



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2018-10-02 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

ITEM No.:

JJ-2.

TITLE:

Second Amendment to Professional Services Agreement - Wolfberg/Alvarez and Partners, Inc. - Blanche Ely High School - Pompano Beach - Project No. P.001646 - SMART Program Renovations - RFQ 16-192C

REQUESTED ACTION:

Approve the Second Amendment to the Professional Services Agreement dated August 16, 2016, with Wolfberg/Alvarez and Partners, Inc., Blanche Ely High School, Project No. P.001646, SMART Program Renovations, RFQ 16-192C, in the amount of \$7,500.

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:

The financial impact of the Second Amendment to the Professional Services Agreement is \$7,500. This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). There is no impact to the project budget.

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: 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

Approved In Open Board Meeting On: OCT 02 2018
 By: *Nora Kupat*
 School Board Chair

Signature

Leo Bobadilla Jr
 9/25/2018 2:54:08 PM

EXECUTIVE SUMMARY

**Second Amendment to Professional Services Agreement
 (Construction Management at Risk Project Delivery)
 Wolfberg/Alvarez and Partners, Inc.
 Blanche Ely High School, Pompano Beach
 Project No. P.001646
 SMART Program Renovations
 RFQ 16-192C**

PROJECT OVERVIEW:

Type of Contract:	Professional Services Agreement (CMAR Project Delivery)
Project Consultant:	Wolfberg/Alvarez and Partners, Inc.
Authorization to Proceed Date:	November 2, 2016
Budget:	See Below

GENERAL OVERVIEW:

The Professional Services Agreement (Construction Management at Risk Project Delivery) with Wolfberg/Alvarez and Partners, Inc. was approved by the Board on August 16, 2016 (Agenda Item JJ-5). Included in the Agreement was an Allowance in the amount of \$7,000 for reproduction expenses. To date, the Project Consultant has submitted reproduction expenses that total \$6,181.56.

The purpose of this Second Amendment is to increase the Allowance for reproduction expenses by the amount of \$7,500. This increase is required for forthcoming reproduction expenses that include, but not limited to, copies of construction documents, shop drawings, and blue print reproduction.

The First Amendment was approved by the Board on June 13, 2017 (Agenda Item JJ-4). This Amendment increased Allowances in the amount of \$22,932 (\$2,932 to cover costs for non-destructive/destructive testing; and \$20,000 for additional surveying for the proposed renovations to the outdoor dining facility).

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 WOLFBERG/ALVAREZ AND PARTNERS, INC. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 16th day of August, 2016, is entered into this 2nd day of October, 2018 by and between the Owner and the Project Consultant.

For the project known as: **Blanche Ely High School
Project No. P.001646
SMART Program Renovations**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 16th day of August, 2016, is in full force and effect as revised by the First Amendment dated June 13, 2017 ; and

WHEREAS, the original Professional Services Agreement for this project included an Allowance in the amount of \$7,000 for Reproduction Expenses; and

WHEREAS, the Project Consultant has submitted reproduction expenses to date that total \$6,181.56; and

WHEREAS, in order to complete the professional services as put forth in the Agreement, the Project Consultant and Owner's Representative have agreed that an increase to the Allowance in the amount of \$7,500 is required for additional reproduction expenses; and

WHEREAS, the Owner has agreed to amend the Agreement to add \$7,500 to the Allowance for reproduction expenses to include but not limited to, copies of construction documents, shop drawings, blue print reproduction.

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

2. **Revised Terms.** This Second Amendment to the agreement will result in a net increase to the allowance for reproduction expenses as set forth below:

	Original PSA	First Amendment	Second Amendment				Revised
	Amount	Revisions	Amendment #/ Item #	Change Order Category	Description	Revisions	Amount
Basic Fees	\$862,400	N/A	N/A	N/A	N/A	N/A	\$862,400
Allowances	\$49,500	\$22,932	002/001	Owner's Request	Increase in Reproduction Expenses	\$7,500	\$79,932
Supplemental Services	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	\$911,900	\$22,932	---	---	---	\$7,500	\$942,332

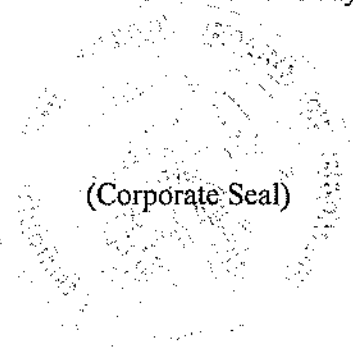
3. **Other Provisions Remain in Force.** All other terms and conditions of the Contract shall remain in full force and effect. Except as expressly provided herein and as may have been previously amended, all other portions of the Agreement remain in full force and effect.

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 Rupert
Nora Rupert, Chair

ATTEST:

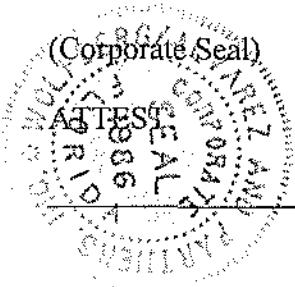
Robert W. Runcie
Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

M. Conway
Office of the General Counsel

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FOR PROJECT CONSULTANT



_____, Secretary

WOLFBERG/ALVAREZ AND PARTNERS, INC.

Marcel R. Morlote, President

-or-

_____, Witness

_____, Witness

AA0002416 EB0002354
Project Consultant's
Registration Number

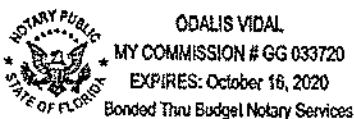
STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 11th day of September, 2018 by Marcel R. Morlote of **WOLFBERG/ALVAREZ AND 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:

(SEAL)



Signature, Notary Public

Printed Name of Notary

EXHIBIT 3

COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ- 2. /Second Amendment to Professional Services Agreement
Wolfberg/Alvarez and Partners, Inc.
Blanche Ely High School, Pompano Beach
Project No. P.001646
SMART Program Renovations
RFQ 16-192C

School Board Meeting: 10/02/2018

The financial impact of this item is \$7,500

- () This project has not been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). These funds in the amount of \$_____ will come from the Capital Projects Reserve.
- This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). There is no impact to the project budget.
- () This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). 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 5, 2018). 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

9/5/2018
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.