



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
JJ-4.

MEETING DATE	2019-08-06 10:05 - School Board Operational 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

TITLE:
Second Amendment to Professional Services Agreement - Song & Associates, Inc. - Margate Elementary School - Margate - Project No. P.001647 - SMART Program Renovations - RFQ 16-088F

REQUESTED ACTION:
Approve the Second Amendment to the Professional Services Agreement dated July 26, 2016 with Song & Associates, Inc., Margate Elementary School, Project No. P.001647, SMART Program Renovations, RFQ 16-088F, in the amount of \$297,000.

SUMMARY EXPLANATION AND BACKGROUND:
Purpose of 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: Safe & Supportive Environment
 Goal 3: Effective Communication

FINANCIAL IMPACT:
The financial impact to the Second Amendment to the Professional Services Agreement is \$297,000. 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

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 I Heery Director	Phone: 754-321-4850

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title
Frank Girardi - Executive Director

Signature
Frank L. Girardi
7/29/2019, 10:49:32 AM

Approved In Open Board Meeting On: **AUG 06 2019**
By: *Heather P. Burkwood*
School Board Chair

EXECUTIVE SUMMARY

**Second Amendment to Professional Services Agreement
 Song & Associates, Inc.
 Margate Elementary School, Margate
 Project No. P.001647
 SMART Program Renovations
 RFQ 16-088F**

PROJECT OVERVIEW:

Type of Contract:	Professional Services Agreement
Project Architect:	Song & Associates, Inc.
Authorization to Proceed	Pending Board Approval
Budget:	See Below

GENERAL OVERVIEW:

The Professional Services Agreement for the original SMART Program Renovations scope of work at Margate Elementary School was approved by the Board on July 26, 2016 (Agenda Item JJ-9).

At the January 22, 2019 Board Workshop (Item 1B), staff presented a proposed Alternative scope to the SMART Program Building replacement for Margate Elementary School. The purpose for this Alternative was to right-size the campus including a new classroom addition, demolish outdated and non-needed space, renovate all remaining buildings, and adequately address site logistics. Following the presentation, Board members requested that staff host a community meeting to gain input to develop additional alternatives.

At the June 25, 2019 Regular School Board Meeting (Agenda Item JJ-4), the Board approved the Base Recommendation which includes demolition of Buildings 2, 3, 4, 5, 6, 8 and replacement with a six (6) classroom addition that will contain four (4) Exceptional Student Education (ESE) classrooms and two (2) Voluntary Pre-K (VPK) classrooms, renovations to Buildings 1, 7, 9-18, and Alternate 1 which includes an asphalt play court per District standards.

As a result of the Board’s approval of the Base Recommendation and Alternate 1, the purpose of this Second Amendment to the Professional Services Agreement with Song & Associates, Inc., is to increase Basic Fees to re-package 100% Construction Documents related to SMART Program Renovations for Buildings 9, 11, 13, 14, 15, 16, 17 and 18, and development of a site model to explain design options. Furthermore, the demolition of Buildings 2, 4, 6 and 8, a new six (6) classroom addition, renovations of Buildings 1 and 7, the demolition of Buildings 3 and 5, and an Allowance increase in the amount of \$297,000 for the SMART Program Renovations at Margate Elementary School will be included.

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 July, 2016, is entered into this 6th day of August, 2019 by and between the Owner and the Project Consultant.

For the project known as: **Margate Elementary School
Project No. P.001647
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 July, 2016, is in full force and effect as revised by the First Amendment dated March 20, 2018; and

WHEREAS, at the Regular School Board Meeting held on June 25, 2019 (Agenda Item # JJ-4), Board approval was received to modify the original SMART Program Renovations scope at Margate Elementary School; and

WHEREAS, the effect of the above Board approval requires re-packaging of the existing 100% Design Drawings for Buildings 9, 11, 13, 14, 15, 16, 17 and 18 and, development of a site model to explain design options, new design of a 6 Classrooms addition, paved play court and the demolition of Buildings 2, 3, 4, 5, 6 and 8 . Furthermore, the demolition of Buildings 2, 4, 6 and 8, renovations of Building 1 and 7 and, the demolition of Buildings 3 and 5; and

WHEREAS, the effect of the above Board approval requires modifications to the existing Design Documents to remove all scope associated with renovations of Buildings 2, 3, 4, 5, 6 and 8; and

WHEREAS, the Project Consultant shall be required to obtain two additional building permits and to participate in an additional bidding phase and CA phase; and

WHEREAS, the Project Consultant has agreed to the change in Basic Services requirements as requested by the Owner in exchange for additional fees for design services.

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.** This Second Amendment to the agreement will result in a net increase to the Project Consultant's Basic Fees in the amount of \$265,000 and an increase to allowances in the amount of \$32,000 as set forth below:

Original Amount	First Amendment Revisions	Amendment #/ Item #	Change Order Category	Description	Second Amendment Revisions	Revised Amount
Basic Fees \$293,893	---	002/001	Owner's Request	Increase to re-package SMART Program Renovations scope for Buildings 9,11,13,14,15,16,17 and 18 including an option analysis for Board Review relevant to balance of renovation scope	\$30,000	\$558,893
		002/002	Owner's Request	Increase for new design of a 6 Classrooms addition, paved play court and the demolition of Buildings 2, 3, 4, 5, 6 and 8. Furthermore, the demolition of Buildings 2, 4, 6 and 8, renovations of Building 1 and 7 and, the demolition of Buildings 3 and 5	\$235,000	
Allowances \$30,107	---	002/003	Owner's Request	Increase in Allowance	\$32,000	\$62,107
Supplemental Services N/A	---	---	---	---	---	---
Original Total \$324,000	---	---	---	---	\$297,000	Revised Total \$621,000

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.

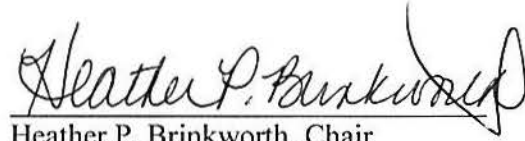
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For The School Board of Broward County, Florida

(SEAL)

ATTEST THE SCHOOL BOARD OF
BROWARD COUNTY, FLORIDA


Robert W. Runcie, Superintendent of Schools


Heather P. Brinkworth, Chair

Approved as to Form and Legal Content:


Office of the General Counsel

[Remainder of page intentionally left blank]

FOR PROJECT CONSULTANT



[Signature]
Secretary

Song & Associates, Inc.

[Signature]
Young-Sook P. Song, President

-or-

_____, Witness

_____, Witness

AR0013670
Project Consultant's
Registration Number

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 23 day of July, 2019 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:

(SEAL)



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

[Signature]
Signature, Notary Public
PERRY DOUGLASS
Printed Name of Notary

COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-4./Second Amendment to Professional Services Agreement
 Song & Associates, Inc.
 Margate Elementary School, Margate
 Project No. P.001647
 SMART Program Renovations
 RFQ 16-088F

School Board Meeting: 08/06/2019

The financial impact of this item is \$297,000

- () 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:

Department Name

Department Head

Department Head

Capital Budget

Omar Shim, Director


 Signature 7/18/2019
 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.