

Legislation Details (With Text)

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On agenda: 10/12/2021 **Final action:** 10/12/2021

Title: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A GENERAL RELEASE BETWEEN THE CITY OF POMPANO BEACH AND HIGH TECH ENGINEERING INCORPORATED, RELATING TO REIMBURSEMENT COSTS FOR THE EMERGENCY REPAIR OF THE CITY'S 24' RECLAIMED WATER MAIN GENERALLY LOCATED AT NE 14TH CAUSEWAY AND NE 23RD AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Reimbursement (revenues) in amount of \$167,968.31)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Utilities Memo-City Manager.pdf, 2. Attorney Memo.pdf, 3. Resolution.pdf, 4. General Release - Settlement.pdf

Date	Ver.	Action By	Action	Result
10/12/2021	1	City Commission	ADOPTED	Pass

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A GENERAL RELEASE BETWEEN THE CITY OF POMPANO BEACH AND HIGH TECH ENGINEERING INCORPORATED, RELATING TO REIMBURSEMENT COSTS FOR THE EMERGENCY REPAIR OF THE CITY'S 24' RECLAIMED WATER MAIN GENERALLY LOCATED AT NE 14TH CAUSEWAY AND NE 23RD AVENUE; PROVIDING AN EFFECTIVE DATE.

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(Staff Contact: A. Randolph Brown)

Summary Explanation/Background:

A work order was issued to High Tech Engineering Incorporated to provide subsurface facility/utility locating services to identify and mark the location of subsurface fiber optic communications cables at the address mentioned above. However, City alleged High Tech failed to identify and mark the location of the 24" reclaim water main and caused Maya to strike and damage the main during excavation.

City and High Tech dispute the liability and desire to avoid the expense, inconvenience, and uncertainties of the litigation, and settle their claims and differences. High Tech will pay city a sum of \$167,968.31 and City will fully release High Tech from any further obligation, liability, or responsibility arising out of the incident.

Origin of request for this action: Utilities

Fiscal impact and source of funding: Reimbursement in the amount of \$167,968.31. Funds from settlement will be deposited to account #420-7282-533.65-12 CIP#06-904 Capital Projects-Reuse Distribution Expansion.

