Legislation Details (With Text)

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Title:	Extension of Tolling Agreement for City's claims against Jones Edmunds regarding the design and engineering of the Sediment Basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)		
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Attachments:	1. 150762_First Amendment to Tolling Agreement_20160303, 2. 150762_Second Amendment to Tolling Agreement_20160707.pdf, 3. 150762_Third Amendment to Tolling Agreement_20161020.pdf		

Date	Ver.	Action By	Action	Result
10/20/2016	3	City Commission	Approved as Recommended	
7/7/2016	2	City Commission	Approved as Recommended	
3/3/2016	1	City Commission	Approved as Recommended	

Extension of Tolling Agreement for City's claims against Jones Edmunds regarding the design and engineering of the Sediment Basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)

On September 24, 2013, the City discovered for the first time that the sediment basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project, located at 325 S.W. Williston Road, Gainesville, Florida, was not functioning as intended and as necessary for the Project. On June 17, 2014, the City placed Jones, Edmunds & Associates, Inc. on notice of the City's claims regarding design and engineering of the sediment basin. Jones Edmunds prepared Sediment Basin Design Modifications that were incorporated into Change Order Request 15 for the Project on or about March 31, 2015. City staff (from GRU, Public Works, and Legal) have been working with Jones Edmunds to negotiate a settlement of the claims without resort to litigation, as it is anticipated that such litigation will be lengthy and time and cost-intensive for both parties. The City entered into a tolling agreement with Jones Edmunds, and amendment extending the applicable Statute of Limitations date to October 31, 2016 in order to preserve the City's legal rights. The parties' representatives wish to extend the tolling period to April 28, 2017 on account of the time that was needed for the final work order and construction contract reconciliation, and to allow the parties to mediate and attempt to reach a settlement of the pending dispute.

Approve the Third Amendment to Tolling.

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