



# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

<b>MEETING DATE</b>	2019-07-23 10:05 - Regular School Board Meeting
<b>AGENDA ITEM</b>	ITEMS
<b>CATEGORY</b>	E. OFFICE OF STRATEGY & OPERATIONS
<b>DEPARTMENT</b>	Procurement & Warehousing Services

<b>Special Order Request</b> <input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Time</b>
<b>Open Agenda</b> <input type="radio"/> Yes <input checked="" type="radio"/> No

**ITEM No.:**  
E-5.

**TITLE:**  
Recommendation to Approve Third Amendment to Agreement - 16-004V - Third Party Administrator for Tax Sheltered Annuities for School Board Employees

**REQUESTED ACTION:**  
Approve the Third Amendment to Agreement for the above Request for Proposal (RFP). Contract Term: January 1, 2020 through December 31, 2020, 1 Year; User Department: Benefits; Award Amount: None; Awarded Vendor(s): TSA Consulting Group, Inc.; Small/Minority/Women Business Enterprise Vendor(s): None.

**SUMMARY EXPLANATION AND BACKGROUND:**  
RFP 16-004V - Third Party Administrator for Tax Sheltered Annuities for School Board Employees was awarded to TSA Consulting Group, Inc. on June 23, 2015. The initial term of the contract was from July 1, 2015 through December 31, 2018, with an option for two (2) one (1) year renewals. This request is to approve the Third Amendment to Agreement and contract renewal for the term as stated in the Requested Action.  
  
The Third Amendment to the Agreement 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:**  
There is no financial impact to the District. Administrative fees are paid by the contracted TSA vendors from RFP 15-010P - 403(b)/457(b) Program for School Board Employees.

**EXHIBITS: (List)**  
(1) Executive Summary (2) Third Amendment to Agreement (3) Approved ARF 8-21-2018 RSBM E-3 (4) Approved ARF 4-19-2016 RSBM E-2 (5) Approved ARF 6-23-2015 RSBM E-3

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

<b>SOURCE OF ADDITIONAL INFORMATION:</b>	
Name: Dr. Dildra Martin-Ogburn	Phone: 754-321-3100
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  
7/15/2019, 1:49:14 PM

Approved In Open Board Meeting On: JUL 23 2019  
By: *Heather P. Burkhardt*  
School Board Chair

**Recommendation to Approve Third Amendment to Agreement  
16-004V – Third Party Administrator for Tax Sheltered Annuities for School Board Employees**

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**Introduction**

**Responsible: Procurement & Warehousing Services (PWS)**

This request is to approve the Third Amendment to Agreement and final renewal for the above-referenced Request for Proposal (RFP) between The School Board of Broward County, Florida (SBBC), and TSA Consulting Group. This RFP provides for an option to renew the contract for two (2) additional one (1) year periods. This request is the second and final one (1) year renewal option from January 1, 2020 through December 31, 2020. Upon approval of this agenda item, District employees will continue to benefit from the ease of plan administration, e.g., hardship loans, distribution of funds, as well as having access to educational seminars throughout the year.

**Goods/Services Description**

**Responsible: Benefits**

TSA Consulting Group, Inc. (TSACG) is an independent, fee-for-service retirement plan administrator located in Ft. Walton Beach, Florida. To date, TSACG is contracted with over 1,960 public school districts and colleges in forty-five (45) states. In Florida, TSACG provides contractual services to sixty-six (66) school districts and twenty-four (24) colleges. Nationally, TSACG is contracted with twelve (12) of the top twenty-five (25) largest public school districts. It is important to note that TSACG is a full-service third-party administrator, contractually assuming the responsibilities for the compliant administration of the retirement plan(s) maintained by the employer.

**Procurement Method**

**Responsible: PWS**

The procurement method chosen was through a competitive solicitation, which is required by Purchasing Policy 3320, Part II, Rule V, and Florida Administration Code 6A-1.012(15).

A draft RFP for Third Party Administrator for Tax Sheltered Annuities for School Board Employees was developed and subsequently reviewed in a public meeting by the Superintendent's Insurance & Wellness Advisory Committee (SIWAC) on November 13, 2014. The RFP 16-004V was released via the Onvia DemandStar System on February 5, 2015. SBBC received a response from one (1) proposed for RFP 16-004V - Third Party Administrator for Tax Sheltered Annuities for School Board Employees:

**• TSA Consulting Group, Inc.**

Upon receipt of the sole proposal, an addendum was released stating, "If only one responsive proposal is received, the Committee will proceed without scoring the one responsive proposal and may negotiate the best terms and conditions with that sole proposer or may recommend the rejection of all proposals as permitted by Section 6A-1.012(12)(c), F.A.C." Negotiations were conducted by the SIWAC on April 9, 2015, with TSA Consulting Group, Inc., based on experience and qualifications, the scope of services, cost, and small/minority/women participation. As a result of the negotiations, SIWAC voted to recommend to the Superintendent the following award to TSA Consulting Group, Inc.

The contract for RFP 16-004V - Third Party Administrator for Tax Sheltered Annuities for School Board Employees, was awarded to TSACG on June 23, 2015. The term of the initial Agreement was July 1, 2015 through December 31, 2018.

On April 19, 2016, the First Amendment to the Agreement was approved by the School Board to amend the Parties' contract to approve a 457(b) Adoption Agreement and a 457(b) Plan Document for the Third- Party Administrator for Tax Sheltered Annuities products. The approval of the Agreements allowed TSA Consulting Group, Inc. to continue to provide 457(b) compliance administration services.

**Recommendation to Approve Third Amendment to Agreement  
16-004V – Third Party Administrator for Tax Sheltered Annuities for School Board Employees  
July 23, 2019, School Board  
Page 2**

On May 16, 2018, SIWAC held its annual contract renewal meeting. The SIWAC voted unanimously to recommend approval of TSA Consulting Group's first one (1) year renewal option to the Superintendent of Schools.

On May 8, 2019, SIWAC held its annual contract renewal meeting. The SIWAC voted unanimously to recommend approval of TSA Consulting Group's second and final one (1) year renewal option to the Superintendent of Schools.

**Financial Impact  
Responsible: PWS and Benefits**

There is no financial impact to the District.

## **THIRD AMENDMENT TO AGREEMENT**

**THIS THIRD AMENDMENT TO AGREEMENT** is made and entered into as of this 23<sup>rd</sup> day of July, 2019, 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

**TSA CONSULTING GROUP, INC.**  
(hereinafter referred to as "TSACG"),  
having its principal place of business at  
15 Yacht Club Drive NE  
Fort Walton Beach, Florida 32548

**WHEREAS**, SBBC issued a Request for Proposal identified as RFP 16-004V – Third Party Administrator for Tax Sheltered Annuities for School Board Employees dated, February 5, 2015 and amended by Addendum Number One, dated March 19, 2015 (herein referred to as 'RFP'), which are incorporated by reference herein, for the purpose of receiving Proposals for Third Party Administrator for Tax Sheltered Annuities for School Board Employees; and

**WHEREAS**, TSACG offered a Proposal dated March 16, 2015 (hereinafter referred to as "Proposal"), which is incorporated by reference herein, in response to the RFP; and

**WHEREAS**, SBBC and TSAGC entered into an Agreement dated June 23, 2015 (hereafter "Agreement") for Third Party Administrator for Tax Sheltered Annuities for School Board Employees under RFP 16-004V; and

**WHEREAS**, SBBC and TSACG entered into a First Amendment to Agreement, dated April 19, 2016 to approve a 457(b) Adoption Agreement and 457(b) Plan Agreement for Tax Sheltered Annuities products.

**WHEREAS**, SBBC and TSACG entered into a Second Amendment to Agreement, dated August 21, 2018 for Third Party Administrator for Tax Sheltered Annuities for School Board Employees under RFP 16-004V; and

**WHEREAS**, the Parties mutually desire to amend certain provisions of the Agreement.

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants contained herein and the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

## ARTICLES

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

2.01 **Term of Agreement.** The June 23, 2015 Agreement is hereby extended from January 1, 2020 through December 31, 2020, unless terminated earlier pursuant to Section 3.05 of the Agreement.

3.01 **Monthly Fees.** TSACG agrees that the fee of \$1.00 is a monthly fee per active and inactive accounts for the current 403(b)/457(b) vendors under Agreement with SBBC. Fees are paid by the Tax Sheltered Annuity (TSA) vendor directly to TSACG.

4.01 **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 Third Amendment to Agreement; then
- b) The Second Amendment to Agreement dated August 21, 2018; then
- c) The First Amendment to Agreement dated, April 19, 2016 and Exhibits A & B thereto; then
- d) The Agreement dated, June 23, 2015; then
- e) Addendum Number One dated, March 19, 2015; then
- f) RFP 16-004V – “Third Party Administrator for Tax Sheltered Annuities for School Board Employees; then
- g) The Proposal submitted by TSACG in response to the RFP.

In case of any other doubts or difference of opinion, the decision of SBBC shall be final and binding on both parties.

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

6.01 **Authority.** Each person signing this Third Amendment to Agreement on behalf of either Party individually warrants that he or she has full legal power to execute this Third 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 Third Amendment to Agreement.

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

**FOR SBBC**

(Corporate Seal)

**THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA**

ATTEST:

By Heather P. Brinkworth  
Heather P. Brinkworth, Chair

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

Approved as to Form and Legal Content:

Heather P. Brinkworth 06/19/19  
Office of the General Counsel

FOR TSA CONSULTING GROUP, INC.

(Corporate Seal)

TSA Consulting Group, Inc.

ATTEST:

By Janet Williamson  
Signature

\_\_\_\_\_  
, Secretary

Printed Name: Janet Williamson, CPA

-or-

Title: Chief Financial Officer,  
Senior Vice President

Kimberly Smith  
Witness

Came A. Belmont  
Witness

STATE OF FLORIDA

COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 31<sup>ST</sup> day of May, 2019 by JANET WILLIAMSON of TSA CONSULTING GROUP Name of Person  
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:

Stephanie E. Stolze  
Signature - Notary Public

(SEAL)

STEPHANIE E. STOLZE  
Printed Name of Notary



GG 015386  
Notary's Commission No.



# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

<b>MEETING DATE</b>	2018-08-21 10:05 - Regular School Board Meeting
<b>AGENDA ITEM</b>	ITEMS
<b>CATEGORY</b>	E. OFFICE OF STRATEGY & OPERATIONS
<b>DEPARTMENT</b>	Procurement & Warehousing Services

<b>Special Order Request</b>	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Time	
<b>Open Agenda</b>	
<input type="radio"/> Yes	<input checked="" type="radio"/> No

**ITEM No.:**  
E-3.

**TITLE:**  
Recommendation to Approve Second Amendment to Agreement - 16-004V - Third Party Administrator for Tax Sheltered Annuities for School Board Employees

**REQUESTED ACTION:**  
Approve the Second Amendment to Agreement for the above referenced Request for Proposal Contract Term: January 1, 2019 through December 31, 2019, 1 Year; User Department: Benefits; Award Amount: None; Awarded Vendor(s): TSA Consulting Group, Inc.; Small/Minority/Women Business Enterprise Vendor(s): None.

**SUMMARY EXPLANATION AND BACKGROUND:**  
RFP 16-004V - Third Party Administrator for Tax Sheltered Annuities for School Board Employees was awarded to TSA Consulting Group, Inc. on June 23, 2015. The initial term of the contract was from July 1, 2015 through December 31, 2018. A First Amendment to Agreement was approved by the School Board on April 19, 2016, to amend the Parties' contract to approve a 457(b) Adoption Agreement and a 457(b) Plan Document for the Third Party Administrator for Tax Sheltered Annuities' products. The Second Amendment to Agreement 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:**  
There is no financial impact to the District; administrative fees are paid by the contracted TSA vendors directly to TSA Consulting Group, Inc.

**EXHIBITS: (List)**  
(1) Executive Summary (2) Second Amendment Agreement

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

**SOURCE OF ADDITIONAL INFORMATION:**

Name: Dr. Dildra Martin-Ogburn	Phone: 754-321-3100
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*  
8/10/2018, 12:34:44 PM

Approved In Open Board Meeting On: **AUG 21 2018**  
By: *Nora Rupert*  
School Board Chair





# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

<b>MEETING DATE</b>	Apr 19 2016 10:15AM - Regular School Board Meeting	<b>Special Order Request</b>	<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>ITEM No.:</b>	<b>AGENDA ITEM</b>	<b>Time</b>		
E-2.	CONSENT ITEMS			
	<b>CATEGORY</b>			
	E. OFFICE OF STRATEGY & OPERATIONS			
	<b>DEPARTMENT</b>			
	Procurement & Warehousing Services			
<b>TITLE:</b>				

First Amendment to Agreement 16-004V - Third-Party Administrator for Tax- Sheltered Annuities for School Board Employees

**REQUESTED ACTION:**  
 Approve the First Amendment to Agreement for the above contract. Contract Term: July 1, 2015, through December 31, 2018, 3 Years; User Department: Benefits and Employment Services; Awarded Vendor(s): TSA Consulting Group, Inc.; M/WBE Vendor(s): None.

**SUMMARY EXPLANATION AND BACKGROUND:**  
 RFP 16-004V - Third-Party Administrator for Tax-Sheltered Annuities for School Board Employees was awarded to TSA Consulting Group, Inc., on June 23, 2015. This request is to amend the parties' contract to approve a 457(b) Adoption Agreement and 457(b) Plan Agreement for the Third-Party Administration of Tax-Sheltered Annuities products.  
 A copy of this RFP documents are online at:  
<http://www.broward.k12.fl.us/supply/docs/contracts/16-004V-Third-Party-Admin-for-Tax-Sheltered-Annuities.pdf>  
 This First Amendment to Agreement 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:**  
 There is no financial impact to the District. Administrative fees are paid by the contracted TSA vendors directly to TSA Consulting Group, Inc.

**EXHIBITS: (List)**  
 (1) Executive Summary (2) Agreement

<b>BOARD ACTION:</b> <div style="text-align: center; font-size: 24pt; font-weight: bold; margin: 10px 0;">APPROVED</div> <small>(For Official School Board Records Office Only)</small>	<b>SOURCE OF ADDITIONAL INFORMATION:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Name: Dr. Dildra Martin-Ogburn</td> <td style="width: 40%;">Phone: 754-321-3100</td> </tr> <tr> <td>Name: Mary C. Coker</td> <td>Phone: 754-321-0501</td> </tr> </table>	Name: Dr. Dildra Martin-Ogburn	Phone: 754-321-3100	Name: Mary C. Coker	Phone: 754-321-0501
Name: Dr. Dildra Martin-Ogburn	Phone: 754-321-3100				
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*  
 4/4/2016, 12:47:24 PM

APR 19 2016

Approved In Open Board Meeting On: \_\_\_\_\_

By: *Rosalind Orger*

School Board Chair



# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

<b>Special Order Request</b>	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Time</b>	
<b>Open Agenda</b>	
<input type="radio"/> Yes	<input checked="" type="radio"/> No

**ITEM No.:**  
**E-3.**

<b>MEETING DATE</b>	Jun 23 2015 10:15AM - Regular School Board Meeting
<b>AGENDA ITEM</b>	CONSENT ITEMS
<b>CATEGORY</b>	E. OFFICE OF STRATEGY & OPERATIONS
<b>DEPARTMENT</b>	Procurement & Warehousing Services

**TITLE:**  
RFP Recommendation of \$500,000 or Less - 16-004V - Third-Party Administrator for Tax-Sheltered Annuities for School Board Employees

**REQUESTED ACTION:**  
Approve the recommendation for award for the above contract. Contract Term: July 1, 2015, through December 31, 2018; 3 Years, 6 Months; User Department: Benefits and Employment Services; Award Amount: None; Vendor Awarded: TSA Consulting Group, Inc.; MWBE Vendors: None

**SUMMARY EXPLANATION AND BACKGROUND:**  
The School Board of Broward County, Florida (SBBC) received one (1) proposal from TSA Consulting Group, Inc. for RFP 16-004V - Third-Party Administrator for Tax-Sheltered Annuities for School Board Employees. The administrator will provide recordkeeping and administration of these annuity services and will remit employees' salary reduction contributions to all SBBC inactive and active vendors. A copy of the RFP documents are available online at: <http://www.broward.k12.fl.us/supply/docs/contracts/16-004V-Third-Party-Admin-for-Tax-Sheltered-Annuities.pdf>. This Agreement 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:**  
There is no financial impact to the District. Administrative fees are paid by the contracted TSA vendors from RFP 15-010P, 403(b)/457(b) Program for School Board Employees, directly to TSA Consulting Group, Inc.

**EXHIBITS: (List)**  
(1) Executive Summary (2) Agreement (3) Recommendation Tabulation (4) MWBE Participation (5) Supplier Evaluation

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

**SOURCE OF ADDITIONAL INFORMATION:**

Name: Dr. Dildra Martin-Ogburn	Phone: 754-321-3108
Name: Ms. Ruby Crenshaw	Phone: 754-321-0501

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

Maurice L. Woods - Chief Strategy & Operations Officer

Signature  
*Maurice Woods*  
Tuesday, June 09, 2015 2:24:48 PM

Approved In Open Board Meeting On:

JUN 23 2015  
By: *Donna Kinn*  
School Board Chair