


COMMISSION AGENDA:

2.12.13 # 20

TO: The Honorable Chairman and Members of the
Board of County Commissioners

FROM: James L. Bennett, County Attorney 

SUBJECT: Authority for the County Attorney to Initiate Litigation in the Case of
Pinellas County v. Parsons Engineering Systems, Inc., and/or
Parsons Water and Infrastructure, Inc.

DISTRIBUTION: Robert S. LaSala, County Administrator
David Scott, Executive Director, Environment and Infrastructure

DATE: February 12, 2013

RECOMMENDATION: I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS ("BOARD") AUTHORIZE THE COUNTY ATTORNEY'S OFFICE TO INITIATE LITIGATION IN THE ABOVE-STYLED CAUSE.

DISCUSSION: The County previously entered into an agreement for professional services with Parsons Engineering Services, Inc. on July 27, 2000, amended on March 15, 2007, with a termination date of July 27, 2009. The County also entered into an agreement with Parsons Water and Infrastructure, Inc. on June 20, 2011, the terms of which are still in effect. Each entity was involved in the provision of services related to Bear Creek Channel Improvement Project No. 922306. Errors and omissions relating to the Bear Creek Channel Improvement Project design were made and acknowledged by Parsons, resulting in significant damages to the County. The Board previously approved a change order in the amount of \$1,546,502.44 with the general contractor to remedy the defects in the improvements. While negotiations are ongoing, these companies have not agreed to reimburse the County for the entire amount of costs incurred by the County as a result of their design errors and omissions, and it is therefore recommended that the Board authorize the County Attorney's Office to initiate litigation as outlined herein if the claim is not amicably resolved.