

Approved in Open Board Meeting June 9, 2020

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA  
OFFICE OF THE SUPERINTENDENT

April 14, 2020  
Tuesday, 10:00 a.m.

MINUTES OF SPECIAL MEETING

The School Board of Broward County, Florida, met in special session at 10:11 a.m. via electronic communication due to the Coronavirus. Present were: School Board Members Donna P. Korn, Chair; Dr. Rosalind Osgood, Vice Chair; Lori Alhadeff; Robin Bartleman; Heather Brinkworth; Patricia Good; Laurie Rich Levinson; Ann Murray; Nora Rupert; Robert W. Runcie, Superintendent of Schools; and Barbara J. Myrick, Esq.

**Call to Order** The Call to Order was followed by the Pledge of Allegiance to the Flag of the United States of America.

**Moments of Silence** were held for Kristin Jacobs, Member of Florida's House of Representatives; Shannon Bennett, Broward Sheriff's Deputy and Deerfield Beach Elementary School Resource Officer; and Eddie Frasier, the head varsity football coach from Dillard High.

**Added/Changed Items** The Superintendent requested that the Board permit the following changes to the agenda:

- **Item 8** - Revised

The Chair approved the changes and announced the changes to the Agenda proposed by the Superintendent were accepted by the Chair after being determined that good cause had been established for said changes.

**Close Agenda** Upon motion and acclamation by the Board, the Agenda was approved and declared closed. (9-0 vote)

**Purpose of Meeting** For The School Board of Broward County, Florida to transact official business of the District, and any other items the Board deemed necessary.

### **Superintendent's Report**

The Superintendent highlighted some updates on the following: He thanked the Food & Nutrition Services staff for providing over 220,000 meals during the past two (2) weeks and expected the number to rise each week while in the pandemic; he spoke about how the District was prepared for responding to the Coronavirus; he indicated 99% of instructional staff were providing lesson plans and that 96% of students were participating online; there was a need to focus on, and reach out to, those students that were not participating to ensure no child was left behind; a Q&A survey would be provided for ESE students; ensuring students had access to books; laptops continued to be issued in addition to approximately 90,000 laptops that have been provided; access to Internet available through specials programs from Comcast and AT&T; should have information on graduation by next week; businesses that shut down due to the Coronavirus have impacted state revenue and significant funding reductions from the state were expected; all open positions were put on hold and a "freeze" was been issued on all discretionary budget spending; and he closed thanking the community, and teachers in particular, for their flexibility and for their continued love and support for the students.

### **Superintendent's Recommendation(s)**

- 1. Recommendation to Reject all Bids for Construction - ITB 18-186C - North Fork Elementary School - Fort Lauderdale - SMART Program Renovations - Project No. P.001849 (Approved)**

Motion was made by Mrs. Rupert, seconded by Ms. Murray and carried, to approve the Rejection of all Bids for Construction per the Recommendation Tabulation, ITB 18-186C, North Fork Elementary School, SMART Program Renovations, Project No. P.001849. (9-0 vote)

Agenda Items 1 and 2 were moved and discussed concurrently.

Mrs. Rupert inquired if the pending review was completed on Item 1.

Frank Girardi, Executive Director, Capital Programs, answered in the affirmative.

A vote was taken on these items.

- 2. Authorization to Advertise for Bids - Plantation Park Elementary School - Plantation - Rodriguez Architects, Inc. - SMART Program Renovations -Project No. P.002136 (Approved)**

Motion was made by Mrs. Rupert, seconded by Ms. Murray and carried, to approve the Authorization to Advertise for Bids, Plantation Park Elementary School, Rodriguez Architects, Inc., SMART Program Renovations, Project No. P.002136. (9-0 vote)

Agenda Items 1 and 2 were moved and discussed concurrently.

A vote was taken on these items.

3. **Authorization to Advertise for Bids - Parkside Elementary School - Coral Springs - RGD Consulting Engineers Orlando, LLC - SMART Program Renovations - Project No. P.002083 (Approved)**

Motion was made by Ms. Murray, seconded by Mrs. Rupert and carried, to approve Authorization to Advertise for Bids, Parkside Elementary School, RGD Consulting Engineers Orlando, LLC, SMART Program Renovations, Project No. P.002083. (9-0 vote)

Agenda Items 3 through 5 were moved and discussed concurrently.

Mrs. Bartleman asked if the funding was available for all the projects because the funding sources were different for all of them.

Ashley Carpenter, Cost and Programs Director, Atkins North America, Inc., replied this was to authorize to advertise. Once they advertise and receive bids, they would know what was the amount of the bid and it would be brought back to the Board. She said whatever money was approved through the SMART program was still there for these projects, but they may need to ask for additional funding once the bids come in.

A vote was taken on these items.

4. **Authorization to Advertise for Bids - Sawgrass Elementary School - Sunrise - RGD Consulting Engineers Orlando, LLC - SMART Program Renovations - Project No. P.002127 (Approved)**

Motion was made by Ms. Murray, seconded by Mrs. Rupert and carried, to approve Authorization to Advertise for Bids, Sawgrass Elementary School, RGD Consulting Engineers Orlando, LLC, SMART Program Renovations, Project No. P.002127. (9-0 vote)

Agenda Items 3 through 5 were moved and discussed concurrently.

A vote was taken on these items.

5. **Authorization to Advertise for Bids - Larkdale Elementary School - Lauderdale - CES Engineering Services, LLC - SMART Program Renovations - Project No. P.002073 (Approved)**

Motion was made by Ms. Murray, seconded by Mrs. Rupert and carried, to approve Authorization to Advertise for Bids, Coral Park Elementary School, Song & Associated, Inc., SMART Program Renovations, Project No. P.002045. (9-0 vote)

Agenda Items 3 through 5 were moved and discussed concurrently.

A vote was taken on these items.

**6. Authorization to Advertise for Bids - Coral Park Elementary School - Coral Springs - Song & Associates, Inc. - SMART Program Renovations - Project No. P.002045 (Approved)**

Motion was made by Ms. Murray, seconded by Mrs. Rupert and carried, to approve Authorization to Advertise for Bids, Coral Park Elementary School, Song & Associates, Inc., SMART Program Renovations, Project No. P.002045. (9-0 vote)

Mrs. Alhadeff had concerns with the review and approval process by the current Chief Fire Official for items that were previously reviewed and approved by the former Chief Fire Official.

Ms. Korn stated she would appreciate that reviews be made by the current Chief Fire Official and asked for a follow-up on this request if there were to be any issues in doing so.

Frank Girardi, Executive Director, Capital Programs, responded that these were just for advertisement but would have them reviewed by Chief Standford and any others moving forward.

Mrs. Good concurred with her colleagues.

A vote was taken on this item.

**7. First Amendment to the Construction Agreement - Anatom Construction Company - Stirling Elementary School - Hollywood - Project No. P.00 1905 - SMART Program Renovations - ITB 20-128C (Approved)**

Motion was made by Ms. Murray, seconded by Mrs. Rupert and carried, to approve the First Amendment to the Construction Agreement dated December 10, 2019 with Anatom Construction Company, Stirling Elementary School, Project No. P.001905, SMART Program Renovations, ITB 20-128C. (9-0 vote)

Mrs. Rich Levinson asked for an explanation for drawings being replaced while under construction and how it would affect the cost and scheduling.

Danny Jardine, Program Director, CBRE/HEERY, International, replied there was no impact to the cost or schedule. There was a clerical error, but the bid drawings would remain the same and that this was updating the list to reflect the actual drawings in the bidding process.

A vote was taken on this item.

8. **Approval of the PM RFQ Form and Authorization to Advertise to Award One or More Program Managers - RFQ FY20-192 (Approved as Amended)**

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the Program Manager RFQ Form and the Authorization to Advertise to Award One or More Program Managers, RFQ FY 20-192. **This motion was superseded by Motions to Amend (pages 5 and 6).** (9-0 vote)

The Board had a lengthy, in-depth discussion that included, but was not limited to, receiving this item with the updates late and not having enough time to review; no input by minority leaders; requested follow-up on what work was done; little revisions were made that addressed the Project Managers' capacity or approach to include Small/Minority/Women Business Enterprises (S/M/WBEs); the firm needed to have a plan for S/M/WBE that was included in the contract; discrepancy in scoring and not giving higher points for the one with greater participation; preference to design firms; whether it was reviewed by in-house counsel and/or outside counsel; ensuring all recommendations were attached; the risks of the program, how to mitigate, and ensuring the challenges were included; typographical error on page 20, Section 5.a.1. that should say Project Manager and not responsibilities; firms having to have experience, success, and qualifications; using format from the Bond Oversight Committee (BOC) update for RSM audit to see the findings and response; bringing program scope changes to the Board; the reason for the change in the indemnification clause; legal counsel to review Section 2.04 Billing Instruction and Payment to ensure it states what staff wants and that the language matches what the deliverable should be; ensuring compliance and the evaluation are in Section 6.7.9 and with the repercussions outlined; the lag between real time and when information is provided to the Board; concerns with a quarterly review to address non-compliance and evaluations; including a provision with some type of communication in regards to a lack of compliance; including if the firm was terminated on a previous project; working with another PMOR; does not refer to full utilization; accountability for the 90-day timeline; offering an apprenticeship program; the Qualification Selection Evaluation Committee (QSEC) process; and for the contract to be reviewed by a third party.

Motion to Amend (Carried)

Motion was made by Ms. Korn, seconded by Mrs. Good and carried, to amend Request for Qualifications, Program Manager - Owner's Representative Services, Section 4.0 - Required Qualifications Format and Response Information, Section 4.2.4, Section C2 - Firm Experience and Qualifications to include the following added language: Submitting Firm shall submit a list of programs from which it has been terminated in the last 10 years. State the type of terminations and the reasons for said terminations. (9-0 vote)

A vote was taken on the Motion to Amend.

Second Motion to Amend (Carried)

Motion was made by Ms. Korn, seconded by Mrs. Good and carried, to amend Request for Qualifications, Program Manager - Owner's Representative Services, 6.0 Scope of Services, Section 6.3.6 - District Design and Material Standards and Design Criteria, to include "a 90-day timeframe, in which the PMOR will have done an initial review with recommendations for the District Design and Material Standards and Design Criteria." (9-0 vote)

A vote was taken on the Second Motion to Amend.

A vote was taken on this item as amended.

**9. Construction Bid Recommendation of \$500,000 or Greater - ITB 19-135C - Deerfield Beach Elementary School - Deerfield Beach - DiPompeo Construction Corporation - SMART Program Renovations - Project No. P.001820 (Approved)**

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the recommendation to award the Construction Agreement to DiPompeo Construction Corporation for the lump sum amount of \$3,777,000. (9-0 vote)

Agenda Items 9 and 10 were moved and discussed concurrently.

Mrs. Brinkworth referred to the Unallocated Reserves for Capital projects and requested the Board be informed as to what the District's response had been so far for COVID-19 and how it was impacting the Capital Reserves.

Mr. Runcie responded in his conversations with the Chief Financial Officer (CFO), that the current situation was not impacting the current millage or the Bond program itself. He indicated there may be impacts next year but would not know the extent of that impact until late in the fall. He said he would provide a follow-up to the Board.

Mrs. Brinkworth asked for an update on any impacts seen or projected impacts for this year's budget in response to the pandemic. She asked if there had been any conversations thus far in regards to any impact to the Capital Reserves in response to Covid-19.

Mr. Runcie replied not at this time.

Mrs. Brinkworth stated there needed to be a larger conversation on the impacts to date and it should take place before the next Board meeting.

Mr. Runcie indicated the impact would be to the General Fund and would work with the CFO to determine what that impact would be for the coming fiscal year. He believed approximately \$77 million from the CARES Act would offset some of the impact. He said he would provide an update on any financial impacts to both the General Fund and on the Capital side.

Mrs. Rupert referred to Item 10 and commented that it had a high change (155%) over the previous amount. She said when she clicked on the SMART program, there was no flag for budget and wanted to know why it was not flagged in the document.

Danny Jardine, Program Director, CBRE/HEERY, International, replied once they open the bids, it is flagged.

Mr. Girardi added that it would show in the next report as being flagged.

Mrs. Rupert suggested including an asterisk to indicate that information for the public.

Mrs. Alhadeff stated her comment was on Item 10 and referred to Exhibit 3, Note 1, where the fire sprinkler budget remained in the project but the money was shifted to Nova High School, and asked staff to explain how that worked and why it was not put back into the SMART Reserves.

Mr. Jardine replied when MAPS was originally set up, there was some overlap/duplication and the majority of the fire sprinklers for that entire campus was part of the high school project, so they moved the money from the middle school to the high school for the fire sprinkler scope. He indicated that the campuses were joined together.

A vote was taken on these items.

- 10. Construction Bid Recommendation of \$500,000 or Greater - ITB 19-149C - Nova Middle School - Davie - Burke Construction Group, Inc. - SMART Program Renovations - Project No. P.001898 (Approved)**

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the recommendation to award the Construction Agreement to Burke Construction Group, Inc. for the lump sum amount of \$5,375,215 and approve additional funding in the amount of \$4,037,300. (9-0 vote)

Agenda Items 9 and 10 were moved and discussed concurrently.

A vote was taken on these items.

- 11. Construction Bid Recommendation \$500,000 or Greater - ITB FY20-209 - Gator Run Elementary School - Weston - Burke Construction Group, Inc. - Covered Walkways at Portables - Project No. P.001210 (Approved)**

Motion was made by Mrs. Rupert, seconded by Mrs. Brinkworth and carried, to approve the recommendation to award the Construction Agreement to Burke Construction Group, Inc. for the lump sum amount of \$1,210,530. (9-0 vote)

Mrs. Alhadeff asked if there was ever a District-wide transition plan for the portables.

Mr. Runcie replied there was a plan that was reviewed by the Board.

Leslie Brown, Chief Portfolio Services Officer, added that the plan was included in the District Educational Facilities Plan (DEFP) every year and that the Board decides how much money would be applied.

A vote was taken on this item.

- 12. Construction Bid Recommendation of \$500,000 or Greater - ITB 19-159C - Royal Palm STEM Museum Magnet (f.k.a. Royal Palm Elementary School) - Lauderhill - LEGO Construction Co. - SMART Program Renovations - Project No. P.001896 (Approved)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the recommendation to Award the Construction Agreement to LEGO Construction Co. for the lump sum amount of \$6,377,140 and approve additional funding in the amount of \$4,275,900. (9-0 vote)

Agenda Items 12 through 14 were moved and discussed concurrently.

Mrs. Rupert referred to Item 14 and questioned the statement that this item was pending review and approval by the General Counsel and asked if it was approved.

Mr. Jardine said that the language should not have been there since this was a rejection of all bids.

Mr. Girardi added that it was reviewed and should have been changed, but they would verify to be sure.

Mrs. Rupert referred to the Comment section for the SMART page where it stated the owner would be enforcing terms of the contract for delays and multiple submittals and said she hoped that was already being done. She asked if there was a particular time or function that it could not be moved further along.

Mr. Jardine replied he was not sure what the primary issue was for Wingate Oaks; however, in regard to delays across the spectrum, it could take the architects up to three (3) months to revise the comments and re-submit to the Building Department, but if they are not submitted timely, the District would settle up and take a credit back based on the impacts of the delay(s).

Ms. Carpenter indicated the District had received \$188,000 back in credits for design, including one (1) received today. She said they continue to review each project to ensure they have done a proper analysis and work with the architects to get the credits back.

A vote was taken on these items.

Ms. Korn asked that staff re-post the Executive Summary for Item 14 removing the statement that it was pending review and approval from the General Counsel.

Mr. Girardi said he would re-post Item 14 and the previous item that had the same comment in the Executive Summary.

- 13. Construction Bid Recommendation of \$500,000 or Greater - ITB 18-168C - Central Park Elementary School - Plantation - Lunacon Engineering Group, Corp. - SMART Program Renovations - Project No. P.001757 (Approved)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the recommendation to Award the Construction Agreement to Lunacon Engineering Group, Corp. for the lump sum amount of \$6,079,000 and approve additional funding in the amount of \$3,045,525. (9-0 vote)

Agenda Items 12 through 14 were moved and discussed concurrently.

A vote was taken on these items.

- 14. Recommendation to Reject All Bids for Construction - ITB 18-188C - Wingate Oaks Center - Fort Lauderdale - SMART Program Renovations - Project No. P.001741 (Approved)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the rejection of all bids for Construction per the Bid Recommendation Tabulation, ITB 18-188C, Wingate Oaks Center, SMART Program Renovations, Project No. P.001741. (9-0 vote)

Agenda Items 12 through 14 were moved and discussed concurrently.

A vote was taken on these items.

- 15. Construction Bid Recommendation of \$500,000 or Greater - ITB 19-148C-READV - Fox Trail Elementary School - Davie - LEGO Construction Co. - SMART Program Renovations - Project No. P.001973 (Approved)**

Motion was made by Ms. Murray, seconded by Dr. Osgood and carried, to approve the recommendation to award the Construction Agreement to LEGO Construction Co. for the lump sum amount of \$1,019,140 and approve additional funding in the amount of \$627,150. (9-0 vote)

Agenda Items 15 through 18 were moved and discussed concurrently.

Mrs. Rupert referred to the SMART page, under the Comments section, and questioned if it was finished and if the "Letter of Concern" moved the completion along.

Mr. Jardine replied yes, he believed it did. He said they should start construction within 45-60 days. He indicated it would show up in the March update but would verify that it has been handled.

A vote was taken on these items.

- 16. Second Amendment to Professional Services Agreement - Jorge A. Gutierrez Architects, LLC - Indian Ridge Middle School - Davie - Project No. P.001748 - SMART Program Renovations - RFQ 16-133C (Approved)**

Motion was made by Ms. Murray, seconded by Dr. Osgood and carried, to approve the Second Amendment in the amount of \$114,589 to the Professional Services Agreement dated July 26, 2016 with Jorge A. Gutierrez Architect, LLC, Indian Ridge Middle School, SMART Program Renovations, RFQ 16-133C. (9-0 vote)

Agenda Items 15 through 18 were moved and discussed concurrently.

A vote was taken on these items.

- 17. Second Amendment to the Professional Services Agreement - Jorge A. Gutierrez Architects, LLC - Manatee Bay Elementary School - Weston - Project No. P.001759 - SMART Program Renovations - RFQ 16-132C (Approved)**

Motion was made by Ms. Murray, seconded by Dr. Osgood and carried, to approve the Second Amendment in the amount of \$62,322 to the Professional Services Agreement dated June 26, 2016 with Jorge A. Gutierrez Architects, LLC, Manatee Bay Elementary School, Project No. P.001759, SMART Program Renovations, RFQ 16-132C. (9-0 vote)

Agenda Items 15 through 18 were moved and discussed concurrently.

A vote was taken on these items.

- 18. Third Amendment to Professional Services Agreement - M.C. Harry and Associates, Inc. - Maplewood Elementary School - Coral Springs - Project No. P.001639 - SMART Program Renovations - RFQ 16-087F (Approved)**

Motion was made by Ms. Murray, seconded by Dr. Osgood and carried, to approve the Third Amendment in the amount of \$134,455 to the Professional Services Agreement dated December 5, 2017 with M.C. Harry and Associates, Inc., Maplewood Elementary School, Project No. P.001639, SMART Program Renovations, RFQ 16-087F. (9-0 vote)

Agenda Items 15 through 18 were moved and discussed concurrently.

A vote was taken on these items.

19. **Change Order #1 - Silver Trail Middle School - Pembroke Pines - CB Constructors, Inc. - SMART Program Renovations - Project No. P.001406**  
(Approved)

Motion was made by Mrs. Good, seconded by Dr. Osgood and carried, to approve Change Order #1, Silver Trail Middle School, CB Constructors, Inc., SMART Program Renovations, Project No. P.001406, for a credit in the amount of \$18,042 and no change in contract time. (9-0 vote)

Mrs. Alhadeff commented the master keys were lost and all the locks had to be re-keyed. She wanted to know what measures would be taken to ensure that did not happen again.

Mr. Girardi replied that this was only the second time it had happened in his 20 years with the department and it was not common incident. He indicated there were measures in place and if someone loses the keys, they would be responsible for any incurred costs.

A vote was taken on this item.

20. **Change Order #2 - Eagle Ridge Elementary School - Coral Springs - LEGO Construction Co. - SMART Program Renovations - Project No. P.001722**  
(Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve Change Order #2, Eagle Ridge Elementary School, LEGO Construction Co., SMART Program Renovations, Project No. P.001722, in the amount of \$7,646 and no change in contract time. Mrs. Alhadeff voted no. (8-1 vote)

Mrs. Alhadeff had concerns about paying to remove the positive alarm sequence and notification to each building.

Mr. Runcie replied that this was discussed extensively in a Closed Door Session on safety and he believed it should not be commented on publicly.

Ms. Myrick agreed there should not be an in-depth discussion on this item for safety and security purposes and asked staff to provide a brief comment why the positive alarm sequence was not necessary.

Vicky Stanford, Chief Fire Official, responded the change was not a removal for the positive alarm sequence, but to disengaged it. She said the programming was available if it was decided to have it done later. She indicated the change order was to remove the programming but kept a general alarm for the school, so the ability is there, but it was just not engaged.

Ms. Korn suggested that staff meet with Mrs. Alhadeff to discuss further.

Mrs. Rupert commented she wanted to ensure Item 9 received a second review.

Mr. Girardi replied they would review all items today pertaining to fire sprinklers.

A vote was taken on this item.

**21. 2020-2021 School Attendance Areas/Boundaries and School Usage Recommendations - All Elementary Schools (Adopted)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to adopt the Superintendent of School's recommendation for all elementary school usage and school attendance areas/boundaries for the 2020-2021 School Year at this second School Board Meeting. (9-0 vote)

Agenda Items 21 through 24 were moved and discussed concurrently.

Mrs. Rich Levinson noted that none of these had any changes from this present year.

A vote was taken on these items.

**22. 2020-2021 School Attendance Areas/Boundaries and School Usage Recommendations - All Middle Schools (Adopted)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to adopt the Superintendent of School's recommendation for all middle school usage and school attendance areas/boundaries for the 2020-2021 School Year at this second School Board Meeting. (9-0 vote)

Agenda Items 21 through 24 were moved and discussed concurrently.

A vote was taken on these items.

**23. 2020-2021 School Attendance Areas/Boundaries and School Usage Recommendations - All High Schools (Adopted)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to adopt the Superintendent of School's recommendation for all high school usage and school attendance areas/boundaries for the 2020-2021 School Year at this second School Board Meeting. (9-0 vote)

Agenda Items 21 through 24 were moved and discussed concurrently.

A vote was taken on these items.

**24. 2020-2021 School Attendance Areas/Boundaries and School Usage Recommendations - All Combination Schools (Adopted)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to adopt the Superintendent of School's recommendation for all combination school usage and school attendance areas/boundaries for the 2020-2021 School Year at this second School Board Meeting . (9-0 vote)

Agenda Items 21 through 24 were moved and discussed concurrently.

A vote was taken on these items.

**Adjournment** This meeting was adjourned at 1:55 p.m.

/dvn