



Pinellas County

Legislation Details (With Text)

File #: 21-2111A **Version:** 1

Type: County Attorney Item **Status:** Passed

File created: 10/14/2021 **In control:** County Attorney

On agenda: 11/9/2021 **Final action:** 11/9/2021

Title: Proposed initiation of litigation in the case of Pinellas County v. PSC Civil, Inc., formerly known as Pepper Contracting Services, Inc. - for liquidated damages arising out of Contract Number 167-0509-CP(SCB).

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------------------|----------|--------|
| 11/9/2021 | 1 | Board of County Commissioners | approved | Pass |

Subject:

Proposed initiation of litigation in the case of Pinellas County v. PSC Civil, Inc., formerly known as Pepper Contracting Services, Inc. - for liquidated damages arising out of Contract Number 167-0509-CP(SCB).

Recommended Action:

Approval and authorization for the County Attorney, through outside counsel, to initiate litigation against PSC Civil, Inc.

Strategic Plan:

N/A

Summary:

The County Attorney’s Office is seeking authorization to file suit, through outside counsel, if negotiations to resolve this dispute are unsuccessful.

This action is the result of a breach of contract for the Airport landside and parking lot improvement project. Pepper Contracting was the construction contractor for the reconstruction of the landside roadway system and parking lots. Pepper failed to complete the construction project within the allotted Contract Time.

This authorization includes bringing suit against all defendants and for all claims that may be or become necessary to fully litigate this action.

Background Information:

This Contract was originally awarded by the Board on September 26, 2017, under Legistar item no. 17-1351A, and was amended through two Change Orders under Legistar item nos. 18-1589A and 20-265D.

Fiscal Impact:

Unknown.

Staff Member Responsible:

Jewel White, County Attorney

Christy Donovan Pemberton, Managing Assistant County Attorney

Partners:

N/A

Attachments:

N/A