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

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

Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby authorizes the City Attorney to settle the action entitled AT&T Corp. v. City of San Francisco, Department of Public Health, San Francisco Superior Court, Case No. CGC-16-555047 by the payment of $498,000; the City reserves all rights to pursue claims against AT&T for, and AT&T shall retain responsibility for, latent defects; all extant express and implied warranties under the contract shall remain in full force and effect; the City and AT&T will execute a mutual release; the City and AT&T will each bear its own fees and costs. The lawsuit involves a dispute over AT&T's design of a medical grade wireless network at Zuckerberg San Francisco General Hospital.
Section 2. The above-named action was filed in San Francisco Superior Court on October 26, 2016, and the following parties were named in the lawsuit: Plaintiff AT&T Corp. and Defendant City and County of San Francisco.
APPROVED AS TO FORM AND RECOMMENDED:

DENNIS J. HERRERA
City Attorney

JULIE VAN NOSTERN
Chief Attorney, Health and Human Services

FUNDS AVAILABLE:

BEN ROSENFIELD
Controller

RECOMMENDED:

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

BARBARA A. GARCIA, MPA
Director of Health

APPROVED:

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

November 01, 2017 Government Audit and Oversight Committee - RECOMMENDED

November 14, 2017 Board of Supervisors - PASSED ON FIRST READING
Ayes: 9 - Breed, Cohen, Farrell, Fewer, Peskin, Ronen, Safai, Sheehy and Yee
Absent: 2 - Kim and Tang

November 28, 2017 Board of Supervisors - FINALLY PASSED
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 171076

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/28/2017 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[Signature]
Mayor

[Signature]
Date Approved: 12/8/2017