

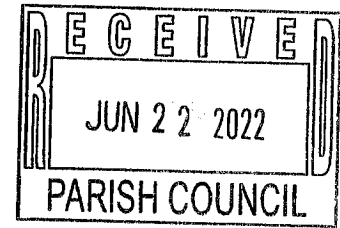


ST. CHARLES PARISH

PUBLIC WORKS

MATTHEW JEWELL
PARISH PRESIDENT

MILES BINGHAM, P.E.
DIRECTOR



NOTICE TO PROCEED

June 13, 2022

TO: Sealevel Construction
P.O. Box 1037
Thibodaux, La. 70302
Atten: Richard Roth

PROJECT NAME: Kellogg T-Wall

PROJECT NO.: P080905-5F

Gentlemen:

You are hereby notified to commence work on the subject contract on June 13, 2022 and to fully complete the work within 540 calendar days. In accordance with the Contract, the Substantial Completion date is December 5, 2023. Any extension in time will be by written Change Order only.

Liquidated Damages: Owner and Contractor recognize that the Owner will suffer direct financial loss if Work is not completed within the Contract times specified plus any extensions thereof allowed in accordance with the General Conditions of this Contract, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Contractor and Surety agree to forfeit and pay Owner One Thousand, Five Hundred dollars \$1,500 per day as Liquidated Damages for delay (but not as a penalty). Such Liquidated Damages will be assessed for each calendar day that expires after the Contract Time. This amount represents a reasonable estimate of Owner's expenses for extended delays and the costs associated therein. This provision shall be effective between the parties ipso facto and without demand or putting in default, it being specifically agreed that the Contractor by his mere failure to complete the Work on or before the date specified shall be deemed in default.

Before Work is started, the Contractor shall have submitted to the Engineer and St. Charles Parish for review a final schedule of the proposed construction operations. The Contractor shall be responsible for developing a final construction sequence to facilitate the construction of this project within the stipulated construction duration. The construction schedule shall indicate the sequence of the Work, the time of starting and completion of each major milestone. The stated time of completion includes an assumed percentage of inclement weather days. No consideration shall be given to a request for a contract time extension due to inclement weather, except for extraordinary conditions such as hurricanes, floods, and the like. No consideration shall be given to a request for a contract time extension due to delays associated with the Contractor's operations such as equipment failures, delivery delays, or other construction practices associated with the Contractor's means and methods necessary to accomplish the scope of work.

Please sign below as official indication of mutual agreement and mail one copy back to the St. Charles Parish Department of Public Works / Wastewater.

Sam Scholle
Sam Scholle
Levee Projects Manager

Acceptance of Notice

Receipt of the above Notice to Proceed
is hereby acknowledged by

Sealevel Construction, Inc.
This June 13 2022
By [Signature]
Travis Schonacher
Title Director

- CC: *Matthew Jewell- St. Charles Parish President*
Michael Palamone- St. Charles Parish Chief Administrative Officer
Nicky Dufrene- District IV Councilman
Holly Fonseca, At Large Division B Councilwoman
Miles Bingham- SCP Public Works Director
Brad Berthelot- SCP Public Works
Henry Picard- Burk-Kleinpeter, Inc
File P080905-5F