AGENDA REQUEST FORM THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Meeting Date			Agenda Item Number
8/19/08	Open Agenda	Time Certain Request	E-5
	Yes _X_ No	Yes _X_No	

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Nextel Planning Funding Agreement Final Closing

REQUESTED ACTION:

Approve the completion of the Planning Funding Agreement between The School Board of Broward County, Florida, and Nextel, through the Mutual Agreement Certification.

SUMMARY EXPLANATION AND BACKGROUND:

On June 19, 2007, the School Board approved the Nextel Planning Funding Agreement (E-5) and Motorola Services Agreement (E-6 - Revised). These agreements are a result of a Federal Communications Commission (FCC) order that requires Nextel to pay any expenses incurred by The School Board of Broward County, Florida, (SBBC) that result from a nationwide 800 MHz radio frequency reconfiguration initiative. Nextel was the recipient of a FCC award that consolidated and expanded their radio frequency spectrum. As part of its award, Nextel has agreed to pay for any reconfiguration costs for licensees whose spectrum has been impacted by this action.

Attached to this Agenda is the Mutual Agreement Certification and 800 MHz Reconfiguration Planning Funding Completion Certification. These certifications verify that the deliverables under the Statement of Work (Schedule B), and plan for reconfiguration (Schedule A), of the Nextel Planning Funding Agreement have been completed and verified by both the SBBC and Nextel. Motorola has requested payment from Nextel pursuant to Incumbent's Planning Cost Estimate (Schedule C). There were an estimated 1575 radios that required inventory and reconfiguration.

The Agreement has been approved by the School Board Attorney for legal content and form.

SCHOOL BOARD GOALS:

Goal One: Raise achievement of all students to ensure graduation from high school and readiness for post-secondary education.

Improve the health and wellness of students and personnel. Goal Two:

X •Goal Three: Provide a safe and secure physical and technological environment for all students and employees.

Promote innovation which focuses on best practices and quality efforts that improve our best-in-class position. Goal Four:

•Goal Five: Recruit, develop, retain, and recognize high performing and diverse faculty and personnel.

Build strong partnerships with family, business, community and government at the classroom, school, area, Goal Six: and district level.

_•Goal Seven: Ensure district's leadership as an environmental steward through innovative ecology and energy conservation programs.

FINANCIAL IMPACT:

There is no financial impact to the District at this time.

EXHIBITS: (List)

- 1. Mutual Agreement Certification/800 MHz Reconfiguration Planning Funding Completion Certification
- 2. Agenda Item E-4, dated 7/24/07 Nextel Planning Funding Agreement

3. Agenda Item E-6 (Revised), dated 6/19/07 - Motorola Services Agreement

BOARD ACTION:

Angela Coluzzi EMPROVED

(For Official School Board Records' Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Donnie Carter

754-321-0447 754-321-2610

Phone

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA Donnie Carter, Chief Operations Officer

Approved in Open Board Meeting on:

AUG 2 7 2008

School Board Chair

Revised July 2008 JFN/D.Carter/Watson-Gray The School Board of Broward County, Florida Planning Funding Agreement Final Closing

MUTUAL AGREEMENT CERTIFICATION

The School Board of Broward County, Florida ("Incumbent"), and Nextel Operations, Inc., a wholly-owned indirect subsidiary of Nextel Communications, Inc., a Delaware corporation ("Nextel") have entered into a Planning Funding Agreement dated Augus 15, 2007 (the "Agreement") for Incumbent and Nextel's respective obligations regarding the planning for 800 MHz reconfiguration ("Reconfiguration") by Incumbent and the funding of Incumbent reasonable Reconfiguration planning costs by Nextel.

NOW, THEREFORE:

- Incumbent and Nextel agree that the deliverables under the Statement of Work (as identified
 in <u>Schedule B</u> of the Agreement) to plan for the Reconfiguration (as identified in <u>Schedule A</u>)
 of the Agreement (the "Statement of Work") have been completed as stated therein.
- 2. Incumbent has requested payment from Nextel, pursuant to Incumbent's Planning Cost Estimate (as stated in <u>Schedule C</u> of the Agreement) or as changes thereto submitted pursuant to Section 5 of the Agreement, of the Actual Planning Costs (as that term is defined in the Agreement) Incumbent reasonably incurred or paid in connection with the planning for Reconfiguration and that Incumbent believes that Nextel is obligated to pay under the Order.
- 3. Nextel and Incumbent agree to the following calculations in the table below related to the payments made by Nextel for the Actual Planning Costs, and agree to the amount and delivery of the remaining payment or refund as outlined below. Except as set forth below, Incumbent agrees that Nextel does not owe Incumbent any additional amounts under the Agreement.

Total Actual Planning Costs:	\$46,624.34
Less: Advance Payment (if applicable)	(\$2,687.50)
Less: Vendor Payments (if applicable)	(\$43,881.85)
Remaining Payment Due to Incumbent:	\$54.99
Refund Due Nextel (if applicable)	\$0.00

- 4. Incumbent has in all material respects complied with, satisfied or performed all obligations and conditions under the Agreement required to be complied with, satisfied or performed by Incumbent on or prior to the date set forth below.
- Nextel has in all material respects complied with, satisfied or performed all obligations and conditions under the Agreement required to be complied with, satisfied or performed by Nextel on or prior to the date set forth below.

(Execution Page Follows)

	INCUMBENT:	NEXTEL:
	The School Board of Broward County, Florida	Nextel Operations, Inc.
	By:	By: W Semhir
	Name: Robin Bartleman	Name: William Jenkins
	Title: Chair	Title: Authorized Signatory
	Date: \$ 27 2008	Date: 6 · 20 · 08
	Approved as to Form and Legal Content:	
(Level Smal	
	School Board Attorney	
	ATTEST:	
	James F. Notter	
	Superintendent of Schools	
	•	



800 MHZ RECONFIGURATION

PLANNING FUNDING

COMPLETION CERTIFICATION

Incumbent Name: The School Board of Broward County, Florida, FL

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Certification

Pursuant to the FCC's order mandating the 800 MHz band reconfiguration (the "Order"), the above-name incumbent licensee (the "Incumbent") hereby certifies to the Transition Administrator appointed pursuant to the Order as follows:

- 1. That all work required to plan and fund for the reconfiguration of Incumbent's facilities has been satisfactorily completed; and
- 2. That **Nextel Operations, Inc.** ("Nextel") and Incumbent have agreed to the sum paid by Nextel for such work.

Signature:
Print Name: Robin/Bartleman
Title: Chair
Phone Number: 754 - 321 - 2000
E-mail:
Date: 8 27 08
Approved as to Form and Legal Content:
Signature: Allu Cus
Print Name: POBELL PAUL VICTORA
Title: School Board Attorney
Phone Number: <u>754-321-2050</u>
E-mail:
Date: JUNE 16, 2008
13/11
Signature: The Signature
Print Name: James F. Notter
Title: Superintendent of Schools
Phone Number: 754-321-2600
E-mail:
Date: 8 27 08

AGENDA REQUEST FORM THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Meeting Date	2		Agenda Item Number
07/24/07	Open Agenda Yes X No	Time Certain RequestYes _X_No	E-4
TITLE			
	rto gara	N .	•
REQUESTED ACTION:	Nextel Plannii	ng Funding Agreement	
	Blooming Bond's A		
	Planning Funding Agreeme	nt.	
SUMMARY EXPLANATION			
This Agreement is	a result of a Federal Commun	nications Commission (FCC) order th	at requires Nextel to
pay for any expens	ses incurred by the School E	loard of Broward County that regul	from a nationwide
radio frequency rec	oninguration initiative. Nexte	el was the recipient of a FCC award f	hat consolidated and
expanded their radi	o frequency spectrum, SBBC	has licensed frequencies within the s	nectrum awarded to
Nextel. As a part of	its award, Nextel has agreed	to pay for any reconfiguration costs	for licensees whose
spectrum has been i	impacted by this action. This	Agreement is to define the parties' re	enactive obligations
regarding the plan	ning required for system	configuration, including, without	limitation, Nextel's
Agreement is to get	of reasonable costs incurred	in effecting the reconfiguration.	The purpose of this
total cost of recomfic	This existence and confidence	to pay for a planning and assessmen	t phase in which the
total cost of recording	during systems and replacing	any equipment will be determined.	
Note: This agreeme	nt has been approved as to fo	orm by the School Board Attorney.	
THE RESTREET	in has been approved as to to	and by the School Board Attorney.	
SCHOOL BOARD GOALS:	T		
•	•		
•Goal One: All	students will achieve at their	r highest potential.	***
_•Goal Two: All	schools will have equitable	resources.	
•Goal Three: All	operations of the school syst	tem will demonstrate best practices w	hile supporting
	udent achievement.	d . 1 d 1 1	
FINANCIALIMPACT:	i stakeholders will work toge	ther to build a better school system.	
	impact to the District.		
EXHIBITS: (List)	impact to the District.	······································	
1. Executive Sumn	2297		• •
2. Nextel Funding			
BOARD ACTION:	gagreement	SOURCE OF ADDITIONAL INFORMATION:	19
[] - 3 (10 (10) 4 (10) 10 (1		Angela Coluzzi	754-321-0447
APPR	OVED	Donnie Carter	754-321-2610
(For Official School Board Record		Name	Phone
	ARD OF BROWARD CO		
Donnie Carter, Dep	uty Superintendent, Operati	ons	·
Approved in Open Boa	rd Meeting		
on:		IUL 2 4 2007	
	Pres	rega. Hellaf sch	
		Sch Sch	ool Board Chair
By: Revised November 28, 2006		<i>O</i>	15

JFN/D.Carter/Watson-Gray

AGENDA REQUEST FORM THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

			• •	REVISED
Meeting Date		34		Agenda Item Number
06/19/07	Open Agenda	Time Certain Rec		E-6
	Yes _X_ No	Yes _X_1	10 ·	·
TITLE			<u> </u>	***************************************
REQUESTED ACTION:	Motorola Ser	vices Agreement		
Approve the Motor	ola Services Agreement.			
SUMMARY EXPLANATION		· ·		
This Agreement is a	result of an Federal Commun	ications Commission (FC	C) order th	at requires Nextel
to pay for any ex	penses incurred by The School	I Board of Broward Con	inty, FL t	hat result from a
nationwide radio fi	requency reconfiguration initiat	ive. Nextel was the reci	pient of ar	FCC award that
consolidated and e	xpanded their radio frequency	spectrum. SBBC has lic	ensed freq	uencies within the
spectrum awarded	to Nextel. As a part of its aw	ard, Nextel has agreed to	pay for a	ny reconfiguration
costs for licensees v	whose spectrum has been impa	icted by this action. Thi	s Agreeme	nt is to define the
parties respective	obligations regarding the plant, Nextel's obligation to pay	nuing required for system	m configu	ration, including,
reconfiguration T	he purpose of this Agreement	t is to establish Novtol's	ncurred	in effecting the
nlanning and acces	ssment phase in which the to	tal cost of reconfiguring	evetome	mity to pay for a
equipment will be d	etermined.	an cost of recorniguing	systems a	ind replacing any
equipment was be a	·			
Note: Companion I School Board	Item to be considered with E-5. 1 Attorney.	This agreement has been	ı approved	as to form by the
SCHOOL BOARD GOALS:				
	l students will achieve at their l		2	
	ll schools will have equitable res			
	l operations of the school system	m will demonstrate best p	ractices wh	nile supporting
• 1000 HARRISTON (1)	student achievement.			
_√ •Goal Four: A	ll stakeholders will work togeth	er to build a better school	system.	
	impact to the District.	*		
EXHIBITS: (List)	impact to the District.			
1. Executive Sum	marti			
2. Motorola Agree			-	
BOARD ACTION:		SOURCE OF ADDITIONAL INFORM	ATION:	
1/2	PPROVED	Angela Coluzzi		754-321-0447
1		Donnie Carter		754-321-2610
(For Official School Board Reco	rds' Office Only)	Name		Phone
	DARD OF BROWARD COU puty Superintendent, Operat		\ Ju	&
Approved in Open Bo on:	. JUN	1 1 9 2007	¥	
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62	Ву:	() 0.	School	ol Board Chair

Revised November 28, 2006
JFN/D.Carter/Watson-Gray