



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE 2018-01-17 10:05 - Regular School Board Meeting

Special Order Request
 Yes No

ITEM No.:
E-3.

AGENDA ITEM ITEMS

Time

CATEGORY E. OFFICE OF STRATEGY & OPERATIONS

DEPARTMENT Procurement & Warehousing Services

Open Agenda
 Yes No

TITLE:
Second Amendment to the Agreement and Renewal - 15-008V - Construction and Operational Auditing Services

REQUESTED ACTION:
 Approve the Second Amendment to the Agreement for the above Request for Proposal (RFP). Contract Term: July 1, 2018 through June 30, 2019, 1 Year; User Department: Office of the Chief Auditor; Award Amount: \$850,000; Awarded Vendors(s): BCA Watson Rice, LLP; Carr, Riggs & Ingram, LLC; HCT Certified Public Accountants & Consultants, LLC; RSM US, LLP; S. Davis & Associates P.A.; Small/Minority/Women Business Enterprise Vendor(s): HCT Certified Public Accountants & Consultants, LLC; S. Davis & Associates P.A.

SUMMARY EXPLANATION AND BACKGROUND:
 This RFP provides services from licensed public accounting firms and support the Office of the Chief Auditor with construction and operational auditing services. Services may include; but are not limited to, facility audits, general contractor, subcontractor payment audits, program oversight, site safety and security audits, facility-related Information & Technology Department reviews, and operational audits of business/service departments as requested. RFP 15-008V - Construction and Operational Auditing Services was awarded June 9, 2014, with two (2) additional one (1) year renewals. This is the second of the two (2) additional one (1) year renewals. The amendments to the agreements have 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 additional financial impact to the District.

EXHIBITS: (List)
 (1) Executive Summary (2) Second Amendment to Agreement - 5 (3) Approved ARF 06-09-2014 RSBM EE-12 (4) Approved ARF 01-18-2017 RSBM EE-6 (5) Approved ARF 6-13-17 SBOM E-7 (6) Financial Analysis Worksheet (7) Vendor Renewal Letters - 5 (8) Supplier Evaluations - 5

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

SOURCE OF ADDITIONAL INFORMATION:

Name: Patrick Reilly	Phone: 754-321-2400
Name: Mary C. Coker	Phone: 754-321-0501

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Maurice L. Woods - Chief Strategy & Operations Officer

Signature
 Maurice Woods
 12/18/2017, 1:59:57 PM

Approved In Open Board Meeting On: **JAN 17 2018**

 School Board Chair

EXECUTIVE SUMMARY

Second Amendment to the Agreement and Renewal 15-008V – Construction and Operational Auditing Services

The School Board of Broward County, Florida, (SBBC) awarded Request for Proposal (RFP) 15-008V – Construction and Operational Auditing Services on June 18, 2014, for a period of three (3) years, July 1, 2014 through June 30, 2017. The terms of the existing agreement provide for two (2) additional one (1) year renewal periods and an additional one-hundred eighty (180) days, if necessary. The RFP 15-008V was awarded to five (5) vendors; BCA Watson Rice, LLP; Carr, Riggs & Ingram, LLC; HCT Certified Public Accountants & Consultants, LLC (f/k/a) Harvey, Covington & Thomas of South Florida, LLC; RSM US LLP (f/k/a) McGladrey, LLP, and S. Davis & Associates P.A. This contract is utilized by the Office of the Chief Auditor, Office of the Chief Facilities Officer, and other District departments, as needed, to provide auditing services.

S/M/WBE Certified Vendors	HCT Certified Public Accountants & Consultants, LLC (f/k/a) Harvey, Covington & Thomas of South Florida, LLC S. Davis & Associates, P.A.
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The current contract is being utilized to review, audit, and support the Office of the Chief Auditor as well as several initiatives throughout the District. Facilities & Construction Management (FCM) access auditing services in support of the Safety, Music/Arts, Athletics, Renovations, & Technology program and the FCM Quality Assurance Monitoring/Program Manager review. On January 18, 2017, the School Board approved agenda item EE-6, Additional Spending Authority – 15-008V – Construction and Operational Auditing Services. This item provided the additional spending, allowing the Exceptional Student Education (ESE) department to access the contract to provide services related to the zero-based budgeting initiative for ESE. The audit for the zero-based budgeting has been completed.

The hourly rates charged for the following jobs are within the industry standards for the hourly rates charged for contracts.

	<u>Industry Standard</u>	<u>Average SBBC Cost</u>
Partner/Principal	\$250/hr	\$215.00/hr.
Senior Manager/Manager	\$190/hr	\$160.00/hr
Senior Auditor	\$150/hr.	\$130.00/hr.
Supervisory Staff	\$110/hr	\$100.00/hr.

The recommendation to exercise the first of two (2) renewal periods was approved on Agenda Item E-7, June 13, 2017, the term of the contract amended to July 1, 2017 to June 30, 2018. The recommendation to exercise the second of two (2) one (1) year renewal periods will ensure continuity of progress and completion of current program audits and review in order to prevent a disruption of service. A new RFP will be developed, released and awarded before the expiration of this contract in 2019.

Financial Analysis

<u>\$600,895</u>	(total Spend as of 12/08/17)
<u>\$ 15,813</u>	(average monthly spend for thirty-eight (38) months)
<u>\$189,756</u>	(forecasted spending for additional twelve (12) months)
<u>\$850,000</u>	(contracted award amount)
<u>\$249,105</u>	(unused spending to cover the period from July 1, 2018 through June 30, 2019)

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT is made and entered into as of this 17th day of January, 2018, by and between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

BCA WATSON RICE LLP
(hereinafter referred to as "VENDOR"),
having its principal place of business at
12000 Biscayne Boulevard, Suite 503
Miami, Florida 33181

WHEREAS, under RFP 15-008V regarding Construction and Operational Auditing Services, the Agreement term is from July 1, 2014 through June 30, 2017, and may be extended for two additional one-year periods and, if needed, 180 days beyond the expiration date of the renewal period; and

WHEREAS, SBBC and VENDOR entered into an Agreement dated June 9, 2014 (hereinafter referred to as "Agreement"); under RFP 15-008V, for the term of July 1, 2014 through June 30, 2017; and allowed for an extension of two additional one-year periods and, if needed, 180 days beyond the expiration date of renewal periods; and

WHEREAS, SBBC wishes to exercise the second of two (2) options to renew the Agreement for a period of one (1) additional year.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. **Recitals.** The parties agree that the foregoing recitals are true and correct and that such recitals are incorporated herein by reference.

2. The Agreement regarding Construction and Operational Auditing Services is hereby renewed for one-year beginning **July 1, 2018 through June 30, 2019** unless terminated earlier pursuant to Section 3.05 of the Agreement.

3. **Amended Provisions.** The parties hereby agree to the following amended provisions to the Agreement:

The following provisions shall replace the respective provisions in the Agreement, by interlineation, as follows:

2.02 **Priority of Documents.** In the event of a conflict between documents, the following priority of documents shall govern:

- First: This Second Amendment to Agreement, then;
- Second: First Amendment to Agreement, then;
- Third: Agreement, then;
- Fourth: Addendum No. 1
- Fifth: RFP 15-008V – Construction and Operational Auditing Services
- Sixth: Proposal submitted in response to the RFP 15-008V and
VENDOR’s transmittal letter.

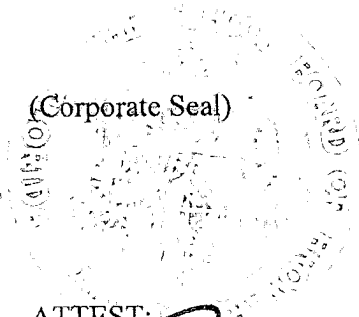
4. **Other Provisions Remain in Force.** Except as expressly provided herein, all other portions of the Agreement remain in full force and effect.

5. **Authority.** Each person signing this First Amendment to Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment to Agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Second Amendment to Agreement on the date first above written.

FOR SBBC

(Corporate Seal)



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:

Janette M. Smith Digitally signed by Janette M. Smith
Date: 2017.12.18 16:36:33 -05'00'
Office of the General Counsel

FOR VENDOR

(Corporate Seal)

BCA WATSON RICE LLP

ATTEST:

By [Signature]
Signature

, Secretary

Printed Name: Ronald Thompkins

Title: Partner

[Signature]
-or-

Witness

[Signature]
Witness

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this _____ 7th day of
December _____, 20 17 by _____ Ronald Thompkins _____ of
Name of Person

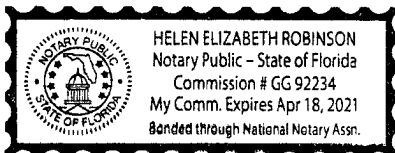
BCA Watson Rice LLP _____ on behalf of the corporation/agency. He/She is personally known
to me or produced _____ as identification and did/did not first
take an oath. _____ Type of Identification

My Commission Expires: April 18, 2021

[Signature]
Signature – Notary Public

Helen Elizabeth Robinson
Printed Name of Notary

(SEAL)



GG92234
Notary's Commission No.

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600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

CARR, RIGGS & INGRAM, LLC
(hereinafter referred to as "VENDOR"),
having its principal place of business at
901 Boll Weevil Circle
Enterprise, Alabama 36330

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FOR SBBC

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:

Janette M. Smith

Digitally signed by Janette M.

Smith

Date: 2017.12.05 12:41:16 -05'00'

Office of the General Counsel

FOR VENDOR

(Corporate Seal)

CARR, RIGGS & INGRAM, LLC

ATTEST:

By *Scott F. Ferguson*
Signature

, Secretary

Printed Name: Scott Ferguson

-or-

Title: Partner

Jennifer Warner
Witness

Karen F. Repaci
Witness

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 17th day of November, 2017 by Scott Ferguson of
Name of Person

Carr Riggs & Ingram on behalf of the corporation/agency. He/She is personally known to me or produced _____ as identification and did/did not first take an oath. Type of Identification

My Commission Expires:

Lisa M. Hawk
Signature – Notary Public



Lisa M. Hawk
Printed Name of Notary

GG 127396
Notary's Commission No.

ORIGINAL

**SECOND AMENDMENT TO
AGREEMENT**

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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

HCT CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS, LLC
(hereinafter referred to as "VENDOR"),
having its principal place of business at
3816 Hollywood Blvd., Suite 203
Hollywood, Florida 33021

WHEREAS, under RFP 15-008V regarding Construction and Operational Auditing Services, the Agreement term is from July 1, 2014 through June 30, 2017, and may be extended for two additional one-year periods and, if needed, 180 days beyond the expiration date of the renewal period; and

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FOR SBBC

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST

By Nora Rupert
Nora Rupert, Chair

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

Approved as to Form and Legal Content:

Janette M. Smith

Digitally signed by Janette M. Smith
Date: 2017.12.05 12:56:18 -05'00'

Office of the General Counsel

FOR VENDOR

(Corporate Seal)

ATTEST:



HCT CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS, LLC

By [Signature]
Signature

Printed Name: Carl Harvey

Title: Managing Member

_____, Secretary

-or-
x [Signature]
Witness

x [Signature]
Witness

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this 22 day of November, 2017 by Rod Harvey of _____

Name of Person

HCT on behalf of the corporation/agency. He/She is personally known to me or produced personally known as identification and did/did not first take an oath.

Type of Identification

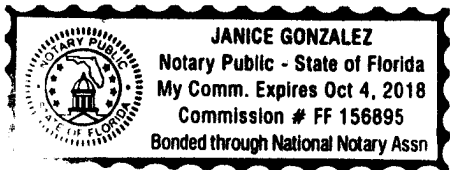
My Commission Expires:

[Signature]
Signature - Notary Public

Janice Gonzalez
Printed Name of Notary

(SEAL)

FF 156895
Notary's Commission No.



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One South Wacker Drive, Suite 800
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FOR SBBC

(Corporate Seal)

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:

Janette M. Smith Digitally signed by Janette M. Smith
Date: 2017.12.14 11:12:05 -05'00'
Office of the General Counsel

FOR VENDOR

(Corporate Seal)

ATTEST:

, Secretary

-or-

Diana Merritt
Witness

Lee E Reyes
Witness

RSM US LLP

By David Luker
Signature

Printed Name: David Luker

Title: Director

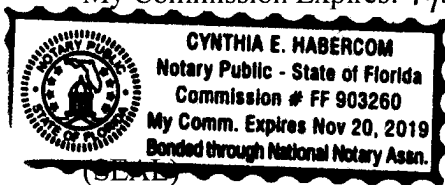
STATE OF Florida

COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 12th day of December, 2017 by David Luker of

RSM US LLP Name of Person
on behalf of the corporation/agency. He/She is personally known
to me or produced _____ as identification and did/did not first
take an oath. Type of Identification

My Commission Expires: 11/20/2019



Cynthia E. Habecom
Signature - Notary Public

Cynthia Habecom
Printed Name of Notary

FF 903260
Notary's Commission No.

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and

S. DAVIS & ASSOCIATES, P.A.
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having its principal place of business at
2521 Hollywood Boulevard
Hollywood, Florida 33020

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FOR SBBC

(Corporate Seal)

ATTEST:


Robert W. Runcie, Superintendent of Schools

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
Nora Rupert, Chair

Approved as to Form and Legal Content:

Janette M. Smith

Digitally signed by Janette M. Smith
Date: 2017.12.05 12:37:24 -05'00'

Office of the General Counsel

FOR VENDOR

(Corporate Seal)

S. DAVIS & ASSOCIATES, P.A.

ATTEST:

By [Signature]
Signature

, Secretary

Printed Name: Shawn Davis

Title: Managing Partner

-or-

[Signature]
Witness

[Signature]
Witness

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 20th day of November, 2017 by Shawn Davis of S. Davis & Associates on behalf of the corporation/agency. He/She is personally known to me or produced _____ as identification and did/did not first take an oath. _____ Type of Identification

My Commission Expires: 08/01/2017

[Signature]
Signature - Notary Public

JUDITH A. GLUECK
Printed Name of Notary

(SEAL)

#FF141866
Notary's Commission No.

