

Office of School Facilities  
Jaime G. Torr ns, Chief Facilities Officer

**SUBJECT:           TERMINATION (WITHOUT CAUSE) OF THE AGREEMENT WITH REYNOLDS, SMITH AND HILLS, INC., AS ARCHITECT/ENGINEER OF RECORD FOR DEFERRED MAINTENANCE PROJECT PACKAGE #2 CONSISTING OF RE-ROOFING AT HIALEAH-MIAMI LAKES SENIOR, PROJECT NO. AM01055; AT SHADOWLAWN ELEMENTARY, PROJECT NO. AM01071; AT JOHN F. KENNEDY MIDDLE, PROJECT NO. AM01058; AND AT LINDSEY HOPKINS TECHNICAL EDUCATION CENTER, PROJECT NO. 00128300**

**COMMITTEE:           FACILITIES AND CONSTRUCTION REFORM**

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

Reynolds, Smith and Hills, Inc. (RS&H), was commissioned by the Board on February 16, 2005, as Architect/Engineer (A/E) of Record for Deferred Maintenance Project Package #2 consisting of four re-roofing projects at the following sites: Hialeah-Miami Lakes Senior, Project No. AM01055; Shadowlawn Elementary, Project No. AM01071; John F. Kennedy Middle, Project No. AM01058; and Lindsey Hopkins Technical Education Center, Project No. 00128300.

Prior to completion of the Phase V, Construction Administration Services on these projects, disputes arose between the parties and RS&H discontinued performance of the A/E Basic Services provided in the Agreement. In order to fully resolve all disputes and allow for proper completion of the projects, staff is recommending that the Agreement with RS&H be terminated, without cause. Pursuant to Article 14.1 of the A/E Agreement, the Board may terminate the Agreement, without cause, upon thirty days written notice to the A/E firm. On June 6, 2008, staff issued to RS&H a Notice of Termination, without cause, and proposed letter of agreement, releasing the parties from all further obligations to one another, except for RS&H's latent defects. On June 17, 2008, RS&H executed the letter of agreement. As a result, the Board will retain all unpaid balances remaining under the Agreement, including the amounts any of RS&H's invoices that were previously billed and not yet paid.

In order to complete the A/E's remaining Phase V, Construction Administration, and other services necessary for close-out of the projects, staff will issue a Work Order to KVH, Architects, P.A. (KVH), under the District's current Architect/Engineer Agreement for Re-Roofing Term Bid Projects At Various Locations. The unpaid balances under the Agreement with RS&H that are to be retained by the District will cover the costs of all services to be performed by KVH to fully complete these projects.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, terminate the Agreement with Reynolds, Smith and Hills, Inc., as Architect/Engineer of Record for Deferred Maintenance Project Package #2 consisting of Re-roofing at Hialeah-Miami Lakes Senior, Project No. AM01055; at Shadowlawn Elementary, Project No. AM01071; at John F. Kennedy Middle, Project No. AM01058; and at Lindsey Hopkins Technical Education Center, Project No. 00128300, as follows:

- 1) without cause (i.e. at the convenience of the Board);
- 2) with no further compensation due to the A/E; and
- 3) with written notification of this action to the A/E.

NAD:SGG:sgg