

OFFICE OF THE CORPORATION COUNSEL  
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October 25, 2019

The City Council  
Niagara Falls, New York

*RE: Accadia Site Contracting, Inc. vs. City of Niagara Falls  
Index Nos. E163253/2017 and E162168/2017*

Council Members:

Accadia Site Contracting, Inc. was involved in two construction projects for the City of Niagara Falls, one regarding Buffalo Avenue from the LaSalle Expressway to 65<sup>th</sup> Street and the other involving Lockport Street.

Issues regarding differing site conditions arose during both projects and were not able to be resolved and Accadia filed lawsuits against the City.

After extensive negotiations it is recommended that these two lawsuits be settled for a total of \$102,000 (\$60,000 Buffalo Avenue and \$42,000 Lockport Street).

Will the Council so approve and direct the Controller to issue checks in the amounts of \$60,000 and \$42,000 payable to Accadia Site Contracting, Inc. subject to receipt of Stipulations of Discontinuance and other documentation in a form satisfactory to the Corporation Counsel?

Respectfully submitted,

CRAIG H. JOHNSON  
Corporation Counsel

Kennedy\_\_\_\_\_ Scott\_\_\_\_\_ Tompkins\_\_\_\_\_ Voccio\_\_\_\_\_ Touma\_\_\_\_\_