

File No. 171076

Committee Item No. 11

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: November 1, 2017

Board of Supervisors Meeting:

Date: _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" 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 type="checkbox"/> | <input 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 (Click the text below for a direct link to the document)

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Prepared by: John Carroll

Date: October 27, 2017

Prepared by: _____

Date: _____

1 [Settlement of Lawsuit - AT&T Corp. - \$498,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by AT&T Corp. against the City**
4 **and County of San Francisco for \$498,000; the lawsuit was filed on October 26, 2016, in**
5 **San Francisco Superior Court, Case No. CGC-16-555047; entitled AT&T Corp. v. City of**
6 **San Francisco, Department of Public Health; the lawsuit involves a breach of contract**
7 **claim arising from a dispute over AT&T's design of a medical grade wireless network at**
8 **Zuckerberg San Francisco General Hospital; other material terms of the settlement are**
9 **that the City reserves all rights to pursue claims against AT&T for, and AT&T shall**
10 **retain responsibility for, latent defects; all extant express and implied warranties under**
11 **the contract shall remain in full force and effect; the City and AT&T will execute a**
12 **mutual release; the City and AT&T will each bear its own fees and costs.**

13
14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
16 authorizes the City Attorney to settle the action entitled *AT&T Corp. v. City of San Francisco,*
17 *Department of Public Health,* San Francisco Superior Court, Case No. CGC-16-555047 by the
18 payment of \$498,000; the City reserves all rights to pursue claims against AT&T for, and
19 AT&T shall retain responsibility for, latent defects; all extant express and implied warranties
20 under the contract shall remain in full force and effect; the City and AT&T will execute a
21 mutual release; the City and AT&T will each bear its own fees and costs. The lawsuit involves
22 a dispute over AT&T's design of a medical grade wireless network at Zuckerberg San
23 Francisco General Hospital.

1 Section 2. The above-named action was filed in San Francisco Superior Court on
2 October 26, 2016, and the following parties were named in the lawsuit: Plaintiff AT&T Corp.
3 and Defendant City and County of San Francisco.

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APPROVED AS TO FORM AND
RECOMMENDED:

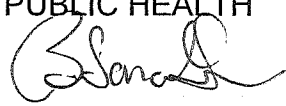
DENNIS J. HERRERA
City Attorney



JULIE VAN NOSTERN
Chief Attorney, Health and Human Services

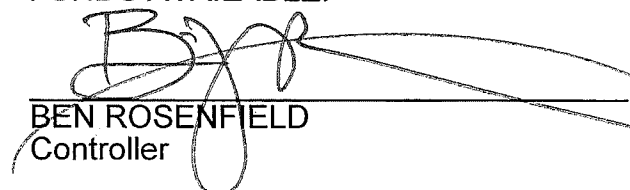
RECOMMENDED:

SAN FRANCISCO DEPARTMENT OF
PUBLIC HEALTH



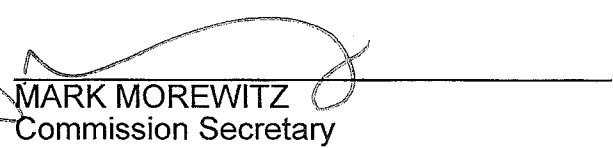
BARBARA A. GARCIA, MPA
Director of Health

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

APPROVED:



MARK MOREWITZ
Commission Secretary

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Date 10/3/17 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

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 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2017 OCT - 3 PM 3:04

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**

Joey Perez 554-3869
Name and Telephone Number

City Attorney
Department