



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
JJ-7.

MEETING DATE	2019-07-23 10:05 - Regular School Board Meeting
AGENDA ITEM	ITEMS
CATEGORY	JJ. OFFICE OF FACILITIES & CONSTRUCTION
DEPARTMENT	Facilities Construction

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

TITLE:
Final Acceptance & Final Release of Retainage - Indian Ridge Middle School - Davie - LEGO Construction Co. - SMART Program Renovations - Project no. P.001748

REQUESTED ACTION:
Approve the Final Acceptance and approve the Final Release of Retainage in the amount of \$236,581 for Indian Ridge Middle School, LEGO Construction Co., SMART Program Renovations, Project No. P.001748.

SUMMARY EXPLANATION AND BACKGROUND:
Final Acceptance and Final Release of Retainage - the contractor, LEGO Construction Co., has completed the scope of the contract.

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

FINANCIAL IMPACT:
This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). There is no impact to the project budget.

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

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

SOURCE OF ADDITIONAL INFORMATION:	
Name: Phil D. Kaufold, Task Asgd. Director Constr.	Phone: 754-321-1532
Name: Daniel Jardine, CBRE I Heery Director	Phone: 754-321-4850

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title
Frank Girardi - Executive Director

Approved In Open Board Meeting On: **JUL 23 2019**
By: *Leatha P. Brinkwood*
School Board Chair

Signature
Frank L. Girardi
7/8/2019, 12:20:01 PM

EXECUTIVE SUMMARY
Final Acceptance and Final Release of Retainage
Indian Ridge Middle School, Davie
LEGO Construction Co.
SMART Program Renovations
Project No. P.001748

PROJECT SUMMARY

Total Project Budget

Construction Budget:	\$3,942,743
Soft Cost Budget:	\$1,172,257
<small>(Design, FF&E, IT, Mgmt. Fees, etc.)</small>	
Original D.E.F.P. Budget:	\$5,115,000
Approved Add. Funding:	\$ 945,102
<small>(JJ-10, 11/07/17)</small>	
New Funding Request:	_____
Current Revised Budget:	\$6,060,102

Change Order Analysis

Consultant Error	0.61%
Consultant Omission	0.01%
Owner's Request	0.00%
Unforeseen	0.07%
Tax Savings and DOP	0.00%

Construction Schedule Summary

- Actual Start: 12/11/17
- Actual Substantial Completion: 8/30/18
- Actual Final Completion: 3/6/2019

Project Overview:

Renovations at Indian Ridge Middle School including, but not limited to, reroofing, selective replacement of air conditioning equipment and testing and balancing of the HVAC system, renovation of art and music rooms, replacement of fume hoods, replacement of four doors, replacement of gas piping, and related improvements.

Contractor's Financial Overview:

ORIGINAL BASE CONTRACT:	\$ 4,699,211 / 395 Days
PREVIOUSLY APPROVED CO'S:	\$ 32,409 / 0 Days
CURRENT REVISED CONTRACT:	\$ 4,731,620 / 395 Days

Status of Work:

The project obtained Substantial Completion on August 30, 2018. The Certificate of Final Inspection (Form OEF 209) was issued on March 6, 2019 and will be executed upon Board approval of this item.

Recommendations/Remarks:

This Board action reconciles and closes all outstanding accounts, requests for time extensions, releases retainage in the amount of \$236,581 and grants Final Acceptance for the project.



The School Board of Broward County, Florida
 Procurement & Warehousing Services Department
 7720 W. Oakland Park Blvd., Suite 323
 Sunrise, Florida 33351 (754) 321-0505

Document 00640: General Release and Full Release of Lien

KNOW ALL MEN BY THESE PRESENTS,

That the undersigned: Luis Garcia

of: LEGO Construction Co. City of: Miami

County of: Dade State of: Florida

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: **four million seven hundred thirty-one thousand six hundred twenty
 dollars two cents**

Figures: \$ 4,731,620.02

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:

Indian Ridge Middle School SMART Program Renovation - P.001748

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:

1355 S Nob Hill Road, Davie, Florida - 33324

and legally described as: Indian Ridge Middle School

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 instrument No. 114850467, executed by:

LEGO Construction Co.

on this 30 day of April, 20 19.

IN WITNESS WHEREOF,

Luis Garcia has hereunto set its hand and seal

on this 30 day of April, 20 19.

(Corporate Seal)

Attest:

[Signature]
(Secretary)

[Signature]
By: Luis Garcia  (Seal)

Notarization

State of: Florida
County of: Dade

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

Luis Garcia

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: [Signature]

Affix Seal

Commission Expires on: April 6, 2020



**CONSENT OF SURETY
TO FINAL PAYMENT**

ALA Document G707

- OWNER
- ARCHITECT
- CONTRACTOR
- SURETY
- OTHER

Bond No. 21BCSHT8386

TO OWNER:
(Name and address)

The School Board Broward County
7720 W. Oakland Park Blvd., Ste 323
Sunrise, FL 33351

ARCHITECT'S PROJECT NO.:

CONTRACT FOR: Construction

PROJECT:
(Name and address)

Indian Ridge Middle School - SMART Program Renovation

CONTRACT DATED:

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Hartford Casualty Insurance Company
One Hartford Plaza
Hartford, CT 06155-0001

, SURETY,

on bond of
(Insert name and address of Contractor)

Lego Construction Co.
1011 Sunnybrook Rd., Ste. 905
Miami, FL 33136

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of
any of its obligations to
(Insert name and address of Owner)

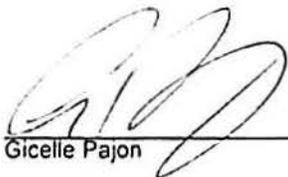
The School Board Broward County
7720 W. Oakland Park Blvd., Ste. 323
Sunrise, FL 33351

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: May 2, 2019
(Insert in writing the month followed by the numeric date and year.)

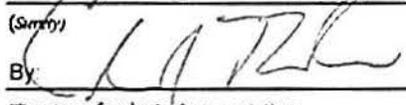
Attest:
(Seal):


Gicelle Pajon

Hartford Casualty Insurance Company

(Surety)

By:


(Signature of authorized representative)

Charles J. Nielson Attorney-in-Fact

(Printed name and title)

Surety Phone No 860-547-5000

7005

7005

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

DEF 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 School Board of Broward County _____ () School District () Florida College)

Indian Ridge MS 1355 Nob Hill Road, Davie, FL 33324 _____ () School Name () Campus)

SMART Program Renovations
 P.001748 Building Envelope Improv. Art/Music Rooms Reno. HVAC Imprv. Description of Project

Location Site #3471 - P.001748 _____ 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 Francis* Date 3/20/2019
 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* and the facility are 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 building, nor to the best of my knowledge were asbestos containing materials used in the construction of this project.

Architect or Engineer of Record:

N/A
 High Performance Green Building Standard Used [S 255.2575(2) F.S.] _____ Rating Achieved _____
Jorge A. Gutierrez AR14571 2/28/2021
 Name (Type or Pnnt) License # Expiration Date
 Signature *Jorge A. Gutierrez*
 Architect Engineer

Building Official:
Robert Hamberger BU1112 11/30/19
 Name (Type or Pnnt) License # Expiration Date
 Signature *Robert Hamberger* MAR 06 2019

Contractor:
LEGO Construction Co. CGC 1510788 8/31/20
 Name (Type or Pnnt) License # Expiration Date

Threshold Inspector (If applicable):
N/A _____
 Name (Type or Pnnt) License # Expiration Date

Project Information As-built lowest floor elevation (for new construction)
 Code/Edition 2014 FBC Occupancy Type(s) N/A Construction Type(s) E Occupant Load N/A
 Automatic Sprinkler System Required Y X N District/Florida College Permit Number _____
 Special _____ Permit# 1434710632 Stipulations _____

*Safety systems include, but are not limited to: existing safety rescue fire raising 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 nodal functions fire extinguishers fire fire detectors electrical illumination special system required ventilation total facilities kitchen hot water supply water supply and sewage disposal as they apply to the project.

H I I 1509700 614-06-Cert+Occupancy

RECEIVED

FEB 26 2019

FLORIDA DEPARTMENT OF EDUCATION
Office of Educational Facilities

BUILDING DEPARTMENT

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) 245-9236 or (850) 245-9304	OEF USE ONLY RCOE
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 P 001748 _____ OEF Assigned Project Number

Broward County Schools _____ School District Florida College)

Indian Ridge MS Davie FL _____ (School Name Campus)

Location Site #3471 _____ (School College) Code Number

Building Envelope Music & Art Room Renovations HVAC _____ Description of Project

Broward Co

DOCUMENT RECEIVED
MAR 07 2019
HOERN

SECTION A BOARD'S ACCEPTANCE

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

Name (Type or Print) _____

Signature *Robert J. Hamberger* Date 2/24/19

() Superintendent () President

SECTION B (X) ARCHITECT () ENGINEER CERTIFICATION

As PROJECT (X) 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, F.S., and the Florida Building Code.

Signature *Jorge A. Gutierrez* Date 2/26/2019

Firm Name Jorge A. Gutierrez Architect LLC
 Address 14400 NW 77 Ct Suite 104 Miami Lakes, FL 33016

Street/P.O. Box _____ City _____ State _____ Zip _____

SECTION C (X) 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 MAR 06 2019

(X) Building Official () Certified Inspector

SECTION D FACILITY INFORMATION

1 TYPE OF PROJECT <input type="checkbox"/> New Plant <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Renovation <input type="checkbox"/> Remodeling	2 CORRECTED "SPACE INVENTORY REPORT" (land building room) HAS BEEN FILED WITH THE OEF <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If "No" explain _____
3 SOURCE OF FUNDS <input checked="" type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Federal	4 ADJUSTED FINAL CONTRACT AMOUNT: \$4,732,838 <u>\$4,731,620 AV</u>
	5 PROJECT GROSS SQUARE FOOTAGE <u>n/a</u> SQ. FT.
	6 COST PER GROSS SQUARE FOOT \$ <u>n/a</u>
	7 COST PER STUDENT STATION \$ <u>n/a</u>

CERTIFICATE OF FINAL INSPECTION (CFI)

8 BUILDING CONTRACT DATE: 12/11/17 _____		COMPLETION DATE: 2/22/19 _____	
9 CHANGE ORDERS - List of each Change Order and amount (excluding Direct Purchase amounts)			
C.O. No. #1 _____	\$33,627 \$32,409	C.O. No. _____	\$ _____
C.O. No. _____	\$ _____	C.O. No. _____	\$ _____
C.O. No. _____	\$ _____	C.O. No. _____	\$ _____
C.O. No. _____	\$ _____	C.O. No. _____	\$ _____
10 Date of Occupancy _____			
11 Additional Information			

EXHIBIT 8

COLLABORATION

SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-7./Final Acceptance & Final Release of Retainage
Indian Ridge Middle School, Davie
LEGO Construction Co.
SMART Program Renovations
Project No. P.001748

School Board Meeting: 07/23/2019

The financial impact of this item is \$236,581

- () This project has not been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). These funds in the amount of \$_____ will come from the Capital Projects Reserve.
- This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). There is no impact to the project budget.
- () This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). There is no current impact to the project budget. There is a potential future impact to the project budget based on the additional scope approved in this item.
- () This project has been appropriated in the Adopted District Educational Facilities Plan (September 5, 2018). There is an additional impact to the project budget. These funds in the amount of \$_____ will come from the Capital Projects Reserve.
- () Comments:

Department Name

Department Head

Department Head

Capital Budget

Omar Shim, Director


Signature

6/25/2019
Date

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.