



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

F.5.

1/23/2024

### Subject:

Approval Re: First Renewal and Amendment to the Interlocal Agreement with the School Board of Brevard County for Class B Commercial Driver's License Certification and the Sharing of Property

### Fiscal Impact:

None

### Dept/Office:

Public Works/ Road and Bridge

### Requested Action:

It is requested the Board of County Commissioners approve and authorize the Chair to execute the First Renewal and Amendment to the Interlocal Agreement with the School Board of Brevard County for Class B Commercial Driver's License Certification and the Sharing of Property. It is further requested the Board authorizes the County Manager to execute any future contract-related documents contingent upon County Attorney's Office, Risk Management, and Purchasing Services review and approval.

### Summary Explanation and Background:

The County previously entered an Interlocal Agreement with the School Board of Brevard County for the Provision of Class B CDL Certification and the Sharing of Property ("Agreement") effective April 20, 2021. The initial term for the Agreement ends on February 5, 2024. The Agreement allows for three additional one-year renewals subject to the approval of both parties.

The Public Works Department/Road and Bridge has requested to exercise the first of the three renewals, renewing the Agreement through February 5, 2025. The School Board agreed to the renewal but requested the training services previously provided by the School Board not be included. Public Works is prepared to undertake the training services. In the renewal period, testing for the Class B Commercial Driver's License Certification will continue to be provided by the School Board. Concurrently, Public Works is in the process of working with the State to certify the former course and license its examiner to ultimately take on licensing for all County Departments.

The Renewal and Amendment outline the terms and conditions of this continued partnership. These services will be provided at no cost to the County although the County is responsible for vehicles used during testing. Per Administrative Order 29, the County Attorney's Office, Risk Management, and Purchasing have reviewed and approved the Interlocal Agreement.

### Clerk to the Board Instructions:

Please return the fully executed Renewal to the Public Works Department for further recordation.



January 24, 2024

**MEMORANDUM**

**TO:** Marc Bernath, Public Works Director

**RE:** Item F.5., First Renewal and Amendment to the Interlocal Agreement (ILA) with the School Board of Brevard County for Class B Commercial Driver's License Certification and the Sharing of Property

The Board of County Commissioners, in regular session on January 23, 2024, executed and approved the First Renewal and Amendment to the ILA with the School Board of Brevard County for Class B Commercial Driver's License Certification and the Sharing of Property; and authorized the County Manager to execute any future contract-related documents contingent upon County Attorney's Office, Risk Management, and Purchasing Services review and approval. Enclosed is the executed ILA.

**Upon execution by the School Board, and recordation, please return the recorded ILA to this office for inclusion in the official minutes.**

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

*Kimberly Powell*  
Kimberly Powell, Clerk to the Board

/dm

Encl. (1)

cc: County Manager  
Road and Bridge

FIRST RENEWAL AND AMENDMENT TO THE INTERLOCAL AGREEMENT  
BETWEEN THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA AND  
BREVARD COUNTY, FLORIDA FOR THE PROVISION OF CLASS B CDL  
CERTIFICATION AND THE SHARING OF PROPERTY

THIS FIRST RENEWAL AND AMENDMENT TO THE INTERLOCAL AGREEMENT ("First Renewal and Amendment") is made and entered the date of last signature below, by and between the School Board of Brevard County, Florida, the governing body of the School District of Brevard County, Florida, hereinafter referred to as the "SCHOOL BOARD", and Brevard County, Florida, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY".

WITNESSETH:

WHEREAS, the COUNTY previously entered into an Interlocal Agreement with the SCHOOL BOARD effective April 20, 2021 for CDL Class B testing and training services ("Original Agreement"), which is incorporated herein by this reference; and

WHEREAS, the initial term of the Original Agreement ends on February 5, 2024, and, subject to the approval of both parties, the Original Agreement may be renewed by both parties for three (3) additional one (1) year periods; and

WHEREAS, the COUNTY desires to continue contracting with the SCHOOL BOARD only for CDL program testing of Brevard County Public Works employees; and

WHEREAS, this is the first renewal of and first amendment to the Original Agreement and the parties hereto desire to renew the term of the Original Agreement for an additional one (1) year continuing through February 5, 2025.

NOW THEREFORE, the COUNTY and SCHOOL BOARD covenant and agree that they have full power and authority to enter into this First Renewal and Amendment and bind their respective governmental entities as follows:

- (1) Recitals: The parties confirm and agree that the above recitals are true and correct and incorporated their terms and provisions herein for all purposes.
- (2) Renewal: Notice is hereby given that the Original Agreement is hereby renewed pursuant to the term provision set forth therein for an additional one (1) year, continuing through February 5, 2025.
- (3) Scope of Work for Proficiency Training and Evaluation of Testing: The Scope of Work is hereby amended as follows:  
Beginning on the Effective Date, the SCHOOL BOARD, through the Transportation department, will provide personnel qualified to provide

Proficiency Training and Required Testing to the COUNTY to obtain a CDL license as follows:

~~A. The CDL Training course will be offered on an agreed upon date established by the Transportation department. The course will be a maximum of 40 hours in length. The COUNTY must notify the SCHOOL BOARD two weeks before the course start date of the number of students attending.~~

~~B. CDL training will cover all requirements as defined in the Federal Motor Carrier Safety Regulations, section 380, Appendix A and Appendix B.~~

A. G. Upon completion of the course, Students will be tested through the Transportation department. ~~Testing may begin after instruction is provided.~~ Results of the test will be provided to the COUNTY within three (3) days of completion of the test. In the case of failure on any one section, the student will have five (5) business days to schedule an appointment for retest. Receipt of passed test can be sent to employer upon request.

B.-D. The COUNTY will be responsible for providing the vehicles to be used during ~~the course and for testing.~~ These vehicles must be classified as a Class B vehicle with a GVWR of over 26,001 pounds.

- (3) Counterparts: This First Renewal and Amendment may be executed in counterparts, each of which so executed shall be deemed to be an original and such counterparts, together, shall constitute one in the same instrument.
- (4) Provisions: All terms and conditions of the Original Contract, which are incorporated herein by this reference, that are not inconsistent with the provisions of this First Renewal and Amendment shall remain in full force and effect.
- (5) Effective Date and Recording: The effective date of this First Renewal and Amendment shall be the date on which it is recorded with the public records in and for Brevard County, Florida. The COUNTY shall be responsible for recording a fully executed original of this First Renewal and Amendment and shall return a recorded copy to the SCHOOL BOARD.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals executed by their duly authorized representatives on the date of last signature below.

SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Dr. Michael D. Miller, Director of Transportation

APPROVED AS TO FORM:

\_\_\_\_\_  
School Board Attorney

ATTEST:


  
\_\_\_\_\_  
Rachel M. Sadoff, Clerk

BREVARD COUNTY, FLORIDA

  
\_\_\_\_\_  
Jason Steele, Chair

As approved by the Board on: JAN 23 2024

REVIEWED FOR LEGAL FORM AND  
CONTENT SOLELY FOR BREVARD COUNTY:

  
\_\_\_\_\_  
Deputy County Attorney

## CONTRACT REVIEW AND APPROVAL FORM

### SECTION I - GENERAL INFORMATION

<b>1. Contractor:</b> School Board of Brevard County		<b>2. Amount:</b>
<b>3. Fund/Account #:</b> Road and Bridge	<b>4. Department Name:</b> Public Works	
<b>5. Contract Description:</b> First Renewal and Amendment to ILA for CDL Class B Testing		
<b>6. Contract Monitor:</b> Jeanette Scott		<b>8. Contract Type:</b>  INTERGOVT/LOCAL
<b>7. Dept/Office Director:</b> Marc Bernath		
<b>9. Type of Procurement:</b> Other		

### SECTION II - REVIEW AND APPROVAL TO ADVERTISE

#### APPROVAL

#### COUNTY OFFICE

YES

NO

SIGNATURE

User Agency

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Purchasing

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Risk Management

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County Attorney

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### SECTION III - REVIEW AND APPROVAL TO EXECUTE

#### APPROVAL

#### COUNTY OFFICE

YES

NO

SIGNATURE

User Agency

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Thomas-Wood, Tammy

Purchasing

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Risk Management

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County Attorney

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### SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

CM DATABASE REQUIRED FIELDS	Complete ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status, Title, Type, and Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date, Effective Date, and Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Contract Form with County Attorney/ Risk Management/ Purchasing Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>

## CONTRACT REVIEW AND APPROVAL FORM

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7. Dept/Office Director: Marc Bernath	
9. Type of Procurement: Other	

### SECTION II - REVIEW AND APPROVAL TO ADVERTISE

#### APPROVAL

#### COUNTY OFFICE

YES

NO

SIGNATURE

User Agency

☐☐

Purchasing

☐☐

Risk Management

☐☐

County Attorney

☐☐

### SECTION III - REVIEW AND APPROVAL TO EXECUTE

#### APPROVAL

#### COUNTY OFFICE

YES

NO

SIGNATURE

User Agency

☐☐

Purchasing

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Risk Management

☐☐

County Attorney

☒☐

Wall, Katherine

Digitally signed by Wall, Katherine  
Date: 2024.01.16 07:50:03 -05'00'

Esseesse, Alexander

Digitally signed by Esseesse, Alexander  
Date: 2024.01.12 11:53:26 -05'00'

### SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

CM DATABASE REQUIRED FIELDS	Complete ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
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### APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input type="checkbox"/>	<input type="checkbox"/>	
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	

## SECTION III - REVIEW AND APPROVAL TO EXECUTE

### APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input type="checkbox"/>	<input type="checkbox"/>	
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	
Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Watson, Michael <small>Digitally signed by Watson, Michael Date: 2024.01.12 14:00:27 -05'00'</small>
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Esseesse, Alexander <small>Digitally signed by Esseesse, Alexander Date: 2024.01.12 11:53:26 -05'00'</small>

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