



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2019-02-20 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-2.

TITLE:

Second Amendment to Professional Services Agreement - Zyscovich, Inc. - Cypress Bay High School - Weston - Project No. P.001774 - SMART Program Renovations - RFQ 17-069C

REQUESTED ACTION:

Approve the Second Amendment to the Professional Services Agreement dated February 7, 2017, with Zyscovich, Inc., Cypress Bay High School, Project No. P.001774, SMART Program Renovations, RFQ 17-069C, in the amount of \$39,440.

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 5, 2018). There is no current impact to the project budget. The potential impact to the project, budget based on additional scope approved in this item, has been estimated to be \$816,000.

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: Daniel Jardine, CBRE Heery Director	Phone: 754-321-4850

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

Mary Ann May - Task Assigned Chief Facilities Officer

Signature

Frank L. Girardi
2/12/2019, 8:43:31 AM

Approved In Open Board Meeting On:

FEB 20 2019

By:

Heather P. Burkhardt

School Board Chair

EXECUTIVE SUMMARY

**Second Amendment to Professional Services Agreement
 Zyscovich, Inc.
 Cypress Bay High School, Weston
 Project No. P.001774
 SMART Program Renovations
 RFQ 17-069C**

PROJECT OVERVIEW:

Type of Contract:	Professional Services Agreement (Design/Bid/Build)
Project Consultant:	Zyscovich, Inc.
Authorization to Proceed	Pending Board Approval
Budget:	See Below

GENERAL OVERVIEW:

The Professional Services Agreement was approved by the Board on February 7, 2017 (Agenda Item JJ-1).

The purpose of this Second Amendment to the Professional Services Agreement with Zyscovich, Inc., is to increase the Basic Fees in the amount of \$39,440 for SMART Program Renovations, to include but not limited to, performing all site related design services for eight (8) temporarily leased portable classrooms for Cypress Bay High School. Staff has confirmed that these services were not contained in the original Agreement and that these eight (8) leased portable classrooms are required for temporary use during construction of the classroom addition. This need for the temporary classrooms is a result of the location chosen for the new addition. These temporary classrooms will be removed following the completion of the new classroom addition.

The potential impact to the project budget, based on the additional scope approved in this item, has been estimated to be \$816,000.

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 Zyscovich, Inc. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 7th day of February, 2017, is entered into this 20th day of February, 2019 by and between the Owner and the Project Consultant.

For the project known as: **Cypress Bay High School
Project No. P.001774
SMART Program Renovations**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 7th day of February, 2017, is in full force and effect as revised by the First Amendment dated January 17, 2018; and

WHEREAS, Staff has determined the need to have eight (8) new portable classrooms available for temporary use during construction of the Classroom Addition; and

WHEREAS, the Project Consultant agrees to perform all site related design services for the placement of the eight (8) new portable classrooms for an increase of \$39,440 in Basic Fees.

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, 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 perform all site related design services for the placement of eight (8) new portable classrooms:

(Remainder of page intentionally left blank)

Original Amount	First Amendment Revisions	Amendment #/ Item #	Change Order Category	Description	Second Amendment Amount	Revised Amount
Basic Fees \$910,000	\$686,000	002/001	Owner's Request	Increase in Basic Fees to perform all site related design services for the placement of eight (8) new portable classrooms	\$39,440	Basic Fees \$1,635,440
Reproduction Expenses Allowance \$20,000	\$25,000	N/A	N/A	N/A	N/A	Allowances \$110,000
Non Destructive/ Destructive Allowance \$20,000	\$5,000	N/A	N/A	N/A	N/A	
Site Survey Allowance \$15,000	\$25,000	N/A	N/A	N/A	N/A	
Supplemental Services N/A	\$28,950	N/A	N/A	N/A	N/A	Supplemental Services \$28,950
Original Total \$965,000	\$769,950	---	---	---	\$39,440	Revised Total \$1,774,390

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*
Heather P. Brinkworth, Chair

ATTEST:

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

Approved as to Form and Legal Content:

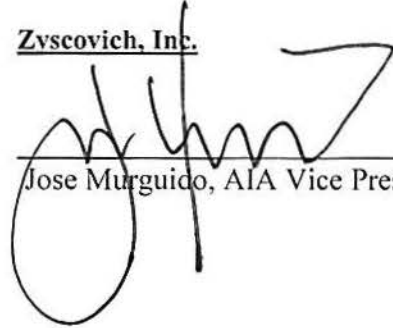
M. Money
Office of the General Counsel

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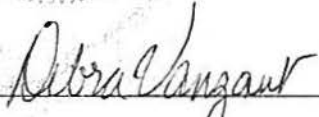
FOR PROJECT CONSULTANT

(Corporate Seal)
ATTEST:

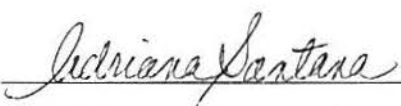
_____, Secretary

Zyscovich, Inc.


Jose Murguido, AIA Vice President



DEBRA VANZANT, Witness



ADRIANA SANTANA, Witness

AB0010670
Project Consultant's
Registration Number

STATE OF FLORIDA)
)
COUNTY OF BROWARD)


The foregoing instrument was acknowledged before me this 22 day of January, 2019
by Jose Murguido of Zyscovich, 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:

(SEAL)





Signature, Notary Public

Angela R. Davidson

Printed Name of Notary

COLLABORATION

SIGN-OFF FORM

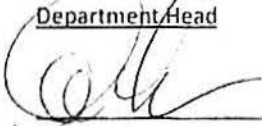
Item #/Title of Agenda Request Item: JJ-2./Second Amendment to Professional Services Agreement
Zyscovich, Inc.
Cypress Bay High School, Weston
Project No. P.001774
SMART Program Renovations
RFQ 17-069C

School Board Meeting: 02/20/2019

The financial impact of this item is \$39,440

- () 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.
- () These projects have 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.

(X) Comments:
This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). There is no current impact to the project budget. The potential impact to the project budget, based on additional scope approved in this item, has been estimated to be \$816,000.

<u>Department Name</u>	<u>Department Head</u>	<u>Department Head</u>
Capital Budget	Omar Shim, Director	 Signature
		2/11/2019 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.