



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
E-5.

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 - 18-215C - Building Code Supplemental Services

REQUESTED ACTION:
Approve the recommendation to award the First Amendment to Agreement. Contract term: January 1, 2019 through December 31, 2021, 36 Months; User Department: Building Department; Award Amount: \$6,000,000; Awarded Vendor(s): MEP Structural, Engineering; Inspections, Inc.; C.A.P. Government, Inc.; Small/Minority/Women Enterprise Vendor(s): None.

SUMMARY EXPLANATION AND BACKGROUND:
This request is to approve the First Amendment between Calvin, Giordano & Associates, Inc. and The School Board of Broward County, Florida, that expires on December 31, 2021. The agreement is being amended because MEP Structural, Engineering and Inspections, Inc. sold its assets inclusive of the Agreement for RFP 18-215C - Building Code Supplemental Services to Calvin, Giordano & Associates, Inc.
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:
There is no financial impact to the District.

EXHIBITS: (List)
(1) Executive Summary (2) First Amendment Agreement

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

SOURCE OF ADDITIONAL INFORMATION:

Name: Robert F. Hamberger	Phone: 754-321-4810
Name: Mary C. Coker	Phone: 754-321-0518

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

Maurice L. Woods - Chief Strategy & Operations Officer

Signature

Maurice Woods
 12/17/2019, 8:30:08 AM

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

EXECUTIVE SUMMARY

Recommendation to Approve First Amendment to Agreement 18-215C – Building Code Supplemental Services

Introduction

Responsible: Procurement & Warehousing Services (PWS)

This request is to approve the First Amendment to the Agreement between Calvin, Giordano & Associates, Inc., and The School Board of Broward County, Florida (SBBC), that expires on December 31, 2021. SBBC approved the agreement at the School Board Operational Meeting on November 7, 2018, under Item EE-16, based on the release of Request for Proposal (RFP) 18-215C.

This Agreement is being amended because the vendor, MEP Structural Engineering and Inspections, Inc. sold its assets, including the agreement for RFP 18-215C to Calvin, Giordano & Associates, Inc.

Goods/Services Description

Responsible: Building Department

Supplemental Building Code Service Providers are necessary to be able to supplement the required staff for plan review, inspections, and code administration. Currently, the Broward County Public Schools (BCPS) Building Department has twelve (12) inspectors, who are also licensed as Plans Examiners. At the peak of the SMART initiative, there could be a demand for as many as thirty-five (35) to forty (40) total personnel.

The decision to rely on third (3rd) party firms to provide the increase needed for staff was well-conceived in that due to economic factors, the labor market is thin, and an attempt to hire twenty-five (25) to thirty (30) qualified staff might have been next to impossible. Further, had the District elected to hire twenty-five (25) to thirty (30) more employees, this would have meant laying off that same amount of staff when the General Obligation Bond (GOB) concluded. This strategy also means that the District will have a quantity of staff that is commensurate with the workload demand. The contract awardee and C.A.P. Government, Inc. have extremely qualified well-conceived, who has worked in the South Florida construction industry as inspectors, plans examiners, architects, engineers, and building officials for decades who are familiar with the State Requirements for Educational Facilities (SREF) and are current with their continuing education.

The bid values are very competitive with the rates the District has paid from the agreement tendered three (3) years ago and below that of the Dade County School District. Thus, there is true added value for the reasons stated above. The importance of having a supplemental provider contract such as this is to be able to keep pace with the ramping up of the projects that CBRE Heery is submitting to the BCPS Building Department. Conversely, not having the supplemental staff would mean that the BCPS staff would not be able to meet the demands of plan reviews nor the demands of inspecting the myriad of projects throughout the better portion of the next three (3) years. Thus far, the Building Department has not caused a delay to the program, nor does it intend to do so in the future. The Building Department recommends the use of supplemental services as described herein.

Procurement Method

Responsible: PWS

The solicitation for this RFP ran from June 27, 2018 through August 2, 2018, where six hundred and seventy-eight (678) vendors were notified via Demand Star to ensure sufficient vendor participation. Seventeen (17) vendors downloaded the RFP documentation. A total of two (2) bids were received, MEP

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Structural Engineering and C.A.P Government, Inc. Several vendors were contacted to determine their reason for not bidding; however, only Bermello Ajamil & Partners, Inc. and Architects International, Inc. submitted a response to state that they could not provide the services being requested due to their workload and limited capacity.

Financial Impact

Responsible: PWS and Building Department

There is no financial impact to the District.

FIRST AMENDMENT TO AGREEMENT

14th THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this day of *January*, 2019, 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

CALVIN, GIORDANO & ASSOCIATES, INC.
d/b/a **MEP STRUCTURAL, ENGINEERING AND INSPECTIONS, INC.**
(hereinafter referred to as “CGA”),
Florida for profit corporation authorized to do business in the State of Florida,
having its principal place of business at
1800 Eller Dr, Suite. 600
Fort Lauderdale, FL 33316

WHEREAS, MEP Structural, Engineering and Inspections, Inc. submitted a proposal in response to RFP 18-215C issued by SBBC and the parties entered into an Agreement for Open End Building Code Supplemental Services dated November 7, 2018 (hereafter “Agreement”); and

WHEREAS, the Agreement’s term is from January 1, 2019 through December 31, 2021, with a possible one (1) year extension; and

WHEREAS, the interests of MEP Structural, Engineering and Inspections, Inc. in the Agreement have been acquired by CGA which desires to obtain SBBC’s consent to the assignment of said interests to CGA; and

WHEREAS, the parties mutually desire to amend certain provisions of the Agreement including the substitution of CGA for MEP Structural, Engineering and Inspections, Inc. 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 9.10 of the Agreement, SBBC consents to the assignment to CGA of all rights, duties and obligations of MEP Structural, Engineering and Inspections, Inc. under the Agreement. All such rights, duties and obligations of MEP Structural, Engineering and Inspections, Inc. are hereby assigned to Calvin, Giordano & Associates, 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 3; then
- d) Addendum 2; then
- e) Addendum 1; then
- f) RFP 18-215C – Miscellaneous Environmental Consulting Services; then
- g) The proposal submitted by MEP Structural, Engineering and Inspections, Inc. in response to RFP 18-215C.

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

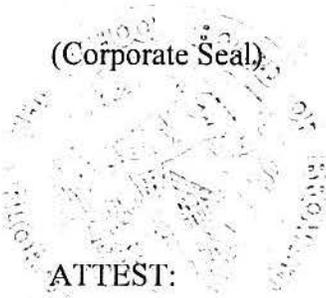
1.05 **Authority.** Each person signing this First Amendment to Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect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

FOR SBBC:

(Corporate Seal)

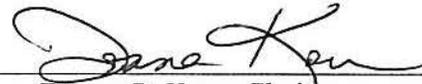


ATTEST:



Robert W. Runcie, Superintendent of Schools

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 CGA

(Corporate Seal)

CALVIN, GIORDANO & ASSOCIATES,
INC.



Dennis Hopkins
Secretary

By [Signature]
Signature

Printed Name: Dennis Giordano

Title: President

-or-

Witness

Witness

STATE OF FLORIDA

COUNTY OF Browns

The foregoing instrument was acknowledged before me this 19 day of
November, 2019 by Dennis Giordano of
Name of Person

Calvin, Giordano & Associates, 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:

Sara R. Blumkin
Signature – Notary Public

Sara Blumkin
Printed Name of Notary

GG 278621
Notary's Commission No.

(SEAL)

