




March 2, 2020

To: Mayor Jerry L. Demings
and the Board of County Commissioners

From:  Carrie Mathes, CFCM, CPPO, C.P.M., Manager, Procurement
Division

Contact: Sara Flynn-Kramer, Manager, Capital Projects Division
(407) 836-0048

Subject: Approval to Execute Release Of Claim, Bond Number
1001128682 for Contract Y19-724-RC, Moss Park Restroom

ACTION REQUESTED:

Approval to Execute Release Of Claim, Bond Number 1001128682 for Contract Y19-724-RC, Moss Park Restroom.

PROCUREMENT:

Contract Y19-724-RC was terminated for cause on September 23, 2019. The contractor's bond company's legal counsel has requested the execution of a Release of Claim for the performance and payment bonds associated with this project.

APPROVALS:

The County Attorney's Office and Capital Projects Division concurs with this recommendation.

REMARKS:

On September 12, 2019, the Procurement Division was notified of a Stop Work Request made by the Capital Projects Division. This stop work request resulted in a Termination for Cause pursuant to Article 19 of Contract No. Y19-724-RC. The County terminated its Contract with Broadway Contracting due to contractual violations in accordance with Article 11 and Article 6. The County Attorney's Office, Capital Projects Division, and Broadway Contracting reached a negotiated settlement in the amount of \$70,166.23 for the portion of work deemed acceptable, which has been paid.

BCC Mtg. Date: April 21, 2020

RELEASE OF CLAIM ON BOND

Board of County Commissioners of Orange County, the Obligee on and under the Performance Bond issued by American Contractors Indemnity Company with bond number 1001128682 in the principal amount of \$538,000.00, hereby forever and completely releases and waives any and all claims it could make and/or has made on that Performance Bond. This release and waiver is unconditional, and is effective independent of any related agreement or any conditions therein. As a result, the undersigned declares that said Performance Bond is exonerated in its entirety from any further liability. The undersigned further agrees that a facsimile or copy of the signature on this Release shall operate with the same force and effect as the original signature.

APR 21 2020

Dated: _____, 2020

Names of Obligee: Board of Commissioners of Orange County

Signature Line: _____

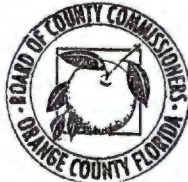
Byron W. Brooks

Name of Person Signing: _____

Byron W. Brooks

Title of Person Signing: _____

County Administrator



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

STATE OF Florida
COUNTY OF Orange

On 4/21/2020 before me, Julie Alber, personally appeared Byron Brooks 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 Florida that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Julie A. Alber
(Signature of Notary Public)

