

File No. 220846

Committee Item No. 17

Board Item No. 8

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight
Board of Supervisors Meeting:

Date: September 15, 2022
Date: September 27, 2022

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 - FY2022-2024 - Clean
- MOU - FY2022-2024 - Redline
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

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Prepared by: Stephanie Cabrera
Prepared by: Stephanie Cabrera
Prepared by: _____

Date: September 7, 2022
Date: September 21, 2022
Date: _____

1 [Settlement of Unlitigated Claims - Webcor Construction, L.P. - City to Receive \$361,412]

2

3 **Resolution approving the settlement of unlitigated claims through the payment of**
4 **\$361,412 by Webcor Construction, L.P. to the City and County of San Francisco; the**
5 **claims arise from Webcor’s work on Public Works Contract No. 6694A, the San**
6 **Francisco General Hospital Rebuild Program, and involve claimed defects to or**
7 **problems with flooring and doors at the hospital; additional material terms of the**
8 **settlement are that the City will release Webcor from responsibility for any and all**
9 **demands, damages, obligations, causes of action, suits, and costs related to the**
10 **subject claims.**

11

12 WHEREAS, The City and County of San Francisco asserted claims against Webcor
13 Construction, L.P. (“Webcor”) arising under Public Works Contract No. 6694A (“Contract”);
14 and

15 WHEREAS, The claims involve alleged defects in or damage to Webcor’s work under
16 the Contract, including, but not limited to (1) indentation damage to Nora linoleum flooring
17 installed by Webcor through its subcontractor; (2) damage to or defects in door and door
18 assemblies for certain rooms, including Clean Linen and Soiled Linen room doors; (3) damage
19 to or defects in lead lined doors; and (4) punch-list items; and

20 WHEREAS, San Francisco Public Works has recommended settlement of the claims
21 by payment of \$361,412 to the City in exchange for the City releasing Webcor from
22 responsibility for any and all demands, damages, obligations, causes of action, suits, and
23 costs of whatever nature related to the subject claims; now, therefore, be it

24 RESOLVED, That pursuant to Administrative Code, Section 10.22, the Board of
25 Supervisors hereby authorizes the City Attorney to settle and compromise the claims by

1 payment of \$361,412 by Webcor to the City in exchange for the City releasing Webcor from
2 responsibility for any and all demands, damages, obligations, causes of action, suits, and
3 costs of whatever nature related to the subject claims.

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APPROVED:

David Chiu
City Attorney

/s/
Elaine M O'Neil
Construction and Public Contracting Team
Leader

RECOMMENDED:

San Francisco Public Works

/s/
Carla Short
Interim Director

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LEGISLATION RECEIVED CHECKLIST

Date 07/14/2022 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**

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 415-554-3869
Name and Telephone Number

City Attorney
Department