

1 [Settlement of Unlitigated Claim - Synergy Project Management, Inc. - City to Pay  
2 \$501,561.80]

3 **Resolution approving settlement of the unlitigated claim by Synergy Project**  
4 **Management, Inc., against the City and County of San Francisco for \$501,561.80; claim**  
5 **was filed on August 22, 2014.**

6  
7 WHEREAS, Synergy Project Management, Inc. ("Synergy") filed a claim on August 22,  
8 2014 against the City and County of San Francisco ("City"); and

9 WHEREAS, The Department of Public Works has recommended settlement of the  
10 claim for Synergy for the payment of \$501,561.80 from the City to Synergy on DPW Contract  
11 No. 1912J; and granting Synergy a 74 calendar day time extension; and

12 WHEREAS, In consideration for the settlement, the City and Synergy have further  
13 agreed as follows:

- 14 • The City reserves all rights to pursue claims against Synergy for, and Synergy  
15 shall retain responsibility for, latent defects;
- 16 • All extant express and implied warranties under the contract shall remain in full  
17 force and effect;
- 18 • Synergy will defend, indemnify, and hold the City harmless from all  
19 subcontractor claims;
- 20 • The City and Synergy will execute a mutual release; and
- 21 • The City and Synergy will each bear its own fees and costs; now, therefore, be it

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APPROVED:

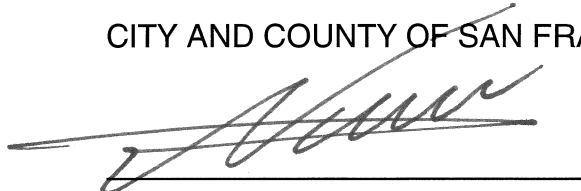
DENNIS J. HERRERA  
City Attorney



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

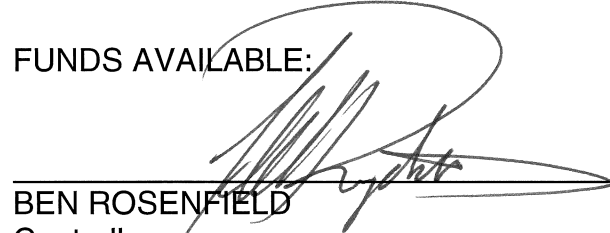
RECOMMENDED:

CITY AND COUNTY OF SAN FRANCISCO



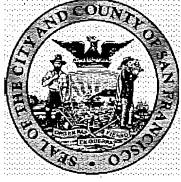
MOHAMMED NURU  
Director of its Department of Public Works

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

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**City and County of San Francisco**  
**Tails**  
**Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 150836

**Date Passed:** September 29, 2015

Resolution approving settlement of the unlitigated claim by Synergy Project Management, Inc., against the City and County of San Francisco for \$501,561.80; claim was filed on August 22, 2014.

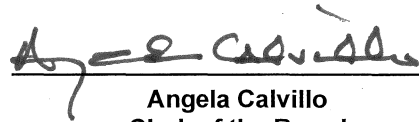
September 17, 2015 Government Audit and Oversight Committee - RECOMMENDED..

September 29, 2015 Board of Supervisors - ADOPTED

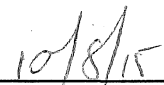
Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150836

**I hereby certify that the foregoing Resolution was ADOPTED on 9/29/2015 by the Board of Supervisors of the City and County of San Francisco.**

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Date Approved