



Pinellas County

Legislation Details (With Text)

File #: 22-1871A **Version:** 1
Type: Contract/Agreement **Status:** Passed
File created: 10/12/2022 **In control:** Public Works
On agenda: 11/15/2022 **Final action:** 11/15/2022
Title: Settlement agreement and release with HNTB Corporation for the design of the roadway reconstruction and widening of Forest Lakes Boulevard Phase II from Pine Avenue to Race Track Road project.

Sponsors:

Indexes:

Code sections:

Attachments: 1. FE_AATF - Agreement, 2. AATF - Agreement, 3. Project Location Map, 4. OMB.CONTRACT.RVW-PW-TRS-22-1871A

Date	Ver.	Action By	Action	Result
11/15/2022	1	Board of County Commissioners	approved	Pass

Subject:

Settlement agreement and release with HNTB Corporation for the design of the roadway reconstruction and widening of Forest Lakes Boulevard Phase II from Pine Avenue to Race Track Road project.

Recommended Action:

Approval of the settlement agreement and release with HNTB Corporation (HNTB) for the design of the roadway reconstruction and widening of Forest Lakes Boulevard Phase II from Pine Avenue to Race Track Road project.

- HNTB performed design work for this project under Agreement 134-0310-NC(SS) Engineering Consulting Services.
- Settlement and release in lieu of litigation where the County would be considered the plaintiff.
- Action approves settlement and release in exchange for \$313,282.15 from HNTB for reimbursement of additional direct expenses incurred by the County.
- Expenses incurred included fill, stabilization, base, concrete curbs, and associated clearing and grubbing.

PID No. 002110A; Settlement Agreement and release in the amount of \$313,282.15, due to the County by November 30, 2022; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Strategic Plan:

Deliver First Class Services to the Public and Our Customers
5.2 Be responsible stewards of the public's resources

Summary:

The Settlement Agreement and Release is in lieu of litigation where the County would be considered the plaintiff. This action approves a release of liability in exchange for \$313,282.15 to the County from HNTB. The release is for reimbursement to the County for additional expenses including fill, stabilization, base, concrete curbs, and associated clearing and grubbing between the stations of 102+00 and 137+00. The County and the HNTB each desire to resolve this dispute amicably and have agreed to a mutually agreeable resolution.

As a component of the Settlement Agreement and Release, the Parties agree they enjoy an amicable relationship, there is no legal dispute or action between them, this Settlement Agreement nor any of the alleged claims will be a factor impacting future procurements or consultant qualifications, and they will not make any disparaging statements or representation to other persons or entities regarding the quality of services provided by consultant for the Project.

Background Information:

HNTB prepared plans and specifications in design of the Roadway Reconstruction and Widening of Forest Lakes Boulevard Phase II from Pine Avenue to Race Track Road. Upon the completion of plans and specifications, Public Works bid out and awarded a construction contract to perform the project based upon those plans and specifications. During construction of the project, the County incurred additional direct expenses necessary to complete the Project. The County and HNTB have negotiated a verbal settlement fully resolving any claims between the parties related to the Project. This Settlement Agreement and Release memorializes those terms.

Fiscal Impact:

The total settlement amount is \$313,282.15 to be paid by HNTB to the County by November 30, 2022.

Staff Member Responsible:

Kelli Hammer Levy, Director, Public Works

Partners:

HNTB

Attachments:

Agreement

Project Location Map