



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Special Order Request	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Time	
Open Agenda	
<input checked="" type="radio"/> Yes	<input type="radio"/> No

MEETING DATE	Apr 21 2015 10:15AM - Regular School Board Meeting
AGENDA ITEM	OPEN ITEMS
CATEGORY	JJ. OFFICE OF FACILITIES AND CONSTRUCTION
DEPARTMENT	Facilities & Construction

ITEM No.:
JJ-3.

TITLE:
Final Acceptance/Release of Retainage Riverside Elementary School Thermal Concepts, Inc. Additions and Alterations to HVAC Project No. 3031-99-06

REQUESTED ACTION:
Approve the Final Acceptance/Release of Retainage for Riverside Elementary School, Thermal Concepts, Inc., Additions and Alterations to HVAC, Project No. 3031-99-06, in the amount of \$37,900.60.

SUMMARY EXPLANATION AND BACKGROUND:
The Contractor, Thermal Concepts, Inc., has completed the scope of the contract within the contract limits. Final Acceptance/Release of Retainage will occur upon execution of the General and Full Release of Lien by the Contractor.

SCHOOL BOARD GOALS:
 Goal 1: High Quality Instruction
 Goal 2: Continuous Improvement
 Goal 3: Effective Communication

FINANCIAL IMPACT:
The funds being released totaling \$37,900.60 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2006-2007 to 2010-2011, page #70.

EXHIBITS: (List)
(1) Executive Summary (2) Project Acceptance Signoff Form (3) General and Full Release of Lien (4) Retainage Reduction Certificate (5) Consent of Surety (6) Policy 7005 (7) OEF 110b (8) OEF 209 (9) Collaboration Form

BOARD ACTION:
APPROVED
(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Dave Archer, Project Manager III	Phone: 754-321-1521
Name:	Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Derek Messier - Chief Facilities Officer

Signature
Derek Robert Messier
Wednesday, April 08, 2015 12:38:59 PM

Approved In Open Board Meeting On:

APR 21 2015

By: *Donna Kow*
School Board Chair

EXECUTIVE SUMMARY

Final Acceptance/Release of Retainage

Riverside Elementary School

Scope: Additions and Alterations to HVAC

Project Number:

3031-99-06

Project Budget Summary

Original:	\$2,338,000
Current Approved:	\$2,527,201
Current Request:	0
Proposed New:	\$2,527,201

Change Order Summary

Current Request:	0
Schedule Change:	0 days

Change Order Analysis

Consultant Error	0.00%
Consultant Omission	0.00%
Owner Directed	8.09%
DOP and Tax Savings	0.00%
Discovered Condition	0.00%

Construction Schedule Summary

Planned Start: June 16, 2004
 Actual Start: July 2, 2004
 Planned Completion: December 12, 2005
 Actual Completion: December 17, 2005

Project Overview:

The scope consists of Heating, Ventilation and Air Conditioning Replacement, and after selective additions and replacement of equipment, provide Test and Balance for the entire system.

Financial Overview:

ORIGINAL BASE CONTRACT:	\$2,338,000
PREVIOUSLY APPROVED CO'S:	\$189,201
CURRENT CO REQUEST:	0
PENDING CO'S:	NONE
FORECASTED COST AT COMPLETION:	\$2,527,201

Status of Work:

All project scope of work has been completed.

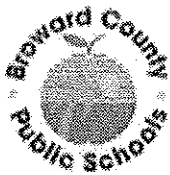
Key Issues:

The status reports as of December 2005 indicated that this project was completed and financially closed, however, subsequent communications from the Contractor indicated that the Final Release of Retainage was not issued at that time.

After a detailed investigation of the records, it was discovered that the Consultant of Record executed the relevant OEF 110b and OEF 209 Forms, in May of 2010. The Building Official did not sign the said documents, since there was a failed Fire Alarm Inspection ticket associated with this project. Resolution to the failed ticket required coordination with the SBBC Physical Plant Operations, which was finally resolved on February 11, 2015.

Action Plan:

The Office of Facilities & Construction is continuing to aggressively close out all outstanding projects. In addition, the Project Acceptance Form has not been included, due to the age of the project and the administration familiar with the project are no longer at the facility.



PROJECT ACCEPTANCE SIGNOFF FORM

Formal Acceptance	
Facility:	Riverside Elementary School
Project Name:	Additions and Alterations to HVAC
Project Number:	3031-99-06

Acceptance of: Project Project Phase Project Deliverables/Training

Description of project to be accepted:
Heating, ventilation and air conditioning replacement.

Projected started prior to Principal working at Riverside.

The project (project deliverables, project phase, or project) described above has been reviewed against the prescribed acceptance criteria (scope/specifications). Based on these criteria, the project is accepted as complete:

Principal: Ms. Merideth Weiss

Signature: [Handwritten Signature] Print Name: _____ Date: 3/31/15
projected completed while I was on FMLA-maternity leave - Feb 2015

Physical Plant Operations: Mark Dorsett

Signature: [Handwritten Signature] Print Name: _____ Date: 4/7/15

Project Manager: DAVE A. ARCHER

Signature: [Handwritten Signature] Print Name: _____ Date: 4-7-15

Senior Project Manager: SHELEEN MELONI

Signature: [Handwritten Signature] Print Name: _____ Date: 4/7/15



The School Board of Broward County, Florida
 Office of Facilities & Construction
 3775 S.W. 16th Street
 Fort Lauderdale, FL 33312
 TEL (754) 321-1500 • FAX (754) 321-1501

Document 00640: General Release and Full Release of Lien

KNOW ALL MEN BY THESE PRESENTS,

That the undersigned: Linda Hyman

Thermal Concepts, Inc.

Davie

of:

City of:

Broward

Florida

County of:

State of:

Herein referred to as "Contractor" executes this General Release and Full Release of Lien in favor of THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA of 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301, herein referred to as "The School Board".

In consideration of the sum of:

Written

Amount: Thirty Seven Thousand & Nine Hundred Dollars and 93/100 Dollars

Figures: \$ \$37,900.93

receipt of which from The School Board is hereby acknowledged, Contractor for itself and its successors and assigns, has remised, released, and forever discharged, and by these presents does, for itself and its successors and assigns, does remise, release, acquit, satisfy, and forever discharge The School Board, its successors, employees, administrators and assigns, of and from all manner of action and actions, cause and causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims, and demands whatsoever, in law or in equity, which against The School Board or The School Board's successors, employees, administrators and assigns, Contractor ever had, now has, or over which Contractor's successors and assigns, hereafter can, shall or may have, for upon, or by reason of any matter, cause of thing whatsoever with regard to the project known as:

Riverside Elementary School
 (Project Name)

3031-9906C
 (Project Number)

In consideration of the above-said moneys, receipt of which from The School Board is hereby acknowledged, Contractor does hereby release and quit claim to The School Board, its successors and assigns, all claims liens, lien rights, claims or demands of any kind whatsoever which Contractor now has or might have against the building or premises situated at:

11450 Riverside Drive, Coral Springs, Florida 33071

and legally described as:

CYPRESS GLEN 104-26 B PARCEL U Folio# 4841 32 01 7830

On account of labor performed and/or material furnished for the construction of any building thereon or in otherwise improving said property situated as above described. The Contractor further certifies that all lienors contracting directly with or directly employed by the Contractor have been paid in full and that all labor and materials furnished for said construction, including subcontractors employed by the undersigned, have been paid in full. The Contractor further authorizes the clerks of the County Records Division of Broward County, Florida to discharge the lien given to the undersigned in a claim of lien recorded in the Official Records of Broward County, Florida at Book _____, Page _____, executed by:

on this 3 day of March, 2015

IN WITNESS WHEREOF,

Linda Hyman has hereunto set its hand and seal
on this 3 day of March, 2015

(Corporate Seal)

Attest:

[Signature]
(Secretary)

[Signature]
By: Linda Hyman (Seal)

Notarization

State of: Florida)

County of: Broward

Sworn to and subscribed before me, the undersigned authority, by Linda Hyman

Herself

who is personally known to me or did produce:

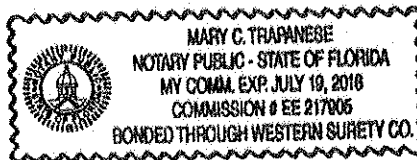
As identification and who did take an oath, acknowledged and subscribed the foregoing General Release and Full Release of Lien for purposes therein expressed.

Notary Public:

Mary C. Tripanese
July 19, 2016

Affix Seal

Commission Expires on: _____





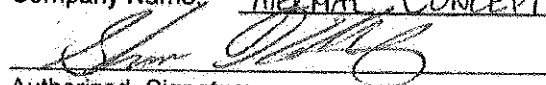
The School Board of Broward County, Florida
Office of Facilities & Construction
3775 S.W. 16th Street
TEL (754) 321-1500 • FAX (754) 321-1501

Reduction of Retainage Certification

Facility: Riverside Elementary School

Project No.: 3031-9006C

Company Name: THERMAL CONCEPTS INC


Authorized Signature

SHAWN KOHLI
Print Name

CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT

To: Liberty Mutual Insurance Company

Re: Bond Number 3797494

STATE OF FLORIDA
County of Broward

I Linda Hyman (name of officer) being duly sworn, deposes and says:

That he is CFO of Thermal Concepts Inc, the Contractor for Riverside Elementary School (name of project), contract dated [blank], with School Board of Broward County, Owner, and covered by bond(s) in the amount of \$ 2,338,000

That all work required to be performed under said contract has been completed. That the amount of contract, additions and deductions, and paid to date, etc., are as follows: (If work completed, answer only (a) - (f); if work not completed, answer (a) - (i)).

- (a) The original contract amount is \$ 2,338,000
(b) The balance of additions and deductions is (approved by architect or engineer) \$ 189,201
(c) The total amount of other additions (still to be approved by architect or engineer) \$ 0
(d) The contract amount, plus the balance of additions and deductions approved and to be approved is \$ 2,527,201
(e) The amount received from the Owner to date is \$ 2,489,301
(f) The exact amount retained is \$ 37,900
(g) The amount subject to certificate for work completed during the month previous to [blank] and payable on or about [blank] is \$ 0
(h) Balance in hands of Owner, excluding amounts under (f) and (g), is \$ 37,900
(i) Estimated cost to complete balance of work required to be done under said contract is \$ 0

That neither the retained percentage nor any payment due or to become due under said contract nor any part of such retained percentage or payment have been assigned to any individual, corporation, bank or banking institution, or trust company, or to any other, except as follows:

That the following represent all unpaid accounts due or to become due :

(a) for labor performed and materials furnished to date in connection with said contract:

Table with 3 columns: NAME, NATURE OF ITEM, AMOUNT. Row 1: [blank], [blank], 0

(b) to subcontractors for labor and materials furnished to date, including retained percentage:

NAME	NATURE OF SUBCONTRACT	AMOUNT
		0

(c) rental on equipment; claims for damages; insurance and bond premiums; any other debts on job except notes or loans or advances (see below):

NAME	NATURE OF ITEM	AMOUNT
		0

That no payments to subcontractors or others for labor performed or materials furnished in connection with said contract have been made by notes which are at this time unpaid, except as follows:

NAME	AMOUNT	WHEN DUE
	0	

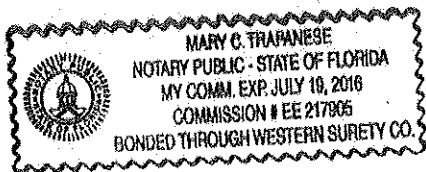
That the contractor is not indebted to any individual, corporation, or bank for loans or advances in connection with this project; and that no claims or liens by subcontractors or suppliers are outstanding in connection with this project, except as follows:

That this affidavit is made for the purpose of inducing Liberty Mutual Insurance Company to consent to the release of all or a part of the monies unpaid on said contract held by the Owner and the affiant agrees that all money so released will be first applied in payment of all obligations due to laborers, materialmen, to subcontractors and for rentals of equipment in connection with said contract and will not be used for any other purpose until all such obligations have been fully paid.

By: _____

Type or Print Name: Linda Hyman _____

Subscribed and sworn to before me this 23 day of Feb. 2015.



 Mary C Trajanese
 Notary Public

70057005**PAYMENTS TO CONTRACTOR DURING CONSTRUCTION**

PER STATUTE F.S. 255.078, AND EXCEPT AS PROVIDED BELOW, CONSTRUCTION PAYMENTS ON PROJECTS UP TO FIFTY (50) PERCENT COMPLETION SHALL NOT EXCEED NINETY (90) PERCENT OF THE WORK COMPLETED OR MATERIALS PAID FOR AND PROPERLY STORED ON SITE, OR IN A BONDED WAREHOUSE.

PAYMENTS SHALL BE CONDITIONED UPON OWNER'S REPRESENTATIVE APPROVING PROGRESS OF WORK AND MATERIALS STORED, IN ACCORDANCE WITH THE EXECUTED CONSTRUCTION CONTRACT.

REDUCTION OF RETAINAGE:

PER STATUTE F.S. 255.078, RETAINAGE SHALL BE REDUCED TO FIVE (5) PERCENT AFTER THE PROJECT REACHES FIFTY (50) PERCENT COMPLETION. FURTHER REDUCTION OF RETAINAGE SHALL BE AUTHORIZED ONLY AFTER THE PROJECT ACHIEVES SUBSTANTIAL COMPLETION AND THE CERTIFICATE OF OCCUPANCY OR FORM OEF 110B HAS BEEN FULLY EXECUTED. THE RETAINAGE REDUCTION BELOW FIVE (5) PERCENT SHALL REQUIRE THE RECOMMENDATION OF THE SUPERINTENDENT OR DEPUTY SUPERINTENDENT OF FACILITIES AND CONSTRUCTION MANAGEMENT, AND BE AUTHORIZED BY BOARD ACTION.

REDUCTION OF RETAINAGE ON IDENTIFIABLE PHASED PROJECTS IS PERMITTED, PURSUANT TO THE RULES ABOVE. FOR PHASED PROJECTS, IF THE OVERALL CONTRACT VALUE EXCEEDS THE CONSTRUCTION COST LIMIT PER STATUTE F.S. 287.055; REDUCTION OF RETAINAGE ON INDIVIDUAL PHASES SHALL REQUIRE BOARD APPROVAL.

FINAL PAYMENT OF RETAINAGE:

THE CRITERIA AND CONDITIONS FOR FINAL PAYMENT OF THE RETAINAGE INCLUDE:

1. THE SCHOOL BOARD ACCEPTS THE FACILITY VIA AN EXECUTED FORM 110B.
2. ALL CONTRACTUAL OBLIGATIONS HAVE BEEN COMPLETED.
3. EXECUTED FORM OEF 209, OR WHEN AN OEF 209 IS NOT REQUIRED, CERTIFICATION OF COMPLETION BY THE ARCHITECT OR ENGINEER OF RECORD.

FINAL ACCEPTANCE AND RELEASE OF RETAINAGE ON PROJECTS WITH A CONSTRUCTION COST LIMIT PER F.S. 287.055 SHALL NOT REQUIRE BOARD APPROVAL. APPROVAL SHALL BE GRANTED BY THE DEPUTY SUPERINTENDENT OF FACILITIES AND CONSTRUCTION MANAGEMENT OR DESIGNEE, UPON RECEIPT OF THE EXECUTED CERTIFICATE OF FINAL INSPECTION OR CERTIFICATE OF COMPLETION NOTED ABOVE. FOR THE PURPOSES OF THIS RULE, CONSTRUCTION CONTRACTS THAT DO NOT REQUIRE A CERTIFICATE OF OCCUPANCY SHALL BE CERTIFIED AS SUBSTANTIALLY COMPLETE BY THE ARCHITECT OR ENGINEER OF RECORD.

AUTHORITY: F.S. 1001.41 (1) (2)
F.S. 1013.50
F.S. 218.735 (8)
F.S. 255.078
F.S. 287.055

POLICY ADOPTED: 1/21/82; 5/19/88; 1/16/07

Return completed form as needed to:
Office of Educational Facilities
325 West Gaines Street, Room 1054
Tallahassee, Florida 32399-0400
(850) 245-0494
Fax (850) 245-9236 or (850) 245-9304

FLORIDA DEPARTMENT OF EDUCATION
Office of Educational Facilities

OEFL USE ONLY

CERTIFICATE OF OCCUPANCY

INSTRUCTIONS: Submit one copy of the completed form for each project over \$300,000. Reproduce this form in sufficient quantity for your use.

RE: The School Board of Broward County, Florida
Riverside Elementary School
Additions and Alterations to HVAC Equipment
3031-99-06

School District Community College)
 School Name Campus)
 Description of Project
 EFIS Number (if applicable)

In accordance with Section 1013.37(2)(c), Florida Statutes, and upon recommendation of the project architect/engineer and the certified inspector, as stated below, the subject project is ready for occupancy.

Signature: Robert W. Runcie *Robert W. Runcie* Date: 3-10-2015
 Superintendent President Designee

Intended Occupancy Date:

PROJECT ARCHITECT/ENGINEER AND CERTIFIED INSPECTOR I have inspected the subject project and, to the best of my knowledge and ability, I have determined that the safety systems* are working satisfactorily; the work of the project is in compliance with statutes, rules and codes affecting the health and safety of its occupants; and that no asbestos-containing materials were specified for use in this project, nor to the best of my knowledge were asbestos containing materials used in the construction of this project.

Architect or Engineer of Record:

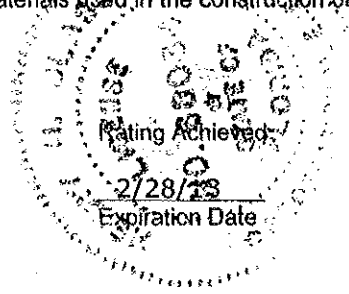
Not Applicable
High Performance Green Building Standard Used (S. 255.2575(2), F.S.)
Henry Glass 68034
Name (Type or Print) License #

Signature: *Henry Glass*
 Architect Engineer

Building Official:

ROBERT HAMBURGER Bu 1112 11-30-15
Name (Type or Print) License # Expiration Date

Signature: *Robert Hamburger* 3-2-15



Project Information

Code/Edition FBC-2001 Occupancy Type(s) _____ Construction Type(s) _____ Occupant Load _____

Automatic Sprinkler System Required Y N District/Community College Permit Number _____

Special Permit Stipulations Additions and alterations to the HVAC Equipment in various existing buildings already occupied by SBBC District/Florida College Permit Number 303104PR2240P

*Safety systems include, but are not limited to: exiting, safety, rescue, fire rating, fire protection, means of egress, master valves, eye wash and dousing shower in science labs; emergency disconnects in shops; fume and dust collection systems; heat and smoke detectors, stage protection including curtain operation, smoke vent, sprinklers, etc.; kitchen hood; fire sprinklers; smoke venting; illumination of means of egress; emergency lighting; emergency power; exit lights; fire alarm systems with required incidental functions; fire extinguishers; fuel fired heaters; electrical illumination; electrical system required ventilation; toilet facilities; kitchen hot water supply; water supply; and sewage disposal as they apply to this project.

FLORIDA DEPARTMENT OF EDUCATION
Office of Educational Facilities

CERTIFICATE OF FINAL INSPECTION

TO: Office of Educational Facilities (OEF) 325 West Gaines Street, Room 1054 Tallahassee, Florida 32399-0400 (850) 245-0494, Fax (850) 245-0494 or (850) 245-9304	OEF USE ONLY
INSTRUCTIONS: Submit for OEF files one copy of the completed form for all projects with construction costs exceeding \$300,000. Mark the appropriate term within the parentheses. Reproduce this form in sufficient quantity for your use. Section 1013.37(2)(c), F.S.	

RE: _____ OEF Assigned Project Number _____

_____ (Broward County School Board) XSchool District Community College)

_____ (Riverside Elementary) XSchool Name Campus)

_____ (3031-99-06) XSchool College) Code Number _____

_____ (HVAC Additions and Alterations) Description of Project _____

SECTION A: BOARD'S ACCEPTANCE

Upon the recommendation of our Project (Architect Engineer) in his certification in Section B below, in accordance with Chapter 1013, F.S., THE BOARD ACCEPTED the above-referenced project on _____,

Name (Type or Print) Robert W. Runcie, Superintendent

Signature: *Robert W. Runcie* Date: April 24, 2015

Superintendent President

SECTION B: (ARCHITECT ENGINEER) CERTIFICATION

As PROJECT (ARCHITECT ENGINEER), I have inspected this project and, in my considered professional opinion, the work required by the contract for this project has been completed in accordance with approved contract documents; Chapter 1013, Florida Statutes, Rule 6A.2.0010, FAC, Chapter 553, FS, and the Florida Building Code.

Signature: *Chang D. Liang* Date: 5/15/15

Firm Name: Dyanki, Inc.

Address: 580 Village Blvd Suite 110 West Palm Beach FL 33409

Street/P.O. Box City State Zip

SECTION C: Building Official Other (Specify) Certification

I have inspected the project and, in my considered opinion, it is complete and in accordance with applicable statutes, rules, and codes.

Name (Type or Print) Robert Hamberger

Signature: *Robert Hamberger* Date: 3.2.15

Building Official Certified Inspector

SECTION D: FACILITY INFORMATION.

1. TYPE OF PROJECT: <input type="checkbox"/> New Plant <input type="checkbox"/> Addition <input type="checkbox"/> Remodeling <input type="checkbox"/> Renovation <input checked="" type="checkbox"/> HVAC	2. CORRECTED "SPACE INVENTORY REPORT" (land, building, room) HAS BEEN FILED WITH THE OEF: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If "No," explain: _____
3. SOURCE OF FUNDS: <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> _____	4. ADJUSTED FINAL CONTRACT AMOUNT: \$ <u>2,544,511.00</u> 5. PROJECT GROSS SQUARE FOOTAGE: _____ SQ. FT. 6. COST PER GROSS SQUARE FOOT: \$ _____ 7. COST PER STUDENT STATION: \$ _____

CERTIFICATE OF FINAL INSPECTION (CFI)

8. BUILDING CONTRACT DATE: 6/14/2004 COMPLETION DATE: 12/13/2011

9. CHANGE ORDERS - List of each Change Order and amount:

C.O. No. <u>1</u>	\$ <u>68,113.00</u>	C.O. No. <u>5</u>	\$ <u>4,719.00</u>
C.O. No. <u>2</u>	\$ <u>31,545.00</u>	C.O. No. <u>6</u>	\$ <u>1,399.00</u>
C.O. No. <u>3</u>	\$ <u>79,114.00</u>	C.O. No. <u>7</u>	\$ <u>2,497.00</u>
C.O. No. <u>4</u>	\$ <u>1,814.00</u>	C.O. No. <u>8</u>	\$ <u>17,310.00</u>

10. Date of Occupancy: Riverside Elementary never lost occupancy during the course of this project

11. Additional Information:

COLLABORATION

SIGN-OFF FORM

Title of Agenda Request Item: Final Acceptance/Release of Retainage
Riverside Elementary School
Thermal Concepts, Inc.
Additions and Alterations to HVAC
Project No. 3031-99-06

School Board Meeting Date: 4-21-15

All projects have been appropriated in the Adopted District Educational Facilities Plan (September 23, 2014) and in the District's Capital Budget.

The following project(s) have not been appropriated in the Adopted District Educational Facilities Plan (September 23, 2014) and in the District's Capital Budget.

Comments:

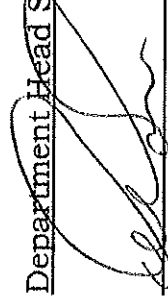
Department Name

Capital Budget

Department Head Name

Omar Shim
Director

Department Head Signature

 4/7/2015

Note: By signing this collaboration the Capital Budget Department is acknowledging that the budget impact as stated is correct. Other aspects of the agenda item are the responsibility of the department submitting the item.

CONTACT: Mickey Aviles