

File No. 110056

Committee Item No. 21
Board Item No. 23

COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 2/17/11

Board of Supervisors Meeting

Date 3/1/11

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <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"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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Completed by: Linda Wong

Date 2/14/11

Completed by: L.W.

Date 2/18/11

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Settlement of Anticipated Litigation Against Office Depot - Receipt of \$4,250,000/Payment of
2 \$48,915.40].
3

4 **Resolution approving the settlement of anticipated litigation by the City and County of**
5 **San Francisco against Office Depot for contract overcharges; The material terms of**
6 **said settlement are: (1) the City to receive the sum of \$3,750,000 in the form of a check;**
7 **(2) the City to receive from Office Depot credit in the amount of \$500,000 toward future**
8 **purchases by the City over the next 5 years; (3) payment to Office Depot of the sum of**
9 **\$48,915.40 as full and complete satisfaction of all outstanding balances owed by the**
10 **City under its office supplies contract with Office Depot.**
11

12 WHEREAS, on December 18, 2009, the San Francisco Office of Controller, City
13 Services Auditor issued its audit report of the office supplies contract between the City and
14 County of San Francisco and Office Depot, which report concluded that Office Depot had
15 overcharged the City and County of San Francisco for office supplies by at least \$5.75 million;
16 and


17 WHEREAS, Office Depot has claimed that the City and County of San Francisco owes
18 an outstanding balance of \$61,144.25 under the office supplies contract; and

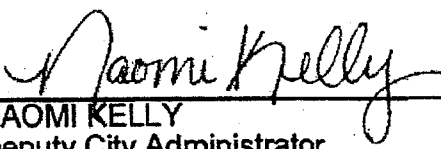
19 WHEREAS, the Controller, the Director of Purchasing and the City Attorney of the City
20 and County of San Francisco all have recommended that the City and County of San
21 Francisco settle its claim against Office Depot on terms under which the City is to receive a
22 check in the amount of \$3.75 million, and credits in the amount of \$500,000 toward future
23 purchases over the next 5 years, and that the City pay the sum of \$48,915 to resolve all
24 outstanding balances owed by it to Office Depot under the office supplies contract; and
25

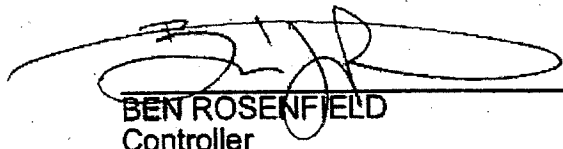
1 RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code,
2 settlement and compromise of said anticipated litigation by terms under which the City is to
3 receive a check in the amount of \$3.75 million and credits in the amount of \$500,000 toward
4 future purchases, and the City is to pay \$48,915.40 as full satisfaction of outstanding balances
5 owed to Office Depot under the office supplies contract is hereby approved.
6

7 APPROVED:

RECOMMENDED:

8 DENNIS J. HERRERA
9 City Attorney
10 
11 DANNY CHOU
Chief of Complex and Special Litigation


12 NAOMI KELLY
13 Deputy City Administrator

14 
15 BEN ROSENFELD
16 Controller

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