

**EXECUTIVE SUMMARY**

**Termination Without Cause of the Construction Services Agreement**

**The Weitz Company, LLC**

**C. Robert Markham Elementary School, Pompano Beach**

**Project No. P.001920**

**SMART Program Renovations**

**RFQ 17-210C**

**PROJECT OVERVIEW:**

<b>Delivery Method:</b>	<b>Construction Management at Risk (CMAR)</b>
<b>Architect:</b>	<b>Carty Architecture, LLC</b>
<b>Contractor:</b>	<b>The Weitz Company, LLC</b>

**GENERAL OVERVIEW:**

This item requests approval of Termination Without Cause of the Construction Services Agreement between The School Board of Broward County, Florida (“Board”) and The Weitz Company, LLC (“Weitz”). The Board and Weitz shall hereinafter collectively be referred to as the “Parties.”

The Parties entered into a contract for Construction Services Agreement (“Agreement”) on September 26, 2017 (Agenda Item JJ-10), for C. Robert Markham Elementary School, Project No. P.001920, RFQ 17-210C (“Project”). Services to be provided pursuant to the Agreement included Pre-Construction Phase Services, Bid and Award Phase Services, Construction Phase Services, Closeout Services, and Warranty Services associated with the scope of work defined and to be developed to include, fire sprinklers, fire alarm, building envelope improvements, improvements to or replacement of Building 1, HVAC improvements, and other items that may be required to execute the Board approved scope.

The Parties did not achieve an agreeable GMP, and staff found that the GMP was unacceptable pursuant to Article 6.4 of the Agreement. In accordance with Article 36 of the General Conditions, staff recommends Termination Without Cause of the Agreement with Weitz.

Staff has evaluated the delivery method for this project and has determined that Design/Bid/Build would be an appropriate method of delivery. A Board item seeking authorization to bid will follow.