

EXECUTIVE SUMMARY

Background

The attached Fifth Amendment to the Agreement for Program Manager – Owner’s Representative Services between The School Board of Broward County, Florida and CBRE | Heery, Inc. incorporates language which addresses concerns raised by the School Board during discussions of agenda item JJ-5 at the October 16, 2018 Regular School Board Meeting, as well as additional language for recovery of expenses from FEMA for disaster recovery work.

The Fifth Amendment specifically addresses the following items:

Not-To-Exceed Fees: Clarification that Fees is the amount of \$44,321,299 as indicated in the Fee Analysis, Exhibit 4 to the Fourth Amendment to the Agreement, include amounts for all additional services which CBRE | Heery, Inc. currently provides, and which have been provided to date. Fees associated with any potential, new additional services shall be brought to the Board for approval prior to CBRE | Heery, Inc. performing such work.

M/WBE Participation: Modification of Article 2.06 of the Agreement to include a commitment for M/WBE participation during Option Year 1 by using BACH Real Estate LLC (2% of Option Year 1 Fees), Dickey Consulting Services, Inc. (1% of Option Year 1 Fees), De Zayas-Bitar Construction Co. (11% of Option Year 1 Fees), Garth Solutions, Inc. (11% of Option Year 1 Fees), and Keith and Associates, Inc. (7% of Option Year 1 Fees).

Quarterly Evaluations: Future evaluations shall be conducted by RSM US, LLP and the Assigned District Staff on a quarterly basis to measure performance. These evaluations are to be shared with CBRE | Heery, Inc. to identify areas for betterment and shall be used as a basis for continuous improvement.

FEMA Requirements: Proposed recommendations from Donley Consulting Services LLC for the recovery of costs for potential disaster recovery work (via reimbursement from the Federal Emergency Management Agency (FEMA)) are incorporated into the CBRE | Heery, Inc. Agreement.