



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2020-08-19 10:05 - Regular School Board Meeting
AGENDA ITEM	ITEMS
CATEGORY	JJ. OFFICE OF FACILITIES & CONSTRUCTION
DEPARTMENT	Facilities 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

ITEM No.:
JJ-7.

TITLE:
Construction Bid Recommendation of \$500,000 or Greater - ITB 19-164C - Olsen Middle School - Dania - Johnson-Laux Construction, LLC - SMART Program Renovations - Project No. P.001955

REQUESTED ACTION:
Approve the recommendation to award the Construction Agreement to Johnson-Laux Construction, LLC for the lump sum amount of \$8,397,969, approve Demo & Abatement (Add Alt. #1) of old Olsen Annex in the amount of \$710,346, and approve additional funding in the amount of \$3,981,315.

SUMMARY EXPLANATION AND BACKGROUND:
Scope of Work: See Executive Summary (Exhibit 1)
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: Safe & Supportive Environment
 Goal 3: Effective Communication

FINANCIAL IMPACT:
The financial impact of approving this item is \$8,397,969. 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 \$3,981,315 will come from the Capital Projects Reserve. This increases the project budget from \$7,073,000 to \$11,054,315.

EXHIBITS: (List)
(1) Executive Summary (2) Recommendation Tabulation (3) ADEFP (4) Agreement (5) Collaboration Form

BOARD ACTION:
APPROVED AS AMENDED
(See Amendment Attached)
(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Phil D. Kaufold, Director, Construction	Phone: 754-321-1532
Name: Daniel Jardine, Director, CBRE I Heery	Phone: 754-321-4850

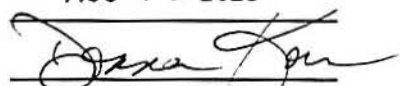
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Frank Girardi - Executive Director

Signature
Frank L. Girardi
8/10/2020, 3:33:58 PM

Approved In Open Board Meeting On:

AUG 19 2020

By: 
School Board Chair.

JJ-7 Amendment August 19, 2020 Regular Meeting

Motion to Amend (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to amend the item to reflect that the funds in the amount of \$3,981,315 would not include the Demolition and Abatement (Alternate 1) funds in the amount of \$710,346 for a new total of \$3,270,969. In addition, a Special School Board Meeting would be scheduled for Tuesday, August 25, 2020, prior to the Board Workshop to address the Alternate 1 proposal.

**FIRST AMENDMENT TO
CONSTRUCTION AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this 25th day of August, 2020, by and between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
(hereinafter referred to as “**Owner**”),
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

JOHNSON-LAUX CONSTRUCTION, LLC
(hereinafter referred to as “**Contractor**”),
having its principal place of business at
650 Garden Commerce Pkwy
Winter Garden, FL 34787

WHEREAS, on July 2, 2020, Owner received, opened and evaluated bids for the Base Bid and Add Alternate No. 1 (Demolition and Asbestos Abatement) (hereinafter, “**Alternate 1**”) for Bid No. 19-164C, SMART Program Renovations at Olsen Middle School, Project No. P.001955 (the “**Project**”); and

WHEREAS, after evaluation of all bids received, Contractor was determined to be the lowest, responsive and responsible bidder with a Base Bid in the amount of \$8,397,969 and a bid for Alternate 1 in the amount of \$710,346; and

WHEREAS, pursuant to Article 5.04 C, Division 0 and Document 0410 of the advertised bid, “*Alternates may be accepted at any time after the contract award by Change Order provided the Contractor remains the low bidder on the combination of the Base Bid and the alternates selected*”; and

WHEREAS, the Contractor remains the low bidder after combining the Base Bid and the Alternate 1; and

WHEREAS, on August 19, 2020, the School Board approved Board Item JJ-7 in its entirety and which included: (1) approval of the Construction Agreement for Base Bid of the Project in the amount of \$8,397,969 (the “**Agreement**”); (2) approval of additional funding in the amount of \$3,981,315; and (3) approval and acceptance of Alternate 1 in the amount of \$710,346; and

WHEREAS, pursuant to the Contractor’s submittal in its bid of Schedule of Alternates in Document 00410: Bid Form for Provision of Labor and Materials (attached hereto as **Exhibit “A”**), Contractor agrees to provide all work associated with Alternate 1, including the Demolition

of Buildings 20 through 29 (Original Abandoned School) as described in drawings BDI.0 through BDI.8, and Asbestos Abatement, as described in the "Pre-Demolition Inspection for Asbestos Containing Materials" (included in the project Manual), in exchange for payment in the amount of \$710,346; and

WHEREAS, Contractor acknowledges and agrees that the Agreement is in full force and effect as revised by this First Amendment.

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and other good and valuable consideration, the Contractor agrees as follows:

1. Recitals. The recitals contained herein are true and correct and are incorporated herein by reference.

2. Add Alternate No. 1. Contractor agrees to provide all work associated with Add Alternate No. 1, including the Demolition of Buildings 20 through 29 (Original Abandoned School) as described in drawings BDI.0 through BDI.8, and Asbestos Abatement, as described in the "Pre-Demolition Inspection for Asbestos Containing Materials" (included in the project Manual), in exchange for payment in the amount of \$710,346.

3. Amended Provisions. The Scope of Work (page 1 of 20), Article 2.02 The Drawings (page 2 of 20), and Article 3 Contract Sum (pages 9 and 10 of 20) of Agreement is hereby amended to incorporate references to the work and compensation associated with Add Alternate No. 1 as more particularly set forth and identified in the redlined Agreement attached hereto and incorporated herein as **Exhibit "B."**

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

5. 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: The person signing this First Amendment on behalf of Contractor warrants that he or she has full legal power to execute this First Amendment on behalf of the Contractor for whom he or she is signing it to bind and obligate such party with respect to all provisions contained in this First Amendment.

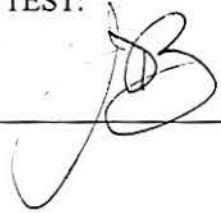
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IN WITNESS WHEREOF, the Contractor has made and executed this First Amendment to Agreement on the day and year first above written.

Contractor

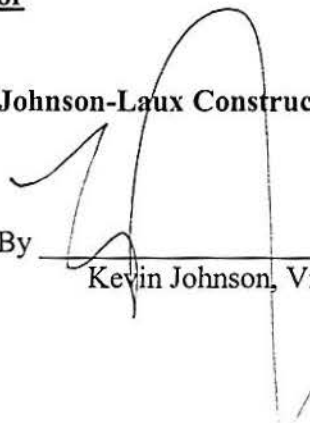
(Corporate Seal)

ATTEST:


_____, Secretary

-or-

Johnson-Laux Construction, LLC.

By 

Kevin Johnson, Vice President

Witness

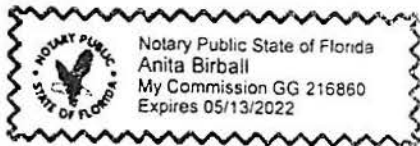
Witness

STATE OF FLORIDA

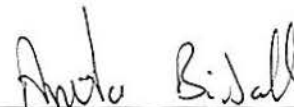
COUNTY OF BROWARD

The foregoing instrument was acknowledged by for me this 21 day of August, 2020, by Kevin Johnson of Johnson-Laux Construction, LLC. on behalf of the corporation or agency, who is personally known to me and did/did not first take an oath.

My commission expires:



(SEAL)



Signature – Notary Public

Anita Birball

Printed Name of Notary