	See Below

GENERAL OVERVIEW:

The Construction Bid Recommendation for this project was approved by the Board on May 22, 2018 (Agenda Item JJ-2).

The purpose of this First Amendment to the Construction Agreement Document 00520, with DiPompeo Construction Corporation, is to modify the construction duration from four hundred and twenty (420) consecutive calendar days to three hundred and thirty (330) consecutive calendar days from the commencement date provided on the forth coming Notice to Proceed, Document 00550.

The Agreement prepared by Procurement & Warehousing Services and approved by the Board on May 22, 2018, inadvertently indicated 420 days for construction. This item serves to correct the number of days for construction from 420 days to 331 days.

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

For the latest Bond Oversight Committee Quarterly Report information regarding this project [click here](#).

FIRST AMENDMENT TO
CONSTRUCTION AGREEMENT

THIS FIRST AMENDMENT to the Agreement by and between The School Board of Broward County, Florida ("School Board" or "Owner") and DiPompeo Construction Corp., Inc. ("DiPompeo") dated May 22, 2018 (the "Agreement") for construction and renovations at Annabel C. Perry Pre K-8 School (the "Project"), is hereby entered into this 7th day of August 2018; and

WHEREAS, the School Board and DiPompeo acknowledge and agree that the Agreement is in full force and effect except to the extent this First Amendment modifies specific provisions thereof; and

WHEREAS, a request for lump-sum bids to construct the Project ("Bid Documents") was advertised for three hundred and thirty (330) consecutive calendar days from the commencement date stipulated on Document 00550: Notice to Proceed; and

WHEREAS, the Bid Documents advertised included the *Agreement Form for Hard Bid – Document 00520* which indicated a project duration of 330 calendar days; and

WHEREAS, after receipt and tabulation of all bids, DiPompeo was determined to be the lowest, responsive, responsible bidder, and as a result, District Staff transmitted an Intent to Award together with a copy of an *Agreement Form for Hard Bid – Document 00520* for execution to DiPompeo; and

WHEREAS, through inadvertence, the *Agreement Form for Hard Bid – Document 00520* transmitted to DiPompeo for execution contained a typographical error indicating a project duration of 420 calendar days; and

WHEREAS, the erroneous *Agreement Form for Hard Bid – Document 00520* indicating a project duration of 420 calendar days was approved by the School Board at its meeting of May 22, 2018; and

WHEREAS, upon recent realization of the typographical error, the Parties mutually desire to correct the erroneous project duration of 420 calendar days as approved to a project duration of 330 days.

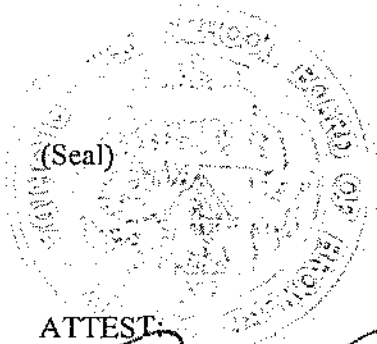
NOW THEREFORE, in exchange for the mutual covenants and promises as set forth herein, the parties agree as follows:

1. The recitals contained hereinabove are true and correct and are incorporated herein by reference.
2. Article 4.03.01 of *Agreement Form for Hard Bid – Document 00520* is hereby amended to indicate a project duration of 330 consecutive calendar days from the commencement date stipulated on Document 00550: Notice to Proceed.


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 herein.

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



(Seal)
ATTEST:


Robert W. Runcie
Superintendent of Schools

FOR SCHOOL BOARD

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
Nora Rupert, Chair

Approved as to Form and Legal Content:


Office of the General Counsel

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FOR DIPOMPEO

(Corporate Seal)



ATTEST:

John Di Pompeo *vs/scc*
Secretary

DIPOMPEO CONSTRUCTION CORP., INC.

By [Signature]
John DiPompeo, Jr., President

-or-

Witness

Witness