

Business Operations
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: TERMINATE AWARD OF ITEMS 1, 1A, 1B AND 1C ON
CONTRACT NO. 057-DD01 – STUDENT DESKS**

COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS

This contract was awarded by the Board on April 14, 2004, to purchase, student desks, for Stores and Mail Distribution stock, and Furniture, Fixtures and Equipment.

Subsequent to the award, the awardee, C.A.J. & Associates, Inc., of Hollywood, Florida, failed to deliver combination chair desks, as required, on several purchase orders, for several School Improvement Zone locations.

On March 21, 2005, the vendor was notified of its default status and was offered the option of paying liquidated damages in the amount of \$27,933.08, which constitutes 10% of the total amount of outstanding purchase orders, or lose eligibility to transact new business with the Board for a period of fourteen (14) months from the date of termination by the Board. The vendor elected, by letter, on file, dated March 23, 2005, to lose eligibility to transact new business for a period of fourteen (14) months. Inasmuch as C.A.J. & Associates, Inc. indicated that it could not deliver the merchandise, the purchase orders were cancelled and re-issued to the vendor under contract with The School Board of Marion County, Florida, to expedite delivery of the desks.

Subsequent to this action, C.A.J. & Associates, Inc. advised Procurement Management Services, that circumstances beyond its control contributed to non-delivery of the items. The vendor stated that its supplier, Artco-Bell Corporation, increased prices on the desks and would not honor previous commitments. In an effort to afford the vendor an opportunity to provide documentation to support a recommendation not to implement the prescribed default provision, a conference call was held on May 27, 2005, with representatives from C.A.J. & Associates, Inc., Artco-Bell Associates, and Procurement Management. During the conference call, the representatives from Artco-Bell Associates indicated that they honored the contracted prices to the vendor for the desks and, subsequently, provided written documentation to support the statement.

C.A.J. & Associates, Inc., failed to honor the terms and conditions of the contract, and did not provide supportive documentation in order to cease implementation of the default provision. Therefore, based on the failure of this vendor to perform, the recommendation reflects that Items 1, 1A, 1B and 1C be terminated and that the vendor, C.A.J. & Associates, Inc., of Hollywood, Florida, lose eligibility to transact new business with the Board for a period of fourteen (14) months, pursuant to Board Rule 6Gx13- 3C-1.08 -- Performance and Payment Security, Declining a Bid Award, and Bonding Company Qualifications.

Fund Source
0100 - General

M/WBE Eligibility
Female

RECOMMENDED: That The School Board of Miami-Dade County, Florida:

1. **TERMINATE** award of Items 1, 1A, 1B and 1C on Contract No. 057-DD01 – STUDENT DESKS, to purchase, student desks, for Stores and Mail Distribution Stock, and Furniture, Fixtures and Equipment, effective July 13, 2005, as follows:

C.A.J. & ASSOCIATES, INC.
807 TYLER STREET
HOLLYWOOD, FL 33019
OWNER: TERRY L. JOHNSON, PRESIDENT (WF)

Item 1 - Chair/desk, combo.
Item 1A - Chair/desk, combo.
Item 1B - Chair/desk, combo.
Item 1C - Chair/desk, combo.

2. Require that C.A.J. & Associates, Inc. lose eligibility to transact new business with the Board for a period of fourteen (14) months pursuant to Board Rule 6Gx13- 3C-1.08 -- Performance and Payment Security, Declining a Bid Award, and Bonding Qualifications, effective July 13, 2005.

OSP/lja