

BROWARD COUNTY PUBLIC SCHOOLS
BOND OVERSIGHT COMMITTEE

NOVA HIGH SCHOOL
MEDIA CENTER
3600 COLLEGE AVENUE
DAVIE, FLORIDA 33314
SEPTEMBER 19, 2024
6:20 P.M. - 8:24 P.M.

ATTENDANCE:

Michael F. McIntyre, AECOM
Ashley Carpenter, Atkins
Denise Mincie-Mills, EDDC
Mark Dorsett, Executive Director, PPO
Divine Amoah, Director, Pre-Construction
Rafiki Brown, Task-Assigned Capital Budget Director
Deniece Williams, Garth Solutions
Megan Menendez, Garth Solutions

BOND OVERSIGHT COMMITTEE MEMBERS:

Steve Hillberg, P.E., Civil Engineer
Chief Tommy Demopoulos, Fire Chiefs Association of
Broward County
Parth Patel, CGFO
Latha Krishnaiyer, Broward County Parent Teachers
Association
William A. Tracy, Building Official, City of Parkland

Reported by:
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1 MR. HILLBERG: All right. We can get
2 started. I'll call the meeting to order.
3 Approval of the Minutes from the last meeting,
4 which was March 21st.

5 MS. KRISHNAIYER: So moved.

6 MR. TRACY: Second.

7 MR. HILLBERG: All in favor?

8 COMMITTEE MEMBERS: Aye.

9 MR. HILLBERG: Opposed?

10 (No response.)

11 MR. HILLBERG: Unanimously passes.

12 Item C, Call for Experienced Representatives
13 to Fill Open Positions. There are three -- four
14 categories that we would like to pull from, those
15 aren't concrete, though. We could change them if
16 we had someone with a particular knack.

17 MS. KRISHNAIYER: Isn't this named in the
18 resolution?

19 MR. BROWN: Okay. Sorry, I misinterpreted.
20 So there are groups that we need to seek the
21 assistance from, which the ones we're missing are
22 the Florida Bar, the Special Needs Children area,
23 the Construction and Contracting experience, and
24 a Minority Builder.

25 MR. HILLBERG: And those are the vague

1 categories that we -- I say "we", but I mean the
2 school board staff kind of opened up a little
3 bit.

4 MR. BROWN: Yes, and then --

5 MS. KRISHNAIYER: I have a question. It says
6 the Florida Bar. So if we can identify an
7 attorney that is a member of the Florida Bar
8 that's good enough; right? They don't appoint?

9 MR. BROWN: Normally, the -- I can check
10 that. I can check on that for you. I would
11 prefer to check with our attorneys.

12 MS. KRISHNAIYER: Well, for example, if I was
13 to leave, you know, my association has to appoint
14 someone.

15 MR. BROWN: Yeah, I believe it was the
16 Florida Bar Association that appointed Adam and I
17 believe that's how it's written, but I will check
18 also.

19 CHIEF DEMOPOULOS: From what I see here, if I
20 may, Mr. Chair, it says one member from the
21 Florida Bar. I don't know how they would pick
22 it.

23 MS. KRISHNAIYER: Association is gone in the
24 revision.

25 MR. BROWN: I'll check with legal.

1 CHIEF DEMOPOULOS: I forgot what I was going
2 to say. Kind of going to our previous discussion
3 about members of the committee, this being a
4 nine-individual committee, per the resolution,
5 you know, and then the quorum would be, I think
6 it was five members, which we have a total of
7 five actually seated members, so that means
8 nobody can ever miss a meeting or else we won't
9 have a quorum. So, you know, we've been talking
10 about this for a number of meetings. I assume
11 and I hope the district is doing everything
12 within their power to find replacements for these
13 four positions. I don't know what else we can do
14 to help or stimulate that, but I would hope and
15 think, and I don't know if a formal motion or
16 what needs to be done to get some more fire under
17 the district or the superintendent to say, hey,
18 listen, from a committee member standpoint, it's
19 disheartening that it is not a full committee,
20 because we are missing the input from these
21 positions, which probably bring a lot of value to
22 this committee and the district in these
23 construction projects. In addition, in order not
24 to waste all of your time and all of our time if
25 somebody were not to be in attendance and now we

1 can't have a quorum, which has happened in the
2 past, so, again, what can we do or recommend as a
3 committee to the district to take more or better
4 action to fill these positions and/or revise the
5 resolution to go from a nine-person down to a
6 whatever-person committee, that way it allows for
7 at least one or two people not to be here. Thank
8 you.

9 MS. KRISHNAIYER: Yeah, as you know,
10 piggybacking onto that, even if they don't change
11 the composition from nine to -- they can insert a
12 sentence that says the majority of the members
13 currently in place. So if there's five, three
14 would be a majority. So that, I think a lot of
15 organizations practice that so that business can
16 be done as the majority of those -- even I think
17 the U.S. House of Representatives, if you watch
18 any of their votes, it depends on who's in that
19 chamber at that time.

20 MR. BROWN: Okay. So I'll ask our attorneys
21 if we could insert the language into the
22 resolution. It would still be an amendment to
23 the resolution to state the majority of members
24 in place constitutes a quorum and provide
25 feedback to the committee.

1 And also if you could go ahead and send to us
2 the names that you have, send the information to
3 Millie.

4 MR. HILLBERG: I will. Okay. It occurred to
5 me while we were discussing this that we do have
6 a communications unit in this program and that
7 might be a good vehicle to get out the word that
8 we are looking for more representation on this
9 board, with, of course, the requirements.

10 Since Yvonne is not here, I volunteer her to
11 do that. No, just --

12 Okay. Should we move on to presentations?
13 And before we do, I've been talking and I'm sure
14 you have as well with TaxWatch and the -- their
15 funding has run out some time ago. It's -- I
16 think they're trying to renegotiate with the
17 school board. I don't know how that's going.
18 But for the time being they are not going to be
19 driving here and providing input, creating their
20 reports. So that's a -- that's a big loss of a
21 resource for us. They had really good insights
22 and they really spent a lot of time looking at
23 the entire report and helping us to do what we
24 can to keep the program on track. So there won't
25 be any input tonight from TaxWatch.

1 CHIEF DEMOPOULOS: Mr. Chair?

2 MR. HILLBERG: Yes.

3 CHIEF DEMOPOULOS: What requires TaxWatch to
4 be involved? And like what paid them; what money
5 ran out? Do we make a motion to find funding for
6 it? Do we -- like how -- because they are an
7 important role in this. And I hate to continue
8 however many more meetings without them playing a
9 part. So how do we move forward?

10 MR. HILLBERG: Well, Mr. Brown, it looks like
11 you're ready to go.

12 MR. BROWN: TaxWatch was never required and
13 school board funding was never used to pay for
14 TaxWatch. TaxWatch remains independent and they
15 have private funding for their efforts. In fact,
16 if we were paying them to watch tax dollars it
17 would kind of be a --

18 MR. TRACY: It would be a conflict of
19 interest.

20 MR. BROWN: A conflict; exactly. So the
21 funding ran out and so it was more that the board
22 wanted an additional oversight to assist the
23 oversight committee is why we engaged TaxWatch to
24 see if they would help and they joined us back in
25 the past. But there's no requirement of

1 TaxWatch.

2 MS. KRISHNAIYER: Question. There was a
3 referendum on the ballot for the inspector
4 general to be the oversight or whatever for the
5 Broward County School Board and it was sent
6 through the commission, I believe, and it's now
7 on the ballot. Could the inspector general take
8 that role?

9 MR. BROWN: I couldn't answer that. But we
10 would have to see. I'm not sure if we could
11 answer that or if the inspector general would
12 even want to take this role. But I think -- I
13 think with the referendum that's on the ballot
14 for the inspector general, it includes oversight
15 on all of our funds. So if that referendum
16 passes then, naturally, SMART and all our other
17 funding would fall under their purview.

18 MS. KRISHNAIYER: Yes, because when the bond
19 was passed, that was one of -- I mean, Mr. Runcie
20 wanted a recommendation from PTA and I did most
21 of them and that was one of the recommendations I
22 put in, but they went to TaxWatch. That's why
23 I'm going back to it.

24 MR. BROWN: So, again, all our funding would
25 be under their purview. So I would presume,

1 therefore, in the past this committee could seek
2 their guidance or assistance. And that
3 referendum would actually force us to provide
4 some funding to them.

5 CHIEF DEMOPOULOS: Mr. Chair, so that's based
6 on that passing; right? So if it doesn't pass,
7 then we're in the same boat as we are today. I
8 don't know what the rest of the committee
9 members' feelings are about TaxWatch, personally,
10 I feel lost -- not lost without them, but really
11 missing a key component and a key unbiased
12 oversight. I know we all do what we can to
13 review these reports, but it is almost impossible
14 to get every page and I know and trust that they
15 do the best job possible.

16 So, in learning that motions carry more
17 weight, personally, I don't know if a motion is
18 in place that we direct them to reengage with
19 them, that we direct them to start conversations
20 again?

21 MS. KRISHNAIYER: With them or --

22 CHIEF DEMOPOULOS: Or another independent
23 third party. I don't know how that fits into a
24 motion. I'll be happy to make it. I just don't
25 know the wording of that.

1 MR. HILLBERG: Agreed.

2 MS. KRISHNAIYER: Yeah.

3 MR. HILLBERG: I don't know that we can
4 direct anything. We can recommend.

5 MR. BROWN: Yeah, you can make a motion to
6 recommend.

7 MR. HILLBERG: The inclusion of TaxWatch or
8 funding of TaxWatch in the Bond Oversight
9 Committee.

10 MS. KRISHNAIYER: To reengage.

11 MR. HILLBERG: To reengage TaxWatch.

12 MS. KRISHNAIYER: Yeah, reengage TaxWatch or
13 other independent agency to provide
14 recommendations, whatever they were doing; yeah.

15 MR. BROWN: So someone should make a motion.

16 CHIEF DEMOPOULOS: So can we make a motion?
17 So I make a motion for the district to reengage
18 conversations with TaxWatch to continue the
19 oversight and review of the bond oversight
20 project, the SMART project.

21 MS. KRISHNAIYER: The SMART Bond.

22 MR. TRACY: I second.

23 CHIEF DEMOPOULOS: And if that conversation
24 shall fail, then engage another third party
25 independent company, contractor, however that

1 would be.

2 MR. TRACY: Yeah, I second that motion.

3 MR. HILLBERG: Okay. All in favor?

4 COMMITTEE MEMBERS: Aye.

5 MR. HILLBERG: All opposed?

6 (No response.)

7 MR. HILLBERG: It passes unanimously.

8 MS. KRISHNAIYER: And one of the rationales,
9 if I may, apart from what Tommy said, is also the
10 inception of the public when the -- you know,
11 when I'm questioned when I gave PTA, you know,
12 wrap-up of what has happened and questions come,
13 I can always assure them that there is this party
14 that's watching and that's a tough group to put
15 one over. So there's no -- there may be delays,
16 there may be -- because the perception is that
17 there's mismanagement of funds. So I think it
18 helps a lot towards, you know, reassuring the
19 public that the funds were used, it's just for
20 the right purpose.

21 MR. PATEL: Mr. Chair, if I may?

22 MR. HILLBERG: Yes.

23 MR. PATEL: Just kind of echoing the board
24 sentiment here, just being in the final leg of
25 this thing and not have a third independent

1 auditing service, in my opinion, it's kind of
2 hard to get everything across the finish line.
3 Like to Tommy's point, to make sure that like the
4 29 outstanding projects that are out there, is
5 there anything we should be focusing on now so we
6 can get most of the stuff done by the completion
7 of this bond?

8 MR. HILLBERG: Mm-hmm. I agree.

9 So in other -- I watch other boards, they do
10 have some time spent working on the exact
11 language of recommendation. We -- at this point
12 we have something vague, that we recommend, the
13 reengagement of TaxWatch or someone else. I
14 would like to -- I think the language needs to be
15 more formal before we go to the board with it,
16 but I guess this fits into our recommendations at
17 the workshop, so -- I'm sorry, I'm thinking while
18 talking, that we'll be able to present that at
19 the next workshop and take the raw form that we
20 have now and finalize it up a little bit and go
21 to the board with it, get their input and then
22 come up with something more final.

23 Okay. Thank you.

24 MR. BROWN: And regarding the resolution, are
25 you making a recommendation now, a formal

1 recommendation?

2 MR. HILLBERG: Yes.

3 MS. KRISHNAIYER: Regarding the quorum?

4 Again, language needs to be formalized that
5 basically, you know, it being difficult to meet
6 the quorum when nine members are specified and
7 the quorum is five plus one and five members are
8 in place. The quorum can be adjusted to those
9 that are in place, the majority of the members
10 that are in place.

11 MR. BROWN: Okay.

12 MS. KRISHNAIYER: So I move that we bring
13 that before the board.

14 MR. HILLBERG: Okay. Second?

15 CHIEF DEMOPOULOS: I second that.

16 MR. HILLBERG: All in favor?

17 COMMITTEE MEMBERS: Aye.

18 MR. HILLBERG: All opposed?

19 (No response.)

20 MR. HILLBERG: Passes unanimously.

21 All right. We can move on to the
22 presentations starting with the Quarterly
23 Highlights.

24 MR. MCINTYRE: So this quarter the number of
25 projects in construction closeout went up by 8 to

1 147 total. It reflects a Year-to-Year difference
2 of 58. Closeout -- we define closeout as reached
3 substantial completion, which is the beginning of
4 closeout process. We had one Groundbreaking
5 ceremony at McArthur High School and we had 21
6 Education Advisory Meetings during the quarter.
7 Primary Renovation Process Quarterly Highlights,
8 we have four projects that remain in planning.
9 You'll see an asterisk there. Those projects are
10 actually on hold. Final determinations have not
11 been made on scope or whether those projects will
12 actually move forward due to ongoing existing
13 condition issues. They may get carried over into
14 future activities within the district once some
15 determinations are made.

16 MR. HILLBERG: If I may? Those four are the
17 ones that are at the at-risk and the comments, if
18 I remember right, is that they will be discussed
19 further?

20 MR. MCINTYRE: They will be discussed
21 further, but not -- well, I don't know if we're
22 discussing them that much further in this
23 presentation.

24 MR. HILLBERG: Right. Right. No. Because I
25 looked and I was like where? I couldn't find it.

1 MR. MCINTYRE: They will be discussed further
2 within the district.

3 MR. HILLBERG: Mm-hmm.

4 MR. MCINTYRE: The district has yet not made
5 a final determination on the project status,
6 again, due to ongoing existing conditions issues.

7 MR. HILLBERG: Thank you.

8 MR. MCINTYRE: But they are budgeted. So
9 they're sitting there and they are budgeted. So
10 once a decision is made they can begin to move.

11 We have nothing in Procurement for a designer
12 at this point. We have 3 projects in Design with
13 budgets of 3.39 million.

14 We have procurement ongoing for one
15 contractor. We have 176 projects in Active
16 Construction, 147 in Construction Closeout. And,
17 again, closeout is defined as achieved
18 substantial completion. We have beneficial
19 occupancy and the closeout activities have
20 commenced.

21 MR. PATEL: Mr. Chair?

22 MR. HILLBERG: Yes.

23 MR. PATEL: Just really quick, do you happen
24 to know which four projects are not --

25 MS. CARPENTER: Yes, it's North Fork

1 Elementary, Bennet Elementary, Broward Estates
2 Elementary and Glades Middle.

3 MS. KRISHNAIYER: North Fork and Broward
4 Estates have been identified as schools that
5 would be closed.

6 MS. CARPENTER: They are in the redesigning
7 cluster, so that's is part of why they are on
8 hold with the SMART so that the dollars aren't
9 spent there and then the district decides to do
10 something totally different. They also have
11 issues with enrollment. You know, there's a lot
12 of different things going on, so -- but, yeah, we
13 understand they're part of the redefining
14 process.

15 MR. MCINTYRE: And they were on hold prior to
16 formal redefining activities commencing just
17 because of ongoing existing conditions issues.
18 So that just complicated the issue.

19 MS. KRISHNAIYER: I was at North Fork two
20 weeks -- two weeks ago? Yeah. And Dr. Holness
21 -- Board Member Dr. Holness was with me as well
22 as the principal. And it's a real shame.
23 Because this is one of the oldest schools in
24 Broward County and, you know -- and Broward
25 Estates is also in the same District 5, I

1 believe. So, yeah.

2 CHIEF DEMOPOULOS: Chair, I have a question
3 also.

4 MR. HILLBERG: Sure.

5 CHIEF DEMOPOULOS: Just the three in Project
6 Design, because if I'm looking right, and maybe
7 I'm not, right below it from March 31st it was
8 zero, now it's three, did that come from active
9 construction backwards; how did that --

10 MS. CARPENTER: Not from active construction,
11 but it was because these were projects that the
12 architect that was engaged from the beginning
13 could not get a permit, like just -- just wasn't
14 happening. So in the end we had to take the
15 scopes away from them, do a carveout and there
16 are certain scopes that -- like if we're doing a
17 roofing carveout we don't necessarily have to
18 engage an architect because the roofers review
19 the plans and basically get their permit on their
20 own, but these particular scopes are like
21 electrical improvements and things that it really
22 needs somebody to design it. So in the end that
23 particular scope had to go back to an architect
24 to get a design before we could construct it.

25 CHIEF DEMOPOULOS: So that's scope, not

1 necessarily the whole project in totality.

2 MS. CARPENTER: Correct. Correct. Those
3 projects with that particular architect got
4 carved out into a bunch of different things. So
5 the roof is ongoing, the fire sprinkler is
6 ongoing, the fire alarm is even ongoing, but the
7 electrical improvements and then the, I think
8 HVAC was one of them, it was just too complicated
9 to kind of do it as a design build.

10 MR. MCINTYRE: We just couldn't get the
11 designs moving forward. We couldn't get them
12 through review. We couldn't get them to be code
13 compliant. So it was -- a judgment was made to
14 carve them out and to go in a different direction
15 so we could get the projects moving.

16 MS. KRISHNAIYER: I have another question. I
17 know Markham is not on this list, but I know
18 they're on hold. I was there, too, a couple
19 weeks ago. And it was -- you know, the office is
20 in a portable, the principal is somewhere else,
21 and they're still functioning and they're still
22 cheerful. But the principal walked me through
23 the school and I think it would be a good idea
24 for, you know, us to hold a meeting somewhere
25 there where work needs to be done. And she had

1 no idea when work would begin. She said -- she
2 told me -- and she's a brand new principal. This
3 was her first year there.

4 So what is the status of Markham? Because it
5 was raining, and even though there were walkways,
6 I got wet. And that's what's happening to the
7 kids.

8 MR. AMOAH: Well, if I could? So the
9 design's ongoing right now. Because, yes, we did
10 have a break, but now we have reengaged the AE
11 and we have just finished reviewing the 50
12 percent that is permitted. So they are
13 responding to the comments of the 50 percent.
14 And then there are some other issues that we are
15 also working to address first and move forward.
16 So we are back again engaging the AE to do the
17 work.

18 And, also, that's for the new building, while
19 we have the other one, the other side, the
20 electric plans that also have issues with -- what
21 was that?

22 MR. MCINTYRE: The switchgear.

23 MR. AMOAH: The switchgear. That we had to
24 actually pay a premium for it to be delivered.

25 MR. MCINTYRE: We have to build a building

1 with a new electrical switchgear so we can tear
2 down the old building because it's the hub for
3 the whole complex, for the whole campus. We were
4 stuck on switchgear because we were getting a
5 62-week lead time. So we had to -- we had to cut
6 some deals, we had to make some changes, cut some
7 deals, okay, so we could get it in a reasonable
8 timeframe. So we got it down to 30 weeks from
9 62.

10 MS. KRISHNAIYER: So nothing can be done
11 because the tearing down and everything has to be
12 done when the students are not there.

13 MR. MCINTYRE: Correct. So we have to build
14 -- we have to build the new to tear down the old,
15 and then we can go forward with the rest of the
16 project. And a lot of it is trapped -- you just
17 said it. It's trapped to what's the window where
18 we can do certain work.

19 MR. PATEL: So is the 30 weeks like the delay
20 in the project?

21 MR. MCINTYRE: No, it kind of buys us back
22 some time. Because we were anticipating, not 62,
23 but we were anticipating at least 50 to 52, which
24 up until a couple months ago was the lead time
25 for electrical here. So the 30 is a nice get,

1 but we still have to deal with when can we get in
2 to do certain work? So we're always struggling
3 with that window, the window of opportunity to
4 get in, do what we need to do, and get out.

5 MS. CARPENTER: The school did request more
6 portables. They got six additional portables
7 that just got opened for the school year. So
8 hopefully it's a little bit easier than it was
9 for them last year, but --

10 MR. MCINTYRE: And that was a quick
11 turnaround, seven and a half weeks to get new
12 portables in, which is sort of unheard of.

13 MS. KRISHNAIYER: Yeah, but they're still
14 portables. Yeah, it's a shame because, you know,
15 the contrast between that and other schools. And
16 these are our students, too. So it actually
17 broke my heart to see the kids, you know, walking
18 through the rain and whatever else. And the
19 principal's one place and somebody else is -- it
20 was tough. And they're wonderful people. They
21 were very cheerful. They were happy. But, you
22 know, they really want that new building.

23 MR. MCINTYRE: Okay. Safety Status. We have
24 -- on Fire Alarm we have one in planning, zero in
25 design. One we are in the process of hiring the

1 contractor for. We have 73 fire alarm projects
2 in construction. We have 23 in closeout or --
3 the work is complete and they're in closeout.

4 Under Fire Sprinkler we have one in planning,
5 zero in design again. One in the process of
6 hiring a contractor, 63 in active construction,
7 26 that are complete and in closeout, for a total
8 of 91 total Fire Sprinkler projects. And that's
9 what we have for the Safety Project Status.

10 Any questions there?

11 CHIEF DEMOPOULOS: Well, when you flip the
12 page, I know you haven't spoken about it yet, but
13 I'll jump right in, fire alarm flags, if I may,
14 in just looking at a few, not really anything
15 specific, but there's a handful, and this was one
16 of my concerns, one of our concerns at the last
17 meeting, was the district adding additional scope
18 during that final inspection or during an
19 inspection not necessarily omitted from an
20 architect-engineer or whatnot. And I don't know
21 exactly was it a pull station, was it a smoke --
22 what was added, but it seems like, and there
23 is -- I mean, there's at least four of them
24 identified on this, delays, or on the flags where
25 the district added scope at the final inspection.

1 And, again, my concern is, why are we not
2 catching that in a plan review to then give the
3 contractors and others time to budget, time to
4 order, time to do it and waiting to the last
5 minute? My concern, again, is, is this code
6 compliant items or are they just things that,
7 hey, instead of waiting for the next capital
8 improvement or other thing, let's tie this thing
9 in now, let's replace this while we have you
10 here, which, again, is not bond funding, which is
11 not the intent in my opinion. And I think the
12 district is doing a disservice to themselves and
13 the voters and all the funding that they just
14 continue to add -- this is just fire alarms, for
15 example. I know there's other stuff that they
16 just continue to add. And I know some of the
17 rebuttal in the past was, but they're still
18 getting a service, a replacement. They are, yes.
19 They are still getting something for it. But,
20 again, we have to spend time reviewing things,
21 you're paying a premium whereas opposed to maybe
22 you could wait a little bit longer to do that and
23 prices will drop.

24 I just think that the district needs to be
25 made aware at some point that they need to really

1 do a better job at plan review and not ask for
2 things unless it is a true miss and it's a code
3 compliance thing that then would be covered under
4 errors and omission or something, not necessarily
5 the district is just adding it to add it.

6 MR. TRACY: Yeah, it sounds like an
7 after-the-fact ask.

8 MR. MCINTYRE: The process is getting better
9 since the last meeting that I attended. The
10 district is aware of the issue. More is being
11 caught earlier. I'm not seeing what I would call
12 flagrant out-of-scope asks.

13 MR. HILLBERG: Thank you. That's good.

14 MR. MCINTYRE: You know, there's always the
15 one-off is the nature of the beast, I would say,
16 in inspection services. We call it the God
17 complex that exists everywhere. But -- they
18 still exist but we are -- we've been working with
19 the district's staff, they are catching it
20 earlier. There are fewer surprises, which means
21 there's less schedule pressure on the back end.

22 CHIEF DEMOPOULOS: And if I may also ask, and
23 I don't expect the answer because I know Deborah
24 or other building department folks, you know, in
25 the past TaxWatch reports with the building

1 department and the plan review had gone back 9 to
2 12 times adding 150, 190 days in the plan review
3 and construction process, the last meeting I had
4 asked how many times, how long is that plan
5 review? What is it at now; today? So I doubt we
6 have an answer.

7 MR. MCINTYRE: I don't have a number, but,
8 again, on the turnaround on reviews, that's much
9 better. But that's also because there's much
10 more pressure on the A&Es to do a better job.

11 I'm of the business. I think any extra day
12 wasted in review is five days of construction
13 lost. But not all the problems are in plan
14 review. I would say as many problems live with
15 the A&E. Again, the process is better. They're
16 turning reviews around much quicker. But I think
17 they're also getting higher quality submissions,
18 which is helping to improve.

19 CHIEF DEMOPOULOS: I won't promise I will not
20 bring that up in the future but I will take your
21 word that -- if it's getting better, then I
22 trust.

23 MR. AMOAH: We are kind of through a lot of
24 design and permitting already, so that kind of
25 brings it down. The pressure for design review

1 and permitting has gone down. So we have very
2 few in permitting now.

3 MR. HILLBERG: In the past there had been a
4 problem, it was noted in the grand jury report,
5 that during the construction inspection an
6 inspector will point out something that is rusted
7 or needs to be repaired, it's not in the scope,
8 but the inspector would demand that it be
9 repaired.

10 MR. MCINTYRE: That's normal everywhere.
11 I've never -- I've never worked -- I've been
12 doing this for 46 years. I've never been in a
13 district where it didn't happen on every job.
14 Does it happen here? Yes. Is it as frequent as
15 it was when I first came here? No.

16 CHIEF DEMOPOULOS: I would just challenge
17 that it might be normal in a school district, but
18 it's not normal where the government agency is
19 doing a review of a private business. Because
20 I -- I don't own you; right? That's where that
21 grand jury report says, you shouldn't have a
22 building department, and I'll say fire as well,
23 that regulates itself. It's a, hey, I'll look
24 the other way; hey, add that; hey, help this,
25 where the independent fire martial who has no

1 vested interest, I'm going to tell you what you
2 need, how you need it. Like I said in the past,
3 I would fire my plan reviewers if I'm missing and
4 reviewing nine submissions. I believe it's a law
5 that after six for the same reason you have to do
6 some other items. Like --

7 MR. MCINTYRE: We do a standup -- we do a
8 standup on third. Just to get people --

9 MR. HILLBERG: That's a new policy.

10 MR. MCINTYRE: Just to get people together.

11 MR. TRACY: And that's already in statute
12 now.

13 MR. MCINTYRE: We do a standup review.

14 MS. KRISHNAIYER: I have a question. These
15 change requests, where are they coming from
16 mostly?

17 MR. MCINTYRE: Change orders?

18 MS. KRISHNAIYER: No, not change orders, you
19 know, the request to add something to the scope.
20 Where are they coming from mostly?

21 THE WITNESS: They're coming from final.
22 Fire still is probably the majority. Not as many
23 from building inspectors unless -- it's not an
24 extra, it's just a code miss, something's not
25 compliant. You see more of that in renovation

1 than you do with new just because it's the
2 three-touch rule; right? You touch something
3 three times you're changing a lot more than you
4 intended. And it's just -- it's the way
5 renovations work. You get to a point where you
6 start having to change more work, more work in
7 place because it's not compliant. So it's the
8 more you touch, the more you have to touch. So
9 that's where some of that comes from. But I
10 would say the majority is still probably Fire
11 adds.

12 MR. HILLBERG: Is there a mechanism in place
13 for the school board and Facilities or PPO to --
14 to take over the things that aren't in the scope?
15 The one that I remember is --

16 MR. AMOAH: We do that.

17 MR. HILLBERG: I don't want to encourage that
18 because then you're getting everything the
19 contractor doesn't want to do, but --

20 MR. AMOAH: We do.

21 MR. MCINTYRE: We have a meeting once a week
22 that includes PMOR, that includes Mark's staff,
23 includes permitting people, plan review people,
24 to look at, what's happening; what scope items
25 are new; what's coming into play; where does it

1 belong; where's the ownership?

2 MR. HILLBERG: That's reassuring. Because
3 I've always wondered, you just point it out and
4 say, no, that's not part of the scope and the
5 school board will do that.

6 MR. MCINTYRE: We hammer it out on Wednesday
7 mornings.

8 MR. HILLBERG: So you do. And I understand
9 that that happens all the time. You see
10 something that all of a sudden a window is
11 broken, it wasn't broken in the beginning but now
12 it is and now it needs to be replaced but it
13 wasn't part of the project. And I also get
14 because of health and safety issues that
15 sometimes it's just so important that it has to
16 be done right away and you can't wait to
17 negotiate and wait for the roof project to finish
18 and get out of the way of the Facilities folks to
19 come in. So it's-- it's not clear and dry
20 anyway.

21 MR. MCINTYRE: The last thing we want to do
22 is add scope to these projects. We want to wrap
23 them up.

24 MR. HILLBERG: So I am comforted in the
25 progress that you made and the fact that there

1 are all these mechanisms that I hadn't heard
2 before.

3 CHIEF DEMOPOULOS: I'm really sorry. On page
4 9 under Riverglades Elementary it talks about
5 contractor has demobilized and refuses to
6 continue work until progress payment is made. I
7 haven't seen stuff about payments in a little
8 bit. Is this an ongoing issue; is it --

9 MR. MCINTYRE: Well, it's a case -- we had a
10 couple cases where contractors had potential
11 liquidated damages. Per the contract, if they
12 had potential or probable liquidated damages and
13 the retainage was not sufficient to cover the
14 LDs, then progress payments or partial payments
15 could and would be withheld. We've had
16 discussions with the district and we have refined
17 the process some and narrowed it down to, rather
18 than probable, are their actual incurred damages;
19 right? Which is generally the guideline. It's
20 not probable, are their actually incurred costs.
21 So those payments have now been released. We're
22 releasing progress payments that used to be held
23 pending potential or probable LDs. So now we're
24 recommending release of payment and they're going
25 through the district's process. So --

1 MS. CARPENTER: And the board approved for
2 Wanda Paul to have the authority, limited
3 authority to waive potential liquidated damages.
4 So that went to the board two months ago, I
5 think. And so now there's a process. AECOM
6 would recommend it and then it goes to Wanda
7 Paul, and if, she's, you know, okay with it, then
8 we can pay the contractor. And, you know,
9 everybody's aware of what we have left in their
10 contract balance, what we have left in retainage,
11 whether or not AECOM believes there has been any
12 actual incurred liquidated damages at all. Yeah.
13 So it's a good process. So this one should be
14 resolved.

15 MR. MCINTYRE: It takes about a three-day
16 review for us to do each one of these that pops
17 up. We do a formal deep dive of are there any
18 actuals, are their actuals hanging there that we
19 know are real costs? If they aren't, then I
20 write a memo and I make the recommendation.

21 CHIEF DEMOPOULOS: Thank you.

22 MR. HILLBERG: Any other comments? Hearing
23 none, I suggestion we move on.

24 MR. MCINTYRE: Okay. The Milestones for what
25 I call wrapping up the program. 300 projects

1 will be completed by October of '25. That's what
2 the projection is. 27 projects are presently
3 being projected as not complete by the end of
4 October of '25 for various reasons. Some of them
5 are fairly large projects that started late that
6 never really had a chance just because they're
7 too large, started too late. Others we've got
8 projects where architect went out of business,
9 had to jump through hoops to meet state law and
10 replace the architect and wasted time, wasted
11 months. So we have 27 projects that are
12 projected not to make it. It doesn't mean they
13 all won't make it. We've got a couple that are
14 borderline. But at this point it's better to say
15 they probably won't and then pull them back if we
16 can than to say, yes, we think we're safe and
17 they don't make it.

18 MS. KRISHNAIYER: Have those schools been
19 identified?

20 MR. MCINTYRE: Yes.

21 MS. CARPENTER: They're on the next page.

22 MR. HILLBERG: So you also have a whole host
23 of techniques and things you can do to bring
24 projects back in schedule. I know it's almost
25 impossible, but there are a number of ways,

1 crashing schedules and things like that. And I'm
2 sure that you, being the professionals, are
3 employing all those means possible to keep these
4 projects together.

5 MR. MCINTYRE: We're doing everything we can
6 other than spend and buying time. At this late
7 stage of those projects there's no -- it's not a
8 value proposition to buy time.

9 MR. HILLBERG: There is a cost for delay,
10 though.

11 MR. MCINTYRE: There is a potential cost for
12 delay, but it comes down to what's the cost
13 factor to bring it back 30 days and does the 30
14 days get you anything just to meet -- meet a date
15 that was plucked out of the sky as the final
16 date; right? So it's a value proposition. Time
17 is expensive. Time is a money multiplier when
18 you're trying to get it back. It's an expensive
19 buy.

20 MS. CARPENTER: And one of the things, too,
21 is, you know, if you think about, like for
22 example, the example here would be South Broward
23 roofing, right, they're roofing a whole bunch of
24 buildings. We're not saying that none of the
25 buildings are going to be ready until December of

1 2025. As buildings are completed with any of
2 these scopes they're released, you know, they're
3 granted occupancy, we move on to the next
4 building. So the school is getting the benefit
5 of a lot of the work, you know.

6 MR. MCINTYRE: As a project, as a legal
7 project, the project itself will not be completed
8 because it may be 12 roofs. We may finish 11,
9 but that 12th one keeps us from declaring it
10 complete by that date. As you see, we've got a
11 few that are in November, we've got a couple of
12 Decembers. Could they come back? Potentially.
13 The later a project is the harder it is to pull
14 back; right? 30 days is a lot of time to pull
15 back. It just is. You can do it in the first
16 three, four, five months of a project. It's hard
17 to do it within the last couple months. That's
18 the problem. If it's there we're going after it.

19 MR. PATEL: Fair enough. I guess between
20 this report and our next report, if it's
21 possible, and if it's not, please, also let me
22 know, but if you could add like another column,
23 like a status update, just to say like what is
24 still outstanding, what is a major problem so we
25 can start targeting what the specific issues are

1 with those projects?

2 MS. CARPENTER: You mean for the projects
3 that are going to complete after?

4 MR. MCINTYRE: You mean the type of scopes
5 that may be outstanding?

6 MR. PATEL: Yeah.

7 MR. TRACY: Right. And that will also help
8 point out what the problematic scopes are, if
9 it's fire sprinklers, or roofing, or HVAC
10 systems. Then you can cite supply chain issues
11 or contractor issues.

12 MR. MCINTYRE: It's going to be typical fire
13 sprinkler, alarms and electrical. And that will
14 be supply chain. It will be mechanical. Some of
15 that will be supply chain. Some of it is
16 subcontractor availability. We've had to deal
17 with a market that's way overheated and too many
18 firms taking on more work than they have staff
19 for. So they're playing -- they're playing
20 hopscotch; right? They're moving from project,
21 to project, to project with staff and you're
22 always chasing them to get them back.

23 MS. KRISHNAIYER: With redefining schools,
24 some of these schools may change because we don't
25 know yet. Would that affect --

1 MR. MCINTYRE: That lives in their world.
2 Don't look at me.

3 MS. KRISHNAIYER: Would that affect
4 completion of the projects? Because things may
5 change, needs may change. If they go from K-5 to
6 K-8 or, you know, Pre-K through -- whatever.

7 MR. DORSETT: You are absolutely correct.
8 There may be some changes. There may be need for
9 upgrade of facilities. Because if they go from
10 an elementary to K-8, you know, circumstances are
11 going to change. The building environment is
12 going to change for the need for the program.
13 Other schools may -- however, they -- it's
14 surplusd or whatever may -- whatever happens to
15 those, but if you're going to change a facility
16 for a particular purpose, then that scope will
17 definitely change.

18 MR. BROWN: If I may, most of these projects
19 are already under contract. They are completed
20 contracts as is. Any additional renovations or
21 changes to the building that would occur due to
22 declining would not be part of SMART. That would
23 be a different avenue.

24 MR. DORSETT: It would not be. You are
25 exactly correct. I may have misspoke if the

1 intent was to claim that it was a part of SMART.
2 It would not be. It would be a capital request
3 to increase the use of that facility. That would
4 be outside of SMART.

5 MS. KRISHNAIYER: Where would that funding
6 come from?

7 MR. BROWN: The funding would come from the
8 district reserves, capital reserves, from the
9 DEFP.

10 MR. MCINTYRE: Big 3. Blanche Ely High
11 School, Buildings 1, 2, 4, 10, 11, 13 through 18,
12 20 and 21 are complete. There's, again, a couple
13 of projects that aren't going to quite make
14 October of '25. Here we've got -- you know, I
15 don't know how many buildings that is, but the
16 majority of the buildings are complete. But we
17 have three buildings that have open change orders
18 because of scope. So Building 1 has new ADA
19 access issues. Buildings 14 and 17
20 aluminum-covered walkways.

21 So, again, we've got 90 percent of the
22 overall project is complete, but the project end
23 date is still going to drag out.

24 Northeast High School, Building 1 is
25 complete. So Northeast High School, I'll let you

1 read through what the status is. The big news on
2 Northeast, not good news is, we've had no
3 architect since April. The project's architect
4 closed their doors, went out of business. The
5 contractor has been able to perform work up until
6 recently because they didn't need architect
7 input. But now they need architect input. So
8 the contractor is more or less at a standstill.
9 We're in the process of potentially identifying a
10 replacement architect. Because of the project's
11 value there are certain vehicles, contract
12 vehicles, that aren't available for us to use
13 because the contract value is too high to use CSA
14 contracts. They have a \$4 million threshold for
15 contract value. So we're required to go back to
16 the number 2, the number 3, the number 4, the
17 number 5 proposer from the original design RFQ.
18 And this was from 2016. So we have to go back to
19 them. We've already gotten through number 2 and
20 number 3 who have said, no, thank you. Because
21 under state law a replacement architect must take
22 ownership of past, present and future of the
23 project, which means they have to accept all
24 liability for past acts, present acts and future
25 acts of the design. A lot of architects, their

1 professional liability carriers, as you might
2 expect, won't allow them to propose. We did have
3 a proposal, but, again, we weren't able to use
4 that architect because of the CSA contract
5 thresholds. Fortunately, we might be able to get
6 that architect in play because they are the
7 number 4 on that -- on this RFQ. So we might
8 actually get them in play. So this one is a bit
9 of a struggle with no architect.

10 MS. CARPENTER: We had how many projects that
11 were affected; eight?

12 MR. MCINTYRE: Eight projects. Four we were
13 able to utilize the CSA to get a replacement
14 architect because the project values were under
15 the threshold, under the ceiling.

16 MS. CARPENTER: That's going to the board for
17 approval in October.

18 MR. MCINTYRE: So the CSAs have been
19 extended. In October the CSAs will be funded.
20 We have the proposals, we'll make the selection
21 and award of replacements in October for those
22 four projects. We have two projects, Nova and
23 Northeast --

24 MS. KRISHNAIYER: Nova what? This Nova;
25 Middle?

1 MS. CARPENTER: High school.

2 MR. MCINTYRE: High School, that the original
3 project values exceed the threshold. So we have
4 to follow the legal guidelines which says we have
5 to go back to the originals and work our way
6 through the process. And if they all say, no,
7 then we can go to a qualified architect that is
8 in good standing with the district and request a
9 proposal.

10 MR. HILLBERG: Can you use an in-house
11 architect? I know I keep saying in-house, but it
12 looks like it would be -- they are typically
13 indemnified and they can step in and they can
14 fill in and that might be a short-term we could
15 borrow to bail out this project.

16 MR. MCINTYRE: It was looked at. I think the
17 concern was the potential waiving of prior
18 liabilities of the projects. Because the
19 district, if it took over, would actually have to
20 protect itself on liabilities and waive
21 liabilities of the project. By giving it to
22 another licensed architect that's an independent
23 entity the liabilities stay active.

24 MR. HILLBERG: Okay. So you're buying the
25 liability for the prior work?

1 MR. MCINTYRE: Correct.

2 MR. HILLBERG: That's something that's hard
3 to -- okay.

4 MR. MCINTYRE: Yeah. The district would have
5 to take ownership of that liability. And I don't
6 know if they want to do that.

7 MR. TRACY: Well, how far along are these
8 projects, typically? Are they like 50 percent
9 into a \$40 million project or are they 10 percent
10 into a \$5 million project?

11 MS. CARPENTER: Nova is 95 percent complete
12 and it's a \$30 million project.

13 MR. MCINTYRE: Most of them are 80 percent
14 plus. But what's interesting is --

15 MR. TRACY: Yeah, then that is an issue.

16 MR. MCINTYRE: That's where the rub is. The
17 further along the projects are the more difficult
18 it is to get an architect to take them over
19 because there's more in the past. There's less
20 they can control that's in front of them. So
21 that's why the fees are not only exorbitant, but
22 there's hesitancy to take them on because there's
23 more that's history that they have to own that
24 they don't know that much about. If the project
25 was at 40 percent, there's more in front of them,

1 there's more they can change, there's more
2 control.

3 MR. TRACY: And there's less chance of what's
4 there to have issues.

5 MR. MCINTYRE: Correct.

6 So that's the world we're in right now.

7 MR. PATEL: So I guess in a ballpark
8 percentage, like how far are we in with
9 Northeast?

10 THE WITNESS: Last time I looked I thought it
11 was 75.

12 MS. CARPENTER: I was going to say, it's got
13 to be written somewhere.

14 MR. MCINTYRE: I try to keep big binders out
15 of my hands.

16 MS. CARPENTER: Yeah, we should have the
17 percent complete on these sheets.

18 Which is actually probably a good time to
19 highlight the monthly report. So, as you guys
20 know, AECOM and my firm, Atkins, do these monthly
21 reports. They are now being stored on the
22 bcpssmartfutures.com website. So anybody that
23 wants to look at them, you know, there's various
24 different committees and things that sometimes
25 ask for the reports, and so now they're being

1 uploaded to that website so that they're there
2 for anybody if you need to refer to something.
3 Because at least it's more current than, you
4 know --

5 MR. MCINTYRE: It's basically a project
6 manager's rolling update.

7 MR. HILLBERG: Thank you. I was looking for
8 them and saw the last one was sent to us in May.
9 So, good, they do exist.

10 MS. CARPENTER: So the July reports are up
11 now.

12 MR. HILLBERG: Okay.

13 MS. CARPENTER: And August should be there
14 soon.

15 MR. MCINTYRE: And the final of the three is
16 Stranahan. Building 1 is complete. We have some
17 change order work on Building 2 ongoing.
18 Building 3 is complete. Again, 4, the
19 contract -- the original contract work is
20 complete. We have some change order work
21 ongoing. Work is now at 95 percent. 5 is
22 complete. Again, 6, original contract, we have
23 some kiln room change order work ongoing. 7 is
24 complete. Again, 8, some change order work
25 ongoing. 9, the same thing, some change order

1 work ongoing. Buildings 10 through 15 are
2 complete. Buildings 17 and 18 Castaldis are in
3 progress.

4 MR. HILLBERG: I wanted to ask you. After
5 the -- those buildings, if they are demolished, I
6 know 17 demolition was recommended, what happens
7 then? Is there -- is there scope to restore the
8 site; leave concrete slab as a foundation;
9 what -- when you demolish a building does that
10 mean bare earth?

11 MR. DORSETT: Restore back to original
12 finish. If it's sodded or whatever, it would be
13 replaced. The sod would be replaced.

14 MR. MCINTYRE: Back to green space.

15 MR. HILLBERG: It turns back to green space?
16 That's where it ends?

17 MR. MCINTYRE: Bring it back to green space
18 and made safe is basically where it ends.

19 MR. HILLBERG: Okay. Thank you.

20 MS. KRISHNAIYER: What happened with the
21 controversial -- I haven't followed it, so the
22 cafeteria question? Was it the cafeteria that
23 the community -- so what happened with that?

24 MS. CARPENTER: The controversial thing
25 you're talking about is the size; right?

1 MS. KRISHNAIYER: Yeah.

2 MS. CARPENTER: Yeah, the size of it. Back
3 in the day a lot of people came out from the
4 community and said we want --

5 MR. MCINTYRE: The last thing I read and
6 heard was that the community and the school
7 accepted the facility as it was designed. They
8 wanted it that way. To me, the controversial
9 thing right now is we just had to have the
10 contractor rip up the flooring because they did
11 such a poor job of laying the flooring down and
12 we said let's take this up and do it again, which
13 will be done in probably the next week. But, you
14 know, I know the size was a controversy, but I
15 don't think it's a controversy now. They want it
16 and they want us to hurry up.

17 MS. KRISHNAIYER: I'm going to go back to
18 your green space. You know, there are food
19 forests, and I forget the name, but schools have
20 food forests and if you have land at Stranahan
21 that would be an ideal place because District 5
22 and that's a good place where -- the food forests
23 are gardens that are sustainable that are
24 permanent and that can be used for -- it's all
25 food stuff. And I think it's Adrian Carter from,

1 I forgot which department he's in.

2 MR. DORSETT: I know there's a --

3 MS. KRISHNAIYER: Applied Science. That's
4 where he is.

5 MR. DORSETT: Yeah, there is a -- I forgot
6 the name of the company Susan Cantrick runs the
7 program, Environmental, where they do
8 naturescape. They work with Broward County,
9 joint work with Broward County doing the
10 naturescape. They always do the sustainable
11 plants and the water conservation and all of that
12 in the spaces.

13 MS. KRISHNAIYER: And the Food Forest is
14 within Broward County Schools. It's Adrian
15 Carter and applied science and involves the
16 students and all they need is a teacher that's
17 interested in teaching the concept. So look into
18 that.

19 MR. DORSETT: Yeah. And there's a lady that
20 heads that up. I think her name is Jackie
21 Sanchez at Griffin Elementary that's a part of
22 that.

23 MS. KRISHNAIYER: Well, several schools have
24 it. Yeah. 23 schools have it. 23 schools.

25 MS. CARPENTER: Really? Oh, wow. That's

1 good.

2 MR. MCINTYRE: Do you want to take this
3 Change Order, this Revised Policy 8000?

4 MS. CARPENTER: I can. I can. I mean,
5 basically -- I think we presented this last time
6 we were here. So essentially this change order
7 policy has been revised.

8 MR. HILLBERG: All of us work together to get
9 this done.

10 MS. CARPENTER: Yeah. Exactly. Yeah.

11 MR. HILLBERG: It's the only -- one of the
12 few accomplishments I can think of of the Bond
13 Oversight Committee. I wasn't joking. Actually,
14 I'd like to do good things here, but there are
15 few and far between.

16 MS. CARPENTER: This other slide for Errors
17 and Omissions, I think we also talked about this
18 last time. We've had a change in our chief since
19 we met last time. Now we have a chief facilities
20 and operations officer. That's Wanda Paul. We
21 no longer have Deborah Czubkowski who was here
22 before. So we're -- we're pushing forward. But
23 there's now a whole new district thing about
24 policies and there's a separate company that you
25 have to go through and all this stuff. So we're

1 trying to figure all that out. But we're still
2 trying to get this Errors and Omissions policy
3 pushed forward. So I think we're in the queue
4 for a new policy.

5 MR. MCINTYRE: I think we've developed
6 something that's consistent with industry
7 standards and what other government entities,
8 other jurisdictions follow as far as what an E&O
9 policy is and how it works rather than sort of
10 this free-flowing approach, have something that's
11 fairly standard, formula-driven and can identify
12 what is and is not an E&O and what's the
13 recoverable? What's the formula for developing
14 what's the recoverable?

15 CHIEF DEMOPOULOS: Should we -- I know it's
16 already in place, but would a motion help to say,
17 hey, can it go to the top of the line, how can we
18 get it expedited or how can the district get it
19 expedited or is that a waste of time?

20 MS. CARPENTER: No, probably. It probably
21 would help. And I will also mention one thing if
22 you want to also add it to your motion. We have
23 looked at revising the change order policy again
24 to do a straight -- what did we say 5 percent?
25 Up to 5 percent of the original change order --

1 sorry, of the original contract value. Because
2 right now we have 3 percent, and even then, you
3 know, the board kind of gets annoyed when we
4 bring these small change orders and we're like
5 we're over the cumulative limit and they're like
6 why are we looking at this \$10,000 thing?

7 MR. MCINTYRE: For example, last month --
8 last quarter we had to bring a \$14,000 change
9 order to the board.

10 MS. CARPENTER: Yeah. And they're like, but
11 the limit is \$100,000, and I'm like, no, but we
12 already hit the cumulative limit. So it was
13 raising the cumulative limit to 5 percent and
14 Wanda Paul supports that. But, again, it has to
15 go through the --

16 MR. MCINTYRE: So it's killing their time,
17 which is valuable. It's dragging out the
18 approval process for a change order which means
19 we are now waiting 30 days.

20 MS. CARPENTER: 60.

21 MR. MCINTYRE: Or 60 days to actually
22 commence the work on a 15 or \$20,000 change order
23 on what might be a \$30 million project. It's
24 just, let's see -- let's take it to the max,
25 streamline it. It still has enough reviews and

1 recommendation for it to be nailed down tight,
2 right, so there's clear -- you know, it's clearly
3 required, it's clearly necessary, it's not scope.
4 We've got enough people looking at it. We don't
5 need to drag it out any longer than we do.

6 MR. TRACY: Have you looked at the
7 possibility of cumulative per quarter or year
8 also? For example, in -- in the building code,
9 if you -- if you go over a certain threshold it
10 becomes a major -- a substantial improvement.
11 And there have been people in places like Fort
12 Lauderdale where they would do, say, do a small
13 addition, put in new windows and doors, do some
14 other things, then they have a leaking roof and
15 that puts them under substantial improvement,
16 it's like, well, we'd love to give you a roof
17 permit, but --

18 MR. MCINTYRE: We're driven by dollar value
19 so we're funded -- a project is funded with 5
20 percent contingency. So anything that exceeds 5
21 percent contingency has to go back to the board
22 anyways. So even if it is \$10,000, if it exceeds
23 the contingency value it has to go back to the
24 board. Rightly so. Because the budget's been
25 increased.

1 MR. HILLBERG: Is there a way to do a dual
2 limit? Because I'm reluctant to say up until 5
3 percent, go ahead.

4 MR. MCINTYRE: The district used to have a
5 dual limit and they broke that and said, no, it
6 gets too messy. And so they're trying to --
7 they're trying to streamline it to the point
8 where it gets all the reviews that are needed.

9 MS. CARPENTER: We do still have a cap
10 though. Right now it's -- hold on, maybe it says
11 it on this piece of paper.

12 MR. HILLBERG: I just don't feel comfortable
13 pushing through a \$500,000 change order or a
14 million dollar change order or a big change order
15 that is still below the cap.

16 MS. CARPENTER: Yeah, so \$250,000 is the
17 maximum, up to a maximum of \$250,000. I think
18 now it's up to a maximum of 500,000. So we would
19 still keep that cap.

20 MR. HILLBERG: I mean, I think the intent of
21 the policy is not to bother, for lack of a better
22 term, the board members with approving
23 nickel-and-dime change orders.

24 MS. CARPENTER: Right.

25 MR. HILLBERG: And the bigger ones that have

1 a higher dollar value do need some scrutiny.

2 MR. MCINTYRE: And they will see it.

3 MS. KRISHNAIYER: And you will have two new
4 board members in November. So --

5 MR. MCINTYRE: Cumulative Change Orders.
6 Actually, cumulative change orders are in
7 reasonably good shape, but we do realize --

8 MR. HILLBERG: Sorry to cut you off, Mr.
9 McIntyre.

10 MS. KRISHNAIYER: I can move that we bring
11 the Errors and Omissions policy to the school
12 board -- recommend during the next workshop.

13 MR. HILLBERG: We're just in favor of it.

14 MS. KRISHNAIYER: Yeah, in favor of the
15 proposed policy.

16 MR. HILLBERG: Okay.

17 MR. DEMOPOULOS: Second.

18 MR. HILLBERG: All in favor?

19 COMMITTEE MEMBERS: Aye.

20 MR. HILLBERG: Opposed?

21 (No response.)

22 MR. HILLBERG: Unanimous again.

23 The next motion, revise change order policy,
24 was it a 5 percent ceiling?

25 MS. CARPENTER: Uh-huh.

1 MR. HILLBERG: Possibly?

2 MR. MCINTYRE: The superintendent's approval
3 would be at the 5 percent of contract value.
4 Ceiling-- raise the ceiling level to -- to what
5 the contingency is. So if it's within
6 contingency the superintendent would have
7 authority. Anything above contingency would have
8 to go back to the board no matter what the value
9 is.

10 MS. CARPENTER: Right. I think the proposed
11 one still shows a cap of, 500,000 is the cap. So
12 that way if you have a really big project you're
13 not going all the way up to the 5 percent because
14 you're capping it at 500,000.

15 MR. HILLBERG: Okay. So they approve it.

16 Do we need a motion saying that the committee
17 is in favor of the revised change order policy?

18 CHIEF DEMOPOULOS: So just to clarify, we are
19 proposing -- we will be proposing to modify rule
20 number 3 from the 3 percent to a 5 percent?

21 MS. CARPENTER: Correct. And the max
22 cumulative limit to 500,000.

23 MR. DEMOPOULOS: From the 250?

24 MS. CARPENTER: Yeah.

25 MR. TRACY: So those -- --

1 MS. CARPENTER: I think this is old. I think
2 it's already at 500,000, actually. So it would
3 just being raising the percentage to 5 percent.

4 MR. MCINTYRE: So the superintendent's
5 authority would meet the contingency threshold.

6 MR. HILLBERG: 5 percent change order rate is
7 not bad for a project. Six is about normal.

8 MR. MCINTYRE: We knew we were in good shape,
9 but when we ended our change ordinary discussions
10 we're in much better shape than we even thought
11 we were. We're in amazing shape. The dollars
12 are still big, but the dollars are big because
13 the program is big.

14 MR. HILLBERG: Mm-hmm.

15 MR. DEMOPOULOS: So I'd make a motion to
16 support the Change Order Policy 8000 rule number
17 3 from 3 percent to 5 percent giving the
18 superintendent that additional flexibility.

19 MS. KRISHNAIYER: I'll second it.

20 MR. HILLBERG: All in favor?

21 COMMITTEE MEMBERS: Aye.

22 MR. HILLBERG: All opposed?

23 (No response.)

24 MR. HILLBERG: Again, passes unanimously.

25 Okay.

1 MR. MCINTYRE: Change Order Value by
2 Category, the two in the green are positives, so
3 tax savings. We recovered a substantial amount
4 of dollars, 1.97 million in tax savings from
5 owner supply. And owner requested change orders
6 or reductions of 1.2. Some of that is scope
7 that's not needed. It was picked up by PPO or
8 after reviewing it was determined it wasn't
9 needed or it might have been a carveout. And
10 then you look at the three that are actually
11 categories that cost. So Consultant Error, Es
12 and Os, 4.7 on E, 5.88 on omissions. Errors will
13 be two different categories, what we call E1 and
14 E2. One has a slight recovery, one has a higher
15 level of recovery. It's based on when was the
16 error found. Was the work done once or was the
17 work done three times? Because work is never
18 done an even number of times. If it was wrong
19 when you put it in you take it out, there's
20 number two, you put it back in, there's three.
21 So we track it by category. Although it's not
22 tracked here, but we look at it for recovery
23 purposes and what type of an error it is. And
24 then there's Unforeseen Conditions, which is a
25 bit of a catchall. Some are truly unforeseens,

1 and some are bad scopes that came out of the
2 original FCAs, and let's just say true condition
3 of the facility wasn't taken into consideration
4 during the FCA. You get into a building and you
5 find out, well, we can't do this roof because
6 structurally it's unsound, we have to redo the
7 structure. And so there's enough of that to be
8 painful. But even with these numbers we were, I
9 think, surprised when we looked at the overall
10 change orders to date.

11 MS. CARPENTER: So the -- this is -- the
12 grand total is about 16.5 million. This was as
13 of June 30th, 16.5 million in change orders,
14 which represented about less than 1.5 percent.
15 So when we say 5 percent would be sort of what we
16 would expect for renovation, 5 to 8 percent, you
17 know, for these old buildings and renovation
18 work, but right now we're tracking at 1.5
19 percent. For completed projects it's much lower.
20 I mean, maybe the ones that have been completed
21 were simpler or whatever, but, you know, we're
22 under 1 percent for the completed projects.

23 MR. MCINTYRE: In the State of Florida the
24 inspector general tells us that the average is 8
25 percent. It's 8-and-change. We're under 2.

1 Again, the dollars, the dollar values are scary
2 high when you look at what's the dollar value;
3 right? But when you look at it as a percentage
4 of this size program, it's amazing.

5 MR. DEMOPOULOS: Good job.

6 MR. HILLBERG: Versus what the normal rate
7 would be.

8 MR. MCINTYRE: Correct. Especially in the
9 renovation world, which is the unknowns drive the
10 crazy dollars.

11 MR. TRACY: Yeah, 2 percent of billions is a
12 lot. 8 percent of millions is not as much.

13 MR. MCINTYRE: Its not the number, it's the
14 letter.

15 MR. PATEL: I have a question. And you guys
16 have probably done it in the past, if you did I
17 apologize, but do you mind explaining what tax
18 savings are?

19 MS. CARPENTER: Yeah, so that's if they use
20 the direct owner purchase program in the
21 contract. It's, you know, encouraged for the
22 contractors to use the program because,
23 basically, it means, okay, you tell us what
24 vendor you're going to use and what materials and
25 then give us the vendor's quote, the district

1 will pay the vendor directly, then the district
2 does not have to pay the taxes on that material
3 purchase. So anything that's over \$20,000, you
4 know, a particular material purchased on a
5 project, we tell them like, please, you know, use
6 this program because then we don't have to pay.
7 And we pay the vendors directly for those things.

8 MR. MCINTYRE: And it's recovered in the
9 closeout change order. When we balance out the
10 contract value, bring it to zero, we recover
11 those tax savings.

12 MS. CARPENTER: Right. Because when they bid
13 it they bid it with the taxes included and then
14 when we use the direct owner purchase we get
15 those taxes back.

16 MR. MCINTYRE: It's always an interesting
17 discussion when balancing change orders and we
18 say thank you very much for the savings.

19 MR. HILLBERG: Right. They're eyeing that
20 big pile of money at the end.

21 MR. MCINTYRE: We call it the excess profit
22 pool.

23 MS. CARPENTER: It's not really a big pile of
24 money. They have it allocated in their SOB, you
25 know, tax savings is this much money, train tax

1 savings is this. And they're not allowed to bill
2 those lines. They can look at them the whole
3 time, but they can't bill them.

4 MR. MCINTYRE: They're not happy with us
5 taking it back.

6 MR. HILLBERG: No.

7 MR. PATEL: Thank you.

8 MR. HILLBERG: All right.

9 MR. MCINTYRE: All right. So AECOM's S/M/WBE
10 Reporting through June, invoices submitted as
11 85.4 million. Overall paid to AECOM is 78.9.
12 Paid to AECOM only, to the prime, is 20.6, which
13 works out roughly to a little under 20 percent of
14 total. Non-S/M/WBE subconsultant 23.2. And S
15 M/WBEs 35 million. Which gives us a
16 participation rate of 44.38 percent, which I
17 think my friend is happy with us.

18 MS. MILLS: It's actually a little higher
19 through July, so, yes, we're very happy.

20 MR. DEMOPOULOS: Good job.

21 MS. KRISHNAIYER: Good.

22 MS. CARPENTER: Okay. So the risk assessment
23 this quarter did not change. You know, there's
24 so few things still to go out to market and we --
25 we've been aware of what those particular

1 projects are that haven't been bid out yet. So,
2 you know, we've been carrying what we feel is
3 needed for those projects. So the risk
4 assessment really didn't change this time. You
5 know, Rafiki and his team and we're trying and
6 AECOM and as we're all trying to get the project
7 closed out and recover any dollars that are left
8 in the project to put them back into reserves, so
9 that's kind of an ongoing effort as projects
10 are -- you know, we're constantly trying to close
11 purchase orders and get things tidied up and
12 closed out. So that will keep going. But,
13 generally, for what we think the program is going
14 to cost at the end of the day, yeah, it hasn't
15 changed.

16 MR. HILLBERG: Are you predicting it start to
17 taper off as we get to the end?

18 MS. CARPENTER: Well, taper off? I mean, I
19 don't anticipate that we're going to see any
20 savings of anything that we're putting under bid.
21 The issue that we've had, and this has been for
22 the past year, too, is that there are certain
23 GCs, let's say, that can't complete the scope of
24 work and then -- or -- or what happened at South
25 Broward, you saw the list of projects that aren't

1 completing by October of '25, there was the
2 roofing project, we had to take the roofing away
3 from the primary contractor because there were
4 some, I think, structural issues for some
5 building that had to be worked out. And I don't
6 know if it was nonperformance or whatever, but we
7 have a whole host of issues; right? There're
8 some contractors that can't perform. Sometimes
9 these things come up and we have to handle it as
10 a separate project outside of the SMART program
11 or whatever. But when we take something away
12 from a contractor who bid it five years ago and
13 then give it to a new contractor to bid today,
14 there's a massive increase. So, yeah, we've
15 tried to anticipate those things and kind of, you
16 know, cover it in different ways, but there are
17 still sometimes things that surprise us.

18 MR. MCINTYRE: Price pressure is not going
19 down. Price pressure is not going to go come
20 down, never mind by October of '25. Price
21 pressure is not going down when PPO takes over
22 the projects that won't be complete. The market
23 place is too hot and the capacity within the
24 marketplace isn't as high as it needs to be for a
25 market that's as hot as it is. We've got a lot

1 of workers, but not enough. We have a lot of
2 qualified contractors, but not enough. So we
3 have that continuing pressure and we don't see
4 that ending. If anything, if there is a market
5 risk assessment issue that's going up, it's on
6 the labor side. The availability of labor is --
7 the availability is going down, while the need is
8 going up.

9 MS. CARPENTER: That wraps up the Facilities
10 slides.

11 MR. HILLBERG: Yeah, is there another focus
12 report on troubled projects? I guess this is as
13 good a time as any, in the previous meeting
14 minutes there was a commitment made by staff to
15 send us a weekly report on all the projects that
16 had high risk. And I think you already do that
17 to the school board, so would it be --

18 MR. MCINTYRE: To give you a sense, my staff
19 have been directed by me to list everything as
20 high. If it's not on schedule it's high. If
21 we've got projects that aren't making October of
22 '25, they're high. That's just a reality. We
23 may not want to say it, but it's the truth. I
24 mean, it's -- we need to be honest to ourselves,
25 at least, that if a project is not making the

1 date that everybody thought it was going to make,
2 it's a high-risk project, just factually. If we
3 bring it back, that's great. But it's still a
4 high-risk project if it's not on schedule. Our
5 job is to get it back.

6 MR. HILLBERG: Yes. Do you provide a report
7 to the school board listing troubled projects?

8 MR. MCINTYRE: One of our reports actually
9 has a risk.

10 MS. CARPENTER: Not weekly.

11 MR. MCINTYRE: Not weekly; no. It's on a
12 monthly report, not weekly.

13 MR. BROWN: I think that was the commitment
14 to provide a monthly report.

15 CHIEF DEMOPOULOS: It was weekly. I wrote
16 weekly down everywhere.

17 MR. MCINTYRE: Okay. We don't produce it
18 weekly to the district. It takes us weeks to
19 produce the monthly report.

20 MR. HILLBERG: So could you just add us to
21 the copy list?

22 MS. CARPENTER: Yeah, and that's on the SMART
23 Futures, but you would need to give them like
24 a --

25 MR. HILLBERG: It's on the website?

1 MS. CARPENTER: Yeah.

2 MR. HILLBERG: Oh, we can look then. We
3 don't need to have -- to create extra work for
4 you.

5 MS. CARPENTER: Yeah, but it's part of
6 AECOM's monthly report, which I don't know how
7 many hundreds of pages our monthly report is, but
8 --

9 MR. MCINTYRE: It's a binder.

10 MR. BROWN: I'll speak to the communications
11 section about our plans because we have been
12 talking to --

13 MR. MCINTYRE: We're actually trying -- we're
14 working through, Ms. Paul has really wanted us to
15 work on adjusting the website so it's not a
16 six-click process to get to the program's
17 website, sort of a one-and-done, click on it and
18 it takes you out into versus you have to click
19 your way through it.

20 MR. HILLBERG: Okay. Does that address your
21 concern?

22 MS. KRISHNAIYER: Uh-huh.

23 MR. HILLBERG: All right. Let's move on.

24 MR. BROWN: The next section is the Budget
25 Activity. I just have a few slides just to let

1 you know what the financial status of the program
2 is right now. So today our total budget for the
3 SMART Program is a little over 1.7 billion. That
4 includes the original 800 million plus the
5 additional funding the school board has added.
6 You will see on the graph to the right there most
7 of the funding is under expended, the green
8 section, expended or under contract already.
9 Roughly nine percent of the program is still in
10 the free balance. Meaning that they're on
11 projects but we have not executed a contract for
12 the work.

13 MS. CARPENTER: Or it's in contingency, which
14 is about 43 million.

15 MR. BROWN: So the next slide we have here is
16 just showing you we spent 50.9 million in the
17 last quarter. Our total expenditures to date out
18 of the 1.7 billion is 1.3. That's checks out the
19 door. And the purchase order balance to date is
20 268. So we didn't meet the last time so we
21 didn't get to cover this, but in January of 2024
22 we brought an item to the board to fund all --
23 that attempted to fund all the SMART Bond
24 projects where we wouldn't have to come back to
25 the Smart reserve. So we essentially got rid of

1 the SMART reserve. So all the projects are
2 funded at their current or identified risk levels
3 directly. So that's where you're going to see
4 maybe that tapering off that you were referring
5 to, Steve, where you shouldn't be going a lot
6 more over the 1.7 where we're at now. So there
7 is no more SMART reserve. You won't hear us use
8 that term anymore. Any additional funding that's
9 needed would come directly from the capital
10 reserve.

11 MR. PATEL: So just one question real quick.
12 So what happens to like interest?

13 MR. BROWN: Interest?

14 MR. PATEL: Yeah, like on a project, like
15 when you have like cash in the bank like if it
16 accrues interest, where would that interest go?

17 MR. BROWN: So the interest becomes part of
18 the -- our reserves. So interest -- do you have
19 a specific fund you're talking about or --

20 MR. PATEL: No, just conceptually. Like what
21 does that mean?

22 MR. BROWN: So, no, interest, it goes to our
23 reserves. So our reserves, if we did nothing
24 else with them, with our funding and it sits in
25 the bank, it would just grow incrementally. So

1 just to expound on that a little bit, we borrowed
2 800 million based on the voter referendum, but we
3 actually got more than that from bond funds
4 through gains that we had over the years and
5 through premiums.

6 MR. HILLBERG: That's where the 933 comes
7 from.

8 MR. BROWN: That's where the 933 comes from.

9 MR. HILLBERG: Instead of the 800. Great.
10 Thanks for the lead-in. What a team.

11 MR. BROWN: That completes what I wanted to
12 cover. Any questions?

13 MR. HILLBERG: You answered mine. That was
14 great. Thank you.

15 MS. MILLS: Good evening. I think it's my
16 time. Deniece Mincey-Mills, Director of Economic
17 Development & Diversity Compliance. I am very
18 pleased to be here. I am pleased to present this
19 report. Would love to move up closer to the top,
20 but I'll take this spot followed by Garth.

21 So the slide that you're looking at now is a
22 breakdown of our 35 firms by ethnicity and by
23 industry category. One thing I do need for you
24 to know is that a certified firm can be
25 categorized in multiple industries. We have 259

1 firms certified in the construction category,
2 which 83 are pre-qualified firms. And we have --
3 of the 83 pre-qualified firms 45 are general
4 contractors, which represents about 54 percent.
5 And of note is 41 percent of the total pool of
6 111 district pre-qualified firms are GCs that are
7 certified.

8 Next slide.

9 So this slide represents the spend analysis
10 breakdown from FY15 Quarter 2 to the quarter
11 ending June 30th, 2024. The economic impact of
12 the SMART Program yielded \$540.5 million or 29.35
13 percent in prime dollars and commitments. That
14 went to local and small businesses. And that's
15 against the whole 1.84 billion. So we know we
16 have about 46 on the renovations side, but when
17 you look at the big picture we still have
18 almost -- well, 29.35 percent of the big picture
19 going to local and small businesses, which is
20 phenomenal. Very pleased with that.

21 In addition, we began -- EDDC began
22 calculating subcontractor commitment cumulatively
23 as of FY22. So we didn't start collecting it
24 until then. And to date the cumulative
25 subcontractor commitment amount is 126.2 million.

1 Of the 540 million that has gone to small
2 businesses, 77 of the district small businesses
3 includes 33 design firms and -- at 87 million,
4 and 44 contractors at 453 million. I also asked
5 my staff to give me a breakdown of what county
6 this money went to, because we're #BuyBroward.
7 Of the 77 firms 33 were in Broward, 35 were in
8 Dade, 9 were in Palm Beach County. So just to
9 give you a flavor of where the money is going.

10 Next slide.

11 So the cumulative spend, as I said, from FY15
12 to present is 540.5 million based on data
13 provided by the capital budget department. And
14 to reiterate that's about 29.35 percent that went
15 to the local businesses.

16 Next slide.

17 I'm so exited about this slide. During this
18 reporting period we implemented a new strategic
19 approach to target and market to small
20 businesses. So we added our new EDDC Concierge
21 Service. So this is dedicated staff that utilize
22 a three-step approach targeting communication
23 with certified firms. It has really increased
24 our reach. Today -- we had an event today where
25 we had 150 small businesses in the room and

1 another 150 on-line. And we featured Garth
2 Solutions. We were talking about marketing and
3 social media and how to improve your business.
4 So we have had phenomenal success with this new
5 concierge service. So the main purpose of the
6 concierge service is to make sure that small
7 businesses know about the solicitations, that we
8 reach out to them, particularly those that are in
9 that particular area, that we make sure they're
10 going to bid on the solicitation, because we need
11 them to bid. And then we -- after we do that we
12 go back and make sure that they know that the bid
13 is out when the solicitation comes out, just to
14 let you know it's coming out, it's on DemandStar.
15 And then lastly we call back to remind them that
16 the bid is out and we need you to bid. So we've
17 had a lot of success. It takes a lot of time,
18 but it's worth it. The rewards have been great.

19 So as it relates to services, we had a total
20 of 521, including calls and emails that went
21 through the concierge service. And in addition
22 to that we engaged in 1,171 additional marketing
23 activities, which I had to prove to Jennifer
24 because she's like where are those numbers, which
25 we were able to prove. So we had 204 community

1 and stakeholder meetings and we had a total of
2 967 one-on-one meetings either via email or they
3 came in the office. So we are very pleased about
4 that.

5 And this is working. This is really working.
6 And the small businesses are participating.

7 What's not in here that I will briefly tell
8 you, we have a seven-week Business Excellence
9 Program that we're planning. It begins October
10 17th. We were planning for 250 people. We were
11 going to move it all around the different
12 communities. As of today we have 625 people
13 signed up for the Business Excellence Program,
14 which is a seven-part series. We had to
15 obviously move it. It's going to be, all of the
16 sessions will be held at Plantation High now in
17 the auditorium where we can accommodate that
18 number. It will be every Thursday night from 6
19 to 8 p.m. at Plantation. We have one virtual
20 session which is the legal session and then we'll
21 have graduation December 5th. So we are thrilled
22 and excited that we have so many people in the
23 community that want to participate.

24 Next slide.

25 We've also added our newsletter. You haven't

1 seen this before, On Point With EDDC, and it
2 features an array of content that we send out to
3 our stakeholders. It has procurement
4 opportunities, contract awards and other
5 need-to-know events about what's coming up in the
6 EDDC area.

7 Next slide.

8 And finally, but not finally, you have our
9 new Inaugural Business Directory. We -- I'm
10 going to say dropped it, because that's what we
11 did. We dropped it for Small Business Month in
12 May and it has over 1,300 certified small
13 businesses all based in Broward. And to
14 facilitate our #BuyBroward initiative we've also
15 partnered with the Business Support Center and we
16 initiated a competition amongst all the
17 bookkeepers in all of the schools to recognize
18 and acknowledge those bookkeepers who purchase
19 from firms in the directory. So I was just at a
20 meeting last month with all of the bookkeepers
21 and I reiterated the contest, gave them the book,
22 and in December we'll go back and we'll announce
23 the winners from the first two quarters. So
24 we're really excited. For a lot of our small
25 businesses, that's low hanging fruit. If it's

1 under 50,000 they don't have to put in a formal
2 solicitation. It's based on what the principal's
3 needs are and what's in their discretionary
4 budget. So this is a great opportunity for some
5 of our smaller businesses to get an opportunity
6 to work in the district at a lower level and kind
7 of work their way up. So we're real pleased
8 about that. We have distributed this directory
9 to all 239 district schools and centers, to
10 partner agencies, and we put it in the community.
11 And we have free copies available if you want
12 more, and I thank you for the opportunity to
13 print -- to present EDDC.

14 And the last one we have to give credit to
15 Garth who has told us that we need to stay
16 connected, stay informed, and as a result we have
17 all these social media presence. And I don't
18 really know how to do it but I do have people who
19 know how to do it and they all work. So you
20 can -- you can click them and go on them. But we
21 are doing a phenomenal work in EDDC and I'm very
22 pleased that the community is responding. And
23 where the rubber meets the road is solicitation.
24 I don't talk about goal setting, but we do goal
25 setting monthly where we set goals on all the

1 solicitations as it relates to the availability
2 of small businesses. If we have them available
3 we put goal on there. If we don't, we don't.
4 And so that's why the concierge service is
5 important and reaching out and knowing where your
6 availability is is extremely important.

7 Oh, wow, that's because I should be up higher
8 on the agenda. Can we make a motion -- no,
9 I'm --

10 MR. MCINTYRE: Make her first next time, that
11 way she won't call me.

12 MS. KRISHNAIYER: This was done
13 electronically.

14 MS. MILLS: Yes, it was.

15 MS. KRISHNAIYER: I just received it
16 electronically and I downloaded it.

17 MS. MILLS: And we do have it electronically.

18 MS. KRISHNAIYER: Yeah, I think it came from
19 Communications.

20 MS. MILLS: Yeah, Communications is one of
21 the big reasons that we're a success. Kudos to
22 not only Garth but Farrah Wilson and her team.

23 MS. KRISHNAIYER: Right.

24 MS. MILLS: Because I tell you, we had to
25 pull the plug on the BET. I said, stop sending

1 it out, we can't take anymore. So I'm very
2 pleased with Communication, with our partnership
3 with Garth. I know they're sick of us, but they
4 do a great job. And the results speaks for
5 themselves.

6 So thank you very much. I'll take any
7 questions you may have.

8 MR. HILLBERG: This also can be used -- you
9 mentioned partner groups, organizations, I work
10 for a local city with people procurement and
11 people like me they're always looking for
12 contractors and suppliers. We could use this?

13 MS. MILLS: Absolutely. Absolutely. If you
14 were certified in Dade County, Palm Beach County
15 or Broward County but your office had to be
16 Broward County in order to be in the book. So we
17 have a lot of people that are certified in Dade
18 but they live in Broward. They're certified in
19 Palm Beach but they live in Broward. If their
20 business is in Broward. This is a #BuyBroward
21 directory. And, like I said, it's about 1,300
22 firms in there. I'm shocked at how many people
23 are in there, but even more shocked at how many
24 people are not in there. We just dropped it in
25 May and you have no idea how many requests I

1 have, so when is the next one coming out? I'm
2 like, don't talk to me about the next one. We'll
3 probably begin that process in July. It's no
4 accident that it says through '26. That's no
5 accident. But we will be updating it.

6 CHIEF DEMOPOULOS: If you can email it out
7 that would be great.

8 MS. MILLS: Absolutely. Thank you very much.
9 I appreciate it.

10 MS. WILLIAMS: All right. I'll introduce
11 myself. My name is Deniece Williams. I am the
12 Director of Public Affairs for Garth Solutions.
13 I will be standing in for Yvonne today, so bear
14 with me my first time. But, obviously, I hope
15 that you guys are able to gain some perspective
16 on what we've been doing in terms of
17 communications for the last several months and
18 I'll give you some feedback on what we're
19 planning to do as it pertains to some of the
20 improvements to the website.

21 So the overview just kind of gives you the
22 by-the-numbers of what we've accomplished through
23 June. As Mike mentioned, we did have one
24 groundbreaking at McArthur High School for their
25 new STEM classroom building that took place in

1 the quarter. We had a couple of community
2 meetings. And we also had several EAB meetings
3 that we worked very closely with the district's
4 Communications & Legislative Affairs Office to
5 produce the presentation that they then provide
6 to the EABs as an update on the status of the
7 SMART Program. And here it just gives you some
8 analytics on the status of some of the posts that
9 we have posted on Facebook and Instagram and X
10 over the last quarter.

11 The next slide before you click, this is
12 just -- and I know it says summer construction,
13 even though the data is through June, we did have
14 quite a robust summer construction, and so we
15 wanted to bring you some highlights from that.
16 This video was also shown a couple weeks back
17 when we gave an update to the board with the
18 status of the state of the SMART Program. So
19 without further ado.

20 (Video played.)

21 MS. WILLIAMS: Oh, no sound? It's okay.

22 MR. MCINTYRE: I'm glad you used the word
23 robust with the 81 projects that needed to be
24 completed and we made all 81, which I didn't
25 think was possible but --

1 MS. WILLIAMS: Did you find it? Well, it's
2 on the website. So, you know -- oh, it was
3 great. Well, this is just to kind of give you an
4 overview on some of the projects that we were
5 able to get into over the summer break. It was a
6 very, very active summer break and I really, I
7 think that this video gives you a good
8 representation of schools throughout the
9 district. We also included some of the projects
10 that are not necessarily SMART but were very
11 active. The Rickards project is included here as
12 well. It just gives you a brief overview, takes
13 you kind of behind the construction fence, which
14 most people really can't get access to as much,
15 so we have our drone photographer out there to
16 capture, you know, a bird's-eye view of the
17 roofing work, some of the HVAC work, and, then,
18 obviously, some of the high-profile larger
19 construction projects that we have going. So
20 we're really excited about being able to showcase
21 what's been going on on the campuses. And all of
22 that information can be found on the website.

23 An additional thing that Ashley mentioned
24 that we have been working very closely with the
25 district's communications office to do is to make

1 the presence of the SMART Program's website
2 easier to find on the Broward School's website.
3 Right now it takes about four or five clicks to
4 like go through the various iterations of this
5 place, that place. So we're working with them to
6 make it a little bit more prominent. And when we
7 initially had launched the website it was one in
8 one of the sliders, then it was a SMART button
9 very prominently right on the home page. So
10 we're working to get back to that level of
11 presence. And we are also as a request of the
12 community, now, currently adding the AECOM and
13 Atkins monthly reports are currently found on the
14 website. So you're able to -- if you're -- the
15 quarterly reports aren't getting through the
16 thousand pages, the monthly report does give you
17 a more up-to-date status of what's happening with
18 the projects. It does have what you mentioned,
19 Steve, with regards to the risk for each of the
20 high-level projects. So, hopefully, you guys
21 will find that to be useful and we were really
22 excited about being able to get that front
23 facing.

24 And then just some more details about the
25 groundbreaking that we did at McArthur. Very

1 well received by the district. It was actually
2 the Superintendent's first -- I think he was like
3 two days in and then we had the -- we had the
4 groundbreaking. So we were really excited about
5 kicking off that project.

6 Next slide.

7 And then Keeping the Community Informed, as I
8 mentioned, we take advantage of when the schools
9 are out, we are obviously very active in -- with
10 construction and we go out to make sure that we
11 can capture all of that and then document it on
12 the website. And we also work very closely with
13 the district communications office to try to make
14 sure that whatever information that we are
15 sharing on the community website is something
16 that is going to be impactful and all of those
17 topics end up in the blog section of the website.
18 So the next feature will be a recap of our
19 meeting here this evening, and the last one was
20 for the video that you saw.

21 Next slide.

22 And for the most part the majority of our
23 interaction with the community has been through
24 social media. We've taken the liberty of just
25 highlighting some of the top posts for each of

1 the platforms that we are active on. These are
2 the top posts for Facebook. The next slide shows
3 the top posts for X and for Instagram.
4 Obviously, for Instagram we do rely heavily on
5 our video content and we actually work very
6 closely again with the district's office of
7 communications and when we have something notable
8 that we want to make sure gets in front of not
9 only our limited viewers but their expanded
10 audience, we tag them as a collaborator and they
11 repost it and re-share it on their platform. So
12 we have noticed that when we do that, of course,
13 we do see an uptick in clicks and impressions and
14 in commenting from the community.

15 Next slide.

16 And then this is the website. The QR code
17 does work. So if you guys want to pull out your
18 phones and capture the QR code it will take you
19 directly to the website. You will scroll toward
20 the end and all of the videos that I was trying
21 to show here earlier are there and it's actually
22 really -- the videos, I know, are not necessarily
23 the flashiest. We do try to find a good balance
24 of content to include to show some of the more
25 visually appealing spaces. But, as we all know,

1 a lot of the content is HVAC and roofing, so it's
2 not the sexiest work, but it's important and --

3 MR. HILLBERG: That's my favorite.

4 MS. WILLIAMS: It's important and we do try
5 to give a good balance so that it's engaging but
6 it's just a good reflection of what the actual
7 program is itself. So we hope that you enjoy the
8 images.

9 MR. MCINTYRE: What's wrong with a good air
10 handling unit?

11 CHIEF DEMOPOULOS: Fire sprinklers.

12 MR. MCINTYRE: All the cool piping, flashing
13 lights.

14 MS. WILLIAMS: And if you have any questions,
15 let us know.

16 MR. HILLBERG: That completes Garth
17 Solutions?

18 MS. WILLIAMS: Yes.

19 MR. HILLBERG: Thank you. Any questions?

20 (No response.)

21 MR. HILLBERG: Nope? All right. Update from
22 the Workshop presentation on May 29th.

23 MR. BROWN: So at the May 29th Workshop, I
24 think you were supposed to be there. I'm just
25 kidding.

1 CHIEF DEMOPOULOS: May I give an update?

2 So I was there and I waited from 9:30 to
3 12:30. They started with a closed-door meeting,
4 then I sat there for quite some time. I left my
5 report with Omar. I did watch, Omar gave the
6 report, maybe not as passionate as I would have
7 loved to have given it. But he did give it so I
8 do thank him and the staff.

9 I will mention, one of the things that I was
10 watching, someone talked about, and I should have
11 wrote the name down, I apologize, but time impact
12 analysis for projects under half a million or
13 blank and getting change orders to the board
14 faster. So I don't know if there was any update
15 to time impact analysis to speak of.

16 MR. MCINTYRE: TIA. TIAs have been the bane
17 of my life since I got here in March. I'm happy
18 to say that we are now getting into the 30-day
19 realm for TIAs. We're doing six a week. We were
20 struggling to get two a week. Some of the
21 problem was just they were so old. They,
22 literally, went back to the beginning of the
23 program because there was a -- I don't want to
24 say a policy, but there was a process put in
25 place where TIAs were not reviewed until the end

1 of the project. So all the time cumulatively
2 would be added up. By the time they were
3 reviewed they became forensic reviews. Anybody
4 that ever had a fingerprint on it was gone. So,
5 literally, it was like an archeologist doing a
6 forensic review. So they took a long time to get
7 done. We're turning them over at around \$2,000
8 per review, which is a third of what it was.
9 We're kicking them out three times faster. And
10 we're now getting down to we're in the 30-day
11 cycle. And right now we're -- we've got 27 in
12 the hopper, meaning, we've got 27 in the queue
13 where at one point we had 106. But they're
14 difficult. They're difficult to do. It takes a
15 true scheduling specialist to do a TIA review.
16 You're looking at impact prior to and how the
17 impact carries over. So -- but that's improved
18 the change order turnover, also.

19 MR. BROWN: I have nothing else really to
20 add. Most of the other questions centered around
21 the projects that we need to complete by October
22 2025. So that's kind of the board wanted to know
23 what happened with those projects, and what has
24 to be done to complete and it's a theme and the
25 four projects that we are not going to -- that's

1 under review. And that was pretty much what
2 happened.

3 As far as going to the next board, the board
4 is looking forward to the next workshop with the
5 BOC. They actually said that.

6 MS. KRISHNAIYER: It's the day after the
7 election.

8 MR. HILLBERG: The day after the election?

9 MS. KRISHNAIYER: 11/6.

10 MR. HILLBERG: Well, that should be
11 interesting. Okay. So we have to pick someone
12 to -- to go to the next board workshop. All
13 right.

14 MS. KRISHNAIYER: Late night.

15 MR. HILLBERG: Are any of you three available
16 at that time?

17 MR. PATEL: What time does it happen?

18 MR. HILLBERG: It's supposed to be at nine,
19 but I've been shut out, too.

20 MS. KRISHNAIYER: Yeah.

21 MR. BROWN: We are first on the agenda and
22 the board expressed that they really want to talk
23 at this next one to the committee. So I'll do my
24 best to try to keep us first on the agenda. Of
25 course the board -- the board -- the board is the

1 board.

2 MS. KRISHNAIYER: When is the organizational
3 meeting?

4 MR. BROWN: It's the end of November. It
5 would be after this. I don't know the exact date
6 but weeks after, a couple weeks after.

7 MR. HILLBERG: Okay. Any volunteers?

8 MR. DEMOPOULOS: Personally, I want to go
9 again but I will be in a conference this week so
10 I can't go.

11 MR. TRACY: I'll go. Yeah, I think -- well,
12 if there is commission, I'll just tell them I'll
13 have to miss it.

14 MR. BROWN: Okay. Mr. Tracy?

15 MR. TRACY: Yeah, it's typically going to be
16 a late night for me on Wednesday anyway, so --

17 MR. HILLBERG: It's 9 a.m.

18 MR. TRACY: Oh, oh.

19 MR. HILLBERG: I stayed one time for three
20 hours and that was kind of -- I was told not
21 to -- not told, but it was recommended that I --
22 there's a cutoff for how much time we spend just
23 waiting. And it's up to you, really, but I
24 wouldn't -- I wouldn't -- I wouldn't stay more
25 than an hour; if it happens. But it's your

1 choice. And another time I went and they were
2 firing and hiring a new superintendent so I
3 was -- there was no chance I was even --

4 MR. BROWN: Most of the time we start right
5 on time.

6 MS. KRISHNAIYER: When did I go? June?
7 Yeah, I was on -- I was on time.

8 MR. TRACY: There were years where I was
9 driving around as a contractor I would have the
10 school board meeting on because -- well, my wife
11 was a principal, so I was -- you know, there were
12 a lot times I wanted to know what was going on.

13 MR. HILLBERG: So you know the ropes.

14 MR. TRACY: Yeah.

15 CHIEF DEMOPOULOS: If you continue to stress
16 the importance of getting to us first and not
17 just sticking us back in respect of our time. If
18 they do want to talk and hear us they have to
19 give us some time to speak. If not they're going
20 to continue to get no report or minimal report
21 from staff.

22 MS. KRISHNAIYER: We brought it up and when
23 we partnered with -- the PTA with the League of
24 Women Voters to do a candidate forum and every
25 one of them attended. And, you know, I was the

1 moderator, I brought that question up to every
2 candidate. I did not -- I didn't specify Bond
3 Oversight Committee but we talked about meetings
4 and volunteers not having the time to wait them
5 out and if they could please accept a virtual
6 report. If they don't want to be on time then
7 allow to us come -- because we as PTA are
8 required to give a report every meeting and we
9 can't sit there, I mean, we can't wait.

10 MR. BROWN: Yes. If they start the workshop
11 on time you will be first on the agenda. What we
12 don't want the school board to do is put a
13 special meeting in front of it.

14 MR. HILLBERG: So you go and if it works, it
15 works. If not, you leave behind the
16 recommendations and those will --

17 MR. TRACY: I had a couple of questions about
18 the TIA. Do your -- each of your projects has a
19 school board project manager. Do they review the
20 Gantt chart; do they look at --

21 MR. MCINTYRE: On a TIA they do an initial
22 review. TIA analysis is actually done by a
23 scheduling professional that is, I would say is
24 at a next level of a scheduler. They tend to be
25 schedulers that look at claims analysis because

1 that's in essence what TIA is. It's a claim.
2 It's an informal claim, but it's submitted as a
3 form of change order, but in essence it's a claim
4 for time. So it's that level scheduler that goes
5 in and does that full review that goes back and
6 looks at the project history. And that's why it
7 does take a little bit of time. Because you're
8 looking at -- you're looking at what was the
9 owner's involvement; what was the architect's
10 involvement; what was the contractor's
11 activities; when did this occur? We had a number
12 of TIAs that landed right in the middle of the
13 pandemic so there were a lot of unforeseen force
14 majeure kind of issues that drove -- so that's
15 the level of review that goes on and it can be
16 anywhere from a 5 to 10-page report depending on
17 the detail from the review. And a lot of times
18 there is split results where a contractor was
19 awarded some time but some time is put against
20 the contractor or some time is put against the
21 engineer. Sometimes the time is put against the
22 owner for responsibility. So it gets into real
23 detail.

24 MR. TRACY: Okay. Yeah, because I know
25 having been on that side, you know, you could be

1 granted time but not cost, you could be granted
2 cost but not time.

3 MR. MCINTYRE: Well, on the construction
4 side, this is a no additional GC contract.

5 MR. TRACY: Right.

6 MR. MCINTYRE: So you can give a contractor a
7 thousand days, but it's non-compensable. So they
8 don't get additional general conditions.

9 MR. TRACY: And every day is money. So
10 contractors do not want to go over.

11 MR. MCINTYRE: I would argue every day is a
12 multiplier of money. But the contracts are very
13 strict, very clear, non-compensatory. Even the
14 change orders, there are no extended general
15 conditions.

16 MS. KRISHNAIYER: While talking about the
17 school board, I just want to -- and I had called
18 Lilly on Monday and mentioned this to her, that I
19 happened to have a conversation with Dr. Hepburn
20 on -- and I talked to him a little bit about, you
21 know, our committee and he didn't -- he asked me
22 where do you guys meet? So I told him we were
23 meeting at Nova in a week but we were usually at
24 KCW. I think it would be good for him to come
25 and I think we can put it as part of our report

1 also and, you know, explain what his plans are
2 with regards to this. So you can all make a
3 special effort to remind him, and I don't know
4 where it disappears, but he definitely was not
5 aware of the meeting, the superintendent.

6 MR. BROWN: We did send a reminder to his
7 office and he wasn't able to make it tonight.

8 MS. KRISHNAIYER: Right. The police officer
9 in front of the building said there was a
10 superintendents meeting going on.

11 MR. BROWN: Yes, we will further make an
12 effort to remind him. It is part of the
13 superintendent's calendar that we post. We do
14 put these meetings out. But we will make an
15 effort to invite him and let him know where the
16 meetings are and express that the committee would
17 like him to join them.

18 MS. KRISHNAIYER: Yeah, that would be nice.
19 Because I think there is a redefining school
20 meeting going on at the middle school or
21 somewhere.

22 MR. DORSETT: There is one at Piper.

23 MS. KRISHNAIYER: Piper. Yeah, that's what
24 it is. Yeah.

25 MR. HILLBERG: So, Bill, your recommendations

1 or the workshop points that we have agreed to
2 present are the recommendation for a quorum of
3 seated members on the board that would adjust the
4 resolution so that it's not nine people, four of
5 which are not seated.

6 MR. TRACY: Recommend majority of --

7 MS. KRISHNAIYER: Those in place already.

8 MR. HILLBERG: That it be based on seated
9 members.

10 MS. KRISHNAIYER: Yeah, seated members.

11 MR. HILLBERG: And number two --

12 MS. KRISHNAIYER: Is the TaxWatch.

13 MR. HILLBERG: Yeah, the members of bond
14 oversight committee recommend to reengage
15 TaxWatch for continued assistance with the bond
16 oversight committee and the SBBC in monitoring
17 the SMART program.

18 Do you want me to send them to you?

19 MR. BROWN: No, we're going to write them
20 down and send them to you for the final.

21 MR. HILLBERG: They'll be in the minutes. We
22 don't have to drag everyone through is what
23 you're saying.

24 CHIEF DEMOPOULOS: You mentioned there were
25 four motions.

1 MR. HILLBERG: Well, there is four motions
2 and a fifth, I don't know that part of your
3 recommendation for adding a -- or request to add
4 an update column on the report, I don't know if
5 that goes to that level. Do we handle that in
6 here or --

7 MR. BROWN: Yeah, we can handle that as an
8 informal request.

9 MR. HILLBERG: Yeah, we don't need to bring
10 that to the board's attention, but, I agree.

11 CHIEF DEMOPOULOS: Expressing a good job with
12 that EDDC Concierge and -- this meeting actually
13 has a lot of great positives coming out of it, so
14 great job.

15 MR. HILLBERG: Very pleased with the Business
16 Directory.

17 MR. MCINTYRE: You're not first now. You got
18 the kudos, you're back to the back end.

19 MR. BROWN: So Deniece would just like to
20 play the video since we got the sound going.

21 MR. HILLBERG: Oh, sure.

22 (Video played.)

23 MS. KRISHNAIYER: I'd like to just add one
24 more thing to the report. This will be the first
25 report since the A rating came out, so just

1 congratulate the school district on their A
2 rating. I don't believe in the ratings, but
3 still I'm happy. I really don't. I think
4 they're fake. But anyway --

5 MR. HILLBERG: Okay.

6 MS. KRISHNAIYER: But that's -- the public,
7 you know, depends on that, so --

8 MR. TRACY: Yeah, not just the overall A
9 rating but the elimination of all those low
10 performing schools.

11 MS. KRISHNAIYER: The low schools; yeah.

12 MR. HILLBERG: Okay. So I'm going to take us
13 off of the School Board Workshop.

14 Next, Proposed Meeting Dates. December 19th?
15 Anybody have any issues with any of those dates?

16 MR. BROWN: That will be at KC Wright.

17 MR. HILLBERG: Okay. At this time we'll
18 recess the business meeting and we'll convene a
19 public hearing. Are there any members of the
20 public here signed in to speak?

21 (No response.)

22 MR. HILLBERG: Maybe there's someone behind
23 me. I don't know.

24 Okay. So we will now adjourn the public
25 hearing and reconvene the business meeting. Is

1 there any discussion for this meeting?

2 MS. KRISHNAIYER: Good news meeting.

3 MR. HILLBERG: Good news; yes.

4 Okay. We will move on to adjournment. May I
5 have a motion?

6 MS. KRISHNAIYER: Move to adjourn.

7 MR. TRACY: Second.

8 MR. DEMOPOULOS: Third.

9 MR. HILLBERG: Okay. All in favor, aye?

10 COMMITTEE MEMBERS: Aye.

11 MR. HILLBERG: All opposed?

12 (No response.)

13 MR. HILLBERG: Meeting adjourned.

14 (Meeting was concluded at 8:24 p.m.)

REPORTER'S CERTIFICATE

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 27th day of September, 2024, Fort
Lauderdale, Broward County, Florida.



TIMOTHY R. BASS
Court Reporter

A				
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