



REVISED

AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

| | |
|--------------|---|
| MEETING DATE | 2018-12-18 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-5.

TITLE:
 Second Amendment to the Professional Services Agreement - Song & Associates, Inc. - Olsen Middle School - Dania - Project No. P.001955 - SMART Program Renovations - RFQ 17-109C

REQUESTED ACTION:
 Approve the Second Amendment to the Professional Services Agreement dated September 26, 2017, with Song & Associates, Inc., Olsen Middle School, Project No. P.001955, SMART Program Renovations, RFQ 17-109C, in the amount of \$5,724.

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 contact 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 to the Second Amendment to the Professional Services Agreement is \$5,724. 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.

EXHIBITS: (List)
 (1) Executive Summary (2) Second Amendment (3) Collaboration Form (4) Memo to Revise

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

SOURCE OF ADDITIONAL INFORMATION:

| | |
|---|---------------------|
| Name: Shelley N. Meloni, Director | Phone: 754-321-1515 |
| Name: Daniel Jardine, CBRE Heery Director | Phone: 754-321-4850 |

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

Leo Bobadilla - Chief Facilities Officer

Signature
 Frank L. Girardi
 12/17/2018, 4:10:42 PM

Approved In Open Board Meeting On:

DEC 18 2018

By: *Heather P. Burkhardt*
 School Board Chair

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT

Robert W. Runcie
Superintendent of Schools

Telephone: 754-321-2600

Facsimile: 754-321-2701

December 17, 2018

TO: School Board Members

FROM: Frank Girardi, Task Assigned,
Executive Director, Capital Programs



VIA: Robert W. Runcie
Superintendent of Schools



SUBJECT: REVISION TO AGENDA ITEM JJ-5. SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – SONG & ASSOCIATES, INC. – OLSEN MIDDLE SCHOOL – DANIA – PROJECT NO. P.001955 – SMART PROGRAM RENOVATIONS – RFQ 17-109C, FOR THE DECEMBER 18, 2018 REGULAR SCHOOL BOARD MEETING

The following is a revision to Agenda Item JJ-5. Second Amendment to Professional Services Agreement – Song & Associates, Inc. – Olsen Middle School – Dania – Project No. P.001955 – SMART Program Renovations – RFQ 17-109C, for the December 18, 2018 Regular School Board Meeting:

- Replace First Page of Exhibit 2 – Second Amendment
Revision is to the last paragraph – NOW, THEREFORE, in exchange for the mutual covenants and promises set forth herein and the sums of money agreed to be paid by the ~~Project Consultant to the Owner~~ should read Owner to the Project Consultant, the parties agree as follows:

RWR/FG/DJ:ma
Attachment

c: Senior Leadership Team

EXECUTIVE SUMMARY

**Second Amendment to Professional Services Agreement
 Song & Associates, Inc.
 Olsen Middle School, Dania
 Project No. P.001955
 SMART Program Renovations
 RFQ 17-109C**

PROJECT OVERVIEW:

| | |
|---------------------------------------|---|
| Type of Contract: | Professional Services Agreement (Design/Bid/Build) |
| Project Consultant: | Song & Associates, Inc. |
| Authorization to Proceed Date: | October 26, 2017 |
| Budget: | See Below |

GENERAL OVERVIEW:

The Professional Services Agreement was approved by the Board on September 26, 2017 (Agenda Item JJ-2). The original scope included providing fire sprinklers for the group restrooms in Buildings 2, 12, 13, 14, 15, 17, and 18. This fire sprinkler scope was reviewed by the District’s Chief Fire Official who determined that Building 2 was the only building that required fire sprinklers. Buildings 12, 13, 14, 15, 17, and 18 did not require fire sprinklers and therefore, this scope of work was removed from the construction documents.

The purpose of this Second Amendment to the Professional Services Agreement with Song & Associates, Inc. is to delete the Fire Sprinkler portion of the scope of work for the Group Restrooms located in Buildings 12, 13, 14, 15, 17, and 18, and to add complete Fire Sprinkler coverage to the scope of work for Building 2. The deletion of the Fire Sprinkler scope in Buildings 12, 13, 14, 15, 17, and 18, resulted in a credit from Song & Associates, Inc. in the amount of \$1,000. An increase in Basic Fees in the amount of \$6,724 is required to add complete fire sprinkler coverage to Building 2. This will result in a total net increase in Basic Fees in the amount of \$5,724.

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 Song & Associates, Inc. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 26th day of September, 2017, is entered into this 18th day of December, 2018 by and between the Owner and the Project Consultant.

For the project known as: **Olsen Middle School
Project No. P.001955
SMART Program Renovations**

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

WHEREAS, the original scope of work included installing Fire Sprinklers for the group restrooms located in Buildings 2, 12, 13, 14, 15, 17 and 18; and

WHEREAS, the District's Chief Fire Official has determined that the Fire Sprinkler Scope of Work is not required for Buildings 12, 13, 14, 15, 17 and 18 and requested the Fire Sprinkler scope associated with Buildings 12, 13, 14, 15, 17 and 18 to be removed; and

WHEREAS, the District's Chief Fire Official has requested complete Fire Sprinkler coverage for Building 2; and

WHEREAS, the Project Consultant agrees to delete the Fire Sprinkler portion of the Scope of Work in Buildings 12, 13, 14, 15, 17 and 18 for a credit of \$1,000 in Basic Fees and to provide complete Fire Sprinkler coverage for Building 2 for an increase of \$6,724 in Basic Fees for a total net increase in Basic Fees for design services in the amount of \$5,724.

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.** The Project Consultant shall delete the Fire Sprinkler portion of the Scope of Work in Buildings 12, 13, 14, 15, 17 and 18 and add complete Fire Sprinkler coverage to the Scope of Work in Building 2 as set forth below:

| Original Amount | First Amendment Revisions | Amendment #/ Item # | Change Order Category | Description | Second Amendment Amount | Revised Amount |
|---|---------------------------|-----------------------|-----------------------|---|-------------------------|--|
| Basic Fees \$410,000 | N/A | Basic Fees 002/001 | Owner's Request | Decrease in Basic Fees for deletion of Fire Sprinkler scope in Buildings 12, 13, 14, 15, 17 and 18 | (\$1,000) | Basic Fees \$415,724 |
| | | Basic Fees 002/002 | Owner's Request | Increase in Basic Fees to add Fire Sprinkler coverage to Building 2 | \$6,724 | |
| Allowances \$62,000 | N/A | N/A | N/A | N/A | N/A | Allowances \$62,000 |
| Supplemental Services \$20,000 | N/A | N/A | N/A | N/A | N/A | Supplemental Services \$20,000 |
| Original Total \$492,000 | --- | --- | --- | --- | \$5,724 | Revised Total \$497,724 |

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 
Heather P. Brinkworth, Chair

ATTEST:


Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

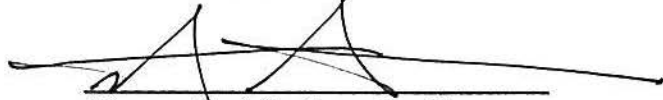

Office of the General Counsel

(Remainder of page intentionally left blank)



FOR PROJECT CONSULTANT

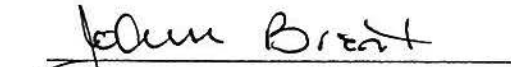
Song & Associates, Inc.



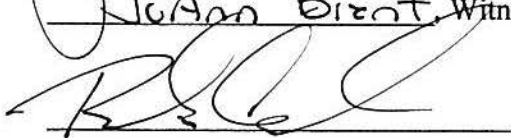
Young-Sook P. Song, President

, Secretary

-or-



Juan Bient, Witness



ROBERT CASTROVINA, Witness

Project Consultant's
Registration Number

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 20 day of November, 2018 by Young-Sook P. Song of Song & Associates, Inc. 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: 5/1/2020

(SEAL)



Perry Douglass
Commission # FF987812
Expires: May 1, 2020
Bonded thru Aaron Notary



Signature, Notary Public

PERRY DOUGLASS

Printed Name of Notary

COLLABORATION


SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-5./Second Amendment to Professional Services Agreement
Song & Associates, Inc.
Olsen Middle School, Dania
Project No. P.001955
SMART Program Renovations
RFQ 17-109C

School Board Meeting: 12/18/2018

The financial impact of this item is \$5,724

- () 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:

| | | |
|------------------------|------------------------|---|
| <u>Department Name</u> | <u>Department Head</u> | <u>Department Head</u> |
| Capital Budget | Omar Shim, Director |  Signature |
| | | 11/27/2018 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.