



# AGENDA REQUEST FORM

## THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:  
**JJ-11.**

MEETING DATE	2020-05-19 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

**TITLE:**  
Second Amendment to Professional Services Agreement - Florida International Consulting Engineers Design, Inc. - Pasadena Lakes Elementary School - Pembroke Pines - Project No. P.001634 - SMART Program Renovations - RFQ 16-199C

**REQUESTED ACTION:**  
Approve the Second Amendment in the amount of \$25,248 to the Professional Services Agreement dated January 18, 2017 with Florida International Consulting Engineers Design, Inc., Pasadena Lakes Elementary School, Project No. P.001634, SMART Program Renovations, RFQ 16-199C.

**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 of this item is \$25,248. 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.

**EXHIBITS: (List)**  
(1) Executive Summary (2) Second Amendment (3) Collaboration Form

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

<b>SOURCE OF ADDITIONAL INFORMATION:</b>	
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

Signature  
*Frank L. Girardi*  
5/3/2020, 9:20:06 PM

Electronic Signature  
Form #4189 Revised 07/25/2019  
RWR/ FG/SNM/DJ:dch

Approved In Open Board Meeting On: **MAY 19 2020**  
By: *Dana King*  
School Board Chair

**EXECUTIVE SUMMARY**

**Second Amendment to Professional Services Agreement  
 Florida International Consulting Engineers Design, Inc.  
 Pasadena Lakes Elementary School, Pembroke Pines  
 Project No. P.001634  
 SMART Program Renovations  
 RFQ 16-199C**

**PROJECT OVERVIEW:**

<b>Type of Contract:</b>	<b>Professional Services Agreement</b>
<b>Project Architect:</b>	<b>Florida International Consulting Engineers Design, Inc.</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 January 18, 2017 (Agenda Item JJ-4).

The purpose of this Second Amendment in the amount of \$25,248 to the Professional Services Agreement with Florida International Consulting Engineers Design, Inc., is to increase Basic Fees to perform all related design services for the relocation of the fire sprinkler water main in order to comply with the Fire Prevention Bureau’s requirements for the SMART Program Renovations at Pasadena Lakes Elementary School.

<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-4	1/18/2017	Professional Services Agreement	\$291,000	\$291,000
First Amendment	JJ-3	3/20/2018	e-Builder Language	\$0	\$291,000
Second Amendment	JJ-11	Pending Board Approval	Increase in Basic Fees to perform all related design services for relocation of Fire Sprinkler Water main	\$25,248	\$316,248

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 Florida International Consulting Engineers Design, Inc. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 18<sup>th</sup> day of January, 2017, is entered into this 19<sup>th</sup> day of May, 2020 by and between the Owner and the Project Consultant.

For the project known as: **Pasadena Lakes Elementary School  
Project No. P.001634  
SMART Program Renovations**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 18<sup>th</sup> day of January, 2017, is in full force and effect as revised by the First Amendment dated March 20, 2018, and this Second Amendment; and

WHEREAS, pursuant to the terms of the Agreement, the Project Consultant is obligated to coordinate with and obtain the approval from the City of Pembroke Pines for connection of utilities; and

WHEREAS, the original scope of work identified to be performed as part of this project included connection of a new, single 6" fire line to a 6" City of Pembroke Pines water main to serve fire sprinklers; and

WHEREAS, after review of the proposed 6" fire line, the City of Pembroke Pines and the Fire Prevention Bureau determined that the single 6" fire line to feed fire sprinklers must be increased an 8" line to feed both fire sprinklers and fire hydrants, and which must be connected at both ends (looped) for redundancy; and

WHEREAS, the Project Consultant agrees to perform all related redesign services to accommodate this fire line issue for an increase to Basic Fees in the amount of \$25,248; and

WHEREAS, the Owner's Program Manager, CBRE | Heery and District staff have successfully negotiated and hereby recommend such additional fees as set forth herein below.

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 related design services for the running of the Fire Supply Water main for the Project identified herein as set forth below:

	Original Amount	First Amendment Amount	Description	Second Amendment Amount	Revised Amount
Basic Fees	\$246,000	\$0	Increase in Basic Fees to perform all related design services for relocation of Fire Sprinkler Water main	\$25,248	\$271,248
Reproduction Expenses Allowance	\$5,000	\$0	N/A	\$0	\$5,000
Non-Destructive/ Destructive Allowance	\$20,000	\$0	N/A	\$0	\$20,000
Site Survey Allowance	\$20,000	\$0	N/A	\$0	\$20,000
<b>Total</b>	<b>\$291,000</b>	<b>\$0</b>	---	<b>\$25,248</b>	<b>\$316,248</b>

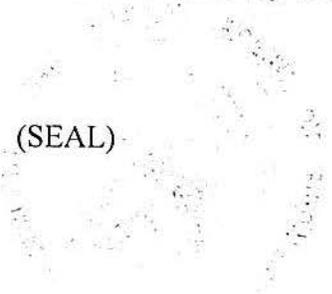
3. **Other Provisions Remain in Force.** All other terms and conditions of the Contract shall remain in full force and effect. Except as expressly provided herein and as may have been previously amended, all other portions of the Agreement remain in full force and effect.

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.



(SEAL)

**FOR OWNER**

THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

By   
Donna P. Korn, Chair

ATTEST

  
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**

**Florida International Consulting Engineers  
Design, Inc.**

By [Signature]  
James V. Burphy, President

[Signature]  
, Secretary

-or-

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

CA 30471  
Project Consultant's Registration Number

STATE OF FLORIDA            )  
  )  
COUNTY OF PALM BEACH    )

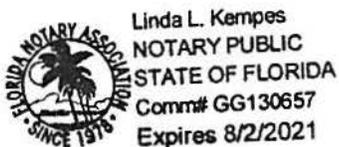
The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 22<sup>nd</sup> day of APRIL, 2020 by James V. Burphy of Florida International Consulting Engineers Design, Inc. on behalf of the corporation or agency.

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

My commission expires: 8/2/2021

[Signature]  
Signature, Notary Public

(SEAL)



Linda Kempes  
Printed Name of Notary

COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item JJ-11./Second Amendment to Professional Services Agreement  
Florida International Consulting Engineers Design, Inc.  
Pasadena Lakes Elementary School, Pembroke Pines  
Project No. P.001634  
SMART Program Renovations  
RFQ 16-199C

School Board Meeting 05/19/2020

The financial impact of this item is \$25,248

- ( ) 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.
- (X) 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.
- ( ) 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



5/5/2020

Signature

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.