

**RESOLUTION 15-93**

**A RESOLUTION TO AUTHORIZE A PAYMENT TO P.F. MOON & COMPANY, INC. FOR THE CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT AND AUTHORIZE ANY NECESSARY LEGAL ACTION REGARDING CTI ENGINEERS, INC. RELATED TO THE DESIGN OF THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the City of Spring Hill entered into a Contract with CTI Engineers, Inc. (“CTI”) for the design of a wastewater treatment plant and P.F. Moon & Company, Inc. (“P.F. Moon”) for the construction of said wastewater treatment plant in 2011; and

**WHEREAS**, the completion date of the construction of the wastewater treatment plant was extended several times due to numerous issues with the engineering and construction of the wastewater treatment plant; and

**WHEREAS**, the City of Spring Hill hired a consultant to assess the issues and recommend solutions with regards to the issues with the wastewater treatment plant in April 2014; and

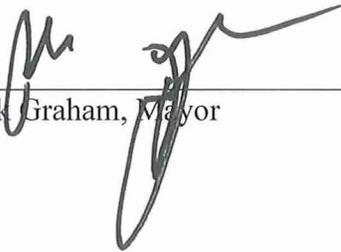
**WHEREAS**, the City’s consultant has identified multiple issues with the design of the wastewater treatment plant; and

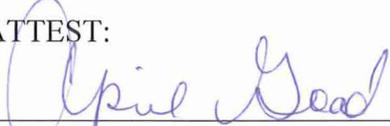
**WHEREAS**, the City Attorney has made multiple unsuccessful attempts to schedule and conduct a mediation with CTI and an additional attempt is ongoing, with the hope of resolving the apparent dispute between the city and CTI.

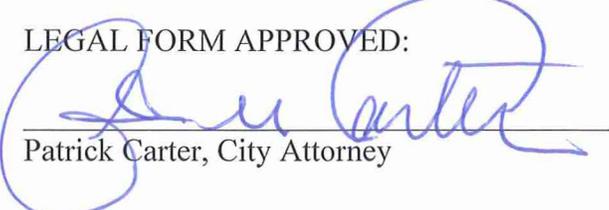
**NOW, THEREFORE BE IT RESOLVED**, that the City of Spring Hill Board of Mayor and Aldermen authorizes the release of retained funds due to P.F. Moon, pursuant to the contract in the City’s contract with P.F. Moon in the amount of \$381,528.00.

**BE IT FURTHER RESOLVED**, that the City of Spring Hill Board of Mayor and Alderman otherwise authorizes the City Attorney to proceed with any and all necessary legal action to advance the City’s position in this matter.

**Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee, on the 17<sup>th</sup> day of August, 2015.**

  
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Rick Graham, Mayor

ATTEST:  
  
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April Goad, City Recorder

LEGAL FORM APPROVED:  
  
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Patrick Carter, City Attorney