

From: Sardinas, Zeida
Sent: Mon, 16 Oct 2023 19:57:37 +0000
To: Harald Neuweg
Cc: Parjus, Alberto; Suarez, Cristina; Throckmorton, Stephanie; Diaz, Hermes; Rodriguez, Ralph; Olivo, Jose; Lopez, Eric
Subject: RE: Fritz and Franz AC not working properly
Attachments: Annual Inspections of Tenant Spaces - Fritz & Franz, Lease 82014 Fritz and Franz Reduced Size PDF_231014_144059.pdf, Fritz & Franz 60 Merrick Way Truview Commercial Inspection Report.pdf

Good morning, Harald:

As you are aware, the City replaced the cooling tower (the “Chiller”) at Garage #6 with a new unit in August 2023. On Friday 10/13, in response to Fritz & Franz’s maintenance call, Public Works dispatched Wheathertrol to Garage #6. Wheathertrol did make repairs to the Chiller on Friday, but this did not interfere with tenant service, hence, Fritz and Franz cooling issues were not attributed to the Chiller. Please see email thread below. Due to additional service calls received from Fritz & Franz over the weekend, Public Works dispatched Wheathertrol to Garage #6 on Saturday, 10/14 and on Sunday 10/15. Wheathertrol reported that on both days Chiller condenser water components were working properly, the CWP motor rated 40.5 amps, the actual current 38/38/36, the entering condenser water temperature to cooling towers was 89.6, and the condenser water temperature exiting was 82.4 degrees. Wheathertrol also checked in with Graziano’s whose store did not report any cooling issues.

As we also explained several times this weekend, the HVAC issues Fritz & Franz is experiencing have to do with its interior HVAC units. As also discussed, and pursuant to the Lease, the Fritz & Franz internal HVAC units:

- Are NOT the City’s responsibility to maintain or replace.
- Have never been part of the City’s maintenance contract with Wheathertrol.
- Have not been repaired by the City in the past.

Pursuant to the Fritz and Franz Lease Section XIII below, the internal Fritz and Franz HVAC units are the sole responsibility of Fritz and Franz:

XIII. OPERATION, UTILITIES, MAINTENANCE AND REPAIR EXPENSES:

Tenant shall be solely responsible for the installation, operation, and maintenance expenses of the Premises, including, without limitation, the cost of all HVAC, heating, electricity, water, sewer, garbage, gas and waste removal, other utility expenses, janitorial service, pest control and insurance. Tenant, at its sole cost and expense, during the entire Lease Term, shall be responsible for the repair, maintenance, and replacement of the interior of the Premises, including, without limitation, all walls, plumbing, electricity, fixtures and all other appliances and equipment of every kind and nature and any mechanical systems servicing the Premises. Upon

demand by the Landlord, the Tenant shall cause to be corrected all such defects which are discovered within the warranty period or periods as set forth above, failing which the Landlord shall make such repairs and/or replacements of defective work and/or materials and the Tenant shall be liable to the Landlord for all costs arising therefrom. The Tenant also warrants that it shall be solely responsible for the repair of any damages to said improvements and/or alterations caused by Tenant, its employees, representatives and/or agents.

In September 2023, the City contracted an independent inspection company, TrueView, to conduct commercial building inspections of tenant spaces. The result of the Fritz and Franz inspection, as it relates to the HVAC issues, is clearly stated in the email below. The inspection is attached. Simply put, the Fritz and Franz interior HVAC units are at the end of their life and need to be repaired and/or replaced, and pursuant to the Lease, it is Fritz and Franz' responsibility to repair and/or replace them.

Please note that several emails have been sent to you with respect to Fritz and Franz maintenance responsibilities. Therefore, please take the time to review the Lease maintenance provisions and take notice that lack of performance, or compliance with, any of the covenants, agreements, or terms or conditions contained in the Lease can constitute an event of Default (Section XXIII). As such, please provide the City with receipts that your interior HVAC units have been repaired and/or replaced by a licensed HVAC contractor and are in working order with twenty (20) days of this email in order to comply with the maintenance provisions of the Fritz and Franz lease.

Thank you for your prompt attention to this matter.

Kind regards,

Zeida C. Sardinas

Asset Manager
City Manager's Office
405 Biltmore Way
Coral Gables, FL 33134
Office: (305) 460-5314 direct dial
Mobile: (305) 733-0325
zsardinas@coralgables.com
CoralGables.com



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From: Harald Neuweg <hn25@aol.com>
Sent: Sunday, October 15, 2023 5:30 PM
To: Sardinas, Zeida <zsardinas@coralgables.com>
Subject: Re: AC not working properly

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we are not responsible to replace the units.....

We had that problem 2008, and at the end the city had no choice but to replace all three units.

HVAC Components: the HVAC System Units are from 2008 (15 years old) and are near their End-Of-Life Expectancy; Replacement Anticipated- The Air Conditioning systems have an average lifespan of 12-15 years. Once a unit is in that timespan then you should anticipate replacement.

I guess it is time again.

Harald

On Saturday, October 14, 2023 at 02:43:04 PM EDT, Sardinas, Zeida <zsardinas@coralgables.com> wrote:

Good afternoon Harald:

Please review Section XIII of the Lease regarding the tenant's maintenance responsibilities.

Thank you.

Zeida Sardinas
Asset Manager
City Manager's Office
City of Coral Gables

From: Harald Neuweg <hn25@aol.com>
Sent: Saturday, October 14, 2023 1:31:08 PM
To: Sardinas, Zeida <zsardinas@coralgables.com>
Subject: Re: AC not working properly

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I think AC is City responsibility!

Harald

On Saturday, October 14, 2023 at 12:58:17 PM EDT, Sardinas, Zeida <zsardinas@coralgables.com> wrote:

Good afternoon Harald:

We will report your continued HVAC Issue to Public Works who are copied on this email.

In addition, we suggest that you please review the attached email which was sent to you on Monday, 10/9 and includes the inspection conducted by TrueView of the Fritz & Franz space. In that inspection, several issues with the HVAC units inside Fritz & Franz are noted, including that they are at their end-of-life cycle (over 15 years old) and were not cooling or working properly. Other interior HVAC issues such as damaged HVAC ducts (which may be letting the cold air out) are also noted. As such, please address these issues with your HVAC contractor, pursuant to the maintenance provisions in the lease.

1. 4.5.1 HVAC Systems - HVAC Components: Ducts Damaged- HVAC Ducts were observed to be damaged at the time of inspection; repair/replacement is recommended.
2. 4.5.2 HVAC Systems - HVAC Components: Temperature Out Of Vents More than 60 Degrees- The air conditioner was functional but did not produce cold enough air. Normally an A/C system must produce a minimum of 60 degrees out of the vents and in this case it did not. It is recommended that a licensed HVAC contractor evaluate the system; the inspector commented that the low temperatures have to do with the age of the units and the damaged air ducts.
3. 4.5.3 HVAC Systems - HVAC Components: the HVAC System Units are from 2008 (15 years old) and are near their End-Of-Life Expectancy; Replacement Anticipated- The Air Conditioning systems have an average lifespan of 12-15 years. Once a unit is in that timespan then you should anticipate replacement.
4. 4.5.4 HVAC Systems - HVAC Components: Observed Possible Mold Supply Plenum

Thank you so much for your prompt attention to this matter.

Zeida Sardinas
Asset Manager
City Manager's Office
City of Coral Gables

From: Harald Neuweg <hn25@aol.com>
Sent: Saturday, October 14, 2023 11:57 AM

To: Sardinas, Zeida <zsardinas@coralgables.com>

Subject: Re: AC not working properly

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Unfortunately the room was not sufficient cold enough last night either.

We had our Thermostat at 73 but the room was never cooler than 81 during pick hours 7pm to 11pm

Harald

On Friday, October 13, 2023 at 06:46:22 PM EDT, Sardinas, Zeida <zsardinas@coralgables.com> wrote:

Good evening, Harald:

Please see below status report from the City's Garage #6 HVAC contractor:

Good Afternoon to all,

As a follow up to the service call placed earlier today, for garage #6 Condenser Water Loop and Towers, we found that the west pump was not operational. We installed a spare pump to keep the building operational. While keeping the west pump operational, we removed the East Pump from the Facility.

Once the spare pump was installed, the system was switched back to the East Pump operation, which was confirmed. We will return it, as a spare to be kept on site.

We did not leave the West pump operational due to some hairline cracks that were seen on the spool piece between the pump and the tower. It will not affect operation.

Note, at no time was the facility without condenser water the whole time that work was being performed on the east pump head.

If you have any need of additional information feel free to contact me personally.

Sincerely,

Antonio (Tony) Perez
Weathertrol Maintenance

Kind regards,

Zeida C. Sardinas

Asset Manager

City Manager's Office

405 Biltmore Way

Coral Gables, FL 33134

Office: (305) 460-5314 direct dial

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From: Sardinas, Zeida
Sent: Friday, October 13, 2023 11:15 AM
To: Harald Neuweg <hn25@aol.com>
Subject: RE: AC not working properly

Good morning Harald:

Wheathertrol was dispatched this morning to evaluate the chiller and will report/repair regarding any issues.

Thank you.

Kind regards,

Zeida C. Sardinas

Asset Manager

City Manager's Office

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From: Harald Neuweg <hn25@aol.com>
Sent: Thursday, October 12, 2023 10:11 PM
To: Sardinas, Zeida <zsardinas@coralgables.com>
Subject: AC not working properly

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Looks like the Tower has problems again...All week our AC is not working cooling properly

Please have someone from the city check it.

This is an ongoing problem and not good for my business.

Harald

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Good evening, Harald:

Attached please find a copy of the annual inspection of city-owned leased spaces conducted by TrueView Inspections 09.07.23. Please note that there are fifteen (15) deficiencies, and thirteen (13) of them need to be addressed by Fritz and Franz as soon as possible pursuant to the Maintenance provisions found in the Lease. These are as follows:

1. 3.2.1 Electrical Systems - Electrical Components: Exposed Wiring observed in the Kitchen at the property. A licensed electrician should be hired to make proper repairs.
2. 3.2.2 Electrical Systems - Electrical Components: Wrong Screws- According to the inspector, the electrical panel has self-tapping/pointy screws, and it is recommended that the screws be replaced.
3. 4.5.1 HVAC Systems - HVAC Components: Ducts Damaged- HVAC Ducts were observed to be damaged at the time of inspection; repair/replacement is recommended.
4. 4.5.2 HVAC Systems - HVAC Components: Temperature Out Of Vents More than 60 Degrees- The air conditioner was functional but did not produce cold enough air. Normally an A/C system must produce a minimum of 60 degrees out of the vents and in this case it did not. It is recommended that a licensed HVAC contractor evaluate the system; the inspector commented that the low temperatures have to do with the age of the units and the damaged air ducts.
5. 4.5.3 HVAC Systems - HVAC Components: the HVAC System Units are from 2008 (15 years old) and are near their End-Of-Life Expectancy; Replacement Anticipated- The Air Conditioning systems have an average lifespan of 12-15 years. Once a unit is in that timespan then you should anticipate replacement.
6. 4.5.4 HVAC Systems - HVAC Components: Observed Possible Mold Supply Plenum
7. 5.3.1 Plumbing Systems - Plumbing Components: Near End of Life- The water heater is from 1998 and over 25 years old. Water heaters typically last 15-20 so keep in mind that this unit needs replacement.
8. 5.3.2 Plumbing Systems - Plumbing Components: Handle Is Broken- Shut off valve handle is broken; replacement recommended.
9. 5.3.3 Plumbing Systems - Plumbing Components: Sink Leaking- Observed leaking sink at the home; it is recommended that the leak be repaired.

- 10. 5.3.4 Plumbing Systems - Plumbing Components: Corroded Supply Pipes- Supply pipe(s) observed corroded. This could be an indication that a leak is or was present. A licensed plumbing contractor is recommended for further evaluation.
- 11. 5.3.5 Plumbing Systems - Plumbing Components: Cracked Urinal- The urinal in the Men's Bathroom is cracked and needs to be replaced. Contact a qualified professional.
- 12. 6.2.1 Interior - Interior Components: Cracked Tiles/Floors- Cracked tile/flooring are present at time of inspection; repairs are recommended.
- 13. 6.2.2 Interior - Interior Components: Interior Wall Damage- Damage observed on interior walls. It is recommended that the walls be repaired and painted.

The following two deficiencies have been reported to Public Works and the City will be in touch to address repair and/or testing of these deficiencies.

- 1. 6.2.3 Interior - Interior Components: Possible Mold- Possible mold observed on interior walls. We are not able to confirm if it is mold or the extent unless testing is performed.
- 2. 6.2.4 Interior - Interior Components: Exterior Door Failed Seal

Once you have conducted the required repairs, please forward receipts and pictures that all deficiencies have been repaired and that equipment and/or fixtures have been replaced.

Thank you so much for your prompt attention to this matter.

Kind regards,

Zeida C. Sardinas

Asset Manager

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