

Business Operations
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: TERMINATE AWARD OF ITEMS 50, 51, 52, 53 AND 54 ON
CONTRACT NO. 039-EE08 – MUSICAL INSTRUMENTS**

COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS

This contract was awarded by the Board on August 17, 2005, to purchase, at firm unit prices, quantities, as may be required, of musical instruments, for the Division of Life Skills and Special Projects and various locations.

Item 50 - Timpani, 23", Item 51 - Timpani 26", Item 52 - Timpani, 29", Item 53 - Timpani 32," and Item - 54 Timpani, set of 4, were awarded to Music Man, Inc., of West Palm Beach, Florida. Subsequent to the award, the awardee failed to perform in accordance with the terms and conditions of the bid. The awardee has advised Procurement Management Services that an error was made in pricing and has elected by letter, on file, to pay liquidated damages in the amount of \$443.

Based on the failure of this vendor to perform, it is recommended that the award of these items be terminated and that the vendor pay liquidated damages in the amount of \$443, pursuant to Board Rule 6Gx13- 3C-1.08 -- Performance and Payment Security, Declining a Bid Award and Bonding Company Qualifications. These items will be purchased, as the need arises, pursuant to Board Rule 6Gx13 - 3C-1.111 -- Bidding Process -- Competitive Bidding Requirements, which describes the procedures and guidelines to be used for bidding based on the estimated dollar expenditure.

Fund Source
0100 - General

M/WBE Eligibility
None

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

1. **TERMINATE** award of items 50, 51, 52, 53 and 54 on Contract No. 039-EE08 – MUSICAL INSTRUMENTS, effective January 18, 2006, as follows:

MUSIC MAN, INC.
2309 NORTH DIXIE HIGHWAY
WEST PALM BEACH, FL 33407
OWNER: DOROTHY JARVIS, PRESIDENT

Item 50 - Timpani, 23" @ \$1,149 each.
Item 51 - Timpani, 26" @ \$1,189 each.
Item 52 - Timpani, 29" @ \$1,199 each.
Item 53 - Timpani, 32" @ \$1,239 each.
Item 54 - Timpani, set of 4 @ \$4,430 each.

2. Accept payment of liquidated damages in the amount of \$443, from Music Man, Inc., of West Palm Beach, Florida.
3. Retain Music Man, Inc., of West Palm Beach, Florida, as an active vendor for other items awarded on Bid No. 039-EE08 – MUSICAL INSTRUMENTS.

OSP/lja