

Office of School Facilities  
Jaime G. Torrens, Chief Facilities Officer

**SUBJECT:            TERMINATION OF ALL OPEN AGREEMENTS WITH THE ARCHITECTURAL PARTNERSHIP, INC., WITH CAUSE, AS ARCHITECT/ENGINEER OF RECORD, ARCHITECTURAL/ENGINEERING PROJECTS CONSULTANT, AND AS DESIGN CRITERIA PROFESSIONAL**

**COMMITTEE:           FACILITIES AND CONSTRUCTION REFORM**

**LINK TO  
STRATEGIC PLAN:       IMPROVE CONSTRUCTION SERVICES**

On May 13, 2009, M-DCPS received a letter from The Architectural Partnership (TAP) advising the District that TAP was no longer in a position to service its Agreements with the District. Further, shortly thereafter on May 21, TAP informed the District that the firm's professional liability policy was no longer in effect, as of May 18, 2009. The Agreements with TAP require a "Notice of Cancellation" to M-DCPS a minimum of thirty days prior to policy expiration; in this case, TAP did not comply with this provision and the District is withholding the processing of any further payments to TAP.

In terms of any additional work required as a result of TAP's default, a review by District staff indicates that out of 16 projects (see Attachment A) one will require the commissioning of a successor Architect/Engineer (A/E). A request for approval of a successor A/E is being submitted to the Board under Item F-34, as part of the January 13, 2010 Agenda. For the balance of the projects, two will require assignment of Architectural/Engineering Projects Consultants, one has been deferred and the remainder, which are in close-out, may require A/E services; as such, a certified letter was sent to TAP on October 13, 2009 notifying the firm that it would be held responsible for costs incurred by the Board to complete those projects, beyond available remaining balances.

Further, in keeping with the terms of the Agreement between TAP and the Board, a formal "Notice of Recommendation to Terminate Pending Agreements" (Notice), was sent to TAP November 6, 2009, which Notice included a demand for all project records and documents to be turned over to M-DCPS. The Notice becomes final and effective upon Board approval of this Item.

**F - 33**

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, terminate all open agreements with The Architectural Partnership, Inc., with cause, as Architect/Engineer of Record, Architectural/ Engineering Projects Consultant, and as Design Criteria Professional.

NAD:SGG:sgg

**ATTACHMENT "A"**  
January 13, 2010 BOARD ITEM F-33

**THE ARCHITECTURAL PARTNERSHIP - INCOMPLETE PROJECTS**

Project Number	Facility Name	Status	Scope remaining
00366400	Ludlam EI	Deferred	Full Basic Services required of Successor Architect. Ph III 100% docs - approval withheld 06/30/09 (26 mandatory); no disks/documents submitted.
00343300	Miami Edison Mid	Pending A/EPC	Phase (Ph) III/III documents completed, BCC-approved. Bidding, CA and CO services required. SA Fee based on JOC proposal amount.
00140101	Miami Lakes EI	Close-out	Temporary partitions - Kalex Const. faxed CM at-Risk CO forms. Kalex submitted executed CO forms.
00140106	Miami Lakes K-8 Center, Demo Bldg.1	Close-out	Project must be re-inspected to close.
00388500	Stores & Distribution	Close-out	Project Manager has 5463 signed by Coastal Construction; to be submitted to DC.
00412200	Traz Powell Stadium	Pending A/E	Full Basic Services required of Successor Architect. Ph III/III 100% documents, approval withheld.
00442200	Twin Lakes EI	Pending A/EPC	Ph III/III documents completed, BCC-approved. Bidding, CA and CO Services required.
00277500	Va. Bone/Highland Oaks EI	Close-out	Response to open Provisos and re-submittal of 5463 required
A01093 / 01	Frank C. Martin K-8	Close-out	5463 sent to DFDQC. Issue with contingency adjustment
00140105	Miami Lakes K-8 Center	Close-out	CO Documents not submitted - Required, warranty & 5463. Subst. Comp. Sept 08
A01084	Miami Coral Park Sr	Close-out	CO Documents not submitted - Required
A0108401	Miami Coral Park Sr	Close-out	Pending DERM issues; need CO Documents; Sub-consultants' claims for non-payment (JALRW & Consul-Tec); need final T&B report; responses to provisos by Electrical Engineer not submitted (JALRW & Consul-Tec); TAP has disposed of all project documents.
A0746	Miami Coral Park Sr (S/S MMM)	Close-out	50 pages of DFDQC closeout items (30 are Safety-to-life related). 5463 Submitted to BCC for CO in 2007.
A0316	Coral Reef Sr	Close-out	Preliminary FISH submitted - Final FISH required; 18 Provisos outstanding - responses submitted to BCC.
A0574	Felix Varela Sr (S/S EEE)	Close-out	BCC holding 5463.
A01017	South Dade Sr (S/S CCC-1)	Close-out	Final FISH and Test & Bal. Report required

Legend:  
 A/E = Architect/Engineer  
 A/EPC = Architectural/Engineering Projects Consultant  
 BCC = Building Code Compliance Office  
 CA = Construction Administration  
 CO = Closeout Documents  
 DC = Document Control  
 DCP = Design Criteria Professional  
 SA = Successor A/E