
**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Termination for Convenience: CC-2087-07/BHJ with T + G Constructors, Inc.

DEPARTMENT: Administrative Services

DIVISION: Purchasing and Contracts

AUTHORIZED BY: Frank Raymond

CONTACT: Bill Johnson

EXT: 7128

MOTION/RECOMMENDATION:

Approve Termination for Convenience of CC-2087-07/BHJ - Public Safety Building Hurricane Protection with T + G Constructors, Inc. of Orlando, Florida, and authorize staff to issue final notice of termination.

County-wide

Ray Hooper

BACKGROUND:

CC-2087-07/BHJ was awarded to T + G Constructors, Inc. by the Board on July 24, 2007. This Agreement was to provide for all labor, materials, equipment, transportation, coordination and incidentals necessary for the installation of window security/impact resistant film on all exterior windows, replacement of all overhead coiling doors and replacement of aluminum louvers to meet Miami-Dade hurricane impact requirements at the Public Safety Building located at 150 Bush Boulevard, Sanford, Florida 32773.

After receiving verbal approval for the FEMA Grant, the Facilities Management Division determined that the use of the window film specified within the construction documents as a hurricane protection barrier would provide a cost savings benefit to the County. Use of this material was approved by the FEMA Project Manager at that time, and was subsequently incorporated into the plans and specifications developed by the project's Architect of Record (Rhodes and Brito Architects). This project was bid and awarded to T + G Constructors of Orlando, Florida, based on these plans and specifications.

Before the issuance of the Notice-To-Proceed, staff was informed by FEMA that the Project Manager who had approved use of the window tint material had been removed from his position, and that this material was not acceptable for use under the FEMA Grant. On September 24, 2007, both County staff and the project's Architect of Record met with the management team from the local FEMA office. FEMA management provided confirmation that the material did not meet Miami-Dade hurricane impact requirements and therefore was not acceptable under the terms of the FEMA Grant.

Any claim associated with this termination will be processed in accordance with Seminole County Administrative Code, and a final notice for termination will be sent to the Contractor by staff upon approval of the Board. The backup documentation includes the initial notice sent to T + G Constructors, Inc., that requests the Contractor cease any further action under this Agreement.

STAFF RECOMMENDATION:

Staff recommends that the Board approve Termination for Convenience of CC-2087-07/BHJ - Public Safety Building Hurricane Protection with T + G Constructors, Inc. of Orlando, Florida, and authorize staff to issue final notice of termination.

ATTACHMENTS:

1. Termination for Convenience Letter to T + G Constructors, Inc.

Additionally Reviewed By:

County Attorney Review (Ann Colby)

ADMINISTRATIVE SERVICES DEPARTMENT
PURCHASING AND CONTRACTS DIVISION



October 25, 2007

T + G Constructors
Attn: Mr. Ricardo Gonzalez, President
8623 Commodity Circle
Orlando, Florida 32819
PH. (407) 352-4443
FX. (407) 514-3801

**Subject: CC-2087-07/BHJ - Seminole County Public Safety Building
Hurricane Protection**

Dear Mr. Gonzalez:

The above referenced project was to provide for all labor, materials, equipment, transportation, coordination and incidentals necessary for the installation of window security/impact resistant film on all exterior windows, replacement of all overhead coiling doors and replacement of aluminum louvers to meet Miami-Dade hurricane impact requirements at the Public Safety Building located at 150 Bush Boulevard, Sanford, Florida 32773.

Following approval from the assigned FEMA Project Manager, window film material was incorporated within the plans and specifications of the construction documents as a hurricane protection barrier. This project was publicly advertised, bids were received and subsequently on July 24, 2007 the Seminole County Board of County Commissioners awarded an agreement to your firm, T + G Constructors, Inc.

Prior to the issuance of a Notice-To-Proceed, staff was informed by FEMA that the assigned Project Manager had been removed from his position, and that this material was not acceptable for use under the FEMA Grant. On September 24, 2007, both County staff and the project's Architect of Record met with the management team from the local FEMA office. FEMA management provided confirmation that the material did not meet Miami-Dade hurricane impact requirements and therefore was not acceptable under the terms of the FEMA Grant.

ADMINISTRATIVE SERVICES DEPARTMENT
PURCHASING AND CONTRACTS DIVISION



Effective from the date of this letter, T + G Constructors, Inc. is instructed to cease any and all further action under CC-2087-07/BHJ - Seminole County Public Safety Building Hurricane Protection. It is the intention of the Purchasing & Contracts Division to present an Agenda Item to the Board on November 13, 2007. This item will request authorization to terminate the agreement for convenience, pursuant to 15.4 – Termination for Convenience under Section 00800: General Conditions of the construction documents.

This letter will serve as the County's notice to terminate for convenience. Any potential claim associated with this termination will be processed in accordance with Seminole County Administrative Code.

Should you have any questions, please do not hesitate to call.

Sincerely,

Robert L. Hunter, MBA, CPPB, FCN, FCCM
Procurement Supervisor
Seminole County Government
Purchasing & Contracts Division
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