

Roofing company sues BJC, seeks injunction to stop construction

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ST. LOUIS • A local roofing company is suing BJC HealthCare, alleging that the health system discriminated against the minority-owned firm for construction work at its campus renewal project.

The lawsuit, filed in federal court for the Eastern District of Missouri, alleges that CMT Roofing was denied a chance to bid directly on installing the roof on one of the new towers BJC is constructing as part of its \$1.5 billion campus renewal project, according to the lawsuit.

Instead, CMT was “induced” to work as a subcontractor for a firm, RSS Construction, which is owned by a white man.

CMT’s owner is Cory A. Elliott, a black woman, who previously worked as a hospital executive with SSM Health.

BJC said the lawsuit was “without merit and substance on all counts,” according to an email from June Fowler, spokeswoman for the health system.

“...We developed and are executing a comprehensive diversity and inclusion program that, to date, has resulted in more than \$192 million in contracts being awarded to minority- and women-owned businesses,” Fowler said.

She said it was unfortunate that a financial dispute between contractors was being used by Elliott and her attorney, Eric Vickers, to “unfairly taint the reputation” of BJC and its minority inclusion program.

CMT entered into a contract for \$747,000 with RSS, the lawsuit states.

CMT said that it finally started working on the job in October 2016 after a five-month and “costly” delay due to “BJC’s mismanagement of the project,” the suit says.

The lawsuit alleges BJC failed to “properly schedule, coordinate, and manage the numerous trades involved in the project.”

CMT stopped working on the project in March when it stopped receiving payment for work performed.

CMT then sought to remedy the payment situation with BJC and learned RSS was paid \$1.5 million for the roofing job it had subcontracted to CMT for \$747,000, the lawsuit says.

The lawsuit alleges BJC has paid white male contractors “untold millions as a premium” to subcontract with minority-owned businesses who then “stave off bankruptcy.”

The lawsuit also claims that BJC is retaliating against CMT for talking to the media about construction issues on the project, such as floors that are not level.

The lawsuit also seeks an injunction to stop work at the campus renewal project and seeks \$5 million in damages.

Vickers is representing Elliott and the African-American Business and Construction Workers Association, which also is listed as a plaintiff.