

File No. 150842 Committee Item No. 14  
 Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
 AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date September 17, 2015

Board of Supervisors Meeting Date \_\_\_\_\_

**Cmte Board**

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

**OTHER (Use back side if additional space is needed)**

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Completed by: Erica Major Date September 11, 2015  
 Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Settlement of Lawsuit - Mountain Cascade, Inc. - \$3,200,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by Mountain Cascade, Inc.,**  
4 **against the City and County of San Francisco for \$3,200,000; the lawsuit was filed on**  
5 **June 11, 2013, in San Mateo County Superior Court, Master File No. CIV 519255, entitled**  
6 **In re: Mountain Cascade Contract Litigation, related to the Public Utilities**  
7 **Commission's construction of the Bay Division Pipeline No. 5 – Peninsula Reaches**  
8 **project.**

9  
10 Be it ordained by the People of the City and County of San Francisco:

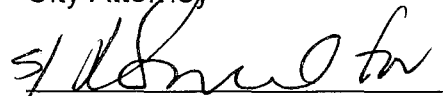
11 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby  
12 authorizes the City Attorney to settle the action entitled In re: Mountain Cascade Contract  
13 Litigation, San Mateo County Superior Court, Master File No. CIV 519255, by the payment of  
14 \$3,200,000, including release to Mountain Cascade, Inc. of \$315,036.00 held in an escrow  
15 account.

16 Section 2. The above-named action was filed in San Francisco Superior Court  
17 against the City and County of San Francisco on June 11, 2013, and consolidated with other  
18 related actions, and the following parties were named in the lawsuit: plaintiff Mountain  
19 Cascade, Inc.; defendant City and County of San Francisco, and the parties to the other  
20 consolidated actions: Lorne Grimes Inspection Services; Chapman's Welding, Inc.; Jacobs  
21 Engineering Group, Inc.; Hanna Engineering, Inc.; Critical Weld Inspections, Inc.; Kleinfelder  
22 West, Inc., a subsidiary of The Kleinfelder Group, Inc.; Ferguson Welding Service; Dean's  
23 Certified Welding Service, Inc., all related to the construction of the San Francisco Public  
24 Utilities Commission Bay Division Pipeline No. 5 – Peninsula Reaches project.

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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

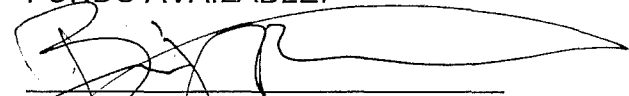
RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES  
COMMISSION



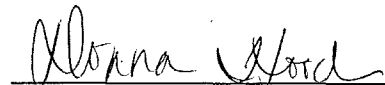
HARLAN L. KELLY, JR.  
General Manager of the San Francisco  
Public Utilities Commission

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

APPROVED:



DONNA HOOD  
Secretary, Public Utilities Commission

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**LEGISLATION RECEIVED CHECKLIST**

Date 8/24/15 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**

**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