

File No. 150985 Committee Item No. 1
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date November 12, 2015

Board of Supervisors Meeting Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

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Completed by: Erica Major Date November 6, 2015
Completed by: _____ Date _____

1 [Settlement of Lawsuit - John Russo Industrial Sheetmetal, Inc., dba JRI, Inc. - \$2,100,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by John Russo Industrial**
4 **Sheetmetal, Inc., a California corporation, dba JRI, Inc. ("JRI") against the City and**
5 **County of San Francisco for \$2,100,000 and other material terms; the lawsuit was filed**
6 **on June 17, 2010, in Alameda County Superior Court Case No. HG10520625, entitled**
7 **JRI, Inc. v. City and County of San Francisco, et al., related to the contract for the**
8 **manufacture and delivery of two Aircraft Rescue Fire Fighting vehicles for use at San**
9 **Francisco International Airport ("Airport"); other material terms of said settlement**
10 **include that the City will convert the prior termination of JRI's contract for default to a**
11 **termination for convenience; for five years, JRI will not bid on any Airport contracts,**
12 **including as a subcontractor, or challenge any Airport procurements; and the parties**
13 **mutually release all claims relating to the contract or the lawsuit.**

14
15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. Pursuant to Charter section 6.102(5), the Board of Supervisors hereby
17 authorizes the City Attorney to settle the action entitled JRI, Inc. v. City and County of San
18 Francisco, et al., Alameda County Superior Court Case No. HG10520625, by the payment of
19 \$2,100,000. As detailed in the settlement agreement, the other material terms of the
20 settlement include:

21 a. The City will convert the prior termination of JRI's contract for default to a
22 termination for convenience.

23 b. For five years, JRI will not bid on any Airport contracts, including as a
24 subcontractor, or challenge any Airport procurements.

1 c. During that five-year period, except as otherwise required by law or court
2 order, the parties will direct their employees and agents to respond, if asked, about the
3 contract, litigation, or its resolution, by stating only, "The City and County of San Francisco
4 and John Russo Industrial Sheetmetal, Inc. agree that they have amicably resolved their
5 dispute regarding Contract No. 72271 and this contract is terminated for convenience and not
6 for default."

7 d. The parties mutually release all claims relating to the Contract or the
8 Action.

9 Section 2. The above-named action was filed in Alameda County Superior Court on
10 June 17, 2010 by plaintiff John Russo Industrial Sheetmetal, Inc., a California corporation,
11 d/b/a JRI, Inc. against defendants the City and County of San Francisco and the San
12 Francisco International Airport.

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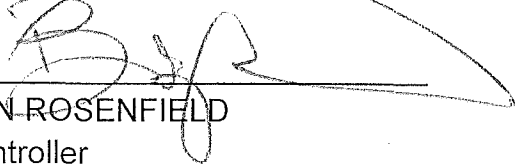
APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



ELAINE O'NEIL
Deputy City Attorney
Construction and Public Contracting
Team Leader


FUNDS AVAILABLE:


BEN ROSENFELD
Controller

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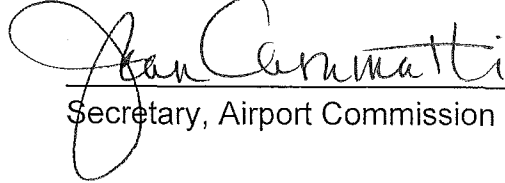
RECOMMENDED:

SAN FRANCISCO AIRPORT COMMISSION



JOHN L. MARTIN
Airport Director

APPROVED:


Secretary, Airport Commission

LEGISLATION RECEIVED CHECKLIST

Date 10/5/15 File Number (if applicable) _____

- Legislation for Introduction (NEW) ▶▶▶ Legislative Clerk
- Legislation Pending in Committee (AMENDED) ▶▶▶ Committee Clerk
- Legislation for Board Agenda (AMENDED) ▶▶▶ Deputy Clerk

Supervisor, Mayor, and Departmental Submittals

Grant Ordinance

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Grant budget/application
 - Grant information form, including signed disability checklist
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in **Word** format
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

RECEIVED
 BOARD OF SUPERVISORS
 STAFF SERVICES
 2015 OCT -5 PM 3:00
 M

Ordinance

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Settlement Report/Agreement (for settlements)
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Grant Resolution

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Grant budget/application
 - Grant information form, including signed disability checklist
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in **Word** format
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Resolution

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Settlement Report/Agreement (for settlements)
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Joy Perez 554-3869 City Attorney
 Name and Telephone Number Department