

February 24, 2015

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

**SUBJECT: TERMINATION OF AGREEMENT FOR CONVENIENCE
 WITH PADRON CONSTRUCTION, INC., AS
 CONSTRUCTION MANAGEMENT AT-RISK FIRM**

COMMITTEE: FACILITIES AND CONSTRUCTION

**LINK TO STRATEGIC
PLAN: FINANCIAL EFFICIENCY/STABILITY**

Padron Construction, Inc. (Padron) was one of eight (8) firms commissioned by the Board on April 9, 2014, as a Micro Business Enterprise Sheltered Market Construction Management at-Risk (CMR) firm for miscellaneous projects up to \$200,000 each. However, on November 17, 2014, District staff received correspondence from Padron stating that they decided not to renew the firm's Contractor Pre-Qualification Certificate with M-DCPS. Therefore, the District issued a Notice of Termination for Convenience in lieu of termination for cause under the following conditions:

1. Padron acknowledges that the Agreement was fully executed, and that the Work Order #10148 was cancelled effective January 26, 2015. The firm also agrees that no monies, fees or termination expenses are due to Padron under this Agreement;
2. Padron agrees not to seek to compete (as a prime contractor) for any contracts or perform services with M-DCPS, for a period of one (1) year from the date of approval of the Termination for Convenience by the Board;
3. Padron agrees that the terms and conditions of Termination for Convenience stated herein shall take precedence over, act as full satisfaction of, and supersede any item in the Construction Management at-Risk Miscellaneous Sheltered Market for Micro Business Enterprise April 9, 2014 commissioning that may be contrary thereto; and
4. Upon Termination of the Agreement, Padron and the Board agree to release each other from any and all claims and liabilities that may arise out of, or otherwise relate to the Agreement.

Padron accepted all conditions, in writing, and therefore, staff is recommending Termination for Convenience.

Principal

The Principal/Owner designated to be directly responsible to the Board for Padron Construction, Inc., is David Padron. This firm is located at 4444 S.W. 71 Suite, #101, Miami, Florida 33155.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, terminate for convenience the Agreement with Padron Construction, Inc., as Construction Management at-Risk firm, pursuant to the conditions stipulated in the body of the Agenda item.

NAD:CC:cc