

File No. 150636 Committee Item No. 13  
Board Item No. //

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date July 9, 2015

#### Board of Supervisors Meeting

Date July 21, 2015

#### Cmte Board

<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 and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input checked="" type="checkbox"/>	<input checked="" 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 July 2, 2015  
Completed by: [Signature] Date July 15, 2015

1 [Settlement of Unlitigated Claim - Northpointe, Inc. - City to Receive \$1,232,101 in Services]

2  
3 **Resolution approving settlement of the unlitigated claim in favor of the City and County**  
4 **of San Francisco against Northpointe, Inc., for delivery of approximately \$1,232,101 in**  
5 **deliverables under the parties' existing Software License and Services Agreement, and**  
6 **an amendment and extension of that agreement.**

7  
8 WHEREAS, In March 2011, the City and software developer Northpointe, Inc.,  
9 ("Northpointe") entered into a Software License and Services Agreement ("Prime Contract  
10 Agreement"), under which Northpointe agreed to develop and deliver a Case Management  
11 System ("CMS") to the City for use by the Adult Probation Department ("APD"); and

12 WHEREAS, Between March 2011 and June 2015, Northpointe attempted, but failed to  
13 deliver a CMS to the City; and

14 WHEREAS, Northpointe has agreed to the settlement of this matter, on the following  
15 terms:

- 16 (a) The parties will amend the Prime Contract Agreement to delete the CMS,  
17 including all related terms and work, in its entirety, from the Prime Contract  
18 Agreement;
- 19 (b) The parties will amend the Prime Contract Agreement to add delivery by  
20 Northpointe to the City of Alternative Deliverables, valued at \$1,232,101, and to  
21 extend the term by five years from the effective date of the Amendment;
- 22 (c) Northpointe and its CMS Subcontractor will provide an express written waiver  
23 and release of all claims against the City; and
- 24 (d) Northpointe and its CMS Subcontractor will provide written authorization for the  
25 City to copy, use, grant access to, and/or share with any future City CMS vendor

1 any and all CMS screenshots, requirements, and/or requirements-related  
2 documents developed to date; and

3 WHEREAS, Northpointe and the City agree that each should bear its own costs and  
4 fees; and

5 WHEREAS, APD recommends the settlement; now, therefore, be it

6 RESOLVED, That pursuant to Administrative Code, Section 10.24, the Board of  
7 Supervisors hereby authorizes the City Attorney to settle and compromise the claim by the  
8 City against Northpointe, Inc., as described herein.

1 APPROVED:

2 DENNIS J. HERRERA  
3 City Attorney

4 

5 ELAINE O'NEIL  
6 Deputy City Attorney  
7 Construction and Public Contracting Team  
8 Leader

RECOMMENDED:

SAN FRANCISCO ADULT PROBATION  
DEPARTMENT



KAREN L. FLETCHER  
Chief Adult Probation Officer  
CITY AND COUNTY OF SAN FRANCISCO

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## LEGISLATION RECEIVED CHECKLIST

Date

6/11/12

File Number (if applicable)

150636

- |                                     |  |                       |
|-------------------------------------|--|-----------------------|
| <input checked="" type="checkbox"/> | Legislation for Introduction (NEW)         | ▶▶▶ Legislative Clerk |
| <input type="checkbox"/>            | Legislation Pending in Committee (AMENDED) | ▶▶▶ Committee Clerk   |
| <input type="checkbox"/>            | 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](mailto: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](mailto: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](mailto: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](mailto:BOS.Legislation@sfgov.org)

Joy Lee 554-3869  
Name and Telephone Number

City Attorney  
Department

