



**City of Coral Gables  
CITY COMMISSION MEETING  
February 8, 2011**

**ITEM TITLE:**

A Resolution directing the City Attorney to proceed with filing an action against Z-Roofing, Inc., for Breach of Contract for failure to procure and maintain Insurance to protect the City from claims arising out of services performed and for failure to indemnify and Hold Harmless City for damages caused during roof repair at the Coral Gables Country Club and all such other relief; and further authorizing the City Attorney to take all action necessary to represent the interests of the City.

**DEPARTMENT HEAD RECOMMENDATION:**

Approval.

**BRIEF HISTORY:**

On October 16, 2009, Z-Roofing entered into a contract with the City of Coral Gables for roof repairs to the Coral Gables Country Club. The terms of the contract specifically required that it hold harmless and indemnify the City from and against all claims resulting from any work performed by them. It further required Z-Roofing to procure and maintain insurance to protect the City from and against any and all claims arising out of the services performed by them.

On December 4, 2009 and February 9, 2010, Z-Roofing caused damage to the interior of the building totaling \$206,630.74. The City has made demand for full payment for all damages caused to the building in March 2010 and December 2010, to no avail.

The City Attorney's office is seeking authority to file a lawsuit against Z-Roofing for breach of contract and full and final payment for all damages caused by it to City property.

**APPROVED BY:**

| City Attorney   | City Clerk | City Manager  |
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**ATTACHMENT(S):**

1. Resolution