



# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:  
JJ-12.

MEETING DATE	2020-02-04 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:**  
Approve the First Amendment to the Professional Services Agreement - LIVS Associates, LLC - Stranahan High School - Fort Lauderdale - Project No. P.002163 - Cafeteria Addition/Renovations - RFQ 18-172C

**REQUESTED ACTION:**  
Approve the First Amendment in the amount of \$121,501 to the Professional Services Agreement dated July 24, 2018 with LIVS Associates, LLC, Stranahan High School, Project No. P.002163, Cafeteria Addition/Renovations, RFQ 18-172C.

**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:**  
This project has been appropriated in the Adopted District Educational Facilities Plan (September 4, 2019). 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) First Amendment (3) Collaboration Form

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

SOURCE OF ADDITIONAL INFORMATION:	
Name: Shelley N. Meloni, Director, Pre-Constr.	Phone: 754-321-1515
Name: Daniel Jardine, Director, CBRE   Heery	Phone: 754-321-4850

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

Approved In Open Board Meeting On:

**FEB 04 2020**

Signature  
*Frank L. Girardi*  
1/28/2020, 4:46:51 PM

By:   
School Board Chair

**EXECUTIVE SUMMARY**

**First Amendment to Professional Services Agreement  
LIVS Associates, LLC  
Stranahan High School, Fort Lauderdale  
Project No. P.002163  
Cafeteria Addition/Renovations  
RFQ 18-172C**

**PROJECT OVERVIEW:**

<b>Type of Contract:</b>	<b>Professional Services Agreement</b>
<b>Project Architect:</b>	<b>LIVS Associates, LLC</b>
<b>Authorization to Proceed</b>	<b>TBD</b>
<b>Original Funding Allocation:</b>	<b>See Below</b>

**GENERAL OVERVIEW:**

The Professional Services Agreement was approved by the Board on July 24, 2018 (Agenda Item JJ-3).

The purpose of this First Amendment in the amount of \$121,501 to the Professional Services Agreement with LIVS Associates, LLC, is to increase Basic Services Fees, Supplemental Services, and Allowances due to the changes necessitated as a result of unforeseen conditions that were not evident during the planning stages. These items include, but are not limited to, existing structural deficiencies such as joist attachment, concrete masonry unit reinforcing, concrete floor joist integrity, and electrical code deficiencies that require panel upgrades for the Cafeteria Addition/Renovations at Stranahan High School.

In addition, extensive cost-reduction efforts were undertaken in order to keep the design as close as possible to the Fixed Limit of Construction Costs (FLCC). The cost-reduction efforts include: keeping existing walkways in place; reusing existing chilled water lines that were determined to be in useful condition; reducing overall building height of the addition; and reducing storefront glazing on the walls that are adjacent to the existing building.

<b>AGENDA ITEM</b>	<b>AGENDA ITEM No.</b>	<b>DATE APPROVED</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>	<b>REVISED FEE AMOUNT</b>
Original PSA	JJ-3	7/24/2018	Professional Services Agreement	\$543,000	\$543,000
First Amendment	JJ-12	Pending Board Approval	Increase Basic Services Fees, Supplemental Services, and Allowances	\$121,501	\$664,501

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](#).

**FIRST AMENDMENT  
TO  
PROFESSIONAL SERVICES AGREEMENT**

BETWEEN  
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA AND  
PROJECT CONSULTANT FOR ARCHITECTURAL/ENGINEERING SERVICES

This First Amendment to the Professional Services Agreement ("Agreement") between The School Board of Broward County, Florida (hereinafter referred to as "Owner") and LIVS Associates, LLC (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 24<sup>th</sup> day of July, 2018, is entered into this 4<sup>th</sup> day of February, 2020 by and between the Owner and the Project Consultant.

For the Project known as: **Stranahan High School  
Project No. P.002163  
Cafeteria Additions / Renovations**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 24<sup>th</sup> day of July, 2018, is in full force and effect; and

WHEREAS, the Project's construction cost estimate performed at the 50% completion of construction drawings exceeded the Project's Fixed Limit Construction Costs (FLCC) due to the changes necessitated as a result of unforeseen conditions that were not evident during the planning stages. These changes include, but not limited to, existing structural deficiencies such as joist attachment; concrete masonry unit reinforcement; concrete floor joist integrity; and electrical code deficiencies that require panel upgrades; and

WHEREAS, it was determined that cost reduction efforts were needed to the Project's design to stay within range of the FLCC; and

WHEREAS, the cost-reduction efforts include: keeping existing walkways in place; reusing existing chilled water lines that were determined to be in useful condition; reducing overall building height; and reducing storefront glazing on the walls that are adjacent to the existing building; and

WHEREAS, Staff and the Project Consultant have negotiated a modification of the design schedule to include time for redesign for incorporation of cost-reduction efforts; and WHEREAS, Staff and the Project Consultant have negotiated a proposed increase to basic fees for the re-design of the 50% construction drawings in the amount of \$90,117, and an increase in Allowances for additional reproduction costs in the amount of \$3,500, and an increase in Supplemental Services for unforeseen design elements in the amount of \$27,884; and

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 First Amendment to the agreement will result in a net increase to the Project Consultant's Basic Fees in the amount of \$121,501; and

	Original PSA Amounts	First Amendment Revisions	Description	Revised Amount
Basic Fees	\$470,000	\$90,117	Redesign of the 50% Drawings	\$560,117
Allowances	\$48,000	\$3,500	Additional Reproduction Costs	\$51,500
Supplemental Services	\$25,000	\$27,884	Increase for unforeseen design elements	\$52,884
<b>Total</b>	<b>\$543,000</b>	<b>\$121,501</b>	N/A	<b>\$664,501</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 First Amendment to Agreement; then
- b) the Agreement.

5. **Authority:** Each person signing this First Amendment on behalf of either party warrants that he or she has full legal power to execute this First 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 First Amendment.

**(Remainder of page intentionally left blank)**

IN WITNESS WHEREOF, the parties hereto have caused this First 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**

ATTEST:

By   
Donna P. Korn, Chair

  
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**

LIVS Associates, LLC

By [Signature]  
Felix A. Rosabal, President

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

-or-

[Signature]  
Witness

[Signature]  
Witness

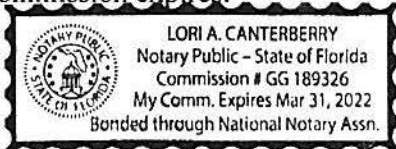
AR0014717  
Project Consultant's Registration Number

STATE OF FLORIDA     )  
  )  
COUNTY OF BROWARD    )  
                                  Dade

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 21 day of January, 2020 by Felix A. Rosabal of LIVS Associates, LLC on behalf of the corporation or agency.

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

My commission expires:



(SEAL)

[Signature]  
Signature, Notary Public  
Lori A. Canterberry  
Printed Name of Notary

# COLLABORATION

## SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-12./First Amendment to Professional Services Agreement

LIVS Associates, LLC  
Stranahan High School, Fort Lauderdale  
Project No. P.002163  
Cafeteria Addition/Renovations  
RFQ 18-172C

School Board Meeting: 02/04/2020

The financial impact of this item is \$121,501

- ( ) This project has not been appropriated in the Adopted District Educational Facilities Plan (September 4, 2019). 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 4, 2019). There is no impact to the project budget.
- This project has been appropriated in the Adopted District Educational Facilities Plan (September 4, 2019). 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 4, 2019). There is an additional impact to the project budget. These funds in the amount of \$\_\_\_\_\_ will come from the Capital Projects Reserve.
- ( ) Comments:

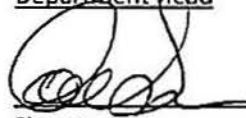
Department Name

Department Head

Department Head

Capital Budget

Omar Shim, Director

  
Signature

1/21/2020  
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.