



# THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

1700 Southwest 14<sup>th</sup> Court • FORT LAUDERDALE, FLORIDA 33312 • TEL 954-768-8643 • FAX 954-765-6079

THOMAS J. CALHOUN  
Deputy Superintendent  
Facilities & Construction Management

## SCHOOL BOARD

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Superintendent of Schools

May 21, 2001

## ADVANCE COPY VIA FAX

**Certified Mail RRR # Z 415 931 792**

Petulia N. Schvartz, President  
Trintec Construction, Inc.  
7865 NW 66<sup>th</sup> Street, Suite 102  
Miami, Florida 33166

**Subject: Exterior Remediation Renovations**  
**Cresthaven Elementary School Project No. 0901-99-05**  
**Virginia Shuman Young Elementary Project No. 3321-99-05**  
**Notice of Non-Performance**

Ms. Schvartz:

Pursuant to the terms of your contract including Document 00700 General Conditions Article 7, 14, 15, 17, 18, 26, 33, 35, and other previous, this letter shall serve as notice of non-performance as required under your contract.

**Should Trintec Construction, Inc. fail to immediately respond to correct the foregoing non-conforming contract requirements within seven days receipt of this notice we intend to recommend that The School Board of Broward County, Florida terminate their contract with Trintec Construction, Inc. during its meting on June 5, 2001.**

The following items are presently not in conformance with your contract:

### **Cresthaven Elementary School:**

VSY Notice of Non-Performance 05/15/01d



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1. As of this date, the contractor has failed to complete work on this project. This project currently one hundred eleven (111) days past the required Substantial Completion date of January 19, 2001.
2. Window components delivered to the project site are stored in the school's Art Patio and the contractor refuses to relocate these items to the project staging area.
3. The contractor has failed to provide a Field Office on this project site.
4. The contractor has failed to provide submittals for the replacement door hardware adjacent to the Art Patio.
5. The contractor continually fails to provide a superintendent during the time work is being performed on this project site.

### **Virginia Shuman Young Elementary:**

1. As of this date, the contractor has failed to complete work on this project. This project is currently one hundred eleven (111) days past the required Substantial Completion date of January 19, 2001.
2. The contractor has failed to correct metal coping flashing installations on this project site.
3. The contractor has failed to remove existing plaster channel screeds below pre-cast concrete copings on the Mechanical Enclosure on the north side of the facility and the Kindergarten Playground Building on the east side of the facility.
4. The contractor has failed to complete repairs on an expansion joint on the east side of the facility.
5. The contractor has failed to provide submittals for the replacement door and hardware adjacent to the Art Patio.

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Project No. 3321-99-05**

6. The contractor continually fails to provide a superintendent during the time work is being performed on this project site.
7. The contractor continually fails to maintain the project site and staging area in a clean and orderly fashion.
8. The contractor has failed to provide an office area for the owner/ owner's representative that is not being used for storage.
9. Refusal to accept direction from owner and project consultant regarding contract requirements.

The foregoing list does not represent the entirety of your contractual obligations and shall not alter the requirements under your contract in any way. The listed items have previously been brought to your attention and remain non-compliant as a result of your not complying with the terms of your contract.

Therefore, as indicated above, unless Trintec Construction, Inc. responds according to the terms of its contract within the time prescribe in its contract we intend to exercise every legal right afforded under said contract.

If you need further clarification, please contact Dave A. Archer, Project Manager, concerning Virginia Shuman Young Elementary (954) 765-7055 and Charles Ricks, Project Manager, concerning Cresthaven Elementary (954) 765-6408.

Sincerely,

Thomas J. Calhoun  
Deputy Superintendent

TJC/DAA:yr

VSY Notice of Non-Performance 05/15/01d

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Notice of Non-Performance  
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**Project No. 0901-99-05  
Project No. 3321-99-05**

cc: Robert L. Goode, Director, Compliance  
Christine Miller, Principal, Cresthaven Elementary School  
Hazel Calvet, Principal, Virginia Shuman Young Elementary School  
Rebecca Blackwood, Senior Supervisor, Code Compliance  
E. Denise Cone, Construction Manager  
Denis Herrmann, Coordinator, Contracts  
Lou Gonzalez, Coordinator 1, LEA  
Edward J. Marko, School Board Attorney  
Joseph Masullo, Vaughn, Wunsch, Masullo Architects, P.A.  
Great American Insurance Company, Surety      Certified Mail RRR# 415 931 793  
Mark Skweres, Program Manager, EE & G, Inc.  
Project File