



Legislation Details (With Text)

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| File #: | RES 2016-118 | Name: | Kaufman Lynn Settlement agreement |
| Type: | Resolution | Status: | Passed |
| File created: | 4/25/2016 | In control: | City Commission |
| On agenda: | 10/27/2016 | Final action: | 10/27/2016 |
| Title: | A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH KAUFMAN LYNN CONSTRUCTION, INC. AND AA ADVANCE AIR, INC. PROVIDING FOR A SCHEDULE FOR REPLACEMENT OF THE EXISTING LG GENERATION 3 MODEL AIR HANDLERS AND COMPRESSORS WITH LG GENERATION 4 MODEL AIR HANDLERS AND COMPRESSORS. | | |
| Sponsors: | Public Works Department | | |
| Indexes: | Agreement, Bid, Settlement | | |
| Code sections: | | | |
| Attachments: | 1. RESOLUTION-2016-118-HVAC Settlement-Kaufman, 2. AGREEMENT-HVAC Settlement-Kaufman | | |

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------|-----------|--------|
| 10/27/2016 | 1 | City Commission | | |
| 5/12/2016 | 1 | City Commission | withdrawn | |

AGENDA ITEM REPORT

TITLE:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH KAUFMAN LYNN CONSTRUCTION, INC. AND AA ADVANCE AIR, INC. PROVIDING FOR A SCHEDULE FOR REPLACEMENT OF THE EXISTING LG GENERATION 3 MODEL AIR HANDLERS AND COMPRESSORS WITH LG GENERATION 4 MODEL AIR HANDLERS AND COMPRESSORS.

BACKGROUND:

On January 12, 2012, the City Commission approved an Agreement (hereinafter "Original Agreement") between the City and Kaufman Lynn Construction, Inc. ("Kaufman") pursuant to the competitive selection process under City Bid Number 11-16-11-11 for the construction of the City's LEED certified building located at 4900 West Copans Road, Coconut Creek, used as the City's Public Works Building and Broward Sheriff's Office Northwest Regional E911 Center. Since receipt of the Certificate of Occupancy on August 1, 2013, the City has had ongoing issues with the air conditioning system known as "HVAC."

DISCUSSION:

The City has made diligent efforts to resolve the issues with Kaufman and its subcontractor, AA Advance Air, Inc., who installed the HVAC system. Numerous repairs, individual part replacements,

and software updates have not yielded positive long lasting results. After continued malfunctioning and interruption of the air conditioning system, the parties have agreed that all the LG Generation 3 model Air Handlers and Compressors need to be replaced with a newer version known as the LG Generation 4 model Air Handlers and Compressors ("LG replacement") at no cost to the City. It is in the best interest of the City to allow for the installation of the new LG replacement system, at AA Advanced Air, Inc.'s expense, according to the schedule outlined in the proposed Settlement Agreement. The new LG replacement system will come with a Manufacturer Warranty after the completion of the installation. The proposed Settlement Agreement provides that upon the City's acceptance of the work, the City will release Kaufman and AA Advanced Air, Inc. from any and all associated claims.

RECOMMENDATION:

Staff recommends approval of this Resolution.

FISCAL IMPACT: N/A