Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2021-1079, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Veracity Construction Group against the Metropolitan Government of Nashville and Davidson County in the amount of $40,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on May 15, 2020, Veracity Construction Group was engaged in authorized trenching work at 25th Avenue North and Clarksville Pike and struck a purportedly inactive water service line; and,

WHEREAS, the water line was actually active and Veracity had to stop work and incurred lost construction time and labor expenses; and,

WHEREAS, after investigation, the Department of Law believes the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that the property damage claim of Veracity Construction Group be compromised and settled for a total of $40,000.00, and that this amount be paid from the Self-Insured Liability Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the property damage claim of Veracity Construction Group for the sum of $40,000.00 with said amount to be paid from the Self-Insured Liability Fund.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

On May 15, 2020, Veracity Construction Group was engaged in authorized trenching work at 25th Avenue North and Clarksville Pike. While excavating, they struck a water service line which was unmarked as it was believed to be inactive. The line was actually active and still had water in it. Veracity Construction Group was unable to continue working after striking the water line. Veracity Construction Group initially submitted a claim of $96,666.64 for lost production time, traffic control, and hotel accommodations.

The Department of Law recommends settling this property damage claim for $40,000.

Fiscal Note: This $40,000 settlement, along with the settlement per Resolution No. RS2021-1068, would be the 1st and 2nd payments from the Self-Insured Liability Fund in FY22 for a cumulative total of $59,000. The fund balance would be $244,216 after these payments.