

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

March 15, 2011

Agenda Item: 6.8

Subject: Approval of Compromise, Settlement and Release Agreement between Chabot-Las Positas Community College District and Roeber's, Inc., Roebbelen Contracting, Inc., and Continental Casualty Company for the Community and Student Services Center at Chabot College

Background: Roeber's, Inc filed a Complaint in the Alameda County Superior Court on the Community and Student Services Center (CSSC) at Chabot College for plumbing labor and materials. The claim specifically demanded compensation from the general contractor, Roebbelen Contracting, Inc.

District legal counsel, Fagen Friedman and Fulfrost, LLP, has structured a binding legal Compromise, Settlement and Release Agreement to finalize the negotiations and Roebbelen's payment to Roeber's, Inc. and other material suppliers. No payment from the District is involved in this settlement. The Complaint is dismissed with prejudice and the warranty on the CSSC remains in effect.

Recommended Action: That the Board of Trustees approves the Compromise, Settlement and Release Agreement between Chabot-Las Positas Community College District and Roeber's, Inc., Roebbelen Contracting, Inc., and Continental Casualty Company for the Community and Student Services Center at Chabot College. It is further recommended that the Board authorizes the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

Funding Source: Measure B Bond Funds.

Submitted: Jeffrey M. Kingston/Date

Approved: Joel L. Kinnamon/Date

_____ APPROVED

_____ DISAPPROVED

_____ TABLED