



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-7.

TITLE:
Third Amendment to Professional Services Agreement - Wolfberg/Alvarez and Partners, Inc. - Piper High School - Sunrise - Project No. P.001744 - Single Point of Entry - RFQ 16-124C

REQUESTED ACTION:
Approve the Third Amendment to the Professional Services Agreement dated July 26, 2016, with Wolfberg/Alvarez and Partners, Inc, Piper High School, Project No. P.001744, Single Point of Entry, RFQ 16-124C, in the amount of \$28,374.

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) Third 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
8/30/2018 5:15:40 PM

Approved In Open Board Meeting On: **SEP 05 2018**
By: *Heather P. Brunton*
School Board Chair

EXECUTIVE SUMMARY

**Third Amendment to Professional Services Agreement
Wolfberg/Alvarez and Partners, Inc.
Piper High School, Sunrise
Project No. P.001744
Single Point of Entry
RFQ 16-124C**

PROJECT OVERVIEW:

Type of Contract:	Third Amendment to Professional Services Agreement
Contractor:	Wolfberg/Alvarez and Partners, Inc.
Notice to Proceed Date:	Pending Board Approval
Budget:	See Below

GENERAL OVERVIEW:

The purpose of this Third Amendment to the Professional Services Agreement with Wolfberg/Alvarez and Partners, Inc., is to increase fees in the amount of \$28,374 in order to develop a separate bid package to accelerate the schedule for the Single Point of Entry scope of work at Piper High School. The Professional Services Agreement was approved by the Board on July 26, 2016 (Agenda Item JJ-1).

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](#).

**THIRD AMENDMENT
TO
PROFESSIONAL SERVICES AGREEMENT**

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

This Third Amendment to the Professional Services Agreement ("Agreement") between The School Board of Broward County, Florida (hereinafter referred to as "Owner") and Wolfberg Alvarez & Partners, Inc. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 26th day of July, 2016, is entered into this 5th day of September, 2018 by and between the Owner and the Project Consultant.

For the project known as: **Piper Senior High School
Project No. P.001744
SMART Program Renovations
FLCC: \$10,156,876**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 26th day of July, 2016, is in full force and effect as revised by the First Amendment dated May 2, 2017 and the Second Amendment dated March 20, 2018 ; and

WHEREAS, Single Point of Entry (SPE) projects are of the highest District priority;
and

WHEREAS, it has been determined that the design and construction of the SPE portion of the overall Scope of Work for the Piper Senior High School SMART program project should be accelerated; and

WHEREAS, the Design Consultant has agreed to accelerate the SPE portion of the Scope of Work in exchange for additional fees for design services and extended construction administration under the Agreement; and

WHEREAS, CBRE|Heery and District staff have successfully negotiated and hereby recommend such additional fees as set forth herein below.

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

1. **Revised Terms.** The Project Consultant shall accelerate such portion of the SPE Scope of Work for the Project identified herein below in exchange for an increase in its fees totaling \$28,374:

Original Amount	First Amendment Revisions	Second Amendment Revisions	Amendment #/ Item #	Change Order Category	Description	Third Amendment Amount	Revised Amount
Basic Fees \$854,221	Basic Fees N/A	N/A	Basic Fees 003/001	Owner's Request	Increase in Basic Fees to prepare a separate bid package for Single Point of Entry (SPE)	\$28,374	Basic Fees \$882,595
Allowances \$49,779	Allowances \$20,000	N/A	N/A	N/A	N/A	N/A	Allowances \$69,779
Supplemental Services \$0	Supplemental Services N/A	N/A	N/A	N/A	N/A	N/A	Supplemental Services \$0
Original Total \$904,000	\$20,000					\$28,374	Revised Total \$952,374

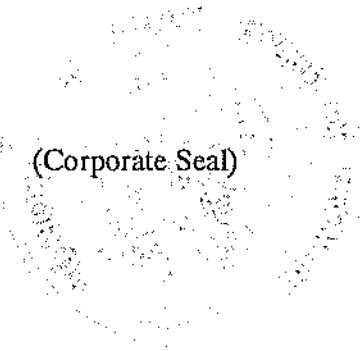
2. **Other Provisions Remain in Force.** All other terms and conditions of the Contract shall remain in full force and effect. Except as expressly provided herein and as may have been previously amended, all other portions of the Agreement remain in full force and effect.

3. **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 Third Amendment to Agreement; then
- b) the Second Amendment to Agreement; then
- c) the First Amendment to Agreement; then
- d) the Agreement.

4. **Authority:** Each person signing this Third Amendment on behalf of either party warrants that he or she has full legal power to execute this Third 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 Third Amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Third 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 OWNER

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

By Heather P. Burkwood for
Nora Rupert, Chair

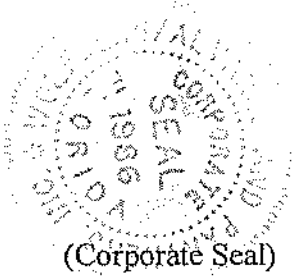
ATTEST:

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

Approved as to Form and Legal Content:

M. Arney
Office of the General Counsel

FOR PROJECT CONSULTANT



(Corporate Seal)

Wolfberg Alvarez & Partners, Inc.

ATTEST:

Marcel R. Morlote, President

_____, Secretary

OR-

Raul J. Estevez, Witness

Maria E. England, Witness

AA0002416 EB0002354

Project Consultant's
Registration Number

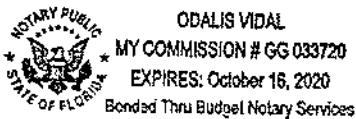
STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 20th day of August, 2018 by Marcel R. Morlote of Wolfberg Alvarez & Partners, Inc. on behalf of the corporation or agency.

He/she is personally known to me or produced known as Identification and did/did not first take an oath.

My commission expires: Oct. 16, 2020

(SEAL)



Signature, Notary Public

Odalis Vidal

Printed Name of Notary

COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-7./Third Amendment to Professional Services Agreement
Wolfberg/Alvarez and Partners, Inc.
Piper High School, Sunrise
Project No. P.001744
Single Point of Entry
RFQ 16-124C

School Board Meeting: 09/05/2018

The financial impact of this item is \$28,374

- () 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

8/21/2018
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.