

Office of Superintendent of Schools
Board Meeting of March 21, 2018

March 19, 2018

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

SUBJECT: PROPOSED SETTLEMENT AGREEMENT

**SETTLEMENT OF CLAIMS BY JCON GROUP CORP. AND THE
HANOVER INSURANCE COMPANY AS SURETY AGAINST THE
SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

This matter involves a settlement in connection to all claims for work associated with the Partial Replacement and Minor Renovations at Florida City Elementary School (Project NO. 00708400) by JCON Group Corp. and the Hanover Insurance Group as surety.

On June 15, 2011, the School Board awarded Project No. 00708400, "Partial Replacement and Minor Renovations of Florida City Elementary School to JCON Group Corp. On or about July 27, 2015 JCON submitted its final payment application for work completed under the contract. In response to the JCON's submittal, the School Board informed JCON that there remains an outstanding and incomplete final punch list for work required. In response, the Hanover Insurance Group, as an assignee and equitable subrogee to JCON, made a demand upon the School Board for the remaining funds alleged due under the contract in the amount of One Hundred Sixty-Three Thousand Four Hundred Ninety-Eight Dollars (\$163,498.00).

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This Agenda Item amicably resolves all issues between the parties surrounding the work associated with the Partial Replacement and Minor Renovations at Florida City Elementary School (Project NO. 00708400) by JCON Group Corp. and The Hanover Insurance Group as surety.

As a result of this settlement agreement, the School Board shall pay the Hanover Insurance Company the total principal amount of Seventy Thousand Five Hundred Dollars (\$70,500.00) representing the negotiated settlement between the Parties of all claims of JCON Group Corp. and the Hanover Insurance Group as surety for work associated with the Partial Replacement and Minor Renovations at Florida City Elementary School (Project NO. 00708400).

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The School Board Attorney's Office and administrative staff agree with this recommendation as being in the best interests of the Board. Acceptance of this settlement will obviate the need for further litigation in this matter. A copy of the

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Settlement Agreement will be made available under separate cover prior to the Board meeting of March 21, 2018.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve and execute the Settlement Agreement with The Hanover Insurance Company.