

File No. 210731

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 15, 2021

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

- _____
- _____
- _____
- _____
- _____

Prepared by: John Carroll

Date: July 9, 2021

Prepared by: John Carroll

Date: _____

Prepared by: John Carroll

Date: _____

1 [Settlement of Lawsuit - Con-Quest Contractors, Inc. - \$325,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Con-Quest Contractors, Inc.**
4 **against the City and County of San Francisco for \$325,000; the lawsuit was filed on**
5 **April 9, 2020, in San Francisco Superior Court, Case No. CGC-20-584105; entitled Con-**
6 **Quest Contractors, Inc. v. City and County of San Francisco; the lawsuit involves**
7 **construction claims.**

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

10 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
11 authorizes the City Attorney to settle the action entitled Con-Quest Contractors, Inc. v. City
12 and County of San Francisco, San Francisco Superior Court Case No. CGC-20-584105, by the
13 payment of \$325,000 to plaintiff Con-Quest Contractors, Inc. The lawsuit involves
14 construction claims.

15 Section 2. The above-named action was filed in San Francisco Superior Court on April
16 9, 2020, and the following parties were named in the lawsuit: Defendant City and County of
17 San Francisco and Plaintiff Con-Quest Contractors, Inc.

18 Section 3. Additional settlement terms include: Con-Quest Contractors, Inc. will retain
19 responsibility for latent defects; all express and implied warranties under the construction
20 contract will remain in full force and effect; Con-Quest Contractors Inc. will defend, indemnify,
21 and hold the City harmless from all subcontractor claims; the City and Con-Quest Contractors,
22 Inc. will execute a mutual release; and each party will each bear its own fees and costs.

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1 APPROVED AS TO FORM AND
2 RECOMMENDED:

3 DENNIS J. HERRERA
4 City Attorney

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

10 FUNDS AVAILABLE:

11 /s/ Michelle Allersma for Ben Rosenfield
12 BEN ROSENFELD
13 Controller

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RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

/s/
ALARIC DEGRAFINRIED
Director

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LEGISLATION RECEIVED CHECKLIST

Date 6/21/21

File Number (if applicable) _____

- | | | | |
|-------------------------------------|---|-----|--------------------------|
| <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**

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 415-554-3869
Name and Telephone Number

City Attorney
Department