

Office of Superintendent of Schools
Board Meeting of June 22, 2022

June 8, 2022

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

SUBJECT: PROPOSED SETTLEMENT AGREEMENT OF CLAIMS BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA AGAINST ABLE BUSINESS SERVICES, INC. IN RELATION TO THE OFFICE OF THE INSPECTOR GENERAL'S FINAL REPORT OF INVESTIGATION – ABLE BUSINESS SERVICES, INC.'S PERFORMANCE CLEANING SCHOOL BUSES UNDER MDCPS CONTRACT (REF. SB21-0001-SI)

As part of an Agreement between the School Board and the vendor, Able Business Services Inc. (“ABLE”) the vendor was to provide cleaning services to the District to clean and sanitize the School Board bus fleet during the pandemic and throughout the term of the contract. In the interim, the Office of the Inspector General (the “OIG”) opened an investigation based on allegations regarding the non-performance of the services that were required to be provided by ABLE under the contract. This investigation resulted in the OIG finding that ABLE failed to effectively implement and manage the sanitization and cleaning of the school buses. ABLE disputes the results of the OIG investigation. In response to the findings of the OIG investigation, the School Board terminated the agreement between the parties. The term of the agreement was from October 5, 2020 through June 30, 2021 (Contract Number CP1195).

In an effort to amicably resolve the dispute between ABLE and the School Board, both parties have conducted intensive arms-length negotiations to resolve the claims raised in the OIG report and any pending claims related to the initial agreement between the parties. In particular, both parties agreed to a reduction in the invoice owed to by the Board to ABLE under the prior contract and ABLE has voluntarily agreed to not seek any new work from the School Board for a 16-month period from the date the agreement was terminated by the Board.

This Agenda Item amicably resolves all issues between the parties surrounding the OIG report and the contract entered into between the School Board and ABLE.

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 transmitted to the Board under separate cover prior to the Board meeting of June 22, 2022.

G-3

RECOMMENDED: That the School Board of Miami-Dade County, Florida, approve the Settlement Agreement with Able Business Services, Inc. in relation to the Office of the Inspector General's "Final Report of Investigation - Able Business Services, Inc.'s Performance Cleaning Buses under MDCPS Contract" (REF. SB21-0001-SI), and authorize the Superintendent to execute the Agreement and any related documents thereto.