



Jackson County Missouri

Jackson County Courthouse
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Legislation Text

File #: 13571, Version: 0

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION approving the Jackson County Counselor's settlement of the dispute between Jackson County and members of the design team over the construction of the Jackson County Detention Center Annex.

RESOLUTION 13571, February 12, 2001

INTRODUCED BY Victor E. Callahan, County Legislator

WHEREAS, the County has alleged problems with the structural engineering by Dubois Consultants, mechanical-electrical design by Custom Engineering and coordination issues by the architect ASAI relating to their work on the Detention Center Annex; and,

WHEREAS, the County sought recovery of these claims in the arbitration proceedings initiated against the design professionals; and,

WHEREAS, after a thorough and complete investigation of this claim, the County Counselor, based upon the recommendation of special counsel and the County's retained experts, recommends that the claim be settled by acceptance of all available insurance policy limits of the design professionals, which are in excess of \$1.2 million dollars; and,

WHEREAS, as part of the ongoing dispute with the design professionals, the County had discontinued payment to the design professionals, for work unrelated to this claim until this resolution; and,

WHEREAS, ASAI will release its \$1,400,000 claim against the County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Counselor be and hereby is authorized to settle the County's claim against the design professional by acceptance of all available insurance policy limits, which are in excess of \$1,200,000; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effectuate this settlement; and,

BE IT FURTHER RESOLVED that the Manager of the Division of Finance be and is hereby authorized to release further payment of \$203,000, an amount previously encumbered, to ASAI for work undertaken on the Detention Center Annex unrelated to the claims of this dispute.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution 13571 of February 12, 2001 was duly passed on _____ February 12 _____, 2001 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 7 _____

Nays _____ 0 _____

Abstaining _____ 0 _____

Absent _____ 2 _____

Date

Brogoto, Clerk of Legislature

Mary Jo