

File No. 230795

Committee Item No. 8

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date: September 21, 2023

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 - 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

Date: September 12, 2023

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

1 [Settlement of Lawsuit - Build Group, Inc. - \$211,129.46]

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3 **Ordinance authorizing settlement of the cross-complaint filed by Build Group, Inc.**
4 **against the City and County of San Francisco for a payment to Build Group of**
5 **\$211,129.46; the cross-complaint was filed on November 22, 2022, in the Superior Court**
6 **of the State of California, County of San Francisco, Case No. CGC-22-598717; entitled**
7 **CPM Environmental, Inc. v. Build Group, Inc. and DOES 1-100, et al.; the lawsuit**
8 **involves allegations of breach of contract relating to the renovation of the Maxine Hall**
9 **Health Center; other material terms of the settlement are that Build Group waives all**
10 **other claims it has or may have relating to the project.**

11

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

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the action entitled CPM Environmental, Inc. v. Build
15 Group, Inc. and DOES 1-100, et al, San Francisco Superior Court, Case No. CGC-22-598717
16 by the payment of \$211,129.46 to Build Group. The lawsuit involves allegations of breach of
17 contract for the renovation of the Maxine Hall Health Center.

18 Section 2. The above-named action was filed in San Francisco Superior Court by CPM
19 on March 15, 2022. On November 22, 2022, Build Group filed its cross-complaint against the
20 City. The City and County of San Francisco; CPM Environmental, Inc., and Build Group, Inc.
21 were the parties named in the lawsuit.

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1 APPROVED AS TO FORM AND
2 RECOMMENDED:

RECOMMENDED:

SAN FRANCISCO PUBLIC WORKS

3
4 /s/
5 ELAINE O'NEIL
6 Team Leader, Construction and Public
7 Contracting Team

/s/
CARLA SHORT
Interim Director

FUNDS AVAILABLE:

8 /s/ Michelle Allersma for Ben Rosenfield
9 BEN ROSENFELD
10 Controller