

---

**Sponsor:** Public Works

**Meeting Date:** 4/27/2021

**Title:** Settlement Agreement with M.A. Mortenson Company and the ThyssenKrupp Elevator Corporation

**File Number:** 2021-205

---

**Background and Rationale:**

Ramsey County Regional Railroad Authority (RCRRA) filed a complaint against M. A. Mortenson and ThyssenKrupp Elevator Corporation on October 26, 2018. The complaint alleged improper installation and maintenance of five escalators at Union Depot. The complaint sought compensatory damages and reasonable costs and expenses.

The parties participated in mediation of the matter on March 30, 2021. A settlement was agreed pending review and approval by the RCRRA Board with no binding settlement without Board approval. The RCRRA Board met in closed session on April 20, 2021 and were given a full review of the proposed settlement terms with outside litigation counsel and the County Attorney's Office. The RCRRA Board directed approval of the proposed settlement.

The settlement provides payment of \$800,000 to RCRRA by the later of May 5, 2021 or five (5) days after RCRRA approval of the agreement. The settlement also provides for a full dismissal of the lawsuit and full release of RCRRA's claims related to the escalators at the Union Depot.

**Recommendation:**

The Ramsey County Regional Railroad Authority resolved to:

1. Approve the settlement agreement with M. A. Mortenson Company and ThyssenKrupp Elevator Corporation related to the escalator claim at Union Depot, Court File No. 62-CV-18-7284, in an amount of \$800,000.
2. Authorize the Chair to execute the settlement agreement.

A motion to approve was made by Commissioner MatasCastillo, seconded by Commissioner Reinhardt.

Motion passed.

Aye: - 7: Carter, Frethem, MatasCastillo, McDonough, McGuire, Ortega, and Reinhardt

By: \_\_\_\_\_



Abby Goldsmith, Interim Chief Clerk - County Board