

Loy, Norman

From: Estrada, Sue M
Sent: Tuesday, March 06, 2018 1:30 PM
To: Loy, Norman
Subject: Items in Lock-up
Attachments: 143392.xls

Hi Norm:

Please see as requested updates to the items currently held in Board Records lock-up. Thanks.

~ Sue

Susan M. Estrada, Assistant to
Jewel White, County Attorney
Donald S. Crowell, Chief Assistant County Attorney
Pinellas County Attorney's Office
315 Court Street, 6th Floor
Clearwater, FL 33756
Phone: (727) 464-3354
Fax: (727) 464-4147
sestrada@pinellascounty.org

All government correspondence is subject to the public records law.

BOARD RECORDS

ITEMS BEING HELD IN LOCK-UP

3/6/2018

BCC MEETING DATE		ITEM NO.	DESCRIPTION OF ITEM	DATE RELEASED AND AUTHORITY
1	1/28/2014	20		JAP - cannot be released
2	9/10/2015	31		NSM - cannot be released
3	1/12/2016	25		JAP - cannot be released
4	4/25/2017	35		KLV - can be released
5	6/6/2016	20		JAP - cannot be released
6	6/6/2016	21		NSM - cannot be released
7	7/18/2017	44	Settlement in the case of Pinellas County v. Enviromental Research and Design, Inc. and Tampa Contracting Services, Inc. - Circuit Civil Case No. 13-8168-CI-15.	JAP - can be released
8	8/1/2017	28		KLV - can be released
9	10/17/2017	20		KLV - can be released
10	1/9/2018	22		NSM - cannot be released



Pinellas County

315 Court Street, 5th Floor
Assembly Room
Clearwater, Florida 33756

Staff Report

File #: 17-1098A

Agenda Date: 7/18/2017

#44

Subject:

Settlement in the case of Pinellas County v. Environmental Research and Design, Inc. and Tampa Contracting Services, Inc. – Circuit Civil Case No. 13-8168-CI-15.

Recommended Action:

Settlement approval in the case of Pinellas County v. Environmental Research and Design, Inc. and Tampa Contracting Services, Inc. – Circuit Civil Case No. 13-8168-CI-15.

Strategic Plan:

N/A

Summary:

This is an action arising out of an agreement for consulting services Pinellas County entered into with Environmental Research and Design, Inc. (ERD) to design regional stormwater treatment facilities for the Lake Seminole alum injection project, and a second agreement with Tampa Contracting Services, Inc. to construct same.

A dispute arose regarding the adequacy of the design and construction of the aluminum sheet pile retaining walls, which form the sides of the alum treatment trough and in-lake detention, as well as the treatment system building.

As a result of inadequate design, geotechnical investigations, and/or the means and methods of construction, Pinellas County has incurred damages consisting of, among other items of damage, additional expenses and delays in the construction project.

Following the Board's authorization, suit was filed August 20, 2013. At a recent mediation conference, the parties, their representatives, and counsel reached a conditional settlement agreement that would resolve all claims, potential claims, cross-claims and counter-claims. If approved, Tampa Contracting Services, Inc., will pay to the Pinellas County Board of County Commissioners the sum of \$25,000.00. If approved, ERD will pay to the Pinellas County Board of County Commissioners the sum of \$280,000.00. The parties will execute mutual releases of all claims for defects, latent and patent, known and unknown. Each party has agreed to bear their own attorney's fees and costs

Background Information:

N/A

Fiscal Impact:

Total amount of claims to be paid to the County is \$305,000.00

Staff Member Responsible:

Jewel White, Interim County Attorney

John A. Powell, Jr., Sr. Assistant County Attorney

Partners:

N/A

Attachments:

N/A