

Office of School Facilities
Rose Diamond, Chief Facilities Officer

SUBJECT: AUTHORIZATION TO AMEND THE "AGREEMENT REGARDING THE CONSTRUCTION, FINANCING AND ACQUISITION OF A CERTAIN K-8 EDUCATIONAL FACILITY" (S/S TT1) WITHIN THE HOMESTEAD EDUCATIONAL FACILITIES BENEFIT DISTRICT (EFBD) TO ALLOW THE SCHOOL BOARD TO DESIGN AND CONSTRUCT THE K-8 FACILITY

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

Background

On June 16, 2004, the School Board ("Board") approved a tri-party Interlocal Agreement ("Interlocal") between the Board, Miami-Dade County ("County") and the City of Homestead ("City"), for the establishment of the Homestead Educational Facilities Benefit District ("EFBD"). Subsequent to Board approval, the Interlocal was submitted to the Miami-Dade Board of County Commissioners ("Commission"), and in turn approved at its meeting of January 20, 2005. Additionally, the Commission adopted an ordinance authorizing the creation of the Homestead EFBD as the special district entity under whose umbrella certain schools will be built and operated. On April 13, 2005, the Board approved entering into the "Agreement Regarding The Construction, Financing And Acquisition of a Certain K-8 Educational Facility" ("Agreement") between the Board, Michael Latterner & Associates ("Developer"), and the EFBD to finance and construct the first K-8 school ("School") within the EFBD.

Since then, the EFBD Board retained the services of a Design Criteria Professional and a Design/Build team to design and construct the school, and is working diligently to secure the necessary environmental permits. However, as a result of delays caused by jurisdictional issues and other matters, the construction schedule has been impacted and the projected 2007 school opening has now been delayed.

Additional Information

In order to make a 2008 school opening possible, the EFBD Board has requested that the School Board undertake construction of the first K-8 (see attached letter). Subject to the Board's approval of this request, the District proposes an adaptation of its K-8 prototype, which may be expanded through the addition of a module to accommodate a total of 2,009 student stations. Confirmation of the capacity needed will occur simultaneously with schematic design. Board items F-26 and F-27, also part of this month's agenda, are companion items which recommend respectively, the commissioning of Zyscovich, Inc. as the A/E of record for this adaptive reuse and the commissioning of James B. Pirtle Construction Company, Inc. as the Construction Management At-Risk firm. Additionally, in order to meet the 2008 school opening timeline, the EFBD Board has committed to turn over a ready to build site by November

30, 2006, to include mitigation, demucking and backfilling. The cost of site preparation will be borne by the EFBD from impact fees generated within the EFBD.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute an amendment to the "Agreement Regarding the Construction, Financing And Acquisition of a Certain K-8 Educational Facility" (S/S TT1) within the Homestead Educational Facilities Benefit District, to allow the School Board to design and construct the K-8 facility.

MAL:mal

ATTACHMENT

Homestead Educational Facilities Benefit District

***A Partnership of the Homestead Community, the City of Homestead, Miami
Dade County Public Schools and Miami Dade County***

**13 S.W. 7th St.
Miami, FL 33130**

September 14, 2006

Mr. Agustin J. Barrera
Chairman
Miami-Dade County Public Schools
1450 NE Second Avenue
Miami, Florida 33132

By fax: (305) 995-1572

**Re: Homestead EFBD Partnership with Miami Dade County Public
Schools (MDCPS) for MDCPS prototype construction and 2008
opening of turnkey school in Homestead, Miami-Dade County,
Florida**

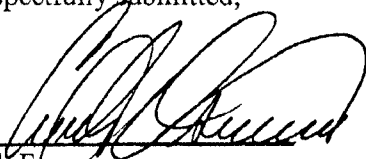
Dear Chairman Barrera,

As Chairman of the Homestead Educational Facilities Benefit District ("EFBD"), I am writing to confirm our request for your staff to prepare an agenda item for the School Board meeting on October 11, 2006 to amend the turnkey agreement for the first EFBD K-8 school to allow MDCPS and the EFBD to construct the MDCPS K-8 prototype on the EFBD's school site for a 2008 opening. The EFBD staff and your staff have determined that the most cost effective and time efficient approach, due to the US Army Corps of Engineers' delay in providing a permit for the school site, is for MDCPS to construct your new K-8 prototype on the EFBD school site. The EFBD will provide the school site to the School District for the turnkey school. It is our belief that this next step in the EFBD's partnership with the School District is the only way to ensure that we are able to open the new K-8 school in 2008. The partnership between the School Board, the EFBD, the City of Homestead and the Homestead community has resulted in the donation of school sites as well as voluntary assessments from over 10,000 residential units to help construct the much needed new K-8 schools in Homestead.

The Benefit District will be meeting on October 3, 2006 for its regularly scheduled monthly meeting at which time the agreement to transfer the site to the School District will be ratified. In the unlikely event the action is not ratified for any reason, we will contact you and request that the agenda item be deferred.

If you have any questions or comments, please do not hesitate to contact the District Manager, Taylor Smith at (904) 388-4148.

Respectfully submitted,



Erik Fresen

Chairman

Homestead Educational Facilities Benefit District

Cc: Homestead Educational Facilities Benefit District Board Members
Ana Rijo-Conde, Miami-Dade County Public Schools
Taylor Smith, District Manager
Curt Ivy, City Manager, City of Homestead