Facilities Planning and Construction
Paul J. Phillips, Chief Facilities Officer

**SUBJECT:    AUTHORIZATION TO EXECUTE A SECOND LEASE AMENDMENT WITH THE MIAMI SHORES/BARRY UNIVERSITY "CONNECTED LEARNING COMMUNITY" (CLC), INC., FOR USE OF SIX BOARD-OWNED PORTABLE CLASSROOMS**

Since August 1997, the District has leased six Board-owned portable classrooms to the Miami Shores/Barry University "Connected Learning Community" (CLC), Inc. (Charter School), as a temporary facility to operate a charter school program. The lease provided no renewal options and was to terminate on June 30, 2000. However, prior to that time, the Charter School advised that it was pursuing plans for a permanent facility and could not relocate its operation before June 30, 2000. The Charter School requested a lease extension for one additional year and on January 24, 2000, the Management Team (MT) authorized a lease amendment extending the lease term through June 30, 2001, with no additional renewal options. On March 15, 2000, the Board authorized entering into a lease amendment under the same terms and conditions. The Charter School has now advised the District that due to unavoidable programming, design, financing and bidding delays, it is currently negotiating for the construction of a new building to house its operations, which will be completed no sooner than June 2002. As such, the Charter School is requesting a lease amendment in order to extend the lease agreement through at least June 30, 2002.

The current lease rental rate of $450 per month for each of the six portable classroom ($32,400 annually), has remained unchanged since 1997. The amount represented the cost for the District to lease replacement portable classroom units during the original term of the lease. Based on information received through the Division of Procurement Management, the minimum current cost to the District to lease similar portable classrooms would be $494 per unit per month, exclusive of set up and removal costs. In order to allow the Charter School sufficient time to complete construction of its new permanent facility, the Deputy Superintendent of School Operations recommends that the District enter into a lease extension for one additional year (from July 1, 2001 to June 30, 2002) and increase the rental rate for each portable classroom to an amount necessary to reimburse the District for the current cost to lease six substitute portable classrooms.

Pursuant to negotiating procedures, a Management Team meeting was held on November 20, 2000, for direction on negotiating strategies and parameters. Based on this direction, a lease amendment with the Charter School that includes the following terms and conditions is recommended:

- a one year extension of lease term (from July 1, 2001 through June 30, 2002), at a rental rate of $494 per month for each of the six portable classrooms ($35,568 annually) with no additional extensions; and

- all other terms and conditions of the lease agreement shall remain in full force and effect.

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The proposed lease amendment has been reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Deputy Superintendent of School Operations recommends approval of the lease amendment.

A copy of the proposed lease amendment will be placed on file in the Citizen Information Center and Recording Secretary's Office.

The officers and directors of the Miami Shores/Barry University "Connected Learning Community" (CLC), Inc., are: Evelyn Piche, Ph.D., President; William Heffernan, Chairman; Fred Danianos, Director; Charles Cobb, Director; Jeanne O'Laughlin, Ph.D., Director; and Sarah O. Cavanaugh, Director. The Registered Agent is Keith Post.

**RECOMMENDED:**     That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute a second lease amendment with the Miami Shores/Barry University "Connected Learning Community" (CLC), Inc., for the use of six Board-owned portable classrooms, at an annual rental amount of $35,568, and under the terms and conditions set forth above.

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