



ADDED ITEM

AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2018-09-05 10:05 - School Board Operational Meeting
AGENDA ITEM	ITEMS
CATEGORY	JJ. OFFICE OF FACILITIES & CONSTRUCTION
DEPARTMENT	Facilities Pre-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

ITEM No.:
JJ-4.

TITLE:
Second Amendment to Professional Services Agreement - Williamson Dacar Associates, Inc. - Pompano Beach Elementary School - Pompano Beach - Project No. P.001713 - SMART Program Renovations - RFQ 16-174C.

REQUESTED ACTION:
Approve the Second Amendment to the Professional Services Agreement dated October 18, 2016, with Williamson Dacar Associates, Inc., Pompano Beach Elementary School, Project No. P.001713, SMART Program Renovations, RFQ 16-174C, in the amount of (\$4,920).

SUMMARY EXPLANATION AND BACKGROUND:
Purpose of the Amendment: See Executive Summary (Exhibit 1).
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:
This project has been appropriated in the Adopted District Educational Facilities Plan (September 6, 2017). There is no current impact to the project budget. There is a potential future impact to the project budget based on the additional scope approved in this item.

EXHIBITS: (List)
(1) Executive Summary (2) Second Amendment (3) Collaboration Form

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

SOURCE OF ADDITIONAL INFORMATION:

Name: Shelley N. Meloni, Director	Phone: 754-321-1515
Name: Robert C. Corbin, CBRE I 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
8/31/2018 11:30:03 AM

Approved In Open Board Meeting On:

SEP 05 2018

By *Heather S. Brinkman*
School Board Chair

EXECUTIVE SUMMARY

**Second Amendment to Professional Services Agreement
Williamson Dacar Associates, Inc.
Pompano Beach Elementary School, Pompano Beach
Project No. P.001713
SMART Program Renovations
RFQ 16-174C**

PROJECT OVERVIEW:

Type of Contract:	Second Amendment to Professional Services Agreement
Contractor:	Williamson Dacar Associates, Inc.
Notice to Proceed Date:	Pending Board Approval
Budget:	See Below

GENERAL OVERVIEW:

The purpose of this Second Amendment to the Professional Services Agreement with Williamson Dacar Associates, Inc. (the "Designer"), is to remove the scope to provide fire sprinklers to Buildings 1, 3, 4, 5, 6, and 8 at Pompano Beach Elementary School. The original scope of fire sprinkler work was reviewed by the District's Chief Fire Official. The District's Chief Fire Official determined that Code did not require fire sprinkler systems for Buildings 1, 3, 4, 5, 6, and 8, and that installation of fire sprinklers was required for Building 2. Thus, the fire sprinkler work originally planned for Building 2 will remain and be completed as part of the project. By virtue of this Amendment, this scope will be removed from the construction documents. Subsequently, CBRE | Heery has negotiated an agreement with the Designer that will result in a net credit in the amount of \$4,920 for SMART Program Renovations. The Professional Services Agreement was approved by the Board on October 18, 2016 (Agenda Item JJ-7).

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](#).

**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 "Owner") and WILLIAMSON DACAR ASSOCIATES INC. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 18th day of October, 2016, is entered into this 5th day of September, 2018 by and between the Owner and the Project Consultant.

For the project known as: **Pompano Beach Elementary School
Project No. P.001713
SMART Program Renovations
FLCC: \$3,499,003**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 18th day of October, 2016, is in full force and effect as revised by the First Amendment dated March 20, 2018, and this Second Amendment; and

WHEREAS, the original scope of work included installing fire sprinklers in buildings 1,2,3,4,5,6 and 8; and

WHEREAS, the District's Chief Fire Official has determined that with the exception of Building 2, the Fire Sprinklers Scope of Work is not required by Code in buildings 1,3,4,5,6 and 8 (Building 2 fire sprinkler scope shall remain); and

WHEREAS, the Project Consultant agrees to delete the Fire Sprinkler portion of the Scope of Work in buildings 1,3,4,5,6 and 8 from the 100% bid documents in exchange for an increase in basic fees for design services in the amount of \$1,750 and with a corresponding credit of \$6,670 in Construction Administration fees, resulting in a net credit of \$4,920.

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:

1. The recitals contained herein are true and correct and are incorporated herein by reference.

2. **Revised Terms.** The Project Consultant shall delete the Fire Sprinkler portion of the Scope of Work in buildings 1,3,4,5,6 and 8 from the 100% bid documents as set forth below:

Original Amount	First Amendment Revisions	Amendment #/ Item #	Change Order Category	Description	Second Amendment Amount	Revised Amount
Basic Fees \$318,000	N/A	Basic Fees 002/001	Owner's Request	Increase in Basic Fees to for deleting Fire Sprinkler scope from 100% Bid Documents	\$1,750	Basic Fees \$313,080
		Basic Fees 002/002	Owner's Request	Decrease in Basic Fees for the CA associated with the deleted Fire Sprinkler scope at Pompano Beach ES	(\$6,670)	
Allowances \$50,000	N/A	N/A	N/A	N/A	N/A	Allowances \$50,000
Supplemental Services \$0	N/A	N/A	N/A	N/A	N/A	Supplemental Services \$0
Original Total \$368,000					(\$4,920)	Revised Total \$363,080

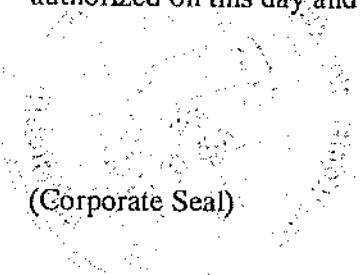
3. **Other Provisions Remain in Force.** All other terms and conditions of the Contract shall remain in full force and effect. Except as expressly provided herein and as may have been previously amended, all other portions of the Agreement remain in full force and effect.

4. **Order of Precedence among Agreement Documents.** In the event of conflict between the provisions of the Agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- a) this Second Amendment to Agreement; then
- b) the First Amendment to Agreement; then
- c) the Agreement.

5. **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 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.



(Corporate Seal)

FOR OWNER

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

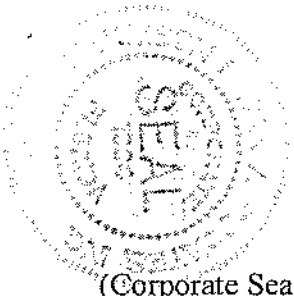
By *Nora P. Rupert* For
Nora Rupert, Chair

ATTEST:

Robert W. Runcie
Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

M. C. [Signature]
Office of the General Counsel



FOR PROJECT CONSULTANT

(Corporate Seal)

WILLIAMSON DACAR ASSOCIATES INC.

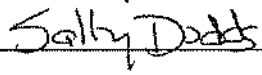
ATTEST:

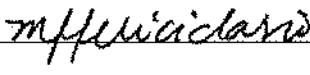
, Secretary


THEODORE J. WILLIAMSON, President

-or-


_____, Witness


_____, Witness


_____, Witness

MICHAEVA FEUCIDARIO, Witness

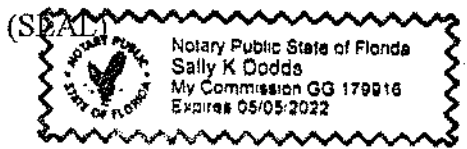
AA0002541
Project Consultant's
Registration Number

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 21 day of August, 2018 by THEODORE J. WILLIAMSON of WILLIAMSON DACAR ASSOCIATES INC. 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:





Signature, Notary Public

Sally Dodds

Printed Name of Notary

COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-4./Second Amendment to Professional Services Agreement
Williamson Dacar Associates, Inc.
Pompano Beach Elementary School, Pompano Beach
Project No. P.001713
SMART Program Renovations
RFQ 16-174C

School Board Meeting: 09/05/2018

The financial impact of this item is \$(4,920)

- () This project has not been appropriated in the Adopted District Educational Facilities Plan (September 6, 2017). These funds in the amount of \$_____ will come from the Capital Projects Reserve.
- () These projects have been appropriated in the Adopted District Educational Facilities Plan (September 6, 2017). There is no impact to the project budget.
- This project has been appropriated in the Adopted District Educational Facilities Plan (September 6, 2017). There is no current impact to the project budget. There is a potential future impact to the project budget based on the additional scope approved in this item.
- () This project has been appropriated in the Adopted District Educational Facilities Plan (September 6, 2017). There is an additional impact to the project budget. These funds in the amount of \$_____ will come from the Capital Projects Reserve.
- () Comments:


Department Name


Department Head

Department Head

Capital Budget

Omar Shim, Director


Signature


Date

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.