

Business Operations
Suzanne A. Marshall, Administrative Director

**SUBJECT: ACCEPTANCE OF SETTLEMENT WITH UNIFORM BUILDING CODE
INSPECTOR
MIAMI NORTHWESTERN SENIOR HIGH SCHOOL
PROJECT NO. A0354A**

During the course of litigation with the Contractor for the Miami Northwestern Senior High School project, it was discovered that claims might exist against the Project Architect and the Uniform Building Code Inspector (Spillis, Candela and Partners, Inc.), for inadequate contract administration and failure to properly perform uniform building code inspections. The possible exposure of the Uniform Building Code Inspector is, simply by the requirements of the different contracts, significantly less than that of the Project Architect.

The Project Architect declined to enter into meaningful settlement discussions of these issues with the Board and at its meeting of July 10, 2002 the Board authorized litigation against the Project Architect.

The Uniform Building Code Inspector (Spillis, Candela and Partners, Inc.) has met with staff and counsel, has engaged in exchange of documents and settlement discussions which have resulted in a proposed agreement to settle all outstanding issues between the UBCI and the Board with regard to this project. The Settlement Agreement, which has been provided in its entirety to the Board as backup information, involves the supplying of services and assistance to the Board by the Uniform Building Code Inspector at no cost to the Board to an extent which administrative staff, outside counsel, and the Board Attorney's Office, believe represent fair and reasonable consideration for any additional cost the Board feels may have been incurred in this matter.

A copy of the Settlement Agreement will be forwarded to the Board under separate cover and will be on file in the Office of the Board Recording Secretary and the Citizen Information Center.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to accept the Settlement Agreement as proposed with the Uniform Building Code Inspector (Spillis, Candela and Partners, Inc.) for the Miami Northwestern Senior High School, Project No. A0354A.