

AMENDED IN COMMITTEE

7/15/15

FILE NO. 150649

RESOLUTION NO. 288-15

1 [Accept and Expend Grant - Federal Highway Bridge Replacement and Rehabilitation
2 Program - 4th Street Bridge - \$11,420,360]

3 **Resolution retroactively authorizing Public Works to accept and expend a grant in the**
4 **amount of \$11,420,360 from the Federal Highway Bridge Replacement and**
5 **Rehabilitation Program - 4th Street Bridge for reimbursement of eligible project and**
6 **settlement costs incurred by the City and County of San Francisco for the period of**
7 **January 1, 2007, through January 12, 2012.**

8
9 WHEREAS, Construction of the 4th Street Bridge Project was substantially complete
10 on May 31, 2006, and the bridge was opened to traffic in August 2006; and

11 WHEREAS, In February 2008, the contractor, Mitchell Engineering/Obayashi
12 Corporation, Joint Venture, (MEOC), filed a lawsuit against the City for direct costs and delay
13 damages due to unforeseen conditions; and

14 WHEREAS, In January 2012, the Board of Supervisors approved an ordinance, on file
15 with the Clerk of the Board of Supervisors in File No. 111287, which authorized settlement of
16 the lawsuit and payment of \$14,950,000 from the City to MEOC; and

17 WHEREAS, The ordinance authorized the Director of Public Works to apply for
18 reimbursement from Caltrans for eligible costs; and

19 WHEREAS, Caltrans and the Federal Highway Administration have reviewed the
20 claims and project records, consulted with the US Department of Transportation and Inspector
21 General's Office, and approved a reimbursement of \$11,420,360; and

22 WHEREAS, In February 2015 the City received payment from Caltrans in the amount
23 of \$11,420,360; and

24 WHEREAS, Receipt of the grant reimbursement requires retroactive acceptance by the
25 Board of Supervisors; now, therefore, be it

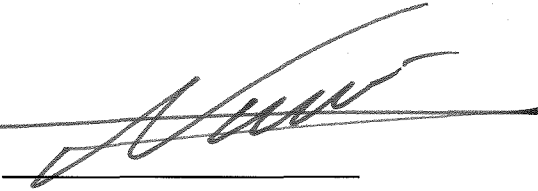
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RESOLVED, That the Board of Supervisors authorizes the Department of Public Works to retroactively accept and expend \$11,420,360 in Federal grant funds for the Fourth Street Bridge Seismic Retrofit & Rehabilitation Project; and, be it


FURTHER RESOLVED, That the the Department of Public Works is authorized to record the legal settlement in the Fourth Street Bridge Project account with the intent to reimburse the general fund for eligible settlement costs; and, be it

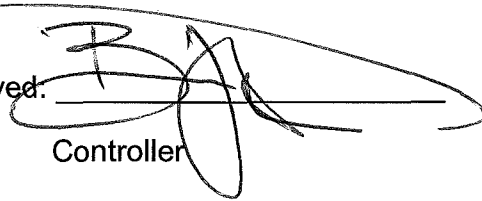
FURTHER RESOLVED, That the Director of Public Works or his designee is authorized to execute all documents related to the project with Caltrans.

Recommended:



Mohammed Nuru
Director of Public Works

Approved: 
for Mayor

Approved: 
Controller



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150649

Date Passed: July 21, 2015

Resolution retroactively authorizing Public Works to accept and expend a grant in the amount of \$11,420,360 from the Federal Highway Bridge Replacement and Rehabilitation Program - 4th Street Bridge for reimbursement of eligible project and settlement costs incurred by the City and County of San Francisco for the period of January 1, 2007, through January 12, 2012.

July 15, 2015 Budget and Finance Sub-Committee - AMENDED


July 15, 2015 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

July 21, 2015 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Excused: 1 - Campos

File No. 150649

I hereby certify that the foregoing
Resolution was ADOPTED on 7/21/2015 by
the Board of Supervisors of the City and
County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor

7/30/15
Date Approved