



Broward County

Legislation Details (With Text)

File #: 20-099 **Version:** 1

Status: Agenda Ready

In control: County Attorney

On agenda: 1/28/2020 **Final action:** 1/28/2020

Title: MOTION TO AUTHORIZE Office of the County Attorney to commence litigation and/or take all related necessary and appropriate actions against Trio Development Corporation, Florida Foundation Systems, Inc., and any other parties deemed appropriate by the County Attorney, to recover damages resulting from deficient, defective, and/or nonconforming construction services provided in connection with a City of Lighthouse Point construction project for repairs to the Sample Road Bridge/Pedestrian Walkway located over the Cap Knight Bayou.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO AUTHORIZE Office of the County Attorney to commence litigation and/or take all related necessary and appropriate actions against Trio Development Corporation, Florida Foundation Systems, Inc., and any other parties deemed appropriate by the County Attorney, to recover damages resulting from deficient, defective, and/or nonconforming construction services provided in connection with a City of Lighthouse Point construction project for repairs to the Sample Road Bridge/Pedestrian Walkway located over the Cap Knight Bayou.

Why Action is Necessary

Board approval is required for the Office of the County Attorney to file a lawsuit.

What Action Accomplishes

Authorizes the commencement of litigation, and the taking of related actions, against Trio Development Corporation, Florida Foundation Systems, Inc., and any other party deemed appropriate by the County Attorney.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

THE OFFICE OF THE COUNTY ATTORNEY RECOMMENDS APPROVAL OF THE ABOVE MOTION.

In or about May 2017, the City of Lighthouse Point (the "City") entered into an agreement with Trio Development Corporation ("Trio"), whereby Trio was to complete repairs to the Sample Road Bridge/Pedestrian Walkway over the Cap Knight Bayou (the "Project"). Trio thereafter entered into a subcontract agreement with Florida Foundation Systems, Inc. ("FFS"), whereby FFS was to complete a portion of the work under the agreement between the City and Trio, which work included driving piles to provide support for the Project. During the course of the Project, Trio and/or FFS caused extensive damage to a County watermain.

Approval of this item would allow the County to seek recovery of the costs associated with replacing the damaged watermain, including design costs, construction costs, and all other damages related to the Project, whether known or unknown at this time.

Source of Additional Information

Michael J. Kerr, Deputy County Attorney, (954) 357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

All legal work will be performed by the Office of the County Attorney within existing resources. Litigation costs (filing fees, deposition costs, expert fees, etc.) are currently estimated at \$50,000.