



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
JJ-3.

MEETING DATE	2020-02-04 10:05 - School Board Operational 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 and Final Release of Retainage - LEGO Construction Co. - Silver Shores Elementary School - Miramar - SMART Program Renovations - Project No. P.001906

REQUESTED ACTION:

Approve the Final Acceptance and approve the Final Release of Retainage in the amount of \$89,924.60 for Silver Shores Elementary School, LEGO Construction Co., SMART Program Renovations, Project No. P.001906.

SUMMARY EXPLANATION AND BACKGROUND:

Final Acceptance and Final Release of Retainage - LEGO Construction Co. has completed the scope of their contract.

SCHOOL BOARD GOALS:

Goal 1: High Quality Instruction Goal 2: Safe & Supportive Environment Goal 3: Effective Communication

FINANCIAL IMPACT:

This project has been appropriated in the Adopted District Educational Facilities Plan (September 4, 2019). There is no impact to the project budget.

EXHIBITS: (List)

(1) Executive Summary (2) General and Full Release of Lien (3) Reduction of Retainage Certificate (4) Consent of Surety Company to Final Payment (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, Director, Constr.	Phone: 754-321-1532
Name: Daniel Jardine, Director, CBRE Heery	Phone: 754-321-4850

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

Frank Girardi - Executive Director

Signature

Frank L. Girardi
1/23/2020, 4:58:58 PM

Approved In Open Board Meeting On:

FEB 04 2020

By:

[Signature]
School Board Chair

EXECUTIVE SUMMARY
Final Acceptance and Final Release of Retainage
Silver Shores Elementary School, Miramar
LEGO Construction Co.
SMART Program Renovations
Project No. P.001906

PROJECT SUMMARY

Total Project Budget

Construction Budget: \$ 678,891
 Soft Cost Budget: \$ 355,109
 (Design, FF&E, IT, Mgmt. Fees, etc.)

Original D.E.F.P. Budget: \$1,034,000

Approved Add. Funding: \$1,231,560
 (JJ-2, 12/04/18)

Current Revised Budget: \$2,265,560

Change Order Analysis

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

Construction Schedule Summary

-Actual Start: 1/24/19

 -Actual Substantial Completion: 10/18/19

 -Actual Final Completion: 10/18/19

Project Overview:

The scope of work includes, but not limited to, building envelope improvements and HVAC improvements.

Contractor's Financial Overview:

ORIGINAL BASE CONTRACT:	\$1,798,491 / 305 Days
PREVIOUSLY APPROVED CO'S:	\$ 0 / 0 Days
CURRENT REVISED CONTRACT:	\$1,798,491 / 305 Days

Status of Work:

This project obtained the Certificate of Occupancy (Form 110B), and the Certificate of Final Inspection (Form 209). All documents for closeout will be executed upon Board approval of this item. Scope of work was completed with no Change Orders and delivered 5 weeks ahead of schedule.

Other Items:

Final Release of Retainage: Approval of a final release of retainage in the amount of \$89,924.60 to LEGO Construction Co. Final financial reconciliation will occur after approval by the Board.

Action Plan:

Upon acceptance of this item, the retainage will be released, and the project will be closed. Any remaining/unused funds will be returned to the Capital Projects Reserve.



**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: **One Million Seven Hundred Ninety Eight Thousand Four Hundred
Ninety One Dollars and Ninety five Cents only**

Figures: \$ 1,798,491.95

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:

Silver Shores Elementary School SMART Program Renovation - P.001906

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:

1701 SW 160th Avenue Miramar FL 33027

and legally described as: Silver Shores Elementary 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. 115742042, executed by:

LEGO Construction Co.

on this 04 day of September, 20 19.

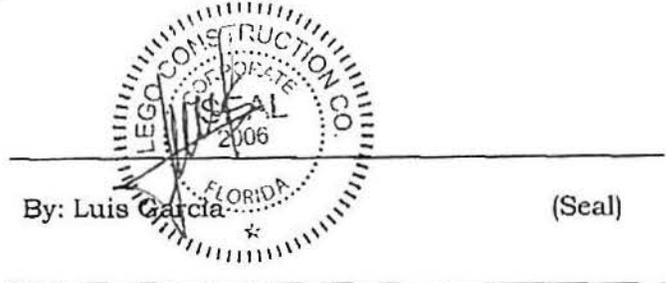
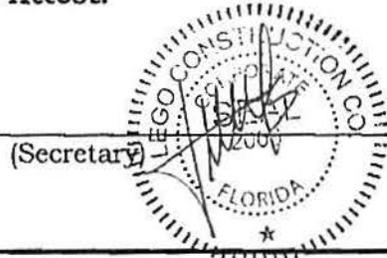
IN WITNESS WHEREOF,

Luis Garcia has hereunto set its hand and seal

on this 04 day of September, 20 19.

(Corporate Seal)

Attest:



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:

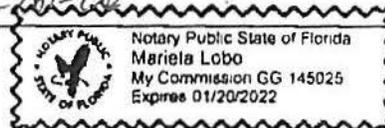
As identification and who did take an oath, acknowledged and subscribed the foregoing General Release and Full Release of Lien for purposes therein expressed.

Notary Public:

Affix Seal

Commission Expires on:

01-20-2022



SURETY COMPANY
CONSENT TO PROGRESS PAYMENT
AIA G707 Document

Bond No. 21BCSHV9118

PROJECT: Silver Shores Elementary School Renovations/ RFQ#19-079C(P.001906)

TO (Owner):

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

ARCHITECT'S PROJECT NO:

CONTRACT FOR: Silver Shores Elementary School
Renovations/ RFQ#19-079C(P.001906)

CONTRACT DATE:

CONTRACTOR:

Lego Construction Co.

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

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

SURETY COMPANY,

On bond of: (here insert name and address of Contractor)

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

CONTRACTOR,

The Surety agrees and consents to Progress Payment No. 8 in the amount of \$ 89,924.60
Eighty Nine Thousand Nine Hundred Twenty Four Dollars and 60/100 to the Contractor, and agrees that progress
payment to the Contractor shall not relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

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

OBLIGEE,

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this 23rd day of September, 2019

Charles J. Nielson, Attorney-in-Fact

(SEAL)

Witness

Gicelle Pajon

Surety Phone No. 305-722-2663

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD
 BOND, T-12
 One Hartford Plaza
 Hartford, Connecticut 06155
Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: NIELSON HOOVER & COMPANY INC
 Agency Code: 21-229752

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

D. A. Belis, Tracey C. Brown-Boone, Natalie C. Demers, David R. Hoover, Stephanie McCarthy, Laura D. Mosholder, John R. Neu, Charles D. Nielson, Charles J. Nielson, Joseph Penichet Nielson, Daniel Frank Oaks, Brett Rosenhaus, Kevin Wojtowicz of MIAMI LAKES, Florida

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray

John Gray, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT }
 COUNTY OF HARTFORD } ss. Hartford

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



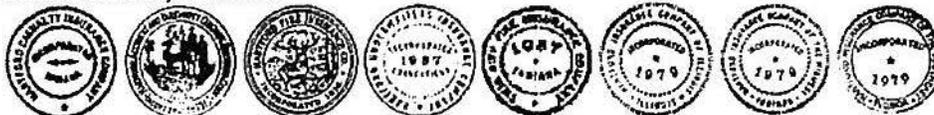
CERTIFICATE

Kathleen T. Maynard

Kathleen T. Maynard
 Notary Public

My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of September 23, 2019 Signed and sealed at the City of Hartford.



Kevin Heckman

Kevin Heckman, Assistant Vice President

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
CERTIFICATE OF OCCUPANCY

OEF USE ONLY

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 _____
Silver Shores ES 1701 SW 160th Ave Miramar, FL -33027
P.001906 Reroofing Building #1, HVAC improvements
Location No.35811- P.001906 Building Permit #1435810364, Roofing Sub permit #1435810618

() School District Florida 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 J. Buncie Date: 2-5-2020
 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:

High Performance Green Building Standard Used AS 255.2575(2) F.S.

Rating Achieved

Name (Type or Print) AUBERTO ROBERTO TELLA JR. License # FL0007729

2-28-2021
Expiration Date

Signature: _____
 Architect

Building Official:

Name (Type or Print) B. J. H. H. License # BUI112

11-30-21
Expiration Date

Signature: _____
OCT 18 2019

Contractor:

Name (Type or Print) LEGO Construction Co. License # CGC1510788

08/31/20
Expiration Date

Threshold Inspector (if applicable):

Name (Type or Print) _____ License # _____

Expiration Date _____

Project Information

As-built lowest floor elevation (for new constructio

Code/Edition 2014 FBC Occupancy Type(s) _____ Construction Type(s) _____ Occupant Load _____

Automatic Sprinkler System Required Y_X_N District/Florida College Permit Number 1435810364

Special _____ Permit _____ Stipulations _____

*Safety systems include, but are not limited to: egress; 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) 245-9236 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: Building Permit #1435810364, Roofing Sub permit #143581061B _____ OEF Assigned Project Number _____
 School Board of Broward County _____ (School District Florida College)
 Silver Shores ES 1701 SW 160th Ave, Miramar, FL -33027 _____ (School Name Campus)
 Location No #3581, P.001906 _____ (School College) Code Number _____
 Reroofing Building 1, HVAC improvements _____ Description of Project _____

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 F. Hamberger Date: 2-5-2020
 (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, F.S.; and the Florida Building Code.

Signature: Alberto Portela Date: 10/4/19
 Firm Name: GLE ASSOCIATES, INC.
 Address: 5405 Cypress Court FL 33609
 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 F. Hamberger
 Signature: [Signature] Date: OCT 18 2019
 (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"/> <u>GOB</u>	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 checked="" type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Federal	4. ADJUSTED FINAL CONTRACT AMOUNT: \$ <u>1,798,491.95</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: _____ COMPLETION DATE: _____

9. CHANGE ORDERS - List of each Change Order and amount (excluding Direct Purchase amounts).

C.O. No. _____	\$ _____	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:

COLLABORATION

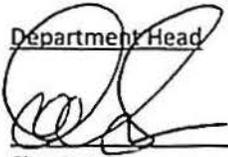
SIGN-OFF FORM

Item #/Title of Agenda Request Item: JJ-3./ Final Acceptance and Final Release of Retainage
LEGO Construction Co.
Silver Shores Elementary School, Miramar
SMART Program Renovations
Project No. P.001906

School Board Meeting: 02/04/2020

The financial impact of this item is \$89,924.60

- () This project has not been appropriated in the Adopted District Educational Facilities Plan (September 4, 2019). 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 4, 2019). There is no impact to the project budget.
- () This project has been appropriated in the Adopted District Educational Facilities Plan (September 4, 2019). 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 4, 2019). There is an additional impact to the project budget. These funds in the amount of \$_____ will come from the Capital Projects Reserve.
- () Comments:

<u>Department Name</u>	<u>Department Head</u>	<u>Department Head</u>
Capital Budget	Omar Shim, Director	 Signature
		1/21/2020 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.