



## Legislation Text

File #: 20-0495, Version: 1

**ADD-5: Addendum Item** - MOTION TO APPROVE A CHANGE ORDER FOR THE PAYMENT OF AP EXAMS, TO THE SOLE SOURCE VENDOR, THE COLLEGE BOARD, IN THE AMOUNT NOT TO EXCEED \$4,408, DUE TO EXCEEDING THE \$80,750 ESTIMATED ANNUAL AMOUNT AS APPROVED BY CITY COMMISSION, PURSUANT TO SECTION 35.28(B) OF THE CITY'S PROCUREMENT CODE.

### PROCUREMENT PROCESS TAKEN:

- *Chapter 35 of the City's Code of Ordinances is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."*
- *Section 35.18 of the City's Code of Ordinances is titled "COMPETITIVE BIDDING OR COMPETITIVE PROPOSALS REQUIRED; EXCEPTIONS."*
- *Section 35.18(C) states, "Only the following situations are exempt from the competitive bid and competitive proposal requirements of this section:"*
- *Section 35.18(C)(3) states, "City Standard, single-source and sole-source commodities or services. City standard, single-source and sole-source commodities or services are exempt from competitive bidding."*
- *Section 35.21 of the City's Code of Ordinances is titled "AWARD OF CONTRACT."*
- *Section 35.21(A) of the City's Code of Ordinances is titled "City Commission approval."*
- *Section 35.21(A)(1) states, "An initial purchase of, or contract for, commodities or services, in excess of \$25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed."*
- *Section 35.28 of the City's Code of Ordinances is titled "CHANGE ORDERS."*
- *Section 35.28(B) of the City's Code of Ordinances, "The City Manager is not authorized to approve a change order without authorization of the City Commission where the initial purchase required the City Commission's approval and where the sum of all change orders issued under the contract exceeds 5% of the original contract amount of \$25,000."*

### SUMMARY EXPLANATION AND BACKGROUND:

1. Advanced Placement is a program created by the College Board which offers college-level curricula and examinations to high school students. The Pembroke Pines Charter High School offers the Advanced Placement classes to their students. On August 7, 2019, the City Commission

approved the purchase of Advanced Placement (AP) Exams from the Sole Source Vendor, the College Board for AP testing at the Charter High School for the 2019-20 school year in the amount up to \$80,750 (See Exhibit 1. AP Exams 2019-20 Commission Approval 19-0773).

2. The Charter High School exceeded the \$80,750 Commission approved amount by \$4,408, a 5.5% increase. The increase was due to the amount of exams ordered exceeding the predicted budgeted amount of \$80,750 (See Exhibit 2. College Board 2019-20 Invoice and PO).

3. Requesting Commission approve the change order for the payment of AP Exams to the sole source vendor, the College Board, in the amount not to exceed \$4,408, due to exceeding the \$80,750 estimated annual amount as approved by City Commission, pursuant to Section 35.28(B) of the City's Procurement Code.

#### **FINANCIAL IMPACT DETAIL:**

**a) Initial Cost:** \$4,408

**b) Amount budgeted for this item in Account No:** \$80,750 is budgeted in the Testing Materials Account 172-569-5053-52182-5103-513 within the adopted Academic Village Charter School 2019-20 budget.

**c) Source of funding for difference, if not fully budgeted:** The excess amount of \$4,408 will be covered by expenditure savings within the aforementioned account, Testing Materials 172-569-5053-52182-5103-513.

**d) 5 year projection of the operational cost of the project:** Not Applicable

**e) Detail of additional staff requirements:** None