

4-2-13
M-11
REVISIONS



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#13-0515

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager *L.F. Feldman*

DATE: April, 2, 2013

TITLE: REVISED M-11 - Motion to Approve Settlement of Contract Dispute
Lawsuit General Liability File # GL 12-490 (West Construction) for
~~\$500,000~~ \$494,000

Recommendation

Staff recommends settlement, and as provided in the City Charter, this settlement has been evaluated by the proper City officials and all concur that a settlement of ~~\$500,000~~ \$494,000 to West Construction is in the City's best interest.

Background

This contract dispute claim is a result of West Construction's work on the Southside School project, and covers the work that was performed by West Construction and the final dollar amount that the City owes them. The specific unpaid amounts stem from West Construction's Pay Applications Nos. 9 and 10, along with work that was performed for changes in the scope of the project, as a result of Nova Southeastern University's anticipated rental of the property.

West Construction's initial settlement demand to the City was for \$1,200,000. Negotiations have been ongoing and both parties subsequently agreed to settle this matter for ~~\$500,000~~ \$494,000.

Resource Impact

There is a fiscal impact to the City in the amount of ~~\$500,000~~ \$494,000.

The City will be issuing payment ~~on April 3, 2013 through a procurement card purchase.~~
within 10 days of Commission approval.

FY Year	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2012-2013	343	01	Special Obligation Construction 2008B	P10777.343	Southside School - Purchase & Restoration	6599	Construction	\$500,000 <u>\$494,000</u>

Prepared by: James Kelly

Department Director: Averill Dorsett