

AGENDA REQUEST FORM
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Meeting Date <div style="text-align: center; font-size: 1.2em;">3/20/12</div>	<div style="display: flex; justify-content: space-around;"><div style="text-align: center;">Open Agenda <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</div><div style="text-align: center;">Special Order Request <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div></div>	Agenda Item Number <div style="text-align: center; font-size: 1.2em;">JJ-6</div>
--	---	---

TITLE:	Final Acceptance and Release of Retainage The Weitz Company, LLC New Food Service Multipurpose Building Walker Elementary School, Fort Lauderdale Project No. P.000051 (f.k.a. 0321-23-01)
--------	---

REQUESTED ACTION:	Approve the Final Acceptance of Walker Elementary School, New Food Service Multipurpose Building, Project No. P.000051 and release the balance of retainage in the amount of \$252,522. Final Acceptance and Release of Retainage will occur upon execution of the General and Full Release of Lien by the Contractor.
-------------------	--

SUMMARY EXPLANATION AND BACKGROUND:	The contractor The Weitz Company, LLC, Inc. has completed the project within the contract limits.
-------------------------------------	---

SCHOOL BOARD GOALS:	<ul style="list-style-type: none"><input type="checkbox"/> •Goal One: Raise achievement of all students to ensure graduation from high school and readiness for post-secondary education.<input type="checkbox"/> •Goal Two: Improve the health and wellness of students and personnel.<input checked="" type="checkbox"/> •Goal Three: Provide a safe and secure physical and technological environment for all students and employees.<input type="checkbox"/> •Goal Four: Promote innovation which focuses on best practices and quality efforts that improve our best-in-class position.<input type="checkbox"/> •Goal Five: Recruit, develop, retain, and recognize high performing and diverse faculty and personnel.<input type="checkbox"/> •Goal Six: Build strong partnerships with family, business, community and government at the classroom, school, area, and district level.<input type="checkbox"/> •Goal Seven: Ensure district's leadership as an environmental steward through innovative ecology and energy conservation programs.
---------------------	---

FINANCIAL IMPACT:	The funds being released totaling \$252,522 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015, page 70.
-------------------	---

EXHIBITS: (List)	<ol style="list-style-type: none">1. Executive Summary2. Summary of Data Pertinent to Final Acceptance3. General and Full Release of Lien4. Consent of Surety5. Policy 7005 and Explanation of Retainage Amount6. OEF 110B - Certificate of Occupancy (Original signed & sealed document located at FCM Division)7. OEF 209 - Certificate of Final Inspection8. Collaboration Sign-Off Form (Capital Budget)
------------------	---

<div style="text-align: center; font-size: 1.5em; font-weight: bold;">APPROVED</div> <div style="text-align: center; font-size: 0.8em;">(For Official School Board Records' Office Only)</div>	<div style="text-align: center; font-size: 0.8em;">SOURCE OF ADDITIONAL INFORMATION:</div> <div style="text-align: center;"><div style="display: flex; justify-content: space-between;"><div>Greg Boardman, Project Manager III</div><div>(754) 321-1620</div></div><div style="text-align: center;">Facilities Design & Construction</div></div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"><div>Name</div><div>Phone</div></div>
--	---

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Thomas E. Lindner, Deputy Superintendent
Facilities & Construction Management Division

Thomas E. Lindner

Approved in Open Board Meeting
on:

MAR 20 2012

By:
Form #4189
Revised 10/11
RWR/TEL/SNM/G.Boardman:Y.Rainford

Carm Murray

School Board Chair

EXHIBIT 1

EXECUTIVE SUMMARY

**Final Acceptance and Release of Retainage
The Weitz Company LLC
Walker Elementary School
New Food Service/Multipurpose Building
Project # P. 000051 (f.k.a. 0321-23-01)**

PROJECT OVERVEIW

The New Food Service/Multipurpose Building at Walker Elementary School is a reuse of a prototypical design by the architectural firm Zelch & McMahon Architects. It was awarded on April 20, 2004. The project received an Official Building Permit on 3/31/2009. The Guaranteed Maximum Price of \$9,866,382 was approved by the Board on February 3, 2009. A Notice-to-Proceed was given to The Weitz Company, LLC on April 6, 2009.

FINAL ACCEPTANCE

The project has been fully inspected and approved by the Chief Building Official and an OEF 209 Certificate of Final Inspection has been approved and is attached as an exhibit to the Agenda Request Form.

TIME EXTENSION

The contractor finished the project within the original time constraints inclusive of Board approved time extensions, as set forth in the contract. No time extension is required for Final Acceptance. The time variation between final completion and the execution of the OEF 209 is attributed to change orders that had to be negotiated, settled and Board approved prior to final execution of the OEF 209 Form.

RELEASE RETAINAGE

The contractor has completed all aspects of the contract and all work has been inspected and accepted. The contractor has furnished a properly executed General and Full Release of Lien which is attached as an exhibit to the Agenda Request Form. Retainage shall be released in the amount of \$252,522.15 and available to the contractor once this item is approved by the School Board.



**1700 Southwest 14th Court
Fort Lauderdale, FL 33312-4110**

Summary of Data Pertinent To Final Acceptance of Construction Projects

SF 760 September 11, 2009



The School Board of Broward County, Florida
Facilities and Construction Management Division
1700 SW 14th Court
Fort Lauderdale, FL 33312

EXHIBIT 3

(754) 321-1500

Document 00640: General Release and Full Release of Lien

KNOW ALL MEN BY THESE PRESENTS,

That the undersigned: Carolyn DeSanti

of: The Weitz Company City of: West Palm Beach

County of: Palm Beach 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: Two Hundred Fifty Two Thousand, Five Hundred Twenty Two Dollars 15/100

Figures: \$ 252,522.15

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:

Walker Elementary School

(Project Name)

0321-23-01/08-

PR458P

(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:

1001 NW 4th Street, Fort Lauderdale, FL 33311

and legally described as:

Walker 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 at Book____, Page____, executed by:

on this _____ day of _____, 20 .

IN WITNESS WHEREOF,

_____ has hereunto set its hand and seal

on this _____ day of _____, 20 .

(Corporate Seal)

Attest:

Cecily M. DeSanti

By: _____ (Seal)

(Secretary)

Notarization

State of: _____)

County of: _____)

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

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: _____

Executed in triplicate

EXHIBIT

4

Federal Bond no. 8215-78-65; F&D Bond no. 08919787

FACILITIES AND
CONSTRUCTION

**CONSENT OF SURETY
TO FINAL PAYMENT**

Conforms with the American Institute of
Architects, AIA Document G707

2012 FEB -8 PM 2:19

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
SURETY ☐
OTHER ☐

TO OWNER: The School Board of Broward Co., Florida
(Name and address) 1700 SW 14th Court
Fort Lauderdale, FL 33312

ARCHITECT'S PROJECT NO.:
0321-23-01

CONTRACT FOR:
Kitchen/Cafeteria work

PROJECT: Kitchen/Cafeteria work
(Name and address) Walker Elementary School
1001 NW Fourth Street
Fort Lauderdale, FL 33311

CONTRACT DATED:
November 12, 2008

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

Federal Insurance Company
15 Mountain View Road
Warren, NJ 07059

Fidelity and Deposit Company of Maryland
1400 American Lane, Tower 1, 19th floor
Schaumburg, IL 60196

, SURETY,

on bond of
(Insert name and address of Contractor)

The Weitz Company, LLC
4000 hollywood Blvd., #120N
Hollywood, FL 33021

, 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 of Broward County, Florida
1700 SW 14th court
Fort Lauderdale, FL 33312

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: February 2, 2012
(Insert in writing the month followed by the numeric date and year.)

Fidelity and Deposit Company of Maryland

Lisa M. Lucas

Lisa M. Lucas, Attorney-in-fact

Federal Insurance Company

(Surety)

Lisa M. Lucas

(Signature of authorized representative)

Lisa M. Lucas, Attorney-in-fact

(Printed name and title)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Contra Costa

On Feb. 2, 2012 before me, Patricia Burdock, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Lisa M. Lucas
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Patricia Burdock
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☒ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here



**Chubb
Surety**

**POWER
OF
ATTORNEY**

**Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company**

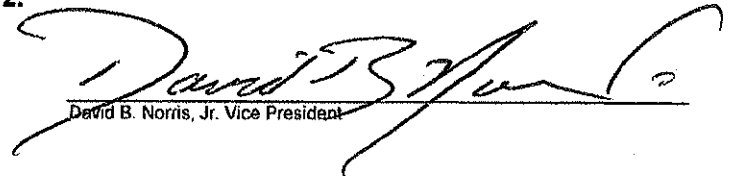
**Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059**

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint A.W. Brown, Lisa M. Lucas, William Phillips, Jr. and D. Richard Stinson of San Ramon, California -----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this **1st** day of **January, 2012**.


Kenneth C. Wendel, Assistant Secretary


David B. Norris, Jr. Vice President

STATE OF NEW JERSEY

County of Somerset

ss.

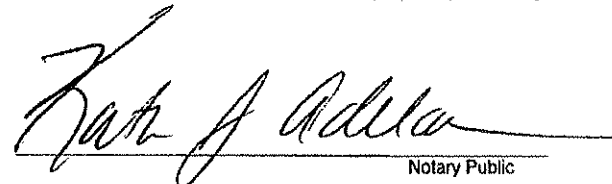
On this **1st** day of **January, 2012**

before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr. and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr. subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr. and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



**KATHERINE J. ADELAAR
NOTARY PUBLIC OF NEW JERSEY
No. 2316685
Commission Expires July 16, 2014**


Notary Public

CERTIFICATION

Extract from the By-Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-In-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY

(the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this **February 2, 2012**.




Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656

e-mail: surety@chubb.com

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by FRANK E. MARTIN JR., Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **D. Richard STINSON, Lisa M. LUCAS, William PHILLIPS JR. and A.W. BROWN, all of San Ramon, California, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.** This power of attorney revokes that issued on behalf of D. Richard STINSON, Lisa M. LUCAS, William PHILLIPS JR., A.W. BROWN, Veronica RAMIREZ, dated October 5, 2009.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 1st day of December, A.D. 2010.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gregory E. Murray

By:

Frank E. Martin Jr.

Gregory E. Murray Assistant Secretary

Frank E. Martin Jr.

Vice President

State of Maryland }
City of Baltimore } ss:

On this 1st day of December, A.D. 2010, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came FRANK E. MARTIN JR., Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski

Notary Public

My Commission Expires: July 8, 2015

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 2nd day of February, 2012.


Assistant Secretary

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

Explanation of Retainage Amount

**Walker Elementary School
New Foodservice/Multipurpose Building
Project No. : P000051 (f.k.a. 0321-23-01)**

The Construction Manager has completed all aspects of the contract and all work has been inspected and accepted. The contractor has furnished a properly executed General and Full Release of Lien which is attached as Exhibit 3 to the Agenda Request Form.

By the Superintendent or Deputy Superintendent signing the Agenda Request form, he/she is attesting that the project has achieved Final Completion and that both the Certificate of Occupancy (OEF Form 110 B) and the Certificate of Final Inspection (OEF Form 209) have been fully executed and are attached as Exhibits 6 and 7.

The Facilities and Construction Management Department and the Architect of Record (Zelch & McMahon, Architects) recommend that retainage be released in the amount of \$252,522 to The Weitz Company, LLC.

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

OEF 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

Walker Elementary School

New Multipurpose Building

#031-23-01/000051 0321-23.01

(☒ 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: *James F. Witter*

☒ Superintendent

☐ President

☐ Designee

Date: 3/17/10

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 facility 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 building, 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.)

N/A

Rating Achieved

Zelch & McMahon, Architects

AA-P000244

February 28, 2011

Name (Type or Print)

License #

Expiration Date

Signature: *Robert E. McMahon*

Robert E. McMahon

☒ Architect

Building Official:

ROBERT HAMBERGER

BU1112

11-30-11

Name (Type or Print)

License #

Expiration Date

Signature: *[Signature]*

3-12-10

Contractor:

Gary Hennings

The Weitz Company

CGC-1509819

August 31, 2012

Name (Type or Print)

License #

Expiration Date

Threshold Inspector:

John Slaig, Chief Engineer

Nutting Engineers of Florida, Inc.

0660

February 28, 2011

Name (Type or Print)

License #

Expiration Date

Project Information

Code/Edition 2004 Occupancy Type(s) E Construction Type(s) II-B Unprotected Occupant Load 550

Automatic Sprinkler System Required Yes

District/Community College Permit Number #031-23-01/000051

Special Permit Stipulations None

*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

EXHIBIT 7

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: 0321-23-01/P000051 OEF Assigned Project Number
The School Board of Broward County, Florida (x School District ☐ Community College)
Walker Elementary School (x School Name ☐ Campus)
0321-23-01/P000051 (x School ☐ College) Code Number
New Food Service Multipurpose Building 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
 Signature: *Robert W. Runcie* Date: 3-20-12
☐ 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: *Robert E. McMahon* Date: 01/05/12
Robert E. McMahon
 Firm Name: Zelch & McMahon Architects
 Address: 17 NE 4th Street, Fort Lauderdale, FL 33301
 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: 2-16-12
☐ Building Official ☐ Certified Inspector

SECTION D: FACILITY INFORMATION

1. TYPE OF PROJECT: X New Plant <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodeling <input type="checkbox"/> Renovation <input checked="" type="checkbox"/> New Chiller Plant <input checked="" type="checkbox"/> New Building Multipurpose	2. CORRECTED "SPACE INVENTORY REPORT" (land, building, room) HAS BEEN FILED WITH THE OEF: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No x N/A If "No," explain: _____
3. SOURCE OF FUNDS: <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Adopted District Educational Facility Plan 5- year	4. ADJUSTED FINAL CONTRACT AMOUNT: \$ 8,620,066.00 (includes DOP's) 5. PROJECT GROSS SQUARE FOOTAGE: 19,082 SQ. FT. 6. COST PER GROSS SQUARE FOOT: \$452.21** 7. COST PER STUDENT STATION: \$ N/A

CERTIFICATE OF FINAL INSPECTION (CFI)

8. BUILDING CONTRACT DATE: April 06, 2009 (NTP) COMPLETION DATE: September 20, 2010***

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

C.O. No. 001	<u>\$ (-646,016.00)</u>	C.O. No. 002	<u>6,520.00</u>
C.O. No. 003	<u>\$ 43,266.00</u>	C.O. No. 004	<u>-(2,179,697.00) + 6 Days</u>

10. Date of Occupancy: March 05, 2010 Multipurpose Building #07

11. Additional Information:

Notice to Proceed.....April 06, 2009
Multipurpose Substantial Completion Date - Actual March 05, 2010
Project Substantial Completion Date - Contract.....July 16, 2010
Actual Substantial Completion Date - Actual September 20, 2010
Final Completion Date - Contract September 14, 2010
Final Completion Date - Actual.....September 20, 2010

**

Project Scope included the following: New Food Service Multipurpose Building #07, Generator, Remodel & Expand Parent Pickup/Drop Off + Parking, Remodel Bus Loop, Remodel Kindergarten Pickup/Drop Off, Single Point of Entry Fencing + Gates, Site lighting, New Water-Cooled Chiller + Chilled Water Lines, New Electrical Service + Distribution, Sidewalks, Remodel Building #06 for Elect'l Distribution, Covered walkways, Drainage, Utility services, Landscaping, Irrigation, Perimeter Fencing, Cafetorium Demolition, and Re-Roofing of Building #01.

COLLABORATION

SIGN-OFF FORM

Title of Agenda Request Item: Final Acceptance and Release of Retainage
The Weitz Company, LLC
New Food Service Multipurpose Building
Walker Elementary School, Fort Lauderdale
Project No. P.000051 (f.k.a. 0321-23-01)

School Board Meeting Date: March 20, 2012

- ☒ All projects have been appropriated in the Adopted District Educational Facilities Plan (September 7, 2010) and in the District's Capital Budget.
- ☐ The following project(s) have not been appropriated in the Adopted District Educational Facilities Plan (September 7, 2010) and in the District's Capital Budget.
- ☐ Comments: An additional financial impact of \$ _____ will come from the Capital Projects Reserve.

Department Name	Department Head Name	Department Head Signature
Capital Budget	Omar Shim Director	 3.7.2012

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: