



Legislation Details (With Text)

File #: ID#20-7926 **Version:** 1 **Name:** Request for authority to settle a civil action styled Brandes Design-Build, Inc. v. City of Clearwater, Case No. 15-003724-CI

Type: Action Item **Status:** Passed

File created: 6/17/2020 **In control:** Legal

On agenda: 7/16/2020 **Final action:** 7/16/2020

Title: Request for authority to settle a civil action styled Brandes Design-Build, Inc. v. City of Clearwater, Case No. 15-003724-CI, Pinellas County Circuit Court, for the amount of \$350,000.00, in exchange for a full release and dismissal of the case with prejudice. (consent)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/16/2020	1	City Council		
7/13/2020	1	Council Work Session		
7/13/2020	1	Council Work Session		

SUBJECT/RECOMMENDATION:

Request for authority to settle a civil action styled *Brandes Design-Build, Inc. v. City of Clearwater*, Case No. 15-003724-CI, Pinellas County Circuit Court, for the amount of \$350,000.00, in exchange for a full release and dismissal of the case with prejudice. (consent)

SUMMARY:

In 2012, the City entered into a construction contract with Brandes Design-Build, Inc., to reconstruct the City's Reverse Osmosis Plant No. 1, in order to increase the plant's capacity. Construction commenced on or about November 10, 2013. Over the course of construction, disagreements arose between the City and its project engineers and Brandes over various aspects of the design and construction of the facility. Changes in the project resulted in 23 work change directives. Brandes claims it is entitled to compensation over and above the original contract price for additional work done not contemplated by the contract, for extended general conditions and overhead, and interest. These additional charges are, in large part, disputed by the City.

The original contract price was \$8,121,739.69.

Authority is sought to settle all outstanding claims made by Brandes for \$350,000.00, for which we will receive a full release of all claims and the case will be dismissed with prejudice.

APPROPRIATION CODE AND AMOUNT:

3217321-563800-96764