



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
JJ-5.

MEETING DATE	2020-10-06 10:05 - School Board Operational 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 - Song & Associates, Inc. - Stephen Foster Elementary School - Fort Lauderdale - Project No. P.002067 - SMART Program Renovations - RFQ 18-105C

REQUESTED ACTION:

Approve the Second Amendment in the amount of \$4,000 to the Professional Services Agreement dated February 21, 2018, with Song & Associates, Inc., Stephen Foster Elementary School, Project No. P.002067, SMART Program Renovations, RFQ 18-105C.

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:

This project has been appropriated in the Adopted District Educational Facilities Plan (September 1, 2020). There is no 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)

SOURCE OF ADDITIONAL INFORMATION:	
Name: Shelley N. Meloni, Director, Pre-Constr.	Phone: 754-321-1515
Name: Kathleen Langan, Director, AECOM	Phone: 754-321-4850

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

Frank Girardi - Executive Director

Signature

Frank L. Girardi
 9/23/2020, 5:30:52 PM

Approved In Open Board Meeting On:

OCT - 6 2020

By:
School Board Chair

EXECUTIVE SUMMARY

**Second Amendment to Professional Services Agreement
 Song & Associates, Inc.
 Stephen Foster Elementary School, Fort Lauderdale
 Project No. P.002067
 SMART Program Renovations
 RFQ 18-105C**

PROJECT OVERVIEW:

Type of Contract:	Professional Services Agreement
Project Architect:	Song & Associates, Inc.
Authorization to Proceed:	TBD
Original Funding Allocation:	See Below

GENERAL OVERVIEW:

The Professional Services Agreement between The School Board of Broward County, Florida and Song & Associates, Inc. was approved by the Board on February 21, 2018 (Agenda Item JJ-5).

The purpose of this Second Amendment to the Professional Services Agreement with Song & Associates, Inc. is to increase Allowances due to budget overages associated with printing/reproduction expenses in the amount of \$4,000 for SMART Program Renovations at Stephen Foster Elementary School.

AGENDA ITEM	AGENDA ITEM No.	DATE APPROVED	DESCRIPTION	AMOUNT	REVISED FEE AMOUNT
Original PSA	JJ-5	2/21/2017	Professional Services Agreement	\$235,000	\$235,000
First Amendment	JJ-1	3/20/2018	eBuilder Language	\$0	\$235,000
Second Amendment	JJ-5	Pending Board Approval	Increase to Allowances Due to Budget Overages Associated with Printing/Reproduction Expenses	\$4,000	\$239,000

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 Song & Associates, Inc. (hereinafter referred to as "Project Consultant") for architectural/engineering services dated the 21st day of February, 2018, is entered into this 6th day of October, 2020 by and between the Owner and the Project Consultant.

For the Project known as: **Stephen Foster Elementary School
Project No. P.002067
SMART Program Renovations**

WHEREAS, the Owner and Project Consultant acknowledge and agree that the Agreement between Owner and Project Consultant dated the 21st day of February, 2018, is in full force and effect as revised by the First Amendment dated March 20, 2018; and

WHEREAS, the project was approved at the second permit revision phase; and

WHEREAS, the increased Construction Documents required exceeded the Original Reproduction Allowances allocation; and

WHEREAS, the Project Consultant and the Owner has agreed to an increase in Reproduction Allowances in the amount of \$4,000; 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 above and 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:

I. 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 additional Project scope identified herein as set forth below:

	Original Amount	First Amendment Amount	Description	Second Amendment Amount	Revised Amount
Basic Fees	\$150,000	\$0	N/A	\$0	\$150,000
Supplemental Services	\$40,000	\$0	N/A	\$0	\$40,000
Allowances	\$45,000	\$0	Reproduction Expenses	\$4,000	\$49,000
Total	\$235,000	\$0	---	\$4,000	\$239,000

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.

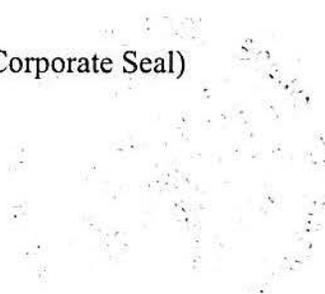
(Remainder of page intentionally left blank)

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.

FOR OWNER

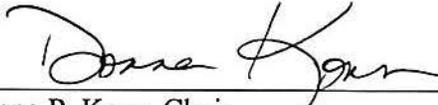
(Corporate Seal)

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

(Remainder of page intentionally left blank)



FOR PROJECT CONSULTANT

Song & Associates, Inc.

ATTEST:

#

[Signature]

, Secretary

[Signature]

Jorge Luaces, President

-or-

_____, Witness

_____, Witness

AR0013670
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 4 day of SEPTEMBER, 2020 by **Jorge Luaces of Song & Associates, 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:

(SE)  **Perry Douglass**
Comm. #GG955662
Expires: May 1, 2024
Bonded Thru Aaron Notary

[Signature]

Signature, Notary Public

PERRY DOUGLASS

Printed Name of Notary

EXHIBIT 3

COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-5./Second Amendment to Professional Services Agreement
Song & Associates, Inc.
Stephen Foster Elementary School, Fort Lauderdale
Project No. P.002067
SMART Program Renovations
RFQ 18-105C

School Board Meeting: 10/06/2020

The financial impact of this item is \$4,000

() This project has not been appropriated in the Adopted District Educational Facilities Plan (September 1, 2020). These funds in the amount of \$_____ will come from the Capital Projects Reserve.

OS
(X)

This project has been appropriated in the Adopted District Educational Facilities Plan (September 1, 2020). There is no impact to the project budget.

() This project has been appropriated in the Adopted District Educational Facilities Plan (September 1, 2020). 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 1, 2020). 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

Omar Shim

9/14/2020

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.