

Office of Superintendent of Schools
Board Meeting of May 24, 2017

May 8, 2017

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

SUBJECT: PROPOSED SETTLEMENT AGREEMENT - SETTLEMENT OF CLAIMS BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA AGAINST URS CORPORATION SOUTHERN AND AECOM TECHNICAL SERVICES, INC.

This matter involves a settlement of claims between the School Board and URS Corporation Southern, Inc. (URS), and AECOM Technical Services, Inc. ("AECOM").

At the School Board meeting of October 5, 2016, through Agenda Item F-29, the Board terminated URS Corporation Southern, Inc. as Architectural/Engineering Projects Consultant for Miscellaneous Projects up to \$2 million each for cause. Subsequently, URS disputed the termination for cause and initiated settlement discussions to resolve any pending issues related to the Architectural/Engineering Project Consultant Agreement.

This agenda Item seeks to amicably resolve all issues between the parties surrounding the commissioning of URS for the Miscellaneous Projects. The parties have negotiated a proposed settlement of the School Board's claims, pending approval by the Board. Upon approval of the proposed settlement by the Board, the Board will rescind URS's termination for cause, and allow the Agreement between the parties to expire by its natural term on April 17, 2017.

As a result of this Settlement Agreement, URS agrees to waive any remaining fees for Project Number 01304500 (Kinloch Park Elementary School) and Project Number 01303200 (Flagami Elementary School); that no other compensation is due to URS; that no new additional work is necessary on Project Number 01304500 and Project Number 01303200; and that no Work Orders shall be assigned to URS; and, URS will not seek to participate in future solicitations for a period of three years from the date of the execution of this Agreement.

AECOM will, amongst other things, conduct a workshop with registered Small/Micro Business Enterprise (S/MBE) and Minority/Women Owned Business Enterprise (M/WBE) to discuss opportunities to do business with AECOM, and

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URS will pay the Board the sum of Fifty Thousand and no/100 Dollars (\$50,000.00) for additional costs the Board incurred due to delays and additional construction expenses.

The School Board Attorney's office and administrative staff agree with this recommendation as being in the best interests of the Board. A copy of the Settlement Agreement will be made available under separate cover prior to the Board meeting of May 24, 2017.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, approve and execute the Settlement Agreement with URS Corporation Southern and AECOM Technical Services, Inc.