

File No. 230335

Committee Item No. 7

Board Item No. 9

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight  
Board of Supervisors Meeting:

Date: April 20, 2023

Date: May 9, 2023

### 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: April 13, 2023

Prepared by: Stephanie Cabrera

Date: April 28, 2023

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Settlement of Lawsuit - M. Hernandez Construction, Inc. - \$137,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by M. Hernandez Construction,**  
4 **Inc. against the City and County of San Francisco by the payment of \$137,000; the**  
5 **lawsuit was filed on March 16, 2022, in the Superior Court of California, County of San**  
6 **Francisco, Case No. CGC-22-598639; entitled M. Hernandez Construction, Inc. dba**  
7 **Hernandez Engineering vs. City and County of San Francisco; the lawsuit involves**  
8 **alleged breach of contract.**

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 M. Hernandez Construction, Inc. dba  
13 Hernandez Engineering vs. City and County of San Francisco, Superior Court of California,  
14 County of San Francisco, Case No. CGC-22-598639 by the payment of \$137,000 in exchange  
15 for M. Hernandez Construction dismissing the lawsuit in its entirety with prejudice and  
16 releasing the City from certain claims. The lawsuit involves the alleged breach of Contract  
17 No. WW-622/2644J, the Haight-Ashbury/Tenderloin/Diamond Heights Districts sewer  
18 replacement and pavement renovation project, and a claim for prompt payment penalties.

19 Section 2. The above-named action was filed in Superior Court of California, County of  
20 San Francisco on March 16, 2022, and the following parties were named in the lawsuit:  
21 plaintiff M. Hernandez Construction, Inc.; and defendant City and County of San Francisco.

