



## EXECUTIVE SUMMARY

**Recommendation that the Broward College District Board of Trustees authorize the contract amendments to continuing services contracts utilized by Facilities Management for construction services to comply with changes in State of Florida Legislation HB 149. Fiscal Impact: Changes in legislation for continuing services contract updated from \$4M to 7.5M.**

**Presenter(s):** Deborah Czubkowski, VP Facilities Management

**What is the purpose of this contract and why is it needed?** Amending Continuing Services Contracts due to legislative changes on F.S. 287.055, revising the amount estimated for construction costs of each individual project under the contract not to exceed \$7.5 Million.

RFQ-2021-084-ZR - ARCHITECTURAL & ENGINEERING SERVICES

RFQ-2022-002-OA - CONSTRUCTION MANAGEMENT AT RISK SERVICES

RFQ-2022-094-OA - CIVIL ENGINEERING AND TESTING SERVICES

RFQ-2023-008-OA - MECHANICAL, ELECTRICAL, AND PLUMBING ENGINEERING SERVICES

**What procurement process or bid waiver was used and why?** The procurement process used for all these continuing services contracts was a formal competitive solicitation per FLDOE Rule 6A-14.0734 and College Procedure A6Hx2-6.34.

**Is this a budgeted expenditure from the budget established at the last June Board of Trustees meeting?** Yes.

**What fund, cost center and line item(s) were used?**

FD715, FD720-D200-2324, CC0374 - PG000288 Renovation/Remodeling.

**Has Broward College used this vendor before for these products or services?** Not Applicable.

**Was the product or service acceptable in the past?** Not Applicable.

**Was there a return on investment anticipated when entering this contract?** Yes, these contracts will allow the College to provide continuous improvement to our facilities.

**Was that return on investment not met, met, or exceeded and how?** Met.

**Does this directly or indirectly feed one of the Social Enterprise tactics and how?** Not Applicable.

**Did the vendor amend Broward College's legal terms and conditions [to be answered by the Legal Office] if the College's standard contract was used and was this acceptable to the Legal Office?**

The General Counsel's office has reviewed the agreement and any deviation to the College's standard terms has been deemed acceptable.

### FISCAL IMPACT:

Description: Changes in legislation for Continuing Services Contracts updated from \$4 Million to \$7.5 Million

# Donald Astrab

Donald Astrab, VP, Academic Operations, Analytics, & Comm

5/29/2024

APPROVAL PATH: 12026: Contract Amendments due to Update in Legislation HB 149 - \$4 Million to \$7.5 Million

 **Workflow**

 Edit View

 Add Work Item

Stage	Reviewer	Description	Due Date	Status	
1	Deborah Czubkowski	VP, Facilities Management		 Completed	
2	Donald Astrab	Chief Operating Officer		 Completed	
3	Natalia Triana-Aristizabal	Contracts Coordinator		 Completed	
4	Zaida Riollano	Procurement Approval 		 Completed	
5	Rabia Azhar	CFO Review		 Completed	
5	Christine Sims	Budget Departmental Review		 Completed	
5	Legal Services Review Group	Review and Approval for Form and		 Completed	
6	<b>Board Clerk</b>	Agenda Preparation		 Completed	
7	District Board of Trustees	Meeting	06/25/24 01:00 PM	 Pending	
8	Electronic Signature(s)	Signatures obtained via DocuSign b		 Pending	
9	Natalia Triana-Aristizabal	Contracts Coordinator		 Pending	

<b>Broward College - Facilities Management Continuing Services Contracts Affected by Amendment HB 149 (MT 12026)</b>					
<b>Contract</b>		<b>Contract Name</b>	<b>Vendor</b>	<b>Effective Date</b>	<b>Expiration Date</b>
RFQ-2021-084-ZR	MT 10222	Arhitectural & Engineering	Gurri Matute, P.A.	3/31/2024	3/30/2025
			PGAL, Inc.	3/31/2024	3/30/2025
			Saltz Michelson Architects	3/31/2024	3/30/2025
			Zyscovich, Inc.	3/31/2024	3/30/2025
RFQ-2022-002-QA	MT 10258	CM at Risk Contract	Fastrack MCI	6/28/2022	6/27/2025
			Hedrick Brothers	6/28/2022	6/27/2025
			Kibler Construction	6/28/2022	6/27/2025
			Lego Construction	6/28/2022	6/27/2025
			State Contracting	6/28/2022	6/27/2025
RFQ-2022-094-OA	MT 10875	Civil Engineers	Chen-Moore and Associates	2/17/2023	2/16/2026
			Keith & Associates	2/17/2023	2/16/2026
			Miller Legg	2/17/2023	2/16/2026
			Thompson & Associates	2/17/2023	2/16/2026
			WGI, Inc.	2/17/2023	2/16/2026
RFQ-2023-008-OA	MT 11159	Mechanical, Electrical & Plumbing	KPI Engineering, Inc.	6/29/2023	6/28/2026
			TriStar Engineering, Inc.	6/29/2023	6/28/2026
			SGM Engineering, Inc.	6/29/2023	6/28/2026



**AMENDMENT TO THE XXXXXXXX  
AGREEMENT**

**THIS AMENDMENT** is made and entered into as of the 1<sup>st</sup> day of July, 2024,  
by and between

**THE DISTRICT BOARD OF TRUSTEES OF BROWARD COLLEGE, FLORIDA**  
(hereafter referred to as BC),

a political subdivision of the State of  
Florida, whose mailing address is  
111 East Las Olas Blvd, Fort Lauderdale, Florida  
  
33301 and

**XXXXXXXX COMPANY**

(hereafter referred to as [Select One:  
Architect/Engineer or Construction Manager],

located at  
XXXXXXXXXXXX Address

**WHEREAS**, the parties entered an Agreement for XXXXXXXX Services (XXX 201-xxx-  
XX pursuant to RFQ \_\_\_\_\_) dated on or about \_\_\_\_\_ [Insert if  
applicable: as amended] (the “Agreement”),

**WHEREAS**, the Agreement may be amended only when reduced to writing and signed  
by both parties, and

**WHEREAS**, the parties desire to amend the Agreement.

**NOW THEREFORE**, the parties agree as follows:

- 1. Continuing Contract Authority.** The maximum estimated construction cost for each individual project that may be performed under this Agreement is \$7,500,000 or such amount as authorized from time to time by the State of Florida Department of Management Services in accordance with Section 287.055, Florida Statutes. In the event the State of Florida Department of Management Services adjusts the maximum estimated construction cost authorized for a project, the maximum estimated construction cost under

the Agreement shall automatically adjust, without the need for any action by the parties, and will be effective for any new project initiated after the effective date of the change.

2. [Insert for Construction Management Contracts. **Updated Fee Schedule.** Exhibit H attached hereto and incorporated herein by reference replaces the current Exhibit H.
3. **Signatures.** This Amendment may be signed and sent electronically by the parties. All signed counterparts will be deemed originals and together shall constitute the entire Amendment.
4. **No Further Amendments/Ratification.** All remaining terms in the Agreement remain the same, including but not limited to any termination rights granted to BC in the Agreement, which all parties hereto acknowledge and agree remains in full force and effect as applicable to any and all agreements, addendums and/or amendments applicable hereto.

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this Amendment on the date first written above.

**FOR INSERT ONE: ARCHITECT/ENGINEER OR CONSTRUCTION MANAGER**

XXXXXXXXXXXXXXXXX COMPANY

By \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

**FOR BC**

THE DISTRICT BOARD OF TRUSTEES OF BROWARD COLLEGE, FLORIDA

By \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

**EXHIBIT "H"**

Revised 06-10-2024

**FEE TABLE**

"Not to Exceed Maximum Construction Fee Table"  
(to be negotiated depending on scope complexity and schedule)

<b>Project Value</b>	<b>Profit Cost Percentage</b>
\$0 - \$250,000	10%
\$250,001 - \$600,000	9%
\$600,001 - \$1,500,000	8%
\$1,500,001 - \$2,500,000	7%
\$2,500,001 - \$3,500,000	6%
\$3,500,001 - \$7,500,000	5%

Note: Change Order fees, at the Owner's discretion, shall be the same fee percentage as in the original GMP Purchase Order