

Business Operations
Larry W. Stanearth, Chief Business Officer

**SUBJECT: TERMINATION FOR CONVENIENCE OF CONSTRUCTION
 CONTRACT WITH THERMA SEAL ROOFS, INC.
 (dba NU-TEC ROOFING, INC.)
 PROJECT No. KV-0021
 REDLAND MIDDLE SCHOOL
 16001 SW 248th Street, Homestead, FL**

COMMITTEE: FACILITIES MANAGEMENT

A construction contract for the reroofing of Redland Middle School was awarded to Therma Seal roofs, Inc. for the following project:

<u>Project No.</u>	<u>Facility</u>	<u>Awarded</u>	<u>Award Amount</u>
KV-0021	Redland Middle	August 21, 2001	\$1,615,000

The project scope of work calls for roof replacement and minor site civil work to accommodate roof water run off.

Soon after the award of this project, disputes developed between staff and the Contractor with regard to the scope of work required by the contract documents. After extensive discussions, it was agreed in principle that the Contractor would complete the reroofing of Building A and that the remainder of the work would be deleted from the contract. The remaining money was to be utilized to rebid the work with clarified specifications. Despite the best efforts of Board's staff and the Architect's office, no agreement has been reached with the Contractor regarding the value of the work in place and therefore no agreement as to the appropriate credit that should be received by the Board. During this time the Contractor has completed the one building that it agreed to finish and has demobilized and left the project.

In order to close this project and to allow the Board to utilize the project funds to rebid the remainder of the work, it is requested that the Board approve this termination for convenience in accordance with Article 14.4 of the General Conditions of the construction contract. In accordance with that Article, the Board may, by written notice to the Contractor, terminate this contract in whole or in part when it is in the interest of the Board and at the sole discretion of the Board. The Contractor will be paid for all work executed, reasonable termination expenses, and a reasonable allowance for profit and overhead on work executed.

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

- a) exercise its right under Article 14.4 of the General Conditions to terminate for convenience the contract with Therma Seal Roofs, inc. for Project No. KV-0021, Redland Middle School; and
- b) authorize the Superintendent to rebid the remaining work to complete this project.