



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
E-4.

MEETING DATE	2020-01-14 10:05 - School Board Operational Meeting
AGENDA ITEM	ITEMS
CATEGORY	E. OFFICE OF STRATEGY & OPERATIONS
DEPARTMENT	Procurement & Warehousing Services

Special Order Request <input type="radio"/> Yes <input checked="" type="radio"/> No
Time
Open Agenda <input type="radio"/> Yes <input checked="" type="radio"/> No

TITLE:
Recommendation to Approve First Amendment to Agreement - 16-158C - Miscellaneous Environmental Consulting Services

REQUESTED ACTION:
Approve the recommendation of the above First Amendment to the Agreement. Contract Term: December 1, 2016 through November 30, 2020; User Department: Environmental Health & Safety (EH&S); Award Amount: \$2,805,000; Awarded Vendor(s): Air Quest Environmental, Inc.; Partner Assessment Corporation; EE&G Environmental Services, LLC; GLE & Associates, Inc.; Professional Services Industry, Inc.; Small/Minority/Women Business Enterprise Vendor(s): Air Quest Environmental Inc.

SUMMARY EXPLANATION AND BACKGROUND:
This request is to approve the contract assignment to Gallagher Bassett Environmental Services, Inc. for RFP 16-158C - Miscellaneous Environmental Consulting Services.
The Amendment to the agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.
A copy of the RFP documents are available online at: http://www.broward.k12.fl.us/supply/agenda/RFP_16-158C_MiscellaneousEnvironmentalConsultingServices.pdf

SCHOOL BOARD GOALS:
 Goal 1: High Quality Instruction Goal 2: Safe & Supportive Environment Goal 3: Effective Communication

FINANCIAL IMPACT:
There is no financial impact to the District.

EXHIBITS: (List)
(1) Executive Summary (2) Financial Analysis Worksheet (3) First Amendment to Agreement (4) Memo to Revise

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

SOURCE OF ADDITIONAL INFORMATION:	
Name: Roger P. Riddlemoser	Phone: 754-321-4203
Name: Mary C. Coker	Phone: 754-321-0501

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title
Maurice L. Woods - Chief Strategy & Operations Officer

Signature
Maurice Woods
1/13/2020, 3:46:32 PM

Approved In Open Board Meeting On: **JAN 14 2020**
By: *Jane Ken*
School Board Chair

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ROBERT W. RUNCIE
SUPERINTENDENT OF SCHOOLS

January 13, 2020

TO: School Board Members

FROM: Maurice L. Woods *MW*
Chief Strategy & Operations Officer

VIA: Robert W. Runcie *RWR*
Superintendent of Schools

SUBJECT: **REVISION TO E-4, RECOMMENDATION TO APPROVE FIRST AMENDMENT TO AGREEMENT – 16-158C – MISCELLANEOUS ENVIRONMENTAL CONSULTING SERVICES, FOR THE JANUARY 14, 2020, SCHOOL BOARD OPERATIONAL MEETING**

Attached is a revision to E-4, Recommendation to Approve First Amendment to Agreement – 16-158C – Miscellaneous Environmental Consulting Services, for the January 14, 2020, School Board Operational Meeting.

Exhibits:

- Replaced Vendor signature page 4 of 4

RWR/MLW/MCC:bm

cc: Senior Leadership Team

EXECUTIVE SUMMARY

Recommendation to Approve First Amendment to Agreement 16-158C – Miscellaneous Environmental Consulting Services

Introduction

Responsible: Procurement & Warehousing Services (PWS)

This request is to approve the First Amendment to Agreement between EE&G Environmental Services, LLC, and The School Board of Broward County, Florida. This Request for Proposal (RFP) was approved by the School Board on November 1, 2016, for three (3) years with two (2) one (1) year renewal options. The original contract term the RFP is December 1, 2016 through November 30, 2019. The first renewal through November 30, 2020, was approved by the School Board on July 23, 2019. This request is for approval of contract assignment from EE&G Environmental Services LLC to Gallagher Bassett Services, Inc.

Goods/Services Description

Responsible: Environmental Health & Safety (EH&S)

This Bid is used to provide testing, sampling, hazard assessments, inspections, surveillance, monitoring, and other consulting services for asbestos, lead-based paint, mold, indoor air quality, radon, drinking water, and additional Industrial Hygiene services throughout the District. This includes typical District Environmental Health & Safety (EH&S) operational needs and the District's SMART program.

These environmental services allow the District to comply with the Environmental Protection Agency (EPA), Asbestos Hazard Emergency Response Act (AHERA), State of Florida Department of Environmental Protection (FDEP), Florida Department of Health (FDOH) and Broward County regulations for the identification and management of hazardous materials. AHERA regulations require visual inspection of known asbestos-containing materials on a routine basis. EPA, FDEP, and County regulations require testing of building materials for the presence of asbestos prior to renovation or demolition activities that may disturb the materials. If asbestos-containing materials are identified, actions are taken to remove prior to the renovation or demolition project. FDOH and EPA requirements and guidelines on radon and drinking water. The District's SMART program has a significant number of school projects related to the demolition, renovation, and repairs of schools across the county. Inspection and surveillance of asbestos abatement and mold remediation projects will be required in many of these schools before construction can proceed. Radon and drinking water sampling will be required prior to occupancy.

Procurement Method

Responsible: PWS

The solicitation for this RFP ran from June 10, 2016 through July 13, 2016, where one thousand one hundred and forty-one (1141) vendors were notified, and forty-two (42) vendors downloaded the RFP documentation. Procurement & Warehousing Services received eight (8) responses. The bid was awarded to the five (5) vendors who have complied with the terms, conditions, and specifications of the RFP. Including more than one (1) awardee allows for continuity of services if any vendor cannot comply with delivery requirements, specifications, or in emergency cases. On June 12, 2018, an additional spending authority of \$580,000 was approved by the School Board. On July 23, 2019, the first renewal through November 30, 2020, and an additional spending authority of \$1,225,000 was approved by the School Board.

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Among the awarded vendors, Air Quest Environmental, Inc. is a certified Small/Minority/Women Business Enterprise with the District.

**Financial Impact
Responsible: PWS and EH&S**

There is no financial impact to the District. Attached find the financial analysis worksheet as reference.

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this 14th day of January, 20~~16~~¹⁹, by and between

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

GALLAGHER BASSETT SERVICES, INC.
(hereinafter referred to as “**Gallagher**”),
a foreign corporation for profit authorized to do business in the State of Florida,
having its principal place of business at
2850 Golf Road
Rolling Meadows, IL 60008

WHEREAS, EE&G Environmental Services, LLC submitted a proposal in response to RFP 16-158C issued by SBBC and the parties entered into an Agreement dated November 1, 2016 (hereafter “**Agreement**”); and

WHEREAS, the Agreement’s term, as renewed, is from December 1, 2016 through November 30, 2020; and

WHEREAS, the interests of EE&G Environmental Services, LLC in the Agreement have been acquired by Gallagher which desires to obtain SBBC’s consent to the assignment of said interests to Gallagher; and

WHEREAS, the parties mutually desire to amend certain provisions of the Agreement including the substitution of Gallagher for EE&G Environmental Services, LLC for the remainder of the Agreement’s term through this First Amendment to Agreement (hereafter “**Amendment**”).

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1.01 **Recitals.** The Parties agree that the foregoing recitals are true and correct and that such recitals are incorporated herein by reference.

1.02 **Agreement Assignment.** Pursuant to Section 3.16 of the Agreement, SBBC consents to the assignment to Gallagher of all rights, duties and obligations of EE&G Environmental Services, LLC under the Agreement. All such rights, duties and obligations of EE&G Environmental Services, LLC are hereby assigned to Gallagher Bassett Services Inc.

1.03 **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:

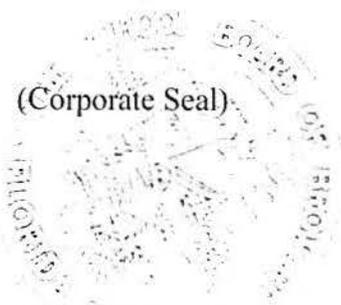
- a) this First Amendment to Agreement; then
- b) the Agreement; then
- c) Addendum 2; then
- d) Addendum 1; then
- e) RFP 16-158C – Miscellaneous Environmental Consulting Services; then
- f) The proposal submitted by EE&G Environmental Services, LLC in response to RFP 16-158C.

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

1.05 **Authority.** Each person signing this First Amendment to Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment to Agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment to Agreement on the date first above written.

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGES FOLLOW]



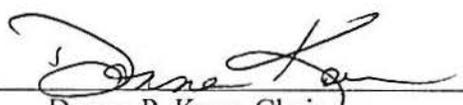
(Corporate Seal)

ATTEST:


Robert W. Runcie, Superintendent of Schools

FOR SBBC:

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
Donna P. Korn, Chair

Approved as to Form and Legal Content:


Office of the General Counsel

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS]

FOR GALLAGHER

(Corporate Seal)

GALLAGHER BASSETT SERVICES INC.

ATTEST:

By *Carolyn Bailey*
Signature

, Secretary

Printed Name: Carolyn Bailey

-or-

Title: FL Regional Manager

ZA
Witness

Witness

[Signature]
Witness

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 13th day of
January, 2019 by Carolyn Bailey of

20 Name of Person
Gallagher Bassett Services Inc. on behalf of the corporation/agency. He/She is personally

known to me or produced _____ as identification and did/did
not first take an oath. Type of Identification

My Commission Expires: 7/24/2023

[Signature]
Signature – Notary Public

(SEAL)



Barbara Maldonado
Printed Name of Notary

GG 335979
Notary's Commission No.