

THE STATE OF TEXAS

MISCELLANEOUS ORDER
RATIFY COUNTY JUDGE'S PRIOR APPROVAL
TERMINATE CONTRACT WITH
ZUZU CONSTRUCTION COMPANY
CONSTRUCTION & PROJECTS

COUNTY OF COLLIN

On October 7, 2002, the Commissioners Court of Collin County, Texas, met in regular session with the following members present and participating, to wit:

Ron Harris
Phyllis Cole
Jerry Hoagland
Joe Jaynes
Jack Hatchell

NOT PRESENT

County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

During such session the court considered a request for ratification of the County Judge's prior approval to terminate the contract for Painting Security Barriers at the Collin County Justice Center with ZuZu Construction Company effective 9/13/02.

Thereupon, a motion was made, seconded and carried with a majority vote of the court to approve ratification of the County Judge's prior approval to terminate the contract for Painting Security Barriers at the Collin County Justice Center with ZuZu Construction Company effective 9/13/02, due to failure to comply with the specifications of the contract. Same is hereby approved in accordance with the attached documentation.



Ron Harris, County Judge



Phyllis Cole, Commissioner, Pct. 1

NOT PRESENT

Jerry Hoagland, Commissioner, Pct. 2

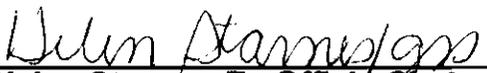


Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4

ATTEST:



Helen Starnes, Ex-Officio Clerk
Commissioners' Court
Collin County, TEXAS



COMMISSIONERS' COURT AGENDA REQUEST FORM

REQUESTS MUST BE RECEIVED NO LATER THAN 12:00 PM

This space for Court Clerk

ON THE TUESDAY PRIOR TO THE MONDAY MEETING

RECEIVED
COMMISSIONER'S COURT

RECEIVED
PURCHASING AGENT

AGENDA NUMBER:

REGULAR _____

CONSENT _____

INSTRUCTIONS ON THE REVERSE

02 SEP 19 AM 10:13

REQUESTING DEPARTMENT

Date: 09/18/2002 Court Date: 10/07/2002 Phone/Ext: 5340 Department: Construction & Projects

Description of Agenda Item: Request ratification of Judge's prior

approval of termination of IFB No. 06128-02, Painting Security

Barriers at Collin County Justice Center, Project #BD2426

DEPARTMENT HEAD
SIGNATURE: _____

BUDGET RELATED INFORMATION

MUST COMPLETE FOR ALL EXPENDITURES/RFP'S

This item is part of the current budget: Yes No

Amount Budgeted: 40,019
(or needed)
Account Number: 400-5001-501-8237

BD 2426

PURCHASING DEPARTMENT ACTION & COMMENTS

Enter "not to exceed" cost estimate(s) for the requested item(s): _____

CHECK TWO OF THE BELOW

ADVERTISE	BIDS
AWARD	PROPOSALS

BOND REQUIRED: _____ INS. REQ'D: _____
ANNUAL ACTION: _____ EFFECTIVE: _____
AD DATES: _____ OPEN DATE/TIME: _____

Item Description for Agenda: Commissioners Court consideration and ratification of Judge's prior approval for termination

of IFB No. 06128-02, Painting Security Barriers at Collin County Justice Center, with ZuZu Construction Company

Remarks: effective 9/13/2002 due to default in their failure to comply with the specifications of said contract.

PURCHASING AGENT
SIGNATURE: _____

Franklin Dyer

cm

AUDITOR'S OFFICE ACTION & COMMENTS

BUDGET/FUNDING VERIFICATION

BUDGETED	FUNDS AVAILABLE
UNBUDGETED	ACCOUNT NUMBER FOR AVAILABLE FUNDS
FUNDS NOT AVAILABLE	(Needed for Agenda Submission)

BUDGET AMENDMENT REQUIRED

NON-EMERGENCY, Sec 111.011 LGC	
EMERGENCY, Sec 111.010 LGC	

FUNDS TRANSFER RECOMMENDATION

AMOUNT	DEPARTMENT NAME	ACCOUNT NUMBER
\$ _____ From _____	_____	_____
\$ _____ From _____	_____	_____
\$ _____ To _____	_____	_____
\$ _____ To _____	_____	_____

Remarks: _____

COUNTY AUDITOR
SIGNATURE: _____

Duff W. Bond

BUDGET DEPARTMENT ACTION & COMMENTS

COMMENTS RELATED TO BUDGET AMENDMENT JUSTIFICATION SUBMITTED BY DEPARTMENT

FUNDS TO BE CARRIED TO FY03.

BUDGET OFFICER
SIGNATURE: _____

Andy R. Bonds

RECEIVED
COUNTY AUDITOR
09/21/02



Office of the County Purchasing Agent

DATE: September 13, 2002
TO: Ron Harris, County Judge
FROM: Frank Ybarbo, Purchasing Agent *FY*
RE: ZuZu Construction

I have reviewed the attached information and discussed this with our Contracts staff. I concur that ZuZu Construction is in default of the contract and request authorization to immediately terminate this contract.

If you are in agreement with this request, please sign below.

Ron Harris

Ron Harris, County Judge

9-13-2002

Date

RECEIVED
PURCHASING AGENCY
02 SEP 18 AM 10:



Construction & Projects

MEMORANDUM

DATE: September 12, 2002

TO: Judge Ron Harris, County Judge

FROM:  Dennis Jones, Building Projects Manager

REF: ZuZu Construction

It is my recommendation the contract with ZuZu Construction for the painting project set forth in IFB #06128-02, be terminated for failure to comply with project specifications.

The project, procedures and expectations were discussed during the Pre-bid Conference on July 9, 2002, during the Pre-construction Meeting on August 26, 2002 and again on September 4, 2002 during a meeting called to discuss issues with the setup procedures and performance of the crew on site.

On September 4, 2002, a letter to Sherry Ghobadi, President of ZuZu Construction was issued requiring daily on-site supervision by a project manager. This position was figured into the project, as well as 4 skilled workers for duration of 6 weeks according to ZuZu's Cost Summary. To date there has only been a crew of 3 on site and no daily supervision.

On September 10, 2002, around 3:00 PM, it became necessary to ask the crew of ZuZu Construction to stop work until further notice. This was due to their persistence to continue coatings application prior to acceptable surface preparation per manufacturers applications instructions.

The following deficiencies have been identified within Section 4.14 Scope of Work:

4.14.1 The specified coatings product and as approved by submittal from ZuZu Construction dated August 26,2002 was not being applied on September 10, 2002. A product of lesser value was observed being applied as documented with site photos.

4.14.2 Loose and peeling materials were still present at time of coatings application as documented by site photos. This is not appropriate to achieve an acceptable finished product.

4.14.3 Surfaces were not properly prepared per manufacturers Application Bulletin included in submittal from ZuZu Construction dated August 26, 2002. This condition was observed and noted in letter dated September 11, 2002 from Brent Glenn, Sherwin-Williams Commercial Coatings Representative.

4.14.4 & 4.14.5 Landscaping and shrubs were not covered in order to protect and maintain the job site, as documented by job site photos.

Attached are copies of meeting notes, product submittals from ZuZu Construction, a letter from the Sherwin-Williams Commercial Coatings Representative, letter to Sherry Ghobadi dated September 4, 2002, Cost Summary and site photos.

Authorization to terminate this contract immediately is hereby requested. If you concur, please sign below.

Authorized by: _____


Ron Harris, County Judge

_____, 9/13/2002
Date