

EXECUTIVE SUMMARY
Termination of Professional Services Agreement
LIMCO Engineering Inc.
Western High School

PROJECT OVERVIEW:

Delivery Method:	Design/Bid/Build
Professional Consultant:	LIMCO Engineering Inc.

GENERAL OVERVIEW:

This item is requesting approval of the Termination Agreement between The School Board of Broward County, Florida (“SBBC”) and LIMCO Engineering Inc. (“LIMCO”) (See Exhibit 2).

The Termination Agreement applies to projects to be constructed at Western High School. The following is a chronology of events that have culminated in this recommended action.

On September 26, 2017, the Parties entered into a Professional Services Agreement (“PSA”) for the preparation of design documents and construction administration services for a project to be located at Western High School, Project No. P.001967, (RFQ 17-188C).

BACKGROUND:

Shortly after LIMCO’s projects were initiated, it became apparent that LIMCO was experiencing significant delays in the preparation of design documents for the aforementioned project (hereinafter collectively, the “Project”). In addition, through discussions with Procurement and Warehousing Services (PWS), the Office of Facilities & Construction (OFC) learned of issues surfacing with respect to the relationship between LIMCO and its sub-consultants. In an effort to mitigate any further delays, OFC and PWS met with LIMCO in July 2018 to resolve the concerns. A subsequent meeting was held with LIMCO in August 2018 to discuss recovery actions on the projects. Meetings were also conducted with the Office of General Counsel for guidance.

OFC continued to hold regular meetings with LIMCO from August 2018 through March 2019 to assist LIMCO in improving its response to the deliverables, per the contract requirements, and to determine appropriate action for each of the projects. After multiple meetings between OFC and LIMCO, no improvement had been realized. As a result, it was determined that the best course of action for both parties would be to terminate the projects for convenience in lieu of cause, conditioned upon specific terms set forth in the Termination Agreement. On March 19, 2019, LIMCO agreed to and signed Intent to Terminate letters, and on December 26, 2019, LIMCO executed the Termination Agreement.

At that time, it was decided since the construction drawings were nearing 100% and LIMCO had only one (1) project, the contract for Western High School would remain in place.

Since that time, the Culinary Lab scope of work has been pushed ahead of the rest of the SMART Program Renovations work and is currently being completed. However, the scope of work has been fraught with delays due to the inability of LIMCO to respond in a timely and accurate manner. The drawings for the remainder of the project are still in review by the Building Department.

Should the Board approve this item, it is the intent of OFC and PWS to move forward with the successor Architect and/or Engineer of Record with a recommendation to award at a future Board meeting.

This Agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.