

1 [Settlement of Lawsuit - Webcor Construction, L.P. and Keenan Hopkins Suder & Stowell  
2 Contractors, Inc. - \$9,750,000]

3 **Ordinance authorizing settlement of the lawsuit filed by Webcor Construction, L.P.**  
4 **(“Webcor”) against the City and County of San Francisco for \$9,750,000; the action**  
5 **against the City and County of San Francisco was filed on August 15, 2017, in Superior**  
6 **Court of California, County of San Francisco, Case No. CGC-16-555423, entitled Keenan**  
7 **Hopkins Suder & Stowell Contractors, Inc. vs. Webcor Construction LP et al.; the**  
8 **lawsuit involves an alleged failure to provide complete and accurate designs under the**  
9 **terms of a construction contract related to the San Francisco General Hospital Rebuild**  
10 **Program; material terms of the settlement are that the City will pay Keenan Hopkins**  
11 **Suder & Stowell Contractors, Inc. (“Keenan”) \$9,750,000 and Webcor will pay Keenan**  
12 **\$5,500,000.**

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

15 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
16 authorizes the City Attorney to settle the action entitled Keenan Hopkins Suder & Stowell  
17 Contractors, Inc. vs. Webcor Construction LP et al., Superior Court of California, County of  
18 San Francisco, Case No. CGC-16-555423 by the payment of \$9,750,000. The lawsuit  
19 involves an alleged failure to provide complete and accurate designs under the terms of a  
20 construction contract related to the San Francisco General Hospital Rebuild Program. Under  
21 the terms of the agreement, (1) the City will pay Keenan Hopkins Suder & Stowell  
22 Contractors, Inc. (“Keenan”) \$9,750,000; (2) Webcor Construction, L.P. (“Webcor”) will pay  
23 Keenan \$5,500,000; (3) within five days of payment of the settlement sum, Keenan and  
24 Webcor will file with the Court a request for the dismissal of the entire legal action with  
25 prejudice; and (4) the parties agree to certain specified releases.

1           Section 2. The above-named action was filed in the Superior Court of California,  
2 County of San Francisco on August 15, 2017, and the following parties were named in the  
3 lawsuit: plaintiff and cross-defendant Keenan Hopkins Suder & Stowell Contractors, Inc.;  
4 defendant and cross-complainant Webcor Construction, L.P.; defendants Fidelity and Deposit  
5 Company of Maryland, Zurich America Insurance Company, Safeco Insurance Company of  
6 America, and Liberty Mutual Insurance Company; and cross-defendant City and County of  
7 San Francisco.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

RECOMMENDED:  
SAN FRANCISCO PUBLIC WORKS

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ELAINE M. O'NEIL  
Deputy City Attorney

\_\_\_\_\_  
MOHAMMED NURU  
Director

FUNDS AVAILABLE:

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BEN ROSENFELD  
Controller

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