

File No. 150835 Committee Item No. 9
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

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- 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 Unlitigated Claim - Synergy Project Management, Inc. - City to Pay
2 \$198,979.24]

3 **Resolution approving settlement of the unlitigated claim by Synergy Project**
4 **Management, Inc., against the City and County of San Francisco for \$198,979.24; claim**
5 **was filed on August 22, 2014.**

6
7 WHEREAS, Synergy Project Management, Inc. ("Synergy") filed a claim on August 22,
8 2014, against the City and County of San Francisco ("City"); and

9 WHEREAS, The Department of Public Works has recommended settlement of the
10 claim for Synergy for the payment of \$198,979.24 from the City to Synergy on DPW Contract
11 No. 1931J, and granting Synergy a 53 calendar day time extension; and

12 WHEREAS, In consideration for the settlement, the City and Synergy have further
13 agreed as follows:

- 14 • The City reserves all rights to pursue claims against Synergy for, and Synergy
15 shall retain responsibility for, latent defects;
- 16 • All extant express and implied warranties under the contract shall remain in full
17 force and effect;
- 18 • Synergy will defend, indemnify, and hold the City harmless from all
19 subcontractor claims;
- 20 • The City and Synergy will execute a mutual release; and
- 21 • The City and Synergy will each bear its own fees and costs; now, therefore, be it

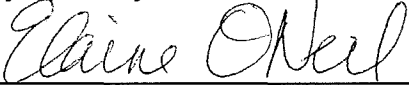
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23 ///

1 RESOLVED, That pursuant to Administrative Code, Section 10.22, the Board of
2 Supervisors hereby authorizes the City Attorney to settle and compromise the claim by
3 payment of \$198,979.24, and the grant of a 53 calendar day noncompensable time extension.

4
5 APPROVED:

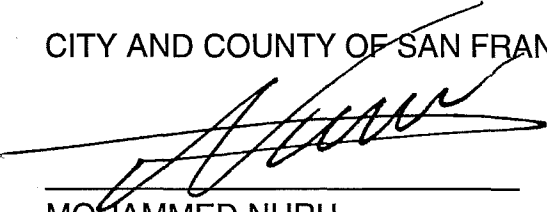
6 DENNIS J. HERRERA
7 City Attorney

8 

9 ELAINE O'NEIL
10 Deputy City Attorney
11 Construction and Public Contracting
12 Team Leader

RECOMMENDED:

CITY AND COUNTY OF SAN FRANCISCO



13 MOHAMMED NURU
14 Director of its Department of Public Works

15 FUNDS AVAILABLE:

16 
17 BEN ROSENFIELD
18 Controller

19 n:\const\li2015\151242\01027330.docx

LEGISLATION RECEIVED CHECKLIST

Date 8/19/15 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