

BROWARD COUNTY PUBLIC SCHOOLS  
BOND OVERSIGHT COMMITTEE

KC WRIGHT ADMINISTRATION CENTER  
BOARD ROOM  
600 SE 3RD AVENUE  
FORT LAUDERDALE, FLORIDA  
MARCH 7, 2022  
5:47 P.M. - 7:20 P.M.

ATTENDANCE:

Omar Shim, SBBC Capital Budget Director  
Robert Nave, Florida TaxWatch, VP of Research  
Sam R. Bays, Chief Facilities Construction Manager  
Kathleen Langan, Senior Program Director, AECOM  
Ashley Carpenter, Atkins, Project Control Manager  
Robert Ballou, Director, Economic Development &  
Diversity Compliance  
Kathy Koch, Chief Communications Officer  
Yvonne Garth, Garth Solutions, President/CEO

Bond Oversight Committee Members:

Adam Rabinowitz, Esq., The Florida Bar  
Latha Krishnaiyer, Broward County Parent Teachers  
Association  
Steve Hillberg, P.E., Civil Engineer  
Tommy Demopoulos, Fire Inspectors Association of  
Broward County  
Jose R. Cortes, Director, Department of Design  
Construction Management

Reported by:  
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P R O C E E D I N G S

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CHAIRMAN RABINOWITZ: Are we ready?

We can call the meeting to order.

The first ordinary business is approval of the minutes from the prior meeting.

Is there a motion to approve the minutes?

MR. HILLBERG: At what point in the meeting do I question the transcript?

CHAIRMAN RABINOWITZ: Well, you can do it now.

MR. HILLBERG: I had a comment. I've got to pull it up. It was -- I better not guess. I apologize for the delay, but here it is.

Page 8, lines 23 and 24, and the quote is, and then SD-29 America's U6 tank is revise and resubmit. I didn't get that. It was probably garbled when they said it.

CHAIRMAN RABINOWITZ: Well, do you know who was the speaker?

MR. HILLBERG: I don't know.

CHAIRMAN RABINOWITZ: I don't think it's really all that substantive to change. I appreciate you reading it, but if we could figure out who it is, I'm happy to have the transcript

1 changed. But without knowing who the speaker is  
2 and what the context is, I don't think it's  
3 germane necessarily.

4 MR. HILLBERG: Okay.

5 CHAIRMAN RABINOWITZ: So aside from that  
6 commentary do we have a motion to approve the  
7 minutes?

8 I thought we did.

9 MR. CORTES: Yes.

10 CHAIRMAN RABINOWITZ: Second?

11 MR. DEMOPOULOS: Second.

12 CHAIRMAN RABINOWITZ: All those in favor say  
13 aye.

14 COMMITTEE MEMBERS: Aye.

15 CHAIRMAN RABINOWITZ: The next order of  
16 business is the presentations. Who's up?

17 We have a technical glitch. Are we good to  
18 go?

19 MR. BAYS: Mr. Chair, Kathleen Langan is on  
20 the phone with us joining us via Teams. She will  
21 be making the presentation from the Facilities  
22 Department, sir.

23 CHAIRMAN RABINOWITZ: Okay. Thank you.

24 (Video presentation was played.)

25 MS. LANGAN: Good evening. I'm not sure if

1 everybody can hear me. Is it appropriate to  
2 speak at this time?

3 CHAIRMAN RABINOWITZ: We can hear you. Thank  
4 you.

5 MS. LANGAN: Okay. So good evening. This is  
6 Kathleen Langan, Program Director of the SMART  
7 Program for AECOM. You just saw a clip of a  
8 video showing some of our projects that we have  
9 under construction. In front of you now on the  
10 screen are the current projects divided by phase.  
11 This is something that we show every quarter.  
12 These are only SMART Program funded projects. I  
13 want to make that clear because a lot of you who  
14 look at our monthly reports will see that we  
15 actually have close to 180 projects in  
16 construction and more projects that are closed  
17 out. This is only demonstrating what is funded  
18 by SMART.

19 So you can see that we have increased --  
20 actually decreased the number of projects in  
21 design, increased the number of projects in hire  
22 contractor, and then we have, active construction  
23 projects that have gone from last quarter of 124  
24 to now 137. And then 45 in construction closeout  
25 and they're now showing 50.

1           This is Blanche Ely High School, just an  
2 overview of the construction that has been  
3 completed on the left-hand side of it -- well,  
4 it's my left, actually. And then just  
5 construction underway. We are completing our  
6 final inspections and we'll show at the next  
7 quarter that we have our 110B and have reached  
8 substantial completion and we'll be working on  
9 final completion for the Blanche Ely project.

10           Northeast High School, construction is  
11 underway with roofing, stem labs, culinary labs,  
12 restroom, fire protection and roofing. A number  
13 of projects for roofing are completed. We have  
14 the science lab, group restroom in Building 3,  
15 electrical, ceiling tile installation, fire  
16 alarms and roofing in Building 12.

17           The new classroom addition, because this is  
18 just information through the end of December, we  
19 have finally finalized our negotiations with the  
20 contractor, with the CMR, and the recommendation  
21 for GMP is going to the March 15th school board  
22 meeting.

23           School Choice is 94 percent complete and they  
24 are deliberating on how to use their remaining  
25 funds.

1           Stranahan High School, we have completed most  
2 of the interior improvements. You can see on  
3 Construction Complete a long list of elements of  
4 work. Construction continues to be underway  
5 focused on roofing. And we have 93 percent of  
6 the School Choice Enhancements done and those are  
7 laptops, security upgrades are being ordered with  
8 remaining funds.

9           I would like to say that this project is  
10 running -- is probably going to run over based on  
11 a lot of change orders that we have encountered  
12 on a number of the roofs. And so we'll be  
13 updating that for the Oversight Committee in the  
14 next quarter.

15           Single Point of Entry, we report on this  
16 every quarter, and you can see, similarly the way  
17 we show on the first page, how many projects are  
18 in Design, Hire Contractor, Construction and  
19 Complete and Closeout. And that's the same with  
20 the fire sprinkler.

21           So this is a demonstration of holding vendors  
22 accountable and how much the district has  
23 recovered to date and what has been recovered in  
24 this quarter is \$70,300. This is strictly  
25 relating to delays that were encountered through

1 design with the design firms.

2 And I'd like to turn it over now to Ashley.

3 MS. CARPENTER: Thanks. So this is just a  
4 representation of the quarterly risk assessment  
5 that Atkins submits to the district. And you can  
6 see that the last two quarters have remained  
7 stable with the high end of the risk up at just  
8 over \$600 million would be the funds that would  
9 be needed from SMART Program Reserves to fund the  
10 program. That's overall. Obviously, a lot of  
11 the funds in reserve have already been allocated  
12 to projects. The 70 percent risk result was at  
13 about 584. And, as you can see, the range has  
14 really narrowed over time as we've had more and  
15 more information on really what the market is  
16 telling us and we've seen that pretty much all  
17 the things that could have happened to the  
18 program did happen in terms of material price  
19 increases, shortage of labor. In, you know,  
20 roofing, for example, the assessments that were  
21 done to develop the project budgets back in 2014  
22 had really, really underestimated how much  
23 different elements of the program would cost, so  
24 roofing was really way off in the magnitude of,  
25 you know, \$6 a square foot which is what was put

1 in budgets in 2014 and it's really, you know,  
2 over \$20 a square foot, 25, now, you know. So  
3 it's -- you can see just that type of magnitude  
4 of difference. And we anticipate that this could  
5 even go up in the next quarter due to just what  
6 we're seeing in the market right now with  
7 inflation and the material price increases.

8 Thank you.

9 CHAIRMAN RABINOWITZ: Does that complete your  
10 report?

11 MR. BAYS: Yes, sir.

12 CHAIRMAN RABINOWITZ: Bob?

13 MR. NAVE: I'm sorry. Is that the entirety  
14 of the district's report?

15 CHAIRMAN RABINOWITZ: Yes.

16 MR. NAVE: Okay. I just want to make sure.

17 The district made no mention of the six new  
18 projects in the planning phase. The last couple  
19 of quarters we've had zero projects in the  
20 planning phase. So it's unclear whether these  
21 are six projects that have just taken seven years  
22 to get started or whether these are projects that  
23 made some progress and then just got kicked to the  
24 curb and the district's starting over. So I  
25 think it would be good to get some clarification



1 on that.

2 CHAIRMAN RABINOWITZ: Can clarification be  
3 provided on that?

4 MS. LANGAN: Yes, we're formulating our  
5 written responses to the TaxWatch comments, but I  
6 will tell you that those projects are projects  
7 that the school board determined that they were  
8 going to split. For example, Parkway Middle  
9 School, we split into two phases, completing the  
10 phase 1 work. Actually, we're almost finished  
11 with all the demolition that was included in  
12 phase 1. Another example of that split into two  
13 phases is Bennett. We're actually starting the  
14 roofing projects at Bennett this summer. There  
15 is Mary Bethune, there is -- we're actually going  
16 to the board on the 15th with Dania. So that has  
17 come off of the planning. But these are projects  
18 that the school board determined needed more  
19 study and more planning and more community  
20 feedback before they finalized. So that's why we  
21 moved them back into planning. They were in  
22 design but we moved them back into planning for  
23 more accurate reporting. And we'll have those  
24 written responses for you.

25 MR. NAVE: Can I offer a suggestion, Mr.

1 Chairman?

2 CHAIRMAN RABINOWITZ: Of course. Please.

3 MR. NAVE: Instead of waiting to get written  
4 responses to our comments and recommendations,  
5 why doesn't the district come to this meeting  
6 prepared to address our comments and questions?

7 CHAIRMAN RABINOWITZ: I was wondering the  
8 same thing. I thought that's how the chain of  
9 communication worked previously.

10 MR. NAVE: Because what is happening is --

11 MS. LANGAN: I'm sorry. I didn't hear that  
12 if it was directed towards me.

13 CHAIRMAN RABINOWITZ: Well, anybody that  
14 could answer the questions of TaxWatch or the  
15 recommendations. In the past when a  
16 recommendation was made seven to 10 days in  
17 advance of this meeting, whoever the issue was  
18 directed to would typically come to the meeting  
19 with an answer in hand so we don't have to wait.

20 MS. LANGAN: Well, I can address the  
21 question. I was just letting you know that our  
22 detailed responses, we did not think that those  
23 were due for this evening, but we certainly are  
24 finalizing the written responses. But we can  
25 address the questions this evening.

1           CHAIRMAN RABINOWITZ: Well, then I'll make a  
2 suggestion, that when the TaxWatch report comes  
3 out, and this goes for pretty much every  
4 department and every person in this room that's  
5 providing a report, when you get the TaxWatch  
6 report a week or 10 days in advance, please, look  
7 at the recommendations and please try to have a  
8 response prepared for this meeting. Because,  
9 otherwise, what's going to happen is we have to  
10 wait for a written response that we're not going  
11 to see for about six months. And it's not  
12 anybody's fault, it's just a matter of timing of  
13 when we would have our next meeting. So I'm not  
14 saying the report would be six months late but  
15 the information contained in it is already six  
16 months old.

17           MS. LANGAN: Sure. Understood. I'm not sure  
18 why, but usually we used to have those. I'm not  
19 sure why we thought that the written wasn't due  
20 today. So we can certainly correct that  
21 immediately and we can address the questions this  
22 evening and get you a written response no later  
23 than tomorrow.

24           CHAIRMAN RABINOWITZ: Okay. Wonderful.  
25 Thank you.

1 MR. NAVE: Good. Thank you.

2 The district also made no mention of the  
3 projects that had been flagged or that have been  
4 identified as high risk. In our report we went  
5 through the school spotlights for every school to  
6 identify which ones had been flagged and which  
7 ones had been identified as a medium or a high  
8 risk. And there were -- we found 27 projects  
9 that were flagged for schedule issues and then  
10 the district also identified 15 projects, 12 of  
11 which were high risk and three were medium risk.  
12 And one of the things I noticed was that all of  
13 the projects that were assigned risk were also  
14 flagged, but not all of the projects that are  
15 flagged were assigned a risk. So I'm  
16 wondering -- and an example is Sunland Park  
17 Academy, it was delayed for owner delays, but  
18 it's not flagged as either a high or a medium  
19 risk.

20 So I'm trying to understand how all of one  
21 can be in one category but not that category  
22 would be in the other. So if the district could  
23 explain that, that would help me understand that  
24 a lot better.

25 CHAIRMAN RABINOWITZ: Is there anyone that

1 can help us out verbally with a response to that  
2 inquiry?

3 MS. LANGAN: As I understood the written  
4 question through TaxWatch that we had one  
5 additional -- that TaxWatch identified one  
6 additional project that we -- that was also  
7 flagged and we did not pick up on that through  
8 the system and so it didn't show up on ours as it  
9 showed up on -- as it should have. So TaxWatch  
10 is correct that there were 27 projects at risk.  
11 And so, again, that was one -- that's one that we  
12 missed.

13 I'm not sure if I heard the entire question,  
14 but I believe that that's what the written  
15 question was.

16 MR. NAVE: And, again, I'm -- I just hope to  
17 make it clear that I don't feel limited by  
18 anything we put in writing once this meeting  
19 starts. So -- but I do appreciate that.

20 The district also did not address the phase 2  
21 delay at Northeast High School. The Q1 report  
22 showed it being done in one quarter and the  
23 current report had it pushed back a quarter and  
24 there was no -- no reason for that explained.  
25 The project was not flagged on the school

1 spotlight. So I'm not really sure what's  
2 happening with the classroom addition at  
3 Northeast.

4 MS. LANGAN: Yeah, we are looking at why that  
5 didn't -- why that didn't flag correctly. I can  
6 tell you that the reason for the delay, the  
7 project went into bid and award out of design and  
8 the contractor had to go out to bid twice. The  
9 first time he went out to bid he did not get the  
10 coverage on the bid and so we would not accept  
11 the pricing because we needed to have more  
12 competition than the CMR did. So we asked for  
13 more competition. And he went out a second time  
14 to market and did get enough bids. And so, that,  
15 as I mentioned before, that GMP is going to the  
16 board on March 15th.

17 We still expect that we're looking at the  
18 CMR, we are working towards finishing that  
19 project on time even though that we had the  
20 marked delays that I mentioned.

21 MR. NAVE: Okay. It was mentioned in the  
22 discussion of Stranahan that there were delays  
23 because of roofing change orders. I was hoping  
24 the district could elaborate on that a little  
25 bit.

1 MS. LANGAN: I'm so sorry. I lost you. I  
2 didn't hear your question.

3 MR. NAVE: Is there someone else that can  
4 answer the question?

5 CHAIRMAN RABINOWITZ: I don't think she heard  
6 you. There's a volume issue not an answer issue.

7 MS. LANGAN: I didn't hear you.

8 MR. NAVE: All right. Can you hear me better  
9 now?

10 MS. LANGAN: Yes, I can. Thank you.

11 MR. NAVE: Okay. No, the question I asked  
12 was, you made mention when you were discussing  
13 Stranahan that there were delays because of  
14 change orders for the roofs. And I was wondering  
15 if you could just elaborate a little bit on the  
16 nature and the magnitude of those change orders.

17 MS. LANGAN: I -- there's -- I'm going to  
18 recall, I don't have it in front of me, but I  
19 believe there are approximately 12 change orders.  
20 The largest one is in the documents, I'm going to  
21 give you as an example, in a document that called  
22 for chiller lines to be lifted up and then  
23 removed and then replaced. Based on the existing  
24 conditions we are not able to do that and we have  
25 to actually replace all of the chiller lines

1       rather than putting back what was there  
2       previously. It called for the update of the  
3       elevation and then replaced onto the roof using  
4       the existing chiller lines. That was not doable  
5       and so that's one of the change orders. There  
6       was some expansion joint change orders where we  
7       had to add material on walls. I don't have them  
8       all in front of me, but we'll certainly have that  
9       in our written response tomorrow. Those are just  
10      a few examples.

11           MR. NAVE: The district mentioned in the  
12      discussion of holding vendors accountable that  
13      \$703,000 or so had been recovered. Is that all  
14      for design related issues or is any of that for  
15      change orders that were the result of consultant  
16      errors or omissions?

17           MS. LANGAN: That is strictly for delays  
18      associated with their design submissions.  
19      Regarding the errors and omissions, we have  
20      determined that as of the end of January the  
21      consultant omissions and the consultant errors  
22      are a total of one half of a percent of the  
23      construction contract value.

24           When we respond to your question we have  
25      not -- none of these have been pursued for back



1 charges to A&E. Some individual projects may  
2 exceed a threshold of two to four percent but the  
3 vast majority of them do not. I'm sure you all  
4 don't remember in our State of the Program where  
5 we discussed the industry standard of AIA out to  
6 the marketplace of anywhere from five to eight  
7 percent of change orders due to errors or  
8 omissions, specifically as they relate to  
9 complicated renovations. So we are less than  
10 that programatically and we'll provide those  
11 specific numbers in our written response.

12 The short answer is, no, it's all related to  
13 time. The good news is we're still running half  
14 of a percent of the construction contract value  
15 for the program.

16 We are recommending that the board look at  
17 having a threshold of either two to four percent  
18 where architects are looked at where we wouldn't  
19 go for back charges unless it was over and above  
20 the cap of four percent.

21 MR. NAVE: And the reason I ask is that  
22 during this quarter the board approved 77 change  
23 orders and 42 of those were the result of  
24 consultant errors or omissions. And the change  
25 orders cost the taxpayers \$715,000. When you go

1 back to the previous quarter and add them it's  
2 about \$1.3 million.

3 So half a percent sounds good, 1/3 million  
4 doesn't.

5 MS. LANGAN: Sure. And I think that it's  
6 taken us a bit to perform all the research on  
7 this. As late as a few weeks ago we finally  
8 determined that there was a memo written to all  
9 of the architectural firms under contract that  
10 outlined what they had the ability to do and what  
11 they didn't. And, basically, the message was,  
12 you cannot do any scope, perform any scope that  
13 wasn't in the original assessment, nor can you go  
14 over budget. And so that is why we are  
15 recommending forgiving a percentage of the  
16 overall in the contract.

17 As we've been looking at this there are, a  
18 lot of these changes, while they're being coded  
19 as errors and omission, we find that a number of  
20 them are just not able to -- you know, we were  
21 following the direction at the time of what the  
22 PMOR was directing.

23 That's why we've come up with this concept of  
24 the threshold two to four percent.

25 I don't hear anything, so, apparently, I

1 answered your question?

2 MR. NAVE: Yes, thank you.

3 MS. LANGAN: Okay.

4 CHAIRMAN RABINOWITZ: I have a question. So  
5 coming back to the change ordinary issue and the  
6 \$1.3 million due to errors and omissions of the  
7 consultants, who picks up that expense? Is that  
8 just an additional expense that the bond is  
9 required to pay for? And is it industry standard  
10 for the owner then to pick up that expense when a  
11 consultant makes an error that results in  
12 additional expense?

13 MS. LANGAN: It is. And, you know, I think  
14 part of our response will be to, you know,  
15 outline what we're talking about here. Clearly,  
16 the district is provided the actual work and a  
17 value. What they -- obviously, it is our  
18 responsibility as well to work to make sure that  
19 the value the district is getting is financially,  
20 you know, that we've taken and done our due  
21 diligence financially to get the best price  
22 possible as our change order. And so we work  
23 towards that end. But definitely, you know, it's  
24 not that the district is paying for nothing.  
25 They're obviously getting the value of the work

1 that is being added at the time. It's the  
2 difference between what they would have paid on  
3 bid day versus what they pay for the change  
4 order.

5 And please recall that our contracts have no  
6 damages for delay provisions within them. So,  
7 therefore, as change orders delay the completion  
8 of work, contractors are not able to charge for  
9 that time.

10 CHAIRMAN RABINOWITZ: Bob, is that  
11 everything?

12 MR. NAVE: I'm sorry. I'm good. I'm good.

13 CHAIRMAN RABINOWITZ: Anyone else?

14 I know you can't help yourself.

15 MR. DEMOPOULOS: I almost want to like  
16 recommend a task group or a -- not of us, but of  
17 the district, of each department, to review these  
18 errors and omissions to see, are they true errors  
19 and omissions, should it be something that the  
20 district -- maybe a group to further look at  
21 this?

22 CHAIRMAN RABINOWITZ: I don't know. Because  
23 I'll tell you that if I made a \$1.3 million  
24 mistake I wouldn't get fired to get paid more. I  
25 mean, is that really industry standard, that when

1 there is an error or omission by a consultant  
2 that they can just charge more money?

3 MR. BAYS: Let me take a run at this,  
4 Kathleen. I'll join you on this discussion, if  
5 you don't mind.

6 MS. LANGAN: Okay. Please. Go ahead.

7 MR. BAYS: This is Sam Bays, Task Assigned  
8 Executive Director for the Office of Capital  
9 Programs. I would reiterate a portion of the  
10 response that, remember, if I am doing work at a  
11 school and the architect left out a receptacle,  
12 and that is clearly an error if a receptacle is  
13 required, and we put that receptacle in, it is  
14 not -- the hundreds of dollars the receptacle  
15 costs is not all penalty to the district. All  
16 that's penalty is what we might have been able to  
17 get that on a competitive bid on the very best  
18 day. The increment between that and what we  
19 actually pay is the penalty. So the owner does  
20 realize a benefit for that.

21 As regards to the group that reviews change  
22 orders, I want to assure you that -- and invite  
23 you if you'd like to attend, there is a change  
24 order review panel made up of the best and  
25 brightest in our organization working with AECOM

1 to review the work. There's a very prescriptive  
2 formulaic approach. It includes people from the  
3 building department as well. It's been in place  
4 now since before the great recession. They're  
5 all very experienced veterans of this work. And  
6 it is taken extremely seriously. All of us  
7 are -- we strive to be stewards of the public  
8 trust. So I would invite you to come and see  
9 that, see how that functions.

10 MS. CARPENTER: Through the Chair, may I just  
11 add one small point to that?

12 CHAIRMAN RABINOWITZ: Sure.

13 MS. CARPENTER: The value of the construction  
14 work so far on the SMART Program is \$774 million.  
15 That's work that's either underway or completed  
16 construction. That's original contract values,  
17 the sum of the original contract values.

18 So the fact that there are \$3.5 million  
19 dollars of errors and omission program-wide is,  
20 you know, alarming when you say \$3.5 million,  
21 however, like Kathleen mentioned earlier, that  
22 just adds up to just less than half a percent.  
23 The -- what we've talked about, AECOM and myself  
24 and the district, is that we would look at  
25 projects as they complete, what's the percentage

1 of errors on project A? Is the percentage of  
2 errors, you know, more than two percent, more  
3 than four percent, five percent, you know,  
4 whatever it is on a particular project, and then  
5 do the analysis, as Sam mentioned. There has  
6 been analysis of what would we have paid for  
7 this? You know, if we forgot to install this  
8 water bottle, what would this water bottle have  
9 cost on bid day versus what it's costing today,  
10 because two years later in construction, right,  
11 that could be a big difference. And that's the  
12 type of analysis that we would do before we  
13 pursue damages from an A&E. And so we've looked  
14 at a lot of projects that have finished, and the  
15 ones that stood out were the single point of  
16 entries. As you remember, those were done quite  
17 a long time ago, and they were very, very small  
18 contract projects, so maybe a couple hundred  
19 thousand dollars, \$300,000. So you have one  
20 change order that's 20 grand, and then all of a  
21 sudden that's a very large percentage.

22 So, you know, we've looked at those, but, I  
23 think, going forward the plan is to continue to  
24 analyze as projects complete and look at what  
25 percentage of the contract value that error or

1 omission represents and then do the analysis to  
2 determine whether or not it would be recommended  
3 to pursue damages at that point.

4 CHAIRMAN RABINOWITZ: I'll say this, as a  
5 layperson who pays taxes in this county, as a  
6 lawyer, I could have 5 or \$10 million in my trust  
7 account on any given day. If I turn to my  
8 clients and I said to them, it's a de minimus  
9 amount of money, five grand of your money is  
10 missing, not only would I lose my license as a  
11 lawyer, but there would be a major problem.

12 So, it's not good messaging to turn to us or  
13 any other person and say \$3.5 millions is de  
14 minimus when talking in reference to \$700  
15 million. I understand when you're looking at it  
16 from a percentage standpoint it's not a lot of  
17 money. I get that. But let's not insult the  
18 intelligence of the public by saying that \$3  
19 million is really de minimus relative to the  
20 amount of spend. Because in other professions  
21 that would never be tolerated.

22 MS. CARPENTER: Absolutely. You're  
23 absolutely correct. \$3.5 million is never, never  
24 a small amount of money to anybody. But as Sam  
25 just said a second ago, that that's not money



1 that the district has lost.

2 CHAIRMAN RABINOWITZ: Oh, I get the point  
3 that it's not lost, that there's an increase cost  
4 associated with whatever it was. I get it.  
5 Because somebody forgot to design an area with an  
6 additional receptacle and it should have been  
7 there. I get it. It costs more money later on  
8 when you want to put it into the project. But  
9 there should be some way to reconcile that  
10 against the person who made the mistake.

11 MR. CORTES: So I think when you talk about  
12 errors and omissions, does that include  
13 everything or that's just errors and omissions,  
14 or that includes unforeseen conditions? I just  
15 want to understand the terminology. Because one  
16 thing is on projects we're doing, when you're  
17 doing renovations, it's very unusual to see that  
18 you never have things that were not seen in  
19 overview. There's an industry standard to that.  
20 You're referring to half a percent, and I won't  
21 get into what the number needs to be because you  
22 guys would know better for the school, but is  
23 that unforeseen? What does that mean when you  
24 guys say errors and omissions; what is that?

25 MS. CARPENTER: So there -- we categorize all

1 the change orders generally in four categories.  
2 So there's unforeseen, there's owner requests,  
3 there's consultant error and consultant omission.  
4 Currently the owner request change orders are  
5 adding up to a credit, and that credit comes to  
6 the SMART Program. So that -- all of those add  
7 up to a net credit of about \$1.4 million. The  
8 unforeseen conditions, \$2.6 million. And then  
9 the errors and omissions combined, \$3.5 million.

10 MR. CORTES: So that's just a line item for  
11 errors and omissions?

12 MS. CARPENTER: Correct.

13 MR. DEMOPOULOS: I was just going to mention  
14 you shouldn't have invited me, but I'll be more  
15 than happy to attend. If you could please send  
16 me the dates, I'll be there.

17 MS. KRISHNAIYER: Do you look at those change  
18 orders really carefully? You know, especially if  
19 it's coming from, as you phrase it, owner  
20 requests, I assume that's coming from the school  
21 or the school administration, the change order.  
22 Is that correct? Is that what -- when I looked  
23 at the list they were all these unforeseen  
24 conditions and the, you know, consultant errors  
25 and then owner requests.

1           So what exactly does owner request mean?

2           MR. BAYS: It could be a request from the  
3 school, but that would really be a high threshold  
4 of need before that would be considered. It's  
5 more likely something that is necessary for the  
6 district to accept the project as it's built.  
7 That's a more common definition. Something the  
8 building department needs to have done in order  
9 for the building to be considered fully  
10 operational or safe.

11           But do we look at the change orders  
12 carefully? I'll leave that to your colleague. I  
13 think it's a pretty excruciating level of detail;  
14 yes.

15           MS. KRISHNAIYER: Well, that explanation  
16 about owner requests is something, I think, that  
17 should go out, because people, when you look at  
18 it, it's assumed that it is -- it's the whim of  
19 the school community or whatever to -- you know,  
20 that's the general impression out there, that if  
21 it's an owner request that the school changed  
22 it's mind and wanted something else. So your  
23 explanation that it may be a matter of safety, it  
24 may be a matter of something else that the  
25 building department decides is required for that

1 school is something that I think we should get  
2 out there for people to know. Because,  
3 otherwise, it's assumed that it's a frivolous  
4 change that comes at the whim of, you know,  
5 whoever.

6 MR. BAYS: Well noted. Thank you.

7 MR. CORTES: One last question. So then your  
8 errors and omissions that you have, you have,  
9 what, continuously billed into your numbers to  
10 handle some of that? But it's not like you're  
11 adding -- or that doesn't mean the budget is  
12 increasing, you're just using money from the  
13 contingency on the project to pay for that?

14 MS. CARPENTER: Yes, that's exactly correct.  
15 So as the budgets are put together at the time of  
16 award of the contractor there is a five percent  
17 contingency that's held by the owner for any type  
18 of change order. And then in the case of CMAR,  
19 of course, there's also a GMP contingency and  
20 owner contingency.

21 MR. CORTES: And I'm not saying that we have  
22 to spend the contingency but you have it there  
23 for that purpose.

24 MS. CARPENTER: Correct.

25 MR. CORTES: Okay.

1 CHAIRMAN RABINOWITZ: Anything else? Any  
2 other questions?

3 (No response.)

4 CHAIRMAN RABINOWITZ: I think we're onto  
5 Budget.

6 Actually, yeah, budget, the finances.

7 MR. SHIM: Thank you. Good evening. Omar  
8 Shim, the Director of Capital Budget.

9 This quarter's -- this quarterly budget  
10 activity report is for the quarter ending  
11 December 31st, 2021. The school -- the total  
12 SMART Program budget increased by 31.2 million  
13 over the last quarter from 1,384,000,000 to  
14 1,415.3 million, which is shown on page 345 of  
15 the quarterly report. A detailed list showing  
16 each project that had budget increases was shown  
17 on pages 349 to page 368 in the report.

18 From the total of 1.415.3 million, 1,056.6  
19 million is either committed or spent. And the  
20 balance of funds that are not encumbered or spent  
21 is 358.7 million.

22 Next slide, please.

23 Expenditures through the second quarter are  
24 764 million as shown on page 370 of the report.  
25 This is a 48.6 million increase in expenditures

1 from the previous quarter.

2 The growth in expenditures show the increase  
3 in construction activity since, as you know, most  
4 of the other items in the SMART Program have been  
5 completed.

6 Purchase orders in place is 292.6 million.

7 And in addition to the SMART Program funding  
8 that's identified in the project budgets the  
9 district also set aside reserves for additional  
10 costs identified in the Atkins Risk Assessment as  
11 Ashley mentioned. And to mitigate these risks  
12 the district so far has set aside 558 million.  
13 So there is a little bit of a gap in what the  
14 risk assessment is showing versus what the --  
15 what's been set aside totally. And we are  
16 looking at ways in which to close that gap in the  
17 upcoming months.

18 So on the next slide I wanted to address some  
19 of the items found in the TaxWatch  
20 recommendations, specifically 8 and 9. And this  
21 deals with how the projects were budgeted. And  
22 as shown on the previous slide the district did  
23 set aside funding for the SMART Program to  
24 anticipate the higher cost associated with  
25 construction. And staff is working closely to

1 close that gap in the risk assessment in what we  
2 did set aside for the budget.

3 Additionally, we did align the funding for  
4 the projects as shown on page 345 in the outer  
5 years of the plan so that we identified where  
6 that funding would come from. And that's to  
7 answer sort of both recommendations, 8 and 9, in  
8 the TaxWatch reported.

9 Finally, if you go to the -- yes, that slide,  
10 the fourth and final series of the GOB will be  
11 issued in the fourth quarter of this fiscal year.  
12 So, you know, in the April/May timeframe we plan  
13 to issue the fourth and final series of the GOB.

14 And that concludes the financial  
15 presentation, if there are any questions.

16 CHAIRMAN RABINOWITZ: Bob?

17 MR. NAVE: Thank you, Mr. Chairman. I'd like  
18 to thank Omar. TaxWatch recommended that the  
19 district include budget amounts for some of the  
20 out years and the current report shows budget out  
21 through year 11. So I appreciate that.

22 The fact remains, again, that there's only so  
23 much money left. The district is spending at a  
24 rate of about \$17.7 million a month. If the  
25 district continues at that burn rate that money

1 should run out in early 2025. And, again, the  
2 significance there is that the construction  
3 schedule envisions completing all the projects  
4 late in calendar year 2025.

5 So we're just throwing that out there. That  
6 is a concern.

7 MR. SHIM: Yes. And in addition to -- and we  
8 recognize, you know, as we go along, we  
9 continually do this risk assessment process to  
10 make sure that we look at, you know, what has  
11 evolved. We've had changes in the market,  
12 obviously, since COVID and cost escalation of  
13 goods. So we've seen some minor variances that  
14 we continue to monitor throughout the program.

15 And so we also outside of the funds that we  
16 set the aside for the SMART Program reserves to  
17 cover that risk, we do have other funding  
18 available in case we need to increase that in the  
19 outer years and in our current year. We have \$60  
20 million in our unallocated reserve to carry us  
21 through the end of this year and we have  
22 increased that throughout our five-year plan in  
23 completely unallocated funds to look at risks in  
24 the SMART Program and look at, you know, making  
25 sure that we keep pace with any of these changes.



1           Of course, that impacts other things that we  
2 could be funding outside of the SMART Program, so  
3 we always want to make sure that we're allocating  
4 what, again, based upon the risk is at the time.

5           So, thank you.

6           CHAIRMAN RABINOWITZ: Go ahead.

7           MR. DEMOPOULOS: Question.

8           I'm sure this isn't a popular question, but  
9 has there been any thought or is there any  
10 regulation that we can't put projects on hold  
11 given the time with construction and costs and  
12 vendors, you know, anything that's not life  
13 threatening or maintenance related where the  
14 roof's going to collapse?

15           You know, esthetically, is there any thought  
16 or has there been thought or should there be  
17 thought as to putting projects on hold until such  
18 time that prices come back down or vendors are  
19 available?

20           Thank you.

21           MR. BAYS: I think that the character of this  
22 program is such that it falls into those critical  
23 needs. It's so little and so late, despite being  
24 such an enormous, enormous program. You know,  
25 the cuts that we incurred 10 years ago in the

1 recession, the 25 percent reduction in revenues  
2 that's never been restored have left us billions  
3 and billions of dollars behind. So I think  
4 that's not advisable.

5 CHAIRMAN RABINOWITZ: Any other questions?

6 MR. HILLBERG: Yes, we were told that an  
7 update on the American Rescue Plan grant  
8 application was going to be delivered to us, the  
9 \$8 million grant. That would certainly help.

10 MR. SHIM: Okay. I can get you a copy of  
11 that. Thank you.

12 MR. HILLBERG: Also, the burn rate is below  
13 the last year's average. And I know we've  
14 smoothed out the projects, but basically we've  
15 delayed a lot of projects by spreading them out.  
16 I say "we". You. Sorry.

17 So the burn rate, is that anticipated to  
18 remain constant? I'm looking at some of the  
19 charts and it looks like the number of  
20 construction projects will be the same and flat  
21 the spend will be flat, but I just want to  
22 confirm that. Because as the project gets away  
23 from design, which is relatively inexpensive  
24 compared to construction, and the bulk of the  
25 spend is in construction, it's much higher, must

1 faster, do we see that being the case or do we  
2 see a falloff from the completed projects?

3 MR. NAVE: That, I can't answer. We looked  
4 at spend rate over the last couple of years and  
5 calculated what it is. And we assumed that if  
6 that rate continues, then this is how much time  
7 would be left. So anything that would reduce  
8 that burn rate would extend the longevity of the  
9 money.

10 MR. CORTES: Yeah, I would think you have a  
11 cash flow projection for your program that shows  
12 the -- because these programs, they never run as  
13 a straight line expense. So your cash flow  
14 should reflect how those moneys are going to be  
15 spent. And would probably add more clarity to  
16 how moneys are going to be spent.

17 And I have one last comment. Just on the  
18 second tranche, because I'm involved in that  
19 program, we're trying to move the bond second  
20 tranche earlier because of interest rates going  
21 up. So you might want to consider, and maybe you  
22 are, figuring out if it makes sense to do it  
23 sooner because interest rates are going to be  
24 going higher.

25 MR. SHIM: Thank you for that. And that was

1 a factor in our timing.

2 CHAIRMAN RABINOWITZ: Who's next?

3 MR. BALLOU: Good evening. Robert Ballou,  
4 Economic Development & Diversity Compliance.

5 We have -- I'm going to talk about that 526  
6 because there's another number I need to tell you  
7 about. We have 526 certified firms that are  
8 certified as local small women and minority owned  
9 companies. There's a separate list here at the  
10 school district that's pre-qualified firms that  
11 can bid on contracts. And then that list,  
12 there's a segment of that list that's  
13 pre-qualified to bid on \$2 million plus  
14 contracts. And so we'll talk about that in a  
15 minute. Just that's a little teaser for you.

16 Here's where we are on the disparity study.  
17 We have disparity. There is opportunity for  
18 enhancement in how we spend.

19 Next slide.

20 So the recommendations from TaxWatch is what  
21 are you doing to affect the change? So I want to  
22 commend TaxWatch. In the TaxWatch report they  
23 came up with a new way of looking at our list of  
24 suppliers. It was on their table number 11 where  
25 they looked at the availability of suppliers and

1 said, the way that we look at it, you have  
2 roughly 30 percent of your suppliers are African  
3 American, 30 percent are Hispanics and  
4 accordingly, so why aren't your spends in that  
5 same percentage? Right? Logical view.

6 When we look at our actual suppliers, when I  
7 look at African American suppliers that have  
8 bonding of \$2 million or more and our average  
9 SMART project is north of \$2 million, you say,  
10 well, Robert how many African American suppliers  
11 could even bid on projects? And the number is  
12 five. Let me repeat that. The number is five.

13 And so, therefore, what are we doing with  
14 those five suppliers? And this is what it looks  
15 like. We have reengaged our African American  
16 owned prime suppliers as well as our women owned  
17 suppliers to directly invite them to start  
18 attending pre-bid conferences and bidding on  
19 business. We had success. Again this ends  
20 December of last year. So in that quarter,  
21 October, November, December we had six individual  
22 responses from African American suppliers, male  
23 suppliers, that is. 13 when you count women  
24 owned suppliers.

25 If you recall, previous reports we had zero

1 in both of those areas. So we had solicitation  
2 and we were successful and we had one African  
3 American owned company bid and actually win.

4 So of our M/WBES we had six awarded in the  
5 quarter, one of them African American, so 15  
6 percent versus zero percent previous quarters.

7 And, as you know, we worked with, at the  
8 development stage, get suppliers engaged in the  
9 subcontracting level before they become primes.  
10 And then if you look at the second column where  
11 we're talking subcontracting, 58 percent of the  
12 subcontract awards went to women.

13 So what are we doing? We told you we were  
14 going to work on subcontracting and inviting  
15 people in to come and bid. This is evidence that  
16 we're doing what we told you we were going to do.

17 Next slide.

18 We're also engaged with AECOM in some of the  
19 roofing carve outs. We started with a very  
20 complex and convoluted roofing mentor protege  
21 program and we're simplifying it to, how do we  
22 partner a large contractor with a smaller  
23 contractor as we do a roofing contract? So if we  
24 have a \$7 million deal but 4 million of it's  
25 roofing, how do you carve that out and do that as

1 a CSMP or CC CMAR? I will report on that  
2 activity because that happened in Q1 of this  
3 year, so, technically, I can't talk about it  
4 because this is before it happened. Sarcasm.

5 So that's what we're doing there. We're  
6 looking at some of those projects that really are  
7 roofing projects and working directly with the  
8 CSMP and CC CMAR contracts to bring opportunities  
9 together so we can increase our local utilization  
10 and get projects done.

11 As we talked about, the pre-bid conference,  
12 we are literally extending the right hand of  
13 fellowship and directly inviting companies to  
14 come and try us out. Remember, it's not very  
15 difficult, because I only have to call five  
16 people. So we're having them, we had a pre-bid  
17 conference today that we advertised and we're on  
18 social media with all of our pre-bid conferences.  
19 We advertised one that's happening on Wednesday  
20 that went out on social media today as well. And  
21 we're literally just inviting them, won't you  
22 come try us again?

23 Next slide, please.

24 We have launched our SDOP Management System  
25 which allows our subcontractors to see when their

1 prime got paid and follow up on why I didn't get  
2 paid. So we had some conversations today with  
3 subcontractors where we were able to follow up  
4 and make sure they got payment as well as some of  
5 our primes that, our certified suppliers were  
6 able to make sure their payments go through and  
7 help them with their paperwork. So that concept  
8 of making the district a compelling place to do  
9 business, every part that we can find to make it  
10 more compelling, we're executing against the  
11 strategy of making the district a place that  
12 people would want to do business with, getting  
13 over some of the, four years ago somebody said  
14 something to me concepts that last forever.

15 Next slide?

16 And then finally here is all the stuff that  
17 we do. We're doing everything and anything that  
18 we can do. Our biggest challenge is availability  
19 of suppliers. We're working with suppliers to  
20 help them. We actively work with the team that  
21 does the qualifications and we're actively  
22 outreaching to bring more companies that are  
23 pre-qualified that can bid directly.

24 And then the final slide, please? Please  
25 follow -- oh, look at you.



1           See, that's the tweet that just went out  
2           today talking about our bid opportunity that's  
3           happening on Wednesday with pre-bid conference.  
4           Because, again, if you don't come to the pre-bid  
5           conference, we don't know you. Right? You can't  
6           bid on the solicitation if you weren't at the  
7           pre-bid conference. So the first constraint, the  
8           leading indicator was, who was at this pre-bid  
9           conference? And if we don't see women and  
10          African American suppliers at the pre-bid  
11          conference, you will not see them being awarded  
12          contracts. So if you run into anyone that says,  
13          Broward County Public Schools didn't give me any  
14          business, you say, well, were you at the pre-bid  
15          conference? And they'll usually say, no, and  
16          you're like, well, what do you want the county to  
17          do for you?

18          So we invite you, just like Sam invites you  
19          to come to a change order meeting, we invite you  
20          to come to a pre-bid meeting. Today we had one  
21          and we were in the music room and it was a  
22          glorious song because we had one of your larger  
23          African American contractors attend. So fingers  
24          crossed that they have now attended the pre-bid  
25          conference, it's a company that has not attended

1 pre-bid conferences before, but they were there,  
2 they have bonding, and they are eligible to bid.  
3 So if you have, whatever your orientation is in  
4 speaking out to the divine, I would accept any of  
5 your wishes and prayers that they respond to the  
6 bid in a positive manner. And then I invite you  
7 to follow us on all of the handles BCPSEDDC,  
8 LinkedIn, Twitter, Instagram. We're there, we'll  
9 fill up your inbox with highlights of our  
10 suppliers as well as bid opportunities.

11 And that completes my report.

12 CHAIRMAN RABINOWITZ: Thank you. Bob?

13 MR. NAVE: No, I just want to thank Mr.  
14 Ballou. He and I had a discussion before the  
15 meeting and I want to wait until I get the  
16 transcript to see how this other set of numbers  
17 factors in.

18 But, again, I think it was in the September  
19 meeting we identified the problem with the  
20 pre-bid conference. I think Mr. Ballou knows  
21 what he needs to do and I think he's taking steps  
22 to do it. So I have no -- no comment.

23 CHAIRMAN RABINOWITZ: Thank you. Anyone?  
24 Steve?

25 MR. HILLBERG: So all of your pre-bid

1 conferences are mandatory attendance?

2 MR. BALLOU: Yes, sir.

3 MR. HILLBERG: Is there some project that  
4 repeats itself and would not, and say maybe  
5 low-tech, I don't want to use that term, but is  
6 there a time where a project would be suitable  
7 for a non-mandatory bid, maybe a simple --

8 MR. BALLOU: We do have CSMPs that are more  
9 of a continuing contract by definition of the  
10 contract and those are -- it's no mandatory that  
11 you come in person. We still have a pre-bid  
12 conference, but that's on Teams and that is one  
13 that we -- one, the dollar amounts are lower, and  
14 we do have more active African American and women  
15 involvement on those contracts. But the, we're  
16 renovating the school for \$3.5 million, somebody  
17 in the district would be upset if we awarded the  
18 contract to a bidder that never was at the school  
19 before we accepted their bid. At some point  
20 somebody's going to cry foul on that.

21 MR. HILLBERG: Thank you.

22 CHAIRMAN RABINOWITZ: Anyone else?

23 (No response.)

24 CHAIRMAN RABINOWITZ: We're on to  
25 Communications.

1 MS. KOCH: Okay. Great. Thank you.

2 Good evening everyone, I'm Kathy Koch, Chief  
3 Communications Officer.

4 I want to start off by thanking Garth  
5 Solutions for being such an excellent marketing  
6 partner to the district. We've really enjoyed  
7 working with them. We think we're getting some  
8 pretty good results. So thank you, Yvonne, and  
9 your team.

10 What SMART Means to Me.

11 Next slide, please.

12 The marketing campaign has gained traction  
13 across the district. It's consistently promoted  
14 over several platforms, including social media,  
15 emails, the district and SMART websites to our  
16 schools and to our community partners.

17 Over the 10 weeks from October 20th to  
18 December 31st there were 1,515 views across all  
19 of those platforms. 541 of them viewed the video  
20 on the website. There were 3,324 first-time  
21 visitors on the SMART website since the recent  
22 campaign was launched.

23 Next slide, please.

24 We're getting ready to launch our next video,  
25 The Music Plays On, that highlights the

1 importance to our students of having musical  
2 instruments available to them to play and to  
3 appreciate music, all as a result of the SMART  
4 Bond.

5 You might remember during COVID-19 that our  
6 students were able to take their musical  
7 instruments home and during that time they were  
8 able to continue to take music lessons. And  
9 that's a result of those SMART Bond dollars.

10 On this slide you can see the various ways  
11 the video is being promoted, through an email  
12 newsletter, social media and website.

13 And now, next slide, for some fun, prepare to  
14 enjoy two minutes of The Music Plays On.

15 (Video played.)

16 MS. KOCH: Well, I would say that's a little  
17 muddled on the sound. So it's a little crisper,  
18 a little sharper and a little more vibrant if you  
19 can actually hear what people are saying and you  
20 can hear the kids playing the music. But tune in  
21 again and we'll -- I think you can see it on the  
22 website. So you got just a little bit of flavor  
23 of what it might be.

24 So, now, gaining our local recognition, since  
25 late 2021 the Office of Communications and Garth

1 Solutions have collaborated with the Coral  
2 Springs online publication called TAP into Coral  
3 Springs. I'm not sure if you are familiar with  
4 it. It's a franchise. People can buy different  
5 cities. There's a franchise in Coral Springs.  
6 There's one in Parkland. Currently those are the  
7 only two that are in Florida.

8 But in Coral Springs we created with the  
9 publication a series of articles that highlight  
10 the SMART projects and they're going to be in  
11 every single school in Coral Springs. So the  
12 publication comes in and interviews the  
13 principals and teachers and parents about the  
14 positive impact, the improvements we're having  
15 and what they mean to the community. There have  
16 been some great, great articles. And what we do,  
17 actually, we have some of the specialties, they  
18 interviewed the state of the art speaking fire  
19 alarm and closed lobby with the buzzer entrance,  
20 they looked at the new musical equipment, the  
21 renovated media center.

22 So the series is helping to show the whole  
23 Coral Springs community how SMART Bond dollars  
24 are being spent in their very specific community.  
25 Articles have been written Maplewood, Ramblewood,

1 Eagle Ridge, Forest Hills, Coral Park Elementary,  
2 Forest Glen Middle School and just this morning  
3 two more interviews were done. So we've been  
4 excited about this particular relationship that  
5 we have with the paper. So beyond --

6 Change the slide, please.

7 Continuing beyond the City of Coral Springs  
8 we're also helping to raise awareness of SMART  
9 projects taking place across the entire district  
10 through a structured social media plan that  
11 amplifies the exposure and the content that's  
12 being produced by Garth Solutions.

13 So this plan involves highlighting two to  
14 three schools every week, bringing light to the  
15 projects currently under way and total funds  
16 allocated. So the posts ensure that every school  
17 board member district is represented and every  
18 municipality is represented within the county, so  
19 they can see what is happening in their schools  
20 within the county.

21 Change the slide, please.

22 Actually, I will speak to the previous slide  
23 on the numbers. From October 1st to December  
24 31st there were 257 social media posts on  
25 Twitter, Facebook and Instagram. So for the 92

1 days within that quarter that's an aggressive  
2 average of almost three posts per day. So we're  
3 really trying to get out there with stories that  
4 are specific for the different cities, the  
5 different schools and the specific audiences.

6 Outreach Events, there were two ribbon  
7 cutting ceremonies and media events held this  
8 quarter to celebrate the completion of the  
9 Cypress Bay High School's new 62-room classroom  
10 building and also the Cooper City Elementary  
11 School's media center.

12 BECON TV always attends those events and they  
13 record the event and they create a video and then  
14 that video is also distributed to the community.  
15 So if you miss the event you're still going to be  
16 able to see it. It's distributed to all district  
17 audiences.

18 Outreach events that were held include also  
19 the James S. Rickards Middle School Community  
20 Meeting, the City of Oakland Park Quarterly  
21 Update Meeting, and North Lauderdale PK-8 Project  
22 Update Meeting.

23 In addition one of our school board members  
24 has been holding, this is district 7, monthly  
25 meetings in the elementary schools to update the



1 community about the specific projects in district  
2 7. Other school board members are taking note  
3 and they're starting to plan their town halls  
4 also. It's really a great way to gather the  
5 community together, be able to show the projects,  
6 take questions, and engage that whole community.

7 So, quickly, to conclude, we're continuing to  
8 move ahead to educate the community about the  
9 completion of the projects and how the bond  
10 program is providing new and engaging  
11 environments for our students where they can  
12 learn to be successful and be successful in their  
13 own futures and how the bond program continues to  
14 benefit all of our communities.

15 So that's what we're doing in marketing.

16 Thank you.

17 CHAIRMAN RABINOWITZ: Bob?

18 MR. NAVE: Quick question. You mentioned an  
19 event at Rickards Middle School. At that event  
20 was the public briefed on the collapse and what  
21 happened at Rickards and what the district is  
22 doing about it? Because I know the committee has  
23 asked for that briefing.

24 MS. GARTH: My understanding is that that  
25 event was really a briefing on the SMART project,

1 but I would need to confirm that. I don't think  
2 it was related to the roof.

3 MR. BAYS: We're going to offer a response on  
4 that. I do not believe that at the time the  
5 Rickards Community Meeting occurred the district  
6 had shared any of the technical information.

7 There since has been a redacted report shared out  
8 and it is available. So that we can provide you.

9 MR. NAVE: I'm going to offer you a deal.

10 If you and your staff and consultants come to  
11 these meetings prepared to discuss the issues  
12 raised in our report, you don't owe me anything  
13 in writing.

14 MR. BAYS: That's certainly fair.

15 MR. NAVE: There will be a transcript of it.  
16 I'll have it in writing if I need it.

17 Is that a deal?

18 MR. BAYS: That's absolutely a deal.

19 CHAIRMAN RABINOWITZ: Wonderful.

20 MR. NAVE: Do you endorse that deal?

21 CHAIRMAN RABINOWITZ: Absolutely.

22 MR. NAVE: Okay. The other issue, the issue  
23 that TaxWatch -- I think the district's doing a  
24 great job trying to educate the taxpayer on  
25 what's going on. And you guys have pushed them

1 to do it and I think they are finally getting  
2 that message.

3 The issues that we raised in our report  
4 related to communications were communications  
5 with TaxWatch, with the committee, and with  
6 people who made public comments. We talked  
7 earlier today and we've just negotiated our deal  
8 here, so response to TaxWatch issues should not  
9 be a problem.

10 Members of this committee for the last few  
11 meetings have asked for information from the  
12 district and I'm imagining they still haven't  
13 gotten it. And when we had public -- I think it  
14 was the September meeting we had two members of  
15 the public speak, the committee asked to be  
16 copied on the response to those and I haven't  
17 seen anything. So I don't know if the district  
18 responded or what.

19 But the overall issue is the timeliness and  
20 the responsiveness of the district to your  
21 concerns, my concerns and the concerns of the  
22 public.

23 CHAIRMAN RABINOWITZ: Go ahead.

24 MS. KRISHNAIYER: Apart from that, I think we  
25 don't get anything other than just before the

1 meeting. So being informed in between those  
2 three months would be very, very useful.  
3 Whatever it is, you know, we -- we get the  
4 report, you know, the quarterly report,  
5 500-and-some pages, and that's about it. And the  
6 TaxWatch report. So there is a lack of  
7 communication, I agree, with the committee,  
8 itself. Whether it's small things or great news,  
9 you know, I think it would be wonderful to have  
10 the committee included in all of those  
11 communications. So it's just easier to keep up  
12 with stuff other than absorbing all of that, you  
13 know -- and not necessarily through your  
14 department, Kathy, but I'm talking about  
15 everybody, you know, whatever happens, that we  
16 can get that information.

17 MS. KOCH: I do understand that. But I was  
18 just thinking as you were talking, that when we  
19 send something to the community, certainly, you  
20 should be on that list. And if there is a press  
21 release going out about something that's  
22 indicative of that you should be on that list,  
23 also. And that's a really simple thing to do and  
24 it would at least provide, for marketing part of  
25 it, you can see what's happening in real time.

1 MS. KRISHNAIYER: Thank you.

2 MS. LANGAN: Through the Chair, this is  
3 Kathleen, I think we can definitely provide the  
4 committee with copies of our monthly report.  
5 They are very extensive. We give specifics on  
6 each individual project. So we are happy to send  
7 that to Omar and have him transmit that to the  
8 committee.

9 CHAIRMAN RABINOWITZ: Tommy?

10 MR. DEMOPOULOS: I know you mentioned the  
11 redacted report for Rickards and sending that to  
12 Bob. Can the committee get that, as well?

13 MR. BAYS: Absolutely.

14 MR. DEMOPOULOS: Thank you. And then like  
15 Coral Springs, I was thinking about my city,  
16 selfishly, Tamarac, we have the Tamarac Talk  
17 magazine or Tam-A-Gram magazine that goes out to  
18 all the residents and businesses, and I would  
19 imagine many cities do, and I'd love to get  
20 together after and see how we can get our -- we  
21 only have three schools, but how we can get our  
22 schools in that magazine. Because I think that's  
23 a good way to partner and to get that. And I  
24 would almost take that same concept and roll it  
25 out to whomever else has some program or magazine

1 like that. Good job. Thank you.

2 MS. KOCH: Thank you.

3 MS. KRISHNAIYER: Actually, I think Tamarac  
4 Talk, Coral Springs Talk and Parkland Talk are  
5 all the same, you know, Sharon --

6 MS. KOCH: Sharon Baron.

7 MS. KRISHNAIYER: Yeah. And so, you know,  
8 maybe she would put it in all three.

9 MS. KOCH: And we do work with Sharon, but  
10 not on this very precise thing. Good idea. We  
11 actually met today looking at all of the small  
12 papers and media throughout the county to see  
13 where we might be able to replicate this very  
14 exciting relationship that we have tapped into  
15 with Coral Springs. We think it might be a  
16 little bit of the DNA of their particular  
17 publisher, but we'll see if we can maybe move  
18 that to a larger group.

19 MS. KRISHNAIYER: I had no idea about TAP  
20 into Coral Springs. I just looked it up. And I  
21 live in Coral Springs, so --

22 MS. KOCH: Thank you.

23 MR. HILLBERG: Mr. Nave, I just want to thank  
24 you for pushing the issue of getting responses to  
25 the questions we've asked. We have mentioned

1 that in the past, but it is a lagging issue on  
2 this committee. And I try to make a list of  
3 things that are owed to us as a committee based  
4 on the court reporter's notes and minutes of the  
5 meeting. Those are very helpful. And I have a  
6 list, but I didn't want to send it so late before  
7 the meeting. I'll try to make it a little  
8 earlier. As soon as I get the court reporter  
9 minutes I can send those out as a reminder of  
10 what was asked and what was requested to be  
11 provided. But thank you, again.

12 MR. NAVE: You're welcome.

13 CHAIRMAN RABINOWITZ: Anybody else?

14 (No response.)

15 CHAIRMAN RABINOWITZ: I believe that  
16 concludes the reports.

17 The next school board workshop is April 12th.  
18 I thought there was supposed to be one at the  
19 last school board meeting but it didn't happen;  
20 am I right?

21 MR. DEMOPOULOS: Yeah, I don't recall the  
22 date that I was supposed to go and then I was  
23 notified there was a date change which I could  
24 not make and I notified them, but then I believe  
25 that was cancelled and it didn't happen, from

1 what I was told.

2 MR. SHIM: Yes, I think a lot of that came  
3 around in the time where the board had a number  
4 of meetings regarding the superintendent's  
5 election. And so, unfortunately, this -- the  
6 workshop for the Bond Oversight Committee was  
7 kind of pushed. And then when we couldn't make  
8 that last window it was kind of late in the  
9 timeframe coming up to the second quarter. So  
10 the next one is April 12th.

11 CHAIRMAN RABINOWITZ: So since you're still  
12 dying to go to another one I think you should do  
13 April 12th.

14 MR. DEMOPOULOS: Mr. Chair, I appreciate  
15 that. I do have a schedule conflict. I looked  
16 at my calendar. April 12th I cannot do, but I  
17 can do the other two. Or I'll commit to one.

18 CHAIRMAN RABINOWITZ: Anybody else?

19 I'm going to be in trial. I know that. I  
20 just looked at my calendar.

21 MR. HILLBERG: Clear it.

22 CHAIRMAN RABINOWITZ: I haven't been to trial  
23 in forever. I'm dying to go.

24 MR. CORTES: What time is it?

25 CHAIRMAN RABINOWITZ: They'll call us first



1 thing in the morning. Don't they typically call  
2 us first thing?

3 MR. SHIM: Yeah, we request the first time  
4 slot out of respect of the member's time.

5 MR. CORTES: Just to make sure, you're  
6 looking for one person that can be at that  
7 meeting? And, again, that's April 12th and  
8 you're saying -- as long as it's not a Wednesday.  
9 Let's see. I should be able to. How long -- how  
10 long is the meeting, Omar, the workshop; four  
11 hours; the morning?

12 CHAIRMAN RABINOWITZ: You're just giving a  
13 report of what happened here.

14 MR. CORTES: Oh, giving a report of what  
15 happened here?

16 MR. SHIM: Right. So, typically, with  
17 questions -- I mean, the committee member would  
18 give a report, they'd ask a few questions and  
19 then they would ask a lot more questions of  
20 staff. It would go on and the committee member  
21 can leave after the questioning portion for the  
22 committee member is completed. But it's  
23 typically about an hour.

24 MR. CORTES: I'm good.

25 CHAIRMAN RABINOWITZ: Future dates for the

1 future meetings. Dates for the future meetings  
2 are on the agenda, June 13th, September 19th and  
3 December 19th.

4 There's obviously a couple of other issues  
5 concerning membership. There's a resolution  
6 change and membership terms and an ethics  
7 training reminder.

8 Where are we on those things, Omar, with  
9 regard to the resolution change, the membership  
10 terms and --

11 MR. SHIM: Well, I think that the committee  
12 should look at the resolution and what are those  
13 things and determine if there are any changes  
14 that the committee wants to make to the  
15 resolution based upon where we're at in the  
16 program and what the work of the committee is  
17 going forward. And that's just my kind of  
18 recommendation.

19 You know, we've had a number of members that,  
20 you know, we haven't had coming to the meeting,  
21 so I've kind of reached out to them to see if  
22 they want to continue. I reached out to the GFOA  
23 organization to replace the member that is not  
24 with us anymore. So we're getting some feedback  
25 and trying to get, increase the membership.

1 CHAIRMAN RABINOWITZ: Okay. Is there anybody  
2 here from the public?

3 No one? That's refreshing.

4 So we don't even have to recess to have a  
5 public hearing.

6 Is there any other discussion that we need to  
7 have tonight?

8 MR. HILLBERG: Yes.

9 CHAIRMAN RABINOWITZ: Okay.

10 MR. HILLBERG: In the -- after the last  
11 meeting, in jest, I made a remark to Ms.  
12 Carpenter, Ashley, about the building -- the  
13 Markham Elementary School building number 1 was  
14 found to have deficient or lacking reenforcing  
15 steel and initially it was planned that it was  
16 going to have a minor renovation, roofing, HVAC  
17 for about \$200,000 and when the discovery  
18 occurred that the rebar was insufficient the  
19 decision -- the board made the decision to  
20 demolish the building and build another one at  
21 the cost of \$29 million. And the comment that I  
22 made to you in jest was, let's just carbon wrap  
23 it, carbon fiber wrap it. And then I went home  
24 and I started thinking, in my work we have been  
25 talking about carbon wrapping certain things and

1 we usually rule a lot out because it's very, very  
2 expensive, but when you compare it to a whole  
3 building cost of \$29 million, it might be a  
4 reasonable option that might save a lot of money.  
5 I did reach out to a vendor who said we could  
6 probably do a carbon wrapping of the building for  
7 half the price of replacing. Which even if we're  
8 optimistic, it's a tremendous amount to be saved.  
9 And I would encourage the board and the group to  
10 consult with the structural engineers and get an  
11 opinion on that. And if that is a thing that  
12 would be viable to consider it. Maybe even move  
13 ahead with it. Thank you.

14 MR. BAYS: Thank you. I am, I have a friend  
15 who would say, gobsmacked. That one I have not  
16 heard of, but we will surely investigate it.  
17 Used in vertical construction for an existing  
18 structure, I'll give you a card if you can send  
19 me a lead.

20 MR. HILLBERG: Sure. Also, I'm an expert via  
21 YouTube on the installation of that process and  
22 all sorts of retaining walls and flood proofing  
23 and just this, that and the other. And it's a  
24 miracle that it never fails, according to the  
25 Internet. But I will give you the contact

1 vendors and things like that. It was even on the  
2 Discovery channel where they wrapped a trailer  
3 and blew it away with jet exhaust and it just  
4 rolled and rolled and rolled. That's really not  
5 what we're going to be doing here, but I'll be  
6 glad to connect you with the vendor.

7 MR. BAYS: Other than that, it's exactly the  
8 same.

9 MR. HILLBERG: Yes.

10 MR. BAYS: That's great. Thank you.

11 CHAIRMAN RABINOWITZ: Thank you. Anything  
12 else?

13 MR. DEMOPOULOS: Mr. Chair, not to go  
14 backwards, but on the next meeting, which is June  
15 13th, I am unable to attend. Not that we need to  
16 talk about all that now, but --

17 CHAIRMAN RABINOWITZ: Okay. We'll keep it in  
18 mind if we have any quorum issues.

19 MR. DEMOPOULOS: And then, also, if I may,  
20 Fire and myself have been meeting with the fire  
21 code officials and the Task Assigned Chief Safety  
22 & Security Leadership multiple times, like every  
23 other month or at least every quarter and we have  
24 had lots of tremendous positive conversations and  
25 movement in the right direction. So I know

1 there's not a whole lot, there is safety and  
2 security-wise, but additional details and  
3 conversations are in the works behind the scenes.  
4 So I just wanted to make everybody aware there's  
5 a good relationship being built and we appreciate  
6 -- on the fire side, we appreciate the school  
7 board's effort in that.

8 CHAIRMAN RABINOWITZ: Wonderful. Anything  
9 else?

10 (No response.)

11 CHAIRMAN RABINOWITZ: Hearing none, all we  
12 need is a motion to adjourn.

13 MR. DEMOPOULOS: So moved.

14 MR. HILLBERG: No, we have something else.  
15 We were trying to adopt a policy of deciding what  
16 was the message to the workshop, what items that  
17 we wanted to bring to the attention of the board  
18 we thought were important.

19 CHAIRMAN RABINOWITZ: It was always my  
20 impression relative to the workshop, we gave a  
21 general consensus of what happened at this  
22 meeting, you know, and what things were discussed  
23 and what direction they were moving in. It used  
24 to be that we would get -- well, this goes back  
25 years ago. We would get a report from the school

1 board personnel, we would look at it and then we  
2 would deliver it. And then they didn't like  
3 that. They thought that was too tailored,  
4 essentially, and we had to do our own to give to  
5 them. But I will listen to anyone's  
6 recommendation in that regard.

7 Do you have any suggestions?

8 MR. HILLBERG: No, I thought we had talked  
9 about agreeing what items to bring to the board.

10 CHAIRMAN RABINOWITZ: Frankly, I don't  
11 remember.

12 MR. HILLBERG: Okay.

13 MR. DEMOPOULOS: I remember. I remember the  
14 discussion because I was nervous about going to  
15 my first meeting and I was trying to write down  
16 some bullet points. So I think it's nice to have  
17 a uniform voice, that we all kind of say, yes,  
18 check, check, check. Maybe we can come up with  
19 maybe one to three items of importance that we  
20 would be mentioning at this meeting. I know it  
21 would be helpful for me at a future meeting.

22 CHAIRMAN RABINOWITZ: I agree with you and I  
23 do recall that, as well. I apologize. I thought  
24 you were talking about something different.

25 So if you want to start from the bottom up,

1 clearly, we want to talk about communications. I  
2 think that that's the important issue that was  
3 brought up and the recommendations by TaxWatch.  
4 So --

5 MR. HILLBERG: Agreed.

6 CHAIRMAN RABINOWITZ: Anyone else? I don't  
7 think it's necessarily up to me to determine what  
8 the agenda is for the workshop message, so -- I  
9 think the deal that was struck between TaxWatch  
10 and AECOM is important, that they'll make sure,  
11 and that's a subsection of the communication  
12 aspect, that when TaxWatch has questions that  
13 there'll be, hopefully, answers delivered at the  
14 meeting so we are not waiting an extended period  
15 of time.

16 Anyone else? Or do you just want to rely  
17 upon my memory?

18 MR. HILLBERG: Some positive things would be  
19 that the committee is pleased with the progress  
20 made in the economic development aspect and the  
21 communications is also showing good progress and  
22 good effort to reach our community and keep them  
23 informed.

24 MR. DEMOPOULOS: I would say something  
25 potentially about change orders. It's not so



1 much on the positive side of it, but maybe it  
2 needs more attention or future discussion, slash,  
3 meetings on this errors and omissions portion.

4 CHAIRMAN RABINOWITZ: I agree.

5 MR. CORTES: Quick question. So how long is  
6 the presentation? Five minutes; 10 minutes; 15  
7 minutes? I could go hours. Trust me.

8 So I just think that we have all of the items  
9 that you covered in the meeting. I think the  
10 idea would be to highlight those, each of the  
11 items that were covered in the meeting.

12 CHAIRMAN RABINOWITZ: These are for you.

13 MR. CORTES: I know. That's what I'm saying.  
14 I'll address some of the things that have been  
15 talked about; right? There is no way we -- just  
16 a question here. There's no way we can  
17 communicate other than through this meeting here?  
18 Because my thought was, I take this, I put  
19 together a proposed list of what we think are  
20 important items, I can distribute that to all of  
21 us and you can tell me you don't have to do it  
22 again until two years because you did an awful  
23 job.

24 MS. KRISHNAIYER: No, I think it can go  
25 through Omar and Omar can send it to us. You

1 can't send it directly to us but it can go to  
2 Omar and Omar sends it to us.

3 MR. SHIM: That's not my understanding. I  
4 can't act as someone to communicate through  
5 Sunshine. But, I mean, I think you're kind of on  
6 the right track as far as coming up with a few  
7 ideas and the gist of it and I think somebody can  
8 develop it and deliver it in their own style.

9 CHAIRMAN RABINOWITZ: I agree. You from us  
10 will be good.

11 Anything else?

12 MR. HILLBERG: In the past I've taken the  
13 recommendations and I've emailed them to the  
14 liaison, Vicki and the Chair, Adam, so that we  
15 covered the Sunshine laws so I only communicate  
16 with two people. And that helps because when I  
17 showed up at one of these board meetings the  
18 board wanted copies and I think Vicki was able to  
19 make those in a timely manner and saved us all  
20 from uncomfortably staring at each other.

21 MR. CORTES: So you've done the workshops  
22 before?

23 MR. HILLBERG: Yes.

24 MR. CORTES: And you handled them that way  
25 with her?

1 MR. HILLBERG: Yes.

2 MR. CORTES: Okay. Do you have a copy of  
3 that draft that you did before that you can send  
4 to me?

5 Oh, that's the one.

6 MR. HILLBERG: Sorry about all the writing.

7 MR. CORTES: No, that's okay.

8 CHAIRMAN RABINOWITZ: Thank you.

9 Anything else?

10 MR. HILLBERG: No.

11 CHAIRMAN RABINOWITZ: Okay. Perfect. Now,  
12 all we need is a motion to conclude the meeting.

13 MR. HILLBERG: So moved.

14 CHAIRMAN RABINOWITZ: Wonderful. Thank you.  
15 Thanks everybody.

16 (Meeting was concluded at 7:20 p.m.)

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REPORTER'S CERTIFICATE

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STATE OF FLORIDA  
COUNTY OF BROWARD

I, Timothy R. Bass, Court Reporter and Notary Public in and for the State of Florida at Large, hereby certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes thereof.

Dated this 21st day of March, 2022, Fort Lauderdale, Broward County, Florida.



TIMOTHY R. BASS  
Court Reporter

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