



Public Works Department

**Facilities Management Division**

115 S Andrews Avenue, Room 501 • Fort Lauderdale, Florida 33301 • 954-357-5500 • FAX 954-357-6136

December 19, 2017

SENT VIA CERTIFIED MAIL

**To: Mr. Armando Carcache, President**

Allied Contractors, Inc.  
2302 West 79<sup>th</sup> Street  
Hialeah, FL 33016

**Ron Will, Esq., Surety Claims Counsel**

Capitol Specialty Insurance Company  
1600 Aspen Commons, Suite 300  
Middleton, WI 53562  
Bond# 60102144

**Re: Intent to Terminate Agreement for Cause**

Bid/Contract No.: T1144107B1  
FMD Project No.: 2062-11  
Purchase Order No.: FMD0000557  
Project Title: Medical Examiner North Building Roof Replacement  
Project Location: 5301 SW 31<sup>st</sup> Avenue  
Fort Lauderdale, FL, 33312

Mr. Carcache:

Pursuant to Allied Contractors, Inc.'s (Allied) agreement with Broward County, Allied has failed to suitably perform Work required by the contract documents for the Medical Examiner North Building Roof Replacement Project. Broward County notified Allied in writing that the roof installed at the Medical Examiner North Building was not installed in conformance with contract documents on Monday, 4/3/17 (Issued Notices of Non-Conforming Work), Thursday, 4/27/17 (additional Notices of Non-Conforming Work) and Thursday, 5/18/17 (uplift test report noting performance failures). Subsequent to receiving the above notifications Allied requested a meeting with Broward County to discuss issues regarding non-payment that was based upon the notifications identified above. During the meeting Allied contested the quality assurance test method used to obtain performance results (although the method was acceptable under the contract) and requested that the second method allowed by the contract be used. In good faith, Broward County accommodated Allied's request and procured services for additional testing at the County's cost. The second test requested by Allied served only to further confirm roofing application deficiencies within all roof areas tested, that require remedial repairs in order to comply with contract.

All notices of Non-Conforming Work required a response by Allied within three (3) calendar days of receipt. To-date the County has not received an official response to any of the notices. The County also requested that Allied submit a plan for remedial repairs required by the contract on Tuesday, 11/7/17 (County's initial notification of 2<sup>nd</sup> test results), Monday, 11/20/17 (County's response to Allied's request for additional testing) and Friday, 12/8/17 (County's response to Allied's issues with the 2<sup>nd</sup> test

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results). Broward County has been more than accommodating to Allied in this matter and will grant no additional time beyond that allowed for response to this letter. Therefore, pursuant to General Conditions, Section 12 (b) of the contract, this letter serves as notice of the County's intent to terminate the agreement for cause. Allied has ten (10) calendar days from the date of this notice to rectify the non-performance by providing a viable detailed work plan for curing all items of non-conformance identified by the County's consultant via email dated 4/3/17 (Issued Notices of Non-Conforming Work), email dated 4/21/17 (Issued additional Notices of Non-Conforming Work) and letter dated 5/9/17 (Consultant's 1<sup>st</sup> uplift test report).

Please be advised that neither Allied nor its subcontractors will be allowed onsite without the written consent of the Contract Administrator.

We are anticipating your positive response by not later than the close of business, **5:00 PM, on Friday, December 29, 2017**. Failure to adequately respond shall give rise to those remedies available to the County pursuant to the contract.

Should you require any additional information, please contact me at (954) 357-5590 or via email at [scampbell@broward.org](mailto:scampbell@broward.org).

Sincerely,



Scott Campbell  
Facilities Management Director  
Contract Administrator

**Copies:**

- ☒ Bertha Henry, County Administrator
- ☒ Mike Kerr, Deputy County Attorney
- ☒ Tom Hutka, Director, Public Works Department
- ☒ Dr. Craig Mallak, Chief Medical Examiner, Office of Medical Examiner and Trauma Services
- ☒ Ian Harvey, Construction Project Manager, Facilities Management Division
- ☒ Leon Cases, Construction Project Management Supervisor, Facilities Management Division
- ☒ Ian Mitchell, Expansion Project Administrator, Facilities Management Division
- ☒ Claudja Henry, Contract Grants Administrator Senior
- ☒ Jim Ripley, Architect of Record, A/R/C Associates

**Attachments:**

- 4/3/17 Email from County & Notices of Non-Conformance (1-9)
- 4/27/17 Email from County & Notices of Non-Conformance (10-13)
- 5/18/17 Email from County & Consultant's First Uplift Test Report
- 11/7/17 Email from County & Consultant's Second Uplift Test Report
- County's 11/20/17 Response to Allied's Request for Additional Testing
- County's 12/8/17 Response to Allied's Issues w/ Second Uplift Test