

Business Operations
J.E. Surash, P.E., Chief Business Officer

SUBJECT: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY TO ALLOW FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT AT GLORIA FLOYD ELEMENTARY SCHOOL, AT NO COST TO THE BOARD

COMMITTEE: FACILITIES MANAGEMENT

The Miami-Dade County Parks and Recreation Department (County), in conjunction with the Gloria Floyd Elementary School Parent Teacher Student Association (PTSA), has offered to construct playground equipment at Gloria Floyd Elementary School (School), at no cost to the Board. Work will consist of playground equipment, shade cover, safety surface and site furniture, and will comply with all requirements of the Americans With Disabilities Act. Funds will be provided through the Quality Neighborhood Improvement Program, with total cost of the project estimated at \$100,000. The County will provide all design and construction services, in conformance with the Florida Building Code and district construction standards. Construction is planned for the summer of 2004 and will be scheduled with the principal to minimize any impact on school operations. Subsequent to completion of the work, ownership of the playground equipment will vest with the district.

Terms of the proposed agreement are, substantially, as follows:

- the County shall construct a new playground facility on a portion of the School playfield, comprised of a shade cover, play equipment, safety surface and site furniture. All work will be done through a licensed contractor. Location of the equipment shall be as determined by the School principal, ACCESS Center, PTA and applicable District staff departments;
- the County shall retain all responsibility for design and construction of the equipment, in conformance with the Florida Building Code, The Americans With Disabilities Act and district construction standards;
- the Educational Facilities Compliance Department shall review and approve all construction drawings and specifications, issue permits, inspect the work and provide a final occupancy certificate;
- the County shall cause any contractor performing the work to indemnify, defend and hold harmless the Board, its employees and representatives from any liability, damages and claims. The Board, its employees and representatives shall also be named as an additional insured with respect to any liability policies provided by the contractor to the County in connection with the work;

- the County shall cause its contractor to implement appropriate safety measures to protect students and staff from any unsafe conditions. At the completion of the work, the County shall secure an inspection of the site from the District, and shall not release its contractor from its contract or make final payment until applicable District staff attest to the satisfactory completion of the work;
- subsequent to final acceptance of the work, the District shall assume ownership of the improvements, and shall be responsible for all future maintenance and upkeep; and
- subject to the provisions of 768.28, Florida Statutes, the Board and County shall indemnify and hold the other harmless from all liability, loss or damages that may arise due to claims, demands, suits or actions resulting from the performance of this agreement.

The School Principal and assistant superintendent for ACCESS Center 5 recommend entering into an agreement to allow for the installation of the playground equipment. The Department of Relocatables and Special Projects, Office of Capital Improvement Projects, Department of Long Range Planning, Department of Safety, Hazards and Environmental Management and Maintenance Operations have indicated no objection to the proposed work. The proposed agreement will be reviewed by the Office of Risk and Benefits Management and the School Board Attorney's Office prior to its execution.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent, or his designee, to execute an agreement with Miami-Dade County Parks and Recreation Department, to allow for the installation of playground equipment at Gloria Floyd Elementary School, substantially in conformance with the terms noted above, and at no cost to the Board.

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