

1 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive
2 \$2,200,000]

3 **Resolution approving settlement of the unlitigated claim in favor of the City and County**
4 **of San Francisco against Pacific Gas and Electric Company for \$2,200,000.**

5
6 WHEREAS, Pacific Gas and Electric Company ("PG&E") has agreed to the settlement
7 of an unlitigated claim by the City and County of San Francisco ("City") against PG&E, calling
8 for PG&E's payment of \$2,200,000 to the City; and

9 WHEREAS, This unlitigated claim involves PG&E's failure timely to identify and
10 relocate underground facilities that conflicted with the San Francisco Public Utilities
11 Commission's North Shore to Channel Force Main Improvement Project ("Spear Street and
12 Market Plaza conflicts"); and

13 WHEREAS, PG&E has agreed to the settlement in exchange for the City's full and final
14 release of all claims arising from the Spear Street and Market Plaza conflicts; and

15 WHEREAS, Separate and apart from this settlement, the City is also litigating other
16 North Shore conflict issues, which litigated claims are not addressed by this Resolution; and

17 WHEREAS, PG&E and the City agree that each should bear its own costs and fees;
18 and

19 WHEREAS, The San Francisco Public Utilities Commission recommends the
20 settlement; now, therefore, be it

21 RESOLVED, That pursuant to Administrative Code Section 10.24, the Board of
22 Supervisors hereby authorizes the City Attorney to settle and compromise the claim by
23 PG&E's payment to the City of \$2,200,000.

1 APPROVED:

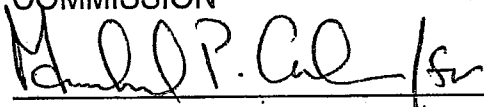
2 DENNIS J. HERRERA
3 City Attorney

4 

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

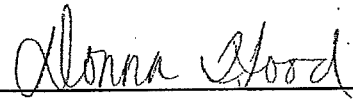
RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES
COMMISSION



HARLAN L. KELLY, JR.
General Manager of the San Francisco Public
Utilities Commission

APPROVED:



DONNA HOOD
Commission Secretary

12 n:\const\112015\151340\01024113.docx

