



# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:

JJ-4.

MEETING DATE: 2019-09-04 10:05 - School Board Operational Meeting

AGENDA ITEM: ITEMS

CATEGORY: JJ. OFFICE OF FACILITIES & CONSTRUCTION

DEPARTMENT: Facilities Pre-Construction

Special Order Request  
 Yes  No

Time

Open Agenda  
 Yes  No

**TITLE:**

Second Amendment to the Professional Services Agreement - Rodriguez Architects, Inc. - McArthur High School - Hollywood - Project No. P.001954 - SMART Program Renovations - RFQ 18-035C

**REQUESTED ACTION:**

Approve the Second Amendment in the amount of \$438,976 to the Professional Services Agreement dated November 7, 2017 with Rodriguez Architects, Inc., McArthur High School, Project No. P.001954, SMART Program Renovations, RFQ 18-035C.

**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: Safe & Supportive Environment  Goal 3: Effective Communication

**FINANCIAL IMPACT:**

The financial impact to the Second Amendment to the Professional Services Agreement is \$438,976. 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  
 8/23/2019, 5:06:54 PM

Approved In Open Board Meeting On:

SEP 04 2019

By:   
 School Board Chair

**EXECUTIVE SUMMARY**

**Second Amendment to Professional Services Agreement  
Rodriguez Architects, Inc.  
McArthur High School, Hollywood  
Project No. P.001954  
SMART Program Renovations  
RFQ 18-035C**

**PROJECT OVERVIEW:**

<b>Type of Contract:</b>	<b>Professional Services Agreement</b>
<b>Project Architect:</b>	<b>Rodriguez Architects, Inc.</b>
<b>Authorization to Proceed</b>	<b>Pending Board Approval</b>
<b>Budget:</b>	<b>See Below</b>

**GENERAL OVERVIEW:**

The Professional Services Agreement was approved by the Board on November 7, 2017 (Agenda Item JJ-2).

At the January 22, 2019 Board Workshop, staff presented a proposed Alternative scope to the SMART Program Building replacement for McArthur High 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. After obtaining input from stakeholders, staff developed two (2) SMART Program Building replacement alternatives and presented them at the May 14, 2019 Board Workshop. Following the presentation and based on Board discussions, an interest to proceed with Alternative 1 – 18 Classroom Addition (Base Recommendation) was expressed by Board members.

At the June 25, 2019 Regular School Board Meeting (Agenda Item JJ-3), the Board approved the Base Recommendation which includes demolition of Buildings 6, 7, 8 and replacement with an eighteen (18) classroom addition and Vocational TV Studio that will contain four (4) Business Education/Computer classrooms, eight (8) General/Science classrooms, one (1) Robotics Lab, one (1) Digital Media Lab, two (2) Resource Centers, one (1) Nursing Lab, one (1) Skills Lab, a Vocational TV Studio, restrooms, and mechanical/circulation room. Also included are renovations to Buildings 1-5, 9-29, 31, and 32.

As a result of the Board’s approval of the Base Recommendation, the purpose of this Second Amendment to the Professional Services Agreement with Rodriguez Architects, Inc., is to increase Basic Fees in the amount of \$11,344 to re-package 100% Construction Documents related to SMART Program Renovations and extended time to prepare package options. In addition, an increase in the amount of \$550,431 for the design of a new eighteen (18) classroom addition and Vocational TV Studio, and the demolition of Buildings 7 and 8. Additionally, the Architect has agreed to a decrease in Basic Fees in the amount of (\$142,799) for removal of the original scope of work associated with Buildings 7 and 8, and an Allowance increase in the amount of \$20,000, for a grand total of \$438,976 for the SMART Program Renovations at McArthur High School.

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 Rodriguez Architects, Inc. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 7<sup>th</sup> day of November, 2017, is entered into this 4<sup>th</sup> day of September, 2019 by and between the Owner and the Project Consultant.

For the project known as: **McArthur High School  
Project No. P.001954  
SMART Program Renovations**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 7<sup>th</sup> day of November, 2017, is in full force and effect as revised by the First Amendment dated August 6, 2019; and

WHEREAS, at the Regular School Board Meeting held on June 25, 2019 (Agenda Item # JJ-3), Board approval was received to modify the original SMART Program Renovations scope at McArthur High School; and

WHEREAS, the original scope of work included the demolition and replacement of Building 6; and

WHEREAS, the effect of the above Board approval requires re-packaging of the existing 50% Design Drawings for demolition of Buildings 7 and 8 , the design of a new 18 Classroom addition and 1 TV lab Building to replace Buildings 6, 7 and 8; 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 7 and 8; 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 \$418,976 and an increase to allowances in the amount of \$20,000 as set forth below:

Original Amount	First Amendment Revisions	Amendment #/ Item #	Change Order Category	Description	Second Amendment Revisions	Revised Amount
Basic Fees \$920,000	---	002/001	Owner's Request	Increase to re-package SMART Program Renovations scope for Buildings 7 and 8, and extended time to prepare Package Options	\$11,344	\$1,338,976
		002/002	Owner's Request	Increase for new design of a 18 Classrooms plus a TV lab addition and the demolition of Buildings 7 and 8	\$550,431	
		002/003	Owner's Request	Decrease for deletion of original scope for Buildings 7 and 8	(\$142,799)	
Allowances \$120,000	---	002/004	Owner's Request	Increase in Allowance	\$20,000	\$140,000
Supplemental Services \$50,000	---	---	---	---	---	\$50,000
<b>Original Total</b> <b>\$1,090,000</b>	---	---	---	---	<b>\$438,976</b>	<b>Revised Total</b> <b>\$1,528,976</b>

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.

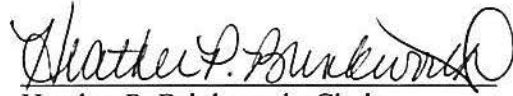
(Remainder of page intentionally left blank)

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:

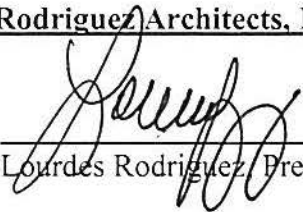
  
Office of the General Counsel

(Remainder of page intentionally left blank)





FOR PROJECT CONSULTANT

Rodriguez Architects, Inc.

  
\_\_\_\_\_  
Lourdes Rodriguez, President

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

-or-  
  
\_\_\_\_\_  
Craxtemac Valle, Witness

  
\_\_\_\_\_  
ANTONIO MORENO Witness

AAC 1933  
\_\_\_\_\_  
Project Consultant's  
Registration Number

STATE OF FLORIDA     )  
                                  )  
COUNTY OF DADE     )  
                                  )  
                                  )  
                                  )  
COUNTY OF ~~BROWARD~~ )

The foregoing instrument was acknowledged before me this 7 day of AUGUST, 2019  
by Lourdes Rodriguez of Rodriguez Architects, Inc. on behalf of the corporation or agency.

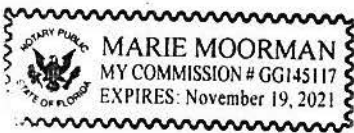
He/she is personally known to me or produced \_\_\_\_\_  
as Identification and did/did not first take an oath.

My commission expires:

(SEAL)

  
\_\_\_\_\_  
Signature, Notary Public

Marie Moorman  
\_\_\_\_\_  
Printed Name of Notary



# COLLABORATION

## SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-4./Second Amendment to Professional Services Agreement  
 Rodriguez Architects, Inc.  
 McArthur High School, Hollywood  
 Project No. P.001954  
 SMART Program Renovations  
 RFQ 18-035C

School Board Meeting: 09/04/2019

The financial impact of this item is \$438,976

- ( ) 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:

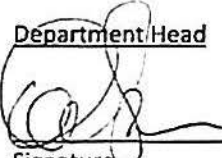
Department Name

Department Head

Department Head

Capital Budget

Omar Shim, Director

  
 Signature \_\_\_\_\_ Date 8/20/2019

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.