



Legislation Details (With Text)

File #: 2024-0788
Type: Consent Item Status: Agenda Ready
File created: 5/30/2024 In control: Board of County Commissioners
On agenda: 6/11/2024 Final action:
Title: Approve the unilateral termination for cause of Benchmark Construction Company, Inc., of Bartlett, IL - Country Club Heights Sewer and Water Main Replacement and authorized the Purchasing and Contracts Division to waive the procurement process and contract with a General Contractor to complete the project. District4- Lockhart (Lorie Bailey Brown, CFO/Resource Management Director). Requesting Department - Utilities

Sponsors:

Indexes:

Code sections:

Attachments: 1. CC-3999-21 Termination Agreement.pdf, 2. Letter to Surety - Country Club Heights.pdf, 3. Seminole County Performance Bond 04-19-24.pdf, 4. 3-6-2023 Stop Work Order.pdf

Table with 5 columns: Date, Ver., Action By, Action, Result

Title:

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Division:

Resource Management - Purchasing and Contracts

Authorized By:

Lorie Bailey Brown, CFO/Resource Management Director

Contact/Phone Number:

Robert Bradley/407-665-7111

Background:

CC-3999-21/TAD was publicly advertised, and the due date was extended three (3) times to allow for competition, however only one (1) bid was received. The Board approved the award to Benchmark Construction Company, Inc. of Bartlett, IL, in the

amount of \$3,873,725.00 at the April 12, 2022, meeting. The Agreement was executed on May 3, 2022, and the Notice to Proceed was issued for June 13, 2022. The contract time was five hundred forty (540) calendar days to Substantial Completion and an additional thirty (30) calendar days to Final Completion.

Via Change Order, the contractor was granted one hundred seventeen (117) additional days to complete the project, and is still 75 days past the March 29, 2024 date for Substantial Completion.

The contractor, to date has only achieved 30 percent completion of the project, as well as been in non-compliance with the project specifications. Construction activities by the Contractor has resulted in additional time and resources by the County for emergency situations, such as uncontrolled sewage flow and loss of water pressure within the County Club Heights subdivision, resulting in a Stop Work Order issued by the County on March 6, 2023 (attached).

Staff recommends termination for cause and is working with the Surety on a plan for completing the project.

**Requested Action:**

Staff requests the Board approve the unilateral termination for cause of Benchmark Construction Company, Inc., of Bartlett, IL - Country Club Heights Sewer and Water Main Replacement and authorized the Purchasing and Contracts Division to waive the procurement process and contract with a General Contractor to complete the project.