

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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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 APPROVED:

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6 DENNIS J. HERRERA
7 City Attorney

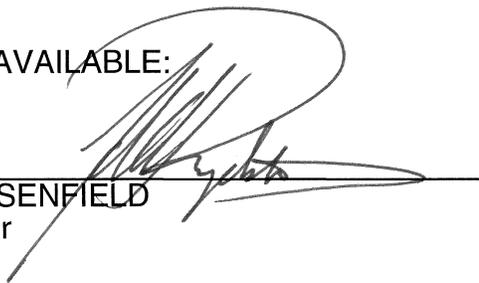
8 
9 ELAINE O'NEIL
10 Deputy City Attorney
11 Construction and Public Contracting
12 Team Leader

RECOMMENDED:

CITY AND COUNTY OF SAN FRANCISCO


13 MOHAMMED NURU
14 Director of its Department of Public Works

15 FUNDS AVAILABLE:


16 BEN ROSENFELD
17 Controller

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City and County of San Francisco
Tails
Resolution

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

File Number: 150835

Date Passed: September 29, 2015

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

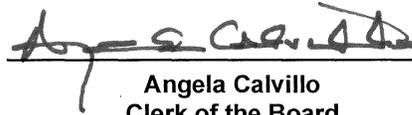
September 17, 2015 Government Audit and Oversight Committee - RECOMMENDED..

September 29, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150835

I hereby certify that the foregoing Resolution was ADOPTED on 9/29/2015 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved