

1 [Settlement of Lawsuit - Build Group, Inc. - \$211,129.46]

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3 **Ordinance authorizing settlement of the cross-complaint filed by Build Group, Inc.**
4 **against the City and County of San Francisco for a payment to Build Group, Inc. of**
5 **\$211,129.46; the cross-complaint was filed on November 22, 2022, in the Superior Court**
6 **of the State of California, County of San Francisco, Case No. CGC-22-598717; entitled**
7 **CPM Environmental, Inc. v. Build Group, Inc. and DOES 1-100, et al.; the lawsuit**
8 **involves allegations of breach of contract relating to the renovation of the Maxine Hall**
9 **Health Center; other material terms of the settlement are that Build Group, Inc. waives**
10 **all other claims it has or may have relating to the project.**

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

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the action entitled CPM Environmental, Inc. v. Build
15 Group, Inc. and DOES 1-100, et al, San Francisco Superior Court, Case No. CGC-22-598717
16 by the payment of \$211,129.46 to Build Group. The lawsuit involves allegations of breach of
17 contract for the renovation of the Maxine Hall Health Center.

18 Section 2. The above-named action was filed in San Francisco Superior Court by CPM
19 on March 15, 2022. On November 22, 2022, Build Group filed its cross-complaint against the
20 City. The City and County of San Francisco; CPM Environmental, Inc., and Build Group, Inc.
21 were the parties named in the lawsuit.

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APPROVED AS TO FORM AND
RECOMMENDED:

RECOMMENDED:

SAN FRANCISCO PUBLIC WORKS

/s/
ELAINE O'NEIL
Team Leader, Construction and Public
Contracting Team

/s/
CARLA SHORT
Interim Director

FUNDS AVAILABLE:

/s/ Michelle Allersma for Ben Rosenfield
BEN ROSENFELD
Controller



City and County of San Francisco
Tails
Ordinance

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

File Number: 230795

Date Passed: October 17, 2023

Ordinance authorizing settlement of the cross-complaint filed by Build Group, Inc. against the City and County of San Francisco for a payment to Build Group, Inc. of \$211,129.46; the cross-complaint was filed on November 22, 2022, in the Superior Court of the State of California, County of San Francisco, Case No. CGC-22-598717; entitled CPM Environmental, Inc. v. Build Group, Inc. and DOES 1-100, et al.; the lawsuit involves allegations of breach of contract relating to the renovation of the Maxine Hall Health Center; other material terms of the settlement are that Build Group, Inc. waives all other claims it has or may have relating to the project.

September 21, 2023 Government Audit and Oversight Committee - RECOMMENDED..

October 03, 2023 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

October 17, 2023 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230795

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 10/17/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

10/26/23

Date Approved