



Status: REVISED

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

2022-03-15	Regular School Board Meeting
CATEGORY:	OO. Strategy & Operations
DEPARTMENT:	Procurement & Warehousing Services

Agenda Item Number:	OO-16.
Consent or Open Item:	Open
Special Order:	NO
Time for Special Order:	

TITLE:	RFP-17-146R - LPG Propane Supply & Fueling Dispensers Services
REQUESTED ACTION:	Approve the recommendation for First Renewal and Reduction in Spending Authority for the above-referenced Request for Proposal (RFP); Contract Term: June 14, 2017 through May 30, 2023; Reduction in Spending Authority: \$6,880,806; New Total Award Amount: \$2,250,000; Awarded Vendor(s): AmeriGas Propane, Limited Partnership; User Department: Student

STRATEGIC ALIGNMENT

Which strategic initiative(s) best aligns to this item?

<u>Operational & Process Improvement</u>	<u>Facilities & Asset Management</u>
--	--

Is approval of this agenda item required to implement a tactic included within an initiative of the strategic plan?

NOWill the implementation of this item have a direct impact on one of the **2024 Strategic Plan Primary Metrics**?**NO***If YES, identify the primary metric and include the corresponding figures in the table below.***Primary Goal & Metric:**

Level	Baseline	2024 Target	Most Current

Also identify any secondary metrics utilized to evaluate the success of this item/initiative.

Metric	Baseline	Target

If NO, outline below how staff intends to evaluate the success/impact of this item/initiative.

Average monthly usage of total miles.

BACKGROUND, SUMMARY EXPLANATION, AND HISTORY OF ITEM

Was this item previously presented to the School Board?

NO

This RFP will provide the Student Transportation & Fleet Services the ability to purchase LGP/Propane gas for the District's approximately two-hundred (200) propane-fueled buses.

This Agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.

RELATED ITEMS

EXHIBITS

Executive Summary
Financial Analysis Worksheet
Agreement
Memo to Revise

DEPENDENCIES:

Outline critical dependencies that are associated with successful implementation of this item/initiative.

1. Total number of LPG/Propane Gas buses.
- 2.

RESOURCES REQUIRED**Budget**

Are additional funds required in relation to the approval of this item?

NO

If YES, How much additional funding is necessary to implement this item?

If NO, How much existing funding will be spent to implement this item?

\$397,044

SOURCE OF FUNDS: Department operating budget.

Spending Authority

Is additional spend authority required for this item?

NO

If YES, How much additional spending authority is necessary to implement this item?

Staffing

Is additional staff required in relation to the implementation of this item?

NO

If YES, identify the number of additional positions and the estimated costs for the additional staff.

No.	Cost

BOARD ACTION:

(For Official School Board Records Only)

APPROVED**SOURCE OF ADDITIONAL INFORMATION**

Name: Rolando A. Alvarez

Phone: 754-321-4400

Name: Mary C. Coker

Phone: 754-321-0501

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Senior Leader & Title

Dr. Jermaine Fleming, Acting, Chief Strategy & Operations
Officer

Signature

Dr. Jermaine Fleming, Acting

Electronic Signature

Form \$4189 Revised 1/20

VLC/JSM

Approved in

Open Board

Meeting On:

March 15, 2022

By:

Laurie R. Levenson
School Board Chair

**FIRST AMENDMENT TO
AGREEMENT**

THIS AGREEMENT is made and entered into as of this 15th day of March, 2022, by and between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

AmeriGas Propane, Limited Partnership

(hereinafter referred to as "VENDOR"),
whose principal place of business is
460 North Gulph Road
King of Prussia, PA 19406

WHEREAS, SBBC and VENDOR entered into an Agreement dated June 13, 2017 (hereafter "Agreement") with an initial term through May 30, 2022; and

WHEREAS, SBBC desires to continue its partnership with VENDOR to receive LPG/Propane Supply and Fueling Dispenser Services; and

WHEREAS, the parties mutually desire to amend certain provisions of the Agreement through this First Amendment to Agreement (hereafter "Amendment").

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

ARTICLE 1 - RECITALS

1.01 **Recitals.** The parties agree that the foregoing recitals are true and correct and that such recitals are incorporated herein by reference.

1.02 **Term of Agreement.** Pursuant to Article 2.0 of the Agreement, the term of the Agreement is hereby extended from May 31, 2022, through May 30, 2023, unless terminated earlier pursuant to section 3.06 of the Agreement.

1.03 **Order of Precedence among Agreement Documents.** In the event of conflict between the provisions of the Agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:



First: This First Amendment to Agreement; then
Second: The Agreement; then
Third: RFP 17-146R -- LPG/Propane Supply and Fueling Dispensers and Services; then
Fourth: Proposal submitted in response to the RFP by VENDOR

1.05 **Other Provisions Remain in Force.** Except as expressly provided herein, all other portions of the Agreement remain in full force and effect.

1.06 **Authority.** Each party warrants that the person signing this First Amendment to Agreement on behalf of such party has full legal power to execute this First Amendment to Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment to Agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment on the date first above written.

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGES FOLLOW]



**FOR SBBC:**

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By Laurie Rich Levinson
Laurie Rich Levinson, Chair

Vickie L. Cartwright
Dr. Vickie L. Cartwright,
Superintendent of Schools

Approved as to Form and Legal Content:
**Kathelyn
Jacques-
Adams**

Digitally signed by
Kathelyn Jacques-
Adams

Date: 2022.03.04
15:58:02 -05'00'

Office of the General Counsel

Note: Amerigas Propane,
Limited Partnership - First
Amendment

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS]



FOR VENDOR

(Corporate Seal)

AmeriGas Propane, Limited Partnership
By: AmeriGas Propane GP, LLC, its general partner

ATTEST:

By Christopher Cook
Chris Cook, VP- Marketing, Growth & Retention

_____, Secretary

-or-

Annette SL Evans
Witness Annette Evans

Sharon McGrenrey
Witness Sharon McGrenrey

**The Following Notarization is Required for Every Agreement Without Regard to
Whether the Party Chose to Use a Secretary's Attestation or Two (2) Witnesses.**

STATE OF PENNSYLVANIA

COUNTY OF DELAWARE

The foregoing instrument was acknowledged before me by means ☐ physical presence
or ☒ online notarization, this _____ (date) by Chris Cook, VP - Marketing, Growth & Retention
(name of officer/agent, title of officer/agent) of AmeriGas Propane GP, LLC, a Delaware limited liability
company and general partner of AmeriGas Propane, L.P. (name
of corporation acknowledging), a Delaware limited partnership (state or place of
incorporation) corporation, on behalf of the corporation. He/she is ☐ personally known to me
or has produced Driver's License (type of identification) as identification and who ☐
did/ ☒ did not first take an oath this _____ day of 03/04/2022, 2022.

My Commission Expires: 3-16-25

(SEAL) Commonwealth of Pennsylvania - Notary Seal
Sharon McGrenrey, Notary Public
Montgomery County
My Commission Expires Mar 16, 2025
Commission Number 1107978
Sharon McGrenrey
Notary Public
Notary Name of Notary

Notarial act performed by audio-visual communication 1107978

Notary's Commission No.

This notarial act involved the use of communication technology.
First Amendment with AmeriGas Propane, Limited Partnership

Page 4 of 4