



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2018-09-18 10:05 - Regular School Board 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-1.

TITLE:
Second Amendment to Professional Services Agreement - VIA Design Studio, LLC. - Oriole Elementary School - Lauderdale Lakes - Project No. P.001970 - SMART Program Renovations - RFQ 18-028C Package A

REQUESTED ACTION:
Approve the Second Amendment to the Professional Services Agreement dated November 7, 2017, with VIA Design Studio, LLC, Oriole Elementary School, Project No. P.001970, SMART Program Renovations, RFQ 18-028C Package A, in the amount of \$91,500.

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
9/7/2018 3:40:14 PM

Approved In Open Board Meeting On: **SEP 18 2018**
By: *Walter P. Bunt...*
for School Board Chair

EXECUTIVE SUMMARY

**Second Amendment to Professional Services Agreement
VIA Design Studio, LLC
Oriole Elementary School, Lauderdale Lakes
Project No. P.001970
SMART Program Renovations
RFQ 18-028C Package A**

PROJECT OVERVIEW:

Type of Contract:	Professional Services Agreement (Design/Bid/Build)
Project Consultant:	VIA Design Studio, LLC
Authorization to Proceed Date:	November 30, 2017
Budget:	See Below

GENERAL OVERVIEW:

The Professional Services Agreement was approved by the Board on November 7, 2017 (Agenda Item JJ-5). Scope of work included furnishing fire sprinklers to eight (8) restrooms located in Building 1 (1,233 square feet). The progress set of construction documents has been reviewed by the District's Chief Fire Official who determined that the fire sprinkler scope should be modified to provide complete fire sprinkler coverage for Building 1 (approximately 60,180 square feet), so as to address life safety concerns and to comply with Code requirements.

The purpose of this Second Amendment to the Professional Services Agreement with VIA Design Studio, LLC, is to address this fire sprinkler scope change by increasing Basic Services fees in the amount of \$80,500, increasing Allowances by \$1,000, and increasing Supplemental Services by \$10,000 for a net total increase of \$91,500.

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 VIA DESIGN STUDIO, LLC (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 7th day of November, 2017, is entered into this 18th day of September, 2018 by and between the Owner and the Project Consultant.

For the project known as: **Oriole Elementary School
Project No. P.001970
SMART Program Renovations
FLCC: \$2,141,995**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 7th day of November, 2017, is in full force and effect as revised by the First Amendment dated March 20, 2018; and

WHEREAS, during scope review of life safety work with the District's Chief Fire Official, The District's Chief Official gave direction to increase the original Fire Sprinkler scope coverage from 1,233 Sq. Ft to 60,184 Sq. Ft. for Building 1; and

WHEREAS, as a result of discussions between the Chief Fire Official, the Project Consultant and the Owner's Program Manager, CBRE | Heery, it has been determined that it would be in the best business interest of the Owner to support the addition of the Fire Sprinkler coverage for Building 1; and

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. **Incorporation of Recitals.** The recitals contained herein are true and correct and are incorporated herein by reference.

2. **Revised Terms.** The Project Consultant's Basic Fees to provide complete Fire Sprinkler Coverage for Building 1 are increased by \$80,500, the Reproduction Expenses Allowance is increased by \$1,000, and the Supplemental Services Allowance is increased by \$10,000 for a total net increase of \$91,500, set forth below:

Original Amount	First Amendment Revisions	Amendment #/ Item #	Change Order Category	Description	Second Amendment Amount	Revised Amount
Basic Fees \$230,000	N/A	Basic Fees 002/001	Owner's Request	Increase in Basic Fees to provide complete Fire Sprinkler Coverage for Building #1	\$80,500	Basic Fees \$310,500
Allowances \$45,000	N/A	Allowances 002/002	Owner's Request	N/A	\$1,000	Allowances \$46,000
Supplemental Services \$10,000	N/A	Supplemental Services 002/003	Owner's Request	N/A	\$10,000	Supplemental Services \$20,000
Original Total \$285,000					\$91,500	Revised Total \$376,500

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.

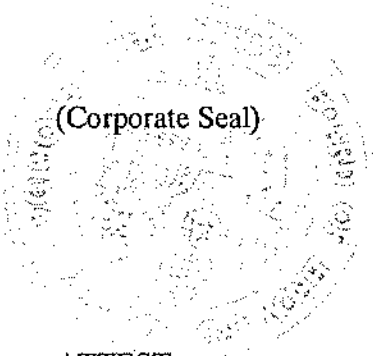
4. **Order of Precedence among Agreement Documents.** In the event of conflict between the provisions of the Agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- 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.

FOR OWNER



(Corporate Seal)

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

By *Nora Rupert*
for Nora Rupert, Chair

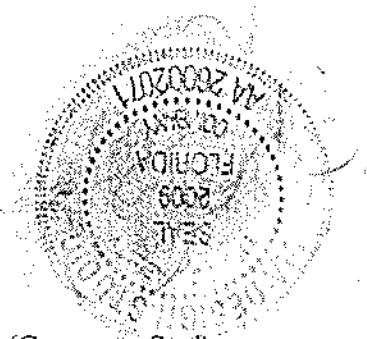
ATTEST:

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

Approved as to Form and Legal Content:

JM
Office of the General Counsel

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FOR PROJECT CONSULTANT

(Corporate Seal)

VIA DESIGN STUDIO, LLC

ATTEST:

PAULO PINONDI, Secretary

Ana Paula Ibarra, Manager

-or-

_____, Witness

_____, Witness

AA 26002071
Project Consultant's
Registration Number

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 24th day of August, 2018 by Ana Paula Ibarra of VIA DESIGN STUDIO, LLC 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:

(SEAL)



Signature, Notary Public

Erika Santamaria
Printed Name of Notary


COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-1./Second Amendment to Professional Services Agreement
Via Design Studio, LLC
Oriole Elementary School, Lauderdale Lakes
Project No. P.001970
SMART Program Renovations
RFQ 18-028C Package A

School Board Meeting: 09/18/2018

The financial impact of this item is \$91,500

- () 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 9/5/2018

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.