

DOCUMENT ROUTING FORM

3 ✓ 5/14/13 (4)

NAME OF DOCUMENT: **Settlement of Contract Dispute / Lawsuit General Accounting File GL 12-490**
(West Construction, Inc.) - Revised Amount of \$494,000.00

RECEIVED
CENTRAL ACCOUNTING

2013 MAY -1 PM 4:22

Approved Comm. Mtg. on **APRIL 2, 2013** CAM# **13-0515** ITEM: **M-11**

Routing Origin: CAO ENG. COMM. DEV. OTHER _____

Also attached: copy of CAR copy of document ACM Form 3 originals

On 4/22/13, LB forwarded to: MaryAnn Johnston, Public Works Engineering

RUSH

1.) Approved as to content: Stanley Brand
Department Director

Capital Improvements defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.

Please Check the proper box: CIP FUNDED YES NO
Capital Improvement Projects

2.) Approved as to Funds Available: by [Signature] Date: 5/1/13
Finance Director

Amount Required by Contract/Agreement \$ 494,000 Funding Source: P10777.343 - CA

Dept./Div. PBS/ENG Index/Sub-object P10777.343 Project # P10777
- 6599

3.) City Attorney's Office: Approved as to Form:# 3 Originals to City Mgr. By: CARRIE SARVER

[Signature]
Carrie Sarver

4.) Approved as to content: Assistant City Manager:

By: _____ By: _____
Stanley Hawthorne, Assistant City Manager Susanne Torriente, Assistant City Manager

5.) City Manager: Please sign as indicated and forward 3 originals to Mayor.

6.) Mayor: Please sign as indicated and forward 3 originals to Clerk.

13 MAY 9 PM 4:07

7.) To City Clerk for attestation and City seal.

INSTRUCTIONS TO CLERK'S OFFICE

8.) City Clerk: retains one original document and forwards 2 original documents to:

LINDA BLANCO, CITY ATTORNEY'S OFFICE

Copy of document to _____ Original Route form to Linda Blanco, CAO
 Attach _____ certified copies of Reso. # _____ Fill-in date

MUTUAL RELEASE OF ALL CLAIMS BETWEEN WEST
CONSTRUCTION, INC. AND THE CITY OF FORT LAUDERDALE

Four hundred

KNOW ALL MEN BY THESE PRESENTS, that in consideration for the total sum of ~~FIVE~~
^{NINETY FOUR} HUNDRED ^{THIRTY FOUR THOUSAND} THOUSAND DOLLARS AND 00/100 (~~\$500,000.00~~), the receipt and sufficiency of
which is hereby acknowledged, WEST CONSTRUCTION, INC. (hereinafter referred to as "West"),
its officers, directors, employees, related companies, assigns, agents, administrators and
representatives do hereby remise, release, acquit, satisfy and forever discharge the CITY OF FORT
LAUDERDALE (hereinafter referred to as the "City"), as well as its present and former mayors,
commissioners, police chiefs, officials, agents, administrators, managers, officers, employees, agents,
representatives, attorneys and assigns, both in their representative and individual capacities, and who,
together with the above named, may be jointly or severally liable to West, none of whom admit any
liability but expressly deny any liability, of and from any and all manner of, claims, demands,
damages, economic losses, non-economic losses, attorney's fees, costs, expenses, actions and causes
of action, rights, covenants, contracts, agreements, judgments, claims and demands or suits
whatsoever in law or equity, including claims for punitive damages, extra-contractual claims,
contribution, indemnity, bad faith, liens and subrogation, arising from and by reason of any and all
known and unknown, foreseen and unforeseen injuries, losses or damages, and the consequences
thereof, which heretofore have been, and which hereafter may be sustained by West, and especially
from any and all liability and damages which have resulted or may in the future develop in
connection with the City of Fort Lauderdale Project 10777D entitled, "South Side School
Restoration and Hardy Park Redevelopment" ("Project"). For good and valuable consideration, the
receipt and sufficiency whereof is hereby acknowledged by the City, the City does hereby remise,

release, acquit, satisfy and forever discharge West, its officers, directors, employees, related companies, assigns, and administrators, of and from any and all liability, none of whom admit any liability but expressly deny any liability, of and from any and all claims, demands, damages, actions, causes of action, or suits of any kind or nature whatsoever, on account of all losses or damages, known and unknown, which have resulted or may in the future develop in connection with said Project.

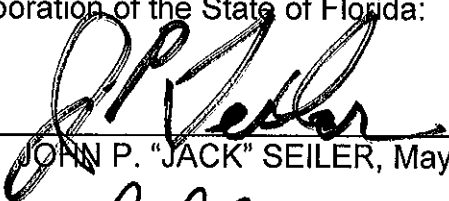
This Mutual Release of all Claims includes all claims or causes or action alleged or which could have been alleged between West and the City in that certain lawsuit pending in the Seventeenth Judicial Circuit in and for Broward County, Florida entitled, *West Construction, Inc. v. City of Fort Lauderdale*, which bears Case No. 12-008336 (12). Each party agrees to bear their own attorneys' fees, costs, interest and legal expenses from and in connection with said lawsuit.

IT IS FURTHER declared and understood that this Mutual Release of All Claims does not, in fact, extinguish any liability or responsibility of West or its insurers to defend, indemnify and hold the City harmless for any and all claims, damages or injuries of any third parties arising out of the work performed by West in accordance with terms and conditions of the Contract for the aforesaid construction project entered by and between West and the City on September 7, 2010.

IT IS FURTHER understood and acknowledged that this settlement has been agreed to solely for the express purpose of compromise, adjustment, and settlement of any and all claims, disputed or otherwise, on account of the losses and damages above-mentioned and for the express purpose of precluding forever any further or additional claims between West and the City arising out of the aforesaid Project. The consideration set forth herein is in full satisfaction of any and all claims between West and the City relating to said Project.

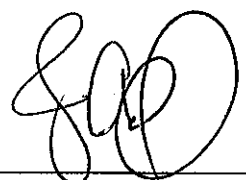
IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

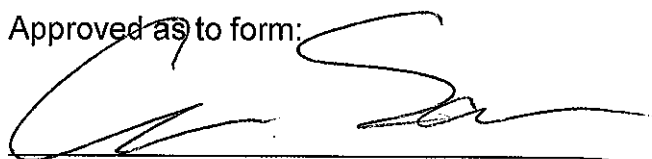
CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida:

By 
JOHN P. "JACK" SEILER, Mayor

By 
LEE R. FELDMAN, City Manager



ATTEST: 
JONDA K. JOSEPH, City Clerk
JEFFREY MODARELLI, ASST CITY CLERK

Approved as to form: 
CARRIE L. SARVER
Assistant City Attorney

**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

AIA DOCUMENT G707

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

PROJECT: South Side School Restoration Hardy Park Redevelopment
(name, address: 701 N. Andrews Avenue, Fort Lauderdale, FL

TO (Owner)

City of Fort Lauderdale
300 NW 1st Avenue
Fort Lauderdale, FL 33301

Bond No. 58676744

ARCHITECT'S PROJECT NO: 10777D
CONTRACT FOR: Construction

CONTRACT DATE: September 17, 2010

CONTRACTOR:

West Construction, Inc.

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(here insert name and address of Surety Company)

Western Surety Company
2405 Lucien Way
Maitland, FL 32751

, SURETY COMPANY,

on bond of (here insert name and address of Contractor)

West Construction, Inc.
318 S. Dixie Highway, Suite 4-5
Lake Worth, FL 33460

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

City of Fort Lauderdale
300 NW 1st Avenue
Fort Lauderdale, FL 33301

, OWNER,

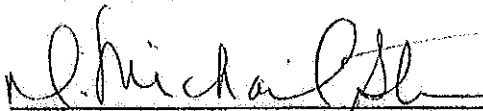
as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this

12th day of April, 2013.

**Please see attached Exhibits A & B

Western Surety Company
Surety Company



Signature of Authorized Representative

Attest:
(Seal): As Per Attached Power of Attorney

D. Michael Stevens, Attorney-in-Fact
Title

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS, Current Edition



23 EGANFUSKIE STREET
SUITE 102
JUPITER, FLORIDA 33477
TELEPHONE (561) 776-9001
FACSIMILE (561) 427-6730
www.calllc.com

April 15, 2013

City of Fort Lauderdale
300 NW 1st Avenue
Fort Lauderdale, FL 33301

**RE: WEST CONSTRUCTION, INC.
SOUTH SIDE SCHOOL RESTORATION HARDY PARK REDEVELOPMENT
BOND NO. 58676744**

Dear Sir or Madam:

This letter will serve as Western Surety Company's acknowledgement of the outstanding final releases for the following entities relative to the above captioned project:

- Right Choice Electrical Contractors
- Jorda Mechanical Contractors
- Mechanical Systems
- Hypoluxo Plumbing, Inc.

We acknowledge that there is a dispute between West Construction, Inc., Jorda Mechanical Contractors, Mechanical Systems and Hypoluxo Plumbing, Inc. as regards the final amount(s) owed and we acknowledge that the owner of Right Choice Electrical Contractors passed away and that the company is now out of business.

Yours truly,

D. Michael Stevens
Attorney-in-Fact
Western Surety Company

Exhibit A

List of Subcontractors and Vendors and amount owed to each

Palm Beach Fire Sprinkler \$0.00
Greenovate Builder's \$0.00
Right Choice Electrical Contractors \$0.00
Jorda Mechanical Contractors \$30,000.00
Dixie Metal Products \$0.00
Hypoluxo Plumbing, Inc. \$21,900.00
Thyssen Krupp Elevator \$0.00
Mica Innovations \$0.00
G Proulx LLC \$0.00
Wool Wholesale Plumbing \$0.00
Latorre Ductwork, Inc. \$0.00
Mechanical Systems \$8,900.00 (under Jorda)
Trane \$0.00
Ferguson Fire and Fabrication \$0.00
City Electric \$0.00
Pacesetter Personnel \$0.00
World Electric Supply \$0.00
Skilled Staffing \$0.00
Melrose Supply and Sales \$0.00
Gerdau Ameristeel \$0.00
EM Corson & Assoc., Inc. \$0.00
Latorre Ductwork, Inc. \$0.00

Exhibit B

Final Contract Amount

\$1,176,904.00

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Don A Lambert Jr, D Michael Stevens, Individually

of Jupiter, FL, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 3rd day of December, 2012.



WESTERN SURETY COMPANY

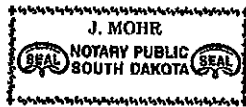
Paul T. Bruflat

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 3rd day of December, 2012, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
June 23, 2015



J. Mohr

J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 12th day of April, 2013.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

Contractor's Name & Address:
West Construction Inc.
318 S. Dixie Highway, Suite 4-4
Lakeland, FL 34601

Proj./Imp. No.: 10770
Periodic Est No. 9 - Final Pay App

Name of Project: South Side School Restoration & Handy Park Redevelopment
Work Completed From 08/01/2011 (Date)

To: 10/18/2012 (Date)



City of Fort Lauderdale

Item No.	Description of Item	CONTRACT ITEMS		COST OF WORK COMPLETED TO DATE		CURRENT BILLING PERIOD		WORK COMPLETED TO DATE		UNCOMPLETED WORK	
		Qty.	Unit	Cost	%	Cost	%	Cost	%	Cost	%
1	BOND & INSURANCE	1	LS	\$52,415.00	100.0%	\$52,415.00	100.0%	\$52,415.00	100.0%	\$0.00	0.0%
2	GENERAL CONDITIONS	1	LS	\$70,300.00	72.7%	\$51,125.00	27.3%	\$19,175.00	100.0%	\$70,300.00	0.0%
3	FUMIGATION	1	LS	\$5,500.00	100.0%	\$5,500.00	100.0%	\$5,500.00	100.0%	\$0.00	0.0%
4	ITEM # & RESTROOM PAVLION	1	LS	\$175,000.00	0.0%	\$17,500.00	10.0%	\$17,500.00	50.0%	\$157,500.00	89.0%
5	ITEM # & PLAYGROUND PAVLION	1	LS	\$35,000.00	0.0%	\$1,750.00	5.0%	\$1,750.00	5.0%	\$33,250.00	95.0%
6	CLEAN UP AND CONTAINERS	1	LS	\$9,200.00	76.7%	\$3,450.00	13.3%	\$4,050.00	80.0%	\$4,800.00	90.0%
7	AGGREGATES	1	LS	\$9,200.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$9,200.00	0.0%
8	DEMO	1	LS	\$45,000.00	100.0%	\$45,000.00	100.0%	\$45,000.00	100.0%	\$0.00	0.0%
9	CLEAR & GRUB	1	LS	\$25,000.00	20.0%	\$5,000.00	20.0%	\$19,200.00	80.0%	\$25,000.00	0.0%
10	EXCAVATE/FILL/PAVING	1	LS	\$27,000.00	20.0%	\$2,200.00	8.2%	\$6,220.00	22.9%	\$19,200.00	70.8%
11	EROSION CONTROL	1	LS	\$5,000.00	40.0%	\$1,000.00	20.0%	\$1,800.00	100.0%	\$3,000.00	60.0%
12	UTILITIES & UG	1	LS	\$20,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$20,000.00	0.0%
13	ASPHALT	1	LS	\$12,450.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$12,450.00	0.0%
14	IRIGATION	1	LS	\$20,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$20,000.00	0.0%
15	PAVEMENT MARKING & SIGNAGE	1	LS	\$2,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$2,500.00	0.0%
16	SIDEWALKS	1	LS	\$25,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$25,000.00	0.0%
17	UNIT PAVERS	1	LS	\$28,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$28,000.00	0.0%
18	SITE AMENITIES	1	LS	\$1,200.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$1,200.00	0.0%
19	FENCE & GATES	1	LS	\$13,450.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$13,450.00	0.0%
20	ITEM # & SHADE STRUCTURE	1	LS	\$85,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$85,000.00	0.0%
21	TREE REMOVAL & RELOCATION	1	LS	\$17,500.00	50%	\$7,750	50%	\$7,750	50%	\$9,750.00	55.7%
22	LANDSCAPING	1	LS	\$48,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$48,000.00	0.0%
23	JAVAS & GRASSES	1	LS	\$3,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$3,500.00	0.0%
24	CONCRETE FORMS/ACCESSORIES	1	LS	\$9,700.00	50.0%	\$4,850.00	50.0%	\$4,850.00	50.0%	\$4,850.00	50.0%
25	CONCRETE REINFORCING	1	LS	\$18,750.00	40.0%	\$7,500.00	40.0%	\$7,500.00	40.0%	\$11,250.00	60.0%
26	CONCRETE FOOTINGS	1	LS	\$24,000.00	25.0%	\$1,500.00	6.2%	\$2,220.00	9.2%	\$21,780.00	90.8%
27	CONCRETE COLUMNS	1	LS	\$17,000.00	11.0%	\$1,850.00	11.0%	\$1,850.00	11.0%	\$15,150.00	89.0%
28	CONCRETE BEAMS	1	LS	\$12,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$12,500.00	0.0%
29	CONCRETE SLAB ON GRADE THEATRE	1	LS	\$25,000.00	5.0%	\$1,250.00	5.0%	\$1,250.00	5.0%	\$23,750.00	95.0%
30	CMU SITE FEATURES	1	LS	\$21,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$21,000.00	0.0%
31	CMU CILLER/DUMPISTER ENCLOSURE	1	LS	\$5,500.00	10.0%	\$550.00	10.0%	\$550.00	10.0%	\$4,950.00	90.0%
32	STRUCTURAL STEEL	1	LS	\$16,500.00	10.0%	\$1,650.00	10.0%	\$1,650.00	10.0%	\$14,850.00	90.0%
33	METAL FABRICATION	1	LS	\$27,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$27,500.00	0.0%
34	ROUGH CARPENTRY	1	LS	\$32,000.00	75.0%	\$24,240.00	75.7%	\$24,240.00	75.7%	\$7,760.00	24.3%
35	WOOD FRAMING	1	LS	\$28,500.00	79.3%	\$22,800.00	79.3%	\$22,800.00	79.3%	\$5,700.00	20.0%
36	HEAVY TIMBER STAGE	1	LS	\$12,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$12,000.00	0.0%
37	FINISH CARPENTRY	1	LS	\$67,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$67,500.00	0.0%
38	MILLWORK	1	LS	\$26,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$26,500.00	0.0%
39	STAIRS AND RAILINGS	1	LS	\$28,450.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$28,450.00	0.0%
40	DAMP PROOF AND WATERPROOFING	1	LS	\$3,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$3,500.00	0.0%
41	BUILDING INSULATION	1	LS	\$12,000.00	27.1%	\$4,840.00	15.0%	\$1,875.00	52.1%	\$6,125.00	47.9%
42	ROOF SHEATHING	1	LS	\$4,200.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$4,200.00	0.0%
43	ROOF TILE & BUILT UP ROOFING	1	LS	\$28,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$28,000.00	0.0%
44	DOORS AND FRAMES	1	LS	\$18,450.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$18,450.00	0.0%
45	DOOR HARDWARE	1	LS	\$32,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$32,000.00	0.0%
46	STUCCO	1	LS	\$22,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$22,000.00	0.0%
47	LG FRAMING AND DRYWALL	1	LS	\$142,000.00	69.2%	\$98,400.00	69.2%	\$98,400.00	69.2%	\$43,600.00	30.8%
48	CERAMIC TILE	1	LS	\$25,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$25,500.00	0.0%
49	ACQUITTICAL CEILINGS	1	LS	\$450.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$450.00	0.0%
50	WOOD FLOORING	1	LS	\$91,850.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$91,850.00	0.0%
51	RESILIENT FLOORING AND BASE	1	LS	\$4,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$4,000.00	0.0%
52	INTERIOR PAINT	1	LS	\$32,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$32,000.00	0.0%
53	EXTERIOR PAINT/STAIRS	1	LS	\$5,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$5,500.00	0.0%
54	CHALK & DISPLAY BOARDS	1	LS	\$2,400.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$2,400.00	0.0%
55	TOILET PARTITIONS	1	LS	\$19,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$19,500.00	0.0%
56	SIGNAGE	1	LS	\$4,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$4,500.00	0.0%
57	TOILET ACCESSORIES	1	LS	\$6,700.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$6,700.00	0.0%
58	THEATRICAL STAGE EQUIPMENT PER CHANGE IN SCOPE CO 1	1	LS	\$55,000.00	11.2%	\$6,183.50	11.2%	\$6,183.50	11.2%	\$48,816.50	88.8%
59	KITCHEN EQUIPMENT	1	LS	\$42,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$42,000.00	0.0%
60	ELEVATOR	1	LS	\$47,000.00	50.0%	\$23,500.00	50.0%	\$23,500.00	50.0%	\$23,500.00	50.0%

Item No.	Description of Item	Unit	Qty.	Unit Cost	COST OF WORK COMPLETED TO DATE			CURRENT BILLING PERIOD			WORK COMPLETED TO DATE			UNCOMPLETED WORK		
					Orig.	%	Cost	Orig.	%	Cost	Chg.	%	Cost	Chg.	%	Cost
61	PLUMBING ROUGH BUILDING	LS	1	\$144,212.00	80.0%	\$115,369.60	20.0%	\$1,400.00	100.0%	\$7,000.00	0.0%	\$0.00	0.0%	\$0.00		
62	PLUMBING FIXTURES AND TRIM BUILDING	LS	1	\$27,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	100.0%	\$27,000.00	100.0%	\$27,000.00		
63	FIRE PROTECTION ROUGH	LS	1	\$54,000.00	95.0%	\$51,300.00	0.0%	\$0.00	95.0%	\$51,300.00	5.0%	\$2,700.00	5.0%	\$2,700.00		
64	FIRE PROTECTION TRIM	LS	1	\$7,500.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	100.0%	\$7,500.00	100.0%	\$7,500.00		
65	HVAC ROUGH	LS	1	\$120,000.00	80.0%	\$96,000.00	0.0%	\$0.00	80.0%	\$72,000.00	0.0%	\$48,000.00	40.0%	\$48,000.00		
66	HVAC EQUIPMENT	LS	1	\$52,000.00	100.0%	\$52,000.00	0.0%	\$0.00	100.0%	\$52,000.00	0.0%	\$0.00	0.0%	\$0.00		
67	HVAC TRIM	LS	1	\$190,210.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	100.0%	\$190,210.00	100.0%	\$190,210.00		
68	ELECTRICAL ROUGH BUILDING	LS	1	\$110,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00		
69	ELECTRICAL FIXTURES AND TRIM BUILDING	LS	1	\$84,000.00	88.2%	\$74,028.00	11.8%	\$11,972.00	100.0%	\$84,000.00	0.0%	\$0.00	0.0%	\$0.00		
70	ELECTRICAL ROUGH SITE FEATURES	LS	1	\$27,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00		
71	ELECTRICAL PANELS/W/CHGEAR	LS	1	\$75,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00		
72	LOW VOLTAGE	LS	1	\$24,000.00	20.0%	\$4,800.00	20.0%	\$4,000.00	20.0%	\$4,000.00	20.0%	\$4,000.00	20.0%	\$4,000.00		
73	ELECTRICAL FIXTURES & TRIM BUILDING	LS	1	\$48,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00		
74	ELECTRICAL FIXTURES & TRIM SITE	LS	1	\$28,000.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%	\$0.00		
75	PERMIT FEE	LS	1	\$15,000.00	100.0%	\$15,000.00	0.0%	\$0.00	100.0%	\$15,000.00	0.0%	\$0.00	0.0%	\$0.00		
Total Contract Construction Costs:						\$2,739,000.00		\$889,853.00		\$445,926.26		\$1,644,212.74		\$1,694,225.11		

Item No.	Description of Item	Unit	Qty.	Unit Cost	Orig.	%	Cost	Chg.	%	Cost	Chg.	%	Cost	
CO1	CO1-1	LS	1	\$144,212.00	\$144,212.00	100.0%	\$144,212.00		100.0%	\$144,212.00		100.0%	\$144,212.00	
CO2	CO2-1	LS	1	\$1,624.00	\$1,624.00	100.0%	\$1,624.00		100.0%	\$1,624.00		100.0%	\$1,624.00	
CO3	CO3-1	LS	1	\$19,550.00	\$19,550.00	100.0%	\$19,550.00		100.0%	\$19,550.00		100.0%	\$19,550.00	
CO4	CO4-1	LS	1	\$6,525.00	\$6,525.00	100.0%	\$6,525.00		100.0%	\$6,525.00		100.0%	\$6,525.00	
CO5	CO5-1	LS	1	\$1,125.00	\$1,125.00	100.0%	\$1,125.00		100.0%	\$1,125.00		100.0%	\$1,125.00	
CO6	CO6-1	LS	1	\$5,280.00	\$5,280.00	100.0%	\$5,280.00		100.0%	\$5,280.00		100.0%	\$5,280.00	
CO7	CO7-1	LS	1	\$3,980.00	\$3,980.00	100.0%	\$3,980.00		100.0%	\$3,980.00		100.0%	\$3,980.00	
CO8	CO8-1	LS	1	\$10,832.00	\$10,832.00	100.0%	\$10,832.00		100.0%	\$10,832.00		100.0%	\$10,832.00	
CO9	CO9-1	LS	1	\$841.00	\$841.00	100.0%	\$841.00		100.0%	\$841.00		100.0%	\$841.00	
CO10	CO10-1	LS	1	\$3,980.00	\$3,980.00	100.0%	\$3,980.00		100.0%	\$3,980.00		100.0%	\$3,980.00	
CO11	CO11-1	LS	1	\$1,250.00	\$1,250.00	100.0%	\$1,250.00		100.0%	\$1,250.00		100.0%	\$1,250.00	
CO12	CO12-1	LS	1	\$2,200.00	\$2,200.00	100.0%	\$2,200.00		100.0%	\$2,200.00		100.0%	\$2,200.00	
CO13	CO13-1	LS	1	\$22,480.00	\$22,480.00	100.0%	\$22,480.00		100.0%	\$22,480.00		100.0%	\$22,480.00	
CO14	CO14-1	LS	1	\$34,238.57	\$34,238.57	100.0%	\$34,238.57		100.0%	\$34,238.57		100.0%	\$34,238.57	
Total Contract Construction Costs:						\$2,739,000.00		\$889,853.00		\$445,926.26		\$1,644,212.74		\$1,694,225.11

ADJUSTED CONTRACT TOTAL
 (ORIGINAL CONTRACT PLUS ALL APPROVED CHANGE ORDERS & UNCOMPLETED WORK)

2. CONTRACT COSTS - CREDIT AND PAYMENTS.

(a) Cost of contract items performed to date..... \$ 1,176,904.24

(b) Less amount retained in accordance with contract terms. (Show both percent and dollar amount).....

(c) Net amount earned on contract work to date..... \$ 1,176,904.24

(d) Subtotal..... \$ 676,904.24

(e) Less Credit for:
 Liquid. Dings. [] Design []

(f) BALANCE DUE THIS PAYMENT..... \$ 500,000.00

494,000.00
 494,000.00

3. CERTIFICATION OF CONTRACTORS.
 According to the best of my knowledge and belief, I certify that all items and amounts shown on this periodic estimate are correct and that all work has been performed in accordance with the requirements of the contract and that the balance due this periodic estimate is a true and correct statement of the contract account to date and including the last day of the period covered by this Periodic Estimate.

The subscription and execution of this Periodic Estimate for Partial Payment by the City does not waive, nor does the City surrender any of its rights as afforded by the contract.

Item No.	CONTRACT ITEMS			COST OF WORK COMPLETED TO DATE			CURRENT BILLING PERIOD			WORK COMPLETED TO DATE			UNCOMPLETED WORK		
	Description of Item	Unit	Qty.	Unit	Cost	%	Unit	Cost	%	Unit	Cost	%	Unit	Cost	%
	Original Contract Items Remaining materials or supplies for this project to improvement under this temporary contract have been (Final payment application (Yes/No) NO that all taxes imposed by No. 212 Florida Statutes (Sales and Use Tax Act, as Amended) have been paid? Yes/No N/A														

WEST CONSTRUCTION INC.
 Consultant
 (Contract Signature Date) 4/3/2013
 Signature of Authorized Representative

4. CONSULTING ARCHITECT/ENGINEER PAYMENT AUTHORIZATION (where applicable). This authorization is subject to the terms of the contract, including, but not limited to, Sections 5-37 through 5-44.

Signed: _____ Date: _____
 Consulting Architect or Engineer (if required) (Date)

5. CITY ENGINEERING PARTIAL PAYMENT AUTHORIZATION. This authorization is subject to the terms of the contract, including, but not limited to, Sections 5-37 thru 5-44.

Engineer/Inspector (if required) _____ Date: _____
 Supervising Inspector (if required) _____ Date: _____
 City Manager _____ Date: _____

[Handwritten Signature]
 Supervising Inspector (if required) 4/17/13
 City Manager

FINAL RELEASE OF LIEN BY CONTRACTOR

STATE OF Florida :

COUNTY OF BROWARD :

The undersigned contractor, under a certain contract with City of Fort Lauderdale, dated _____, 20____, in connection with the following public work:

CONTRACT NO. _____

does hereby acknowledge receipt of the full contract price of \$ 1,170,909.24 as modified by change order, addenda, etc., and hereby releases and discharges all liens, lien rights, claims or demands of any kind whatsoever which the undersigned contractor now has or might have against City of Fort Lauderdale arising out of said contract or in connection with the aforesaid public improvement.

That all claims, liens or other entitlements for labor, services, materials or supplies furnished, in connection with the aforesaid improvement have been fully paid. That an affidavit on behalf of the contractor, signed by MATTHEW WEST, has been furnished to City of Fort Lauderdale, as well as final releases of lien executed by all materialmen and subcontractors regardless of their tier.

IN WITNESS WHEREOF, the contractor has caused this release to be executed in its name and under its seal by its proper officers, this the 3 day of April, 2013

Signed, Sealed and Delivered in the Presence of:

Aurora Vega
Robert Meyer

By WEST CONSTRUCTION, INC.
(Exact Name of Contractor)

Title MATTHEW WEST VICE PRESIDENT (SEAL)
(Whether President, Vice President, Sole Proprietor or Partner)

STATE OF Florida :

COUNTY OF Palm Beach

Before me, the undersigned Notary Public, personally appeared Matthew F. West known to me to be the Vice-President of West Construction, Inc. and on behalf of said contractor, for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official notarial seal at Worth, Florida, this the 3rd day of April, 2013

[Signature]
NOTARY PUBLIC

(SEAL)

My Commission expires :
12/8/2013

AURORA VEGA
MY COMMISSION # DD 936186
EXPIRES: December 8, 2013
Bonded Thru Budget Notary Services



January 3, 2013

Chris Augustin, Building Official
City of Fort Lauderdale
Dept. of Sustainable Development
700 NW 19th Avenue
Fort Lauderdale, FL 33311

Re: Permit Number 10031715
South Side School Restoration

Dear Mr. Augustin:

The City of Fort Lauderdale by its Assistant City Attorney, Carrie L. Sarver (please see copy of termination letter enclosed) on March 14, 2012, terminated the services of West Construction, Inc. on the referenced project.

As a result of our termination to do the work, I hereby respectfully request that the referenced permit be cancelled.

If you have any questions or need any additional information pertaining to this request, please contact me at the phone number or address hereon.

Sincerely,

WEST CONSTRUCTION, INC.

A handwritten signature in black ink that reads "Martha A. Morgan". The signature is written in a cursive, flowing style.

Martha A. Morgan, CBC057038
President
Mamorgan@westconstructioninc.net

Enclosures

Cc: Matthew F. West, Vice President
Charlie Tysinger, Project Manager
Chris Caprio, Senior Project Manager



January 3, 2013

Chris Augustin, Building Official
City of Fort Lauderdale
Dept. of Sustainable Development
700 NW 19th Avenue
Fort Lauderdale, FL 33311

Re: GC of Record
Permit # 11031150 Construction Trailer

Dear Mr. Augustin:

West Construction hereby asked respectfully to be released as the GC of record for the permit 11031150.

If you have any questions or need any additional information pertaining to this request, please contact me at the phone number or address hereon.

Sincerely,

WEST CONSTRUCTION, INC.

Martha A. Morgan, CBC057038
President
Mamorgan@westconstructioninc.net

Enclosures

Cc: Matthew F. West, Vice President
Charlie Tysinger, Project Manager
Chris Caprio, Senior Project Manager



January 3, 2013

Scott Dry, Building Official
City of Fort Lauderdale
Dept. of Sustainable Development
700 NW 19th Avenue
Fort Lauderdale, FL 33311

Re: Electrical Subcontractor
Permit's: 10031718, 11011899, 11021148, 10031716

Dear Mr Dry:

Per our conversation on 4/10/13, we hereby request as the previous GC of record to allow us to request release of the Electrical Subcontractor Right Choice Electric.

The qualifier Mr. Brian Serer is deceased and the company is no longer in business.

If you have any questions or need any additional information pertaining to this request, please contact me at the phone number or address hereon.

Sincerely,

WEST CONSTRUCTION, INC.

A handwritten signature in cursive script that reads "Martha A. Morgan".

Martha A. Morgan, CBC057038
President
Mamorgan@westconstructioninc.net

Enclosures

Cc: Matthew F. West, Vice President
Charlie Tysinger, Project Manager
Chris Caprio, Senior Project Manager

SUBCONTRACTOR IDENTIFICATION FORM

This form shall be completed by all City of Fort Lauderdale prime Contractors or Consultants who subcontract out any portion of his/her City contract/agreement. The form shall be forwarded to the City of Fort Lauderdale's Public Services Department (Engineering and Architectural Services) with the prime Contractor's/Consultant's final pay request. A separate form is to be completed and submitted for each subcontractor. Please telephone (954) 828-5057 or 828-5083 if you have any questions regarding this form.

- 1) CITY OF FORT LAUDERDALE PROJECT NUMBER. 107770
- 2) PROJECT DESCRIPTION SOUTHSIDE SCHOOL / HARVEY PARK
- 3) SUBCONTRACTOR Hypoluxo Plumbing
Business Name Address Telephone No.
- 4) SUBCONTRACTOR'S PRINCIPAL OFFICER RONNIE BUECHHARTER
- 5) CLASSIFICATION OF WORK SUBCONTRACTED OUT Plumbing
- 6) COST OF WORK SUBCONTRACTED OUT 49,292.⁰⁰
- 7) Please check the item(s), which properly identify the ownership status of the subcontractor's firm.

- Subcontractor firm is not a MBE or WBE.
- Subcontractor firm is MBE, as at least 51 percent is owned and operated by one or more socially and economically-disadvantaged individuals.
____ American Indian ____ Asian ____ Black ____ Hispanic ____ White
- Subcontractor firm is a WBE, as at least 51 percent if owned and operated by one or more women.
____ American Indian ____ Asian ____ Black ____ Hispanic ____ White

8) PRIME CONTRACTOR
MATTHEW WERT, VICE PRESIDENT 561-588-2027
NAME & TITLE OF PRIME CONTRACTOR'S REPRESENTATIVE TELEPHONE NO.
COMPLETING THIS FORM (Please Print)

SIGNATURE [Signature] DATE 4/8/2013
PRIME CONTRACTOR'S REPRESENTATIVE

SUBCONTRACTOR IDENTIFICATION FORM

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- 1) CITY OF FORT LAUDERDALE PROJECT NUMBER. 107770
- 2) PROJECT DESCRIPTION SECURSIOR SCHOOL / HARDY PARK
- 3) SUBCONTRACTOR JORDA Mechanical
Business Name Address Telephone No.
- 4) SUBCONTRACTOR'S PRINCIPAL OFFICER FRED KRAGEN
- 5) CLASSIFICATION OF WORK SUBCONTRACTED OUT HVAC
- 6) COST OF WORK SUBCONTRACTED OUT \$103,800.00
- 7) Please check the item(s), which properly identify the ownership status of the subcontractor's firm.

- Subcontractor firm is not a MBE or WBE.
- Subcontractor firm is MBE, as at least 51 percent is owned and operated by one or more socially and economically-disadvantaged individuals.
 American Indian Asian Black Hispanic White
- Subcontractor firm is a WBE, as at least 51 percent if owned and operated by one or more women.
 American Indian Asian Black Hispanic White

8) PRIME CONTRACTOR
MATTHEW WERT, VICE PRESIDENT 561-538-2027
NAME & TITLE OF PRIME CONTRACTOR'S REPRESENTATIVE TELEPHONE NO.
COMPLETING THIS FORM (Please Print)

SIGNATURE [Signature] DATE 4/8/2013
PRIME CONTRACTOR'S REPRESENTATIVE

SUBCONTRACTOR IDENTIFICATION FORM

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- 1) CITY OF FORT LAUDERDALE PROJECT NUMBER. 107770
- 2) PROJECT DESCRIPTION SECURITY SCHOOL / HARBOR PARK
- 3) SUBCONTRACTOR Palm Beach Fire Sprinklers 2906 SE Glasgow Dr. 561-722-7276
Business Name Address Telephone No.
- 4) SUBCONTRACTOR'S PRINCIPAL OFFICER Paul Richardson
- 5) CLASSIFICATION OF WORK SUBCONTRACTED OUT Fire Sprinkler
- 6) COST OF WORK SUBCONTRACTED OUT \$20,000⁰⁰
- 7) Please check the item(s), which properly identify the ownership status of the subcontractor's firm.
 - Subcontractor firm is not a MBE or WBE.
 - Subcontractor firm is MBE, as at least 51 percent is owned and operated by one or more socially and economically-disadvantaged individuals.
 - American Indian Asian Black Hispanic White
 - Subcontractor firm is a WBE, as at least 51 percent if owned and operated by one or more women.
 - American Indian Asian Black Hispanic White

8) PRIME CONTRACTOR
MATTHEW WEST, Vice President 561-588-2027
NAME & TITLE OF PRIME CONTRACTOR'S REPRESENTATIVE TELEPHONE NO.
COMPLETING THIS FORM (Please Print)

SIGNATURE [Signature] DATE 4/8/2013
PRIME CONTRACTOR'S REPRESENTATIVE

SUBCONTRACTOR IDENTIFICATION FORM

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- 1) CITY OF FORT LAUDERDALE PROJECT NUMBER. 10777D
- 2) PROJECT DESCRIPTION SEVEN SIDE SCHOOL / HARVEY PARK
- 3) SUBCONTRACTOR Right Choice Electric 11647 6200 Lane N, Royal Palm Beach, FL 33412 561 662 4155
Business Name Address Telephone No.
- 4) SUBCONTRACTOR'S PRINCIPAL OFFICER Brian SERA
- 5) CLASSIFICATION OF WORK SUBCONTRACTED OUT Electrical
- 6) COST OF WORK SUBCONTRACTED OUT \$127,879.22
- 7) Please check the item(s), which properly identify the ownership status of the subcontractor's firm.

- Subcontractor firm is not a MBE or WBE.
- Subcontractor firm is MBE, as at least 51 percent is owned and operated by one or more socially and economically-disadvantaged individuals.
____ American Indian ____ Asian ____ Black ____ Hispanic ____ White
- Subcontractor firm is a WBE, as at least 51 percent if owned and operated by one or more women.
____ American Indian ____ Asian ____ Black ____ Hispanic ____ White

8) PRIME CONTRACTOR

MATTHEW WEST, VICE PRESIDENT 561-588-2027
NAME & TITLE OF PRIME CONTRACTOR'S REPRESENTATIVE TELEPHONE NO.
COMPLETING THIS FORM (Please Print)

SIGNATURE [Signature] DATE 4/8/2013
PRIME CONTRACTOR'S REPRESENTATIVE

SUBCONTRACTOR IDENTIFICATION FORM

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- 1) CITY OF FORT LAUDERDALE PROJECT NUMBER. 10777D
- 2) PROJECT DESCRIPTION Southside School / Hardy Park
- 3) SUBCONTRACTOR Thussenkrupp 7481 NW 66th St. Miami, FL 33144 305-572-7722
Business Name Address Telephone No.
- 4) SUBCONTRACTOR'S PRINCIPAL OFFICER Mark Hintz
- 5) CLASSIFICATION OF WORK SUBCONTRACTED OUT Electric
- 6) COST OF WORK SUBCONTRACTED OUT \$32,475⁰⁰
- 7) Please check the item(s), which properly identify the ownership status of the subcontractor's firm.

- Subcontractor firm is not a MBE or WBE.
- Subcontractor firm is MBE, as at least 51 percent is owned and operated by one or more socially and economically-disadvantaged individuals.
____ American Indian ____ Asian ____ Black ____ Hispanic ____ White
- Subcontractor firm is a WBE, as at least 51 percent if owned and operated by one or more women.
____ American Indian ____ Asian ____ Black ____ Hispanic ____ White

8) PRIME CONTRACTOR
MATTHEW WERT, Vice President 561-588-2027
NAME & TITLE OF PRIME CONTRACTOR'S REPRESENTATIVE TELEPHONE NO.
COMPLETING THIS FORM (Please Print)

SIGNATURE [Signature] DATE 4/8/2013
PRIME CONTRACTOR'S REPRESENTATIVE