		DATE			9/30/99	
CONTRACTOR J Caldarero & Company,	Inc	JOB N	10.		9610-10	
ADDRESS 201 Woodland Drive		CHAN	IGE OF	RDER NO		1
La Place, LA 70068		AMOU	JNT		\$725,870	70
		PROJ	ECT	Lakewood	Drive	
				Drainage I	mproveme	ents
GENTLEMEN UNDER YOUR CONTRACT DATED	December 23,	, 19 99	, WIT	H St. Charl	les Parish	
_	OWNE	ER, FOR Lakewo	ood Dri	ve Drainag	e Improver	ments
TEM WE ARE AUTHORIZED BY THE	OWNER TO HEREBY		O. U/M	11500	ODIAL	ANOUNT
NO		(45.00)	LF	- 01411	PRICE	AMOUNT
Bid Item No. 2 - 72" Pipe Install C Decrease contract quantity from a		(45.00)	L		\$250.00	(\$11250 00)
Bid Item No. 3 - 54" BRCP/Install Decrease Contract quantity from (56 LF actually laid and 157.33 LI "stockpiled" material on site of 29 232 LF (\$23,599.50)	1500 LF to 213.33 LF Frepresents	(1286 67)	L	F	\$150 00	(\$193000 50)
AND X DEDUCT FROM Seven hundred twenty five thousand eight		0/100 -			TOTAL	
			MPLETI	DOLLARS	`	date, 11/30/99
		BURK-K	LEINI	PETER, I	NC.	
		BY	CHITECT	B. PLANNERS, EN	IVIRONMENTAL	SCIENTISTS
		ACCEPTE	Ď s	t. Charles F	Pansh	
AMOUNT OF ORIGINAL CONTRACT		OWNER				
TOTAL ADDITIONS		BY				
TOTAL DEDUCTIONS #4		ACCEPTE	ED CTOR	J. Caldare	ra & Comp	any, inc.
TOTAL CONTRACT TO-DATE		BY				

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		DATE	_	9/30/9	99
CONTRACTOR J Caldarera & Company, Inc.		JOB !	NO.	9610-	10
ADDRESS 201 Woodland Drive		CHAM	IGE OF	RDER NO.	1
La Place, LA 70068		AMO	TNL	\$725,8	370.70
		PRO		Lakewood Drive	ements
GENTLEMEN: UNDER YOUR CONTRACT DATED	December 23,	, 19 89	, WIT	H St. Charles Pans	h
	, OWN	NER, FOR Lakewo	ood Driv	ve Drainage Improv	/ements
ITEM WE ARE AUTHORIZED BY THE OWNER	TO HEREB	Y DIRECT YOU T	7		
NO. DESCRIPTION		QUANTITY	U/M	UNIT PRICE	AMOUNT
Bid Item No. 4 - 40" x 65" RCAP/ Class D. Decrease contract quantity from 200 LF to		(200.00)	LF	\$165.00	(\$33000.00)
Bid Item No. 5 - 36" x 53" RCAP/Class D in Decrease contract quantity from 440 LF to		(440 00)	LF	\$155.00	(\$68200.00)
5 Bid Item No. 6 - 31" x 61" RCAP/Class D I Decrease contract quantity from 620 LF to		(620.00)	LF	\$135 00	(\$83700.00)
AND X DEDUCT FROM Seven hundred twenty five thousand ei		ed seventy & 1	70/100	TOTAL	
THERE WILL BE AN EXTENSION OF 113				_	date 11/30/99
		BURK-KI	EINP	ETER, INC.	
		ACCEPTE	D		
AMOUNT OF ORIGINAL CONTRACT		OWNER			
TOTAL ADDITIONS		BY			
TOTAL DEDUCTIONS		ACCEPTE			
		BY			
TOTAL CONTRACT TO-DATE		_			
204 482 6221 P.02/12		K-KLEINPETER	BUR	12:21	SEL-30-136

		9/30/99	9
JOB !	NO	9610-1	0
CHA	IGE OR	DER NO.	1
AMO	UNT	\$725,87	0.70
PRO			ents
, 19 99	, WITH	St. Charles Parish	
IER, FOR Lakew	ood Drive	Drainage Improve	ements
	O: U/M	UNIT PRICE	AMOUNT
(300.00)	LF	\$110.00	(\$33000.00)
(345.00)	LF	\$85.00	(\$29325.00)
190 00	LF	\$55.00	(\$10450.00)
0/100		TOTAL =	
)
BURK-KI	EINPE	TER. INC.	
BY			
OWNER	0		
BY			
	JOB I CHAN AMOD PROJ 19 99 IER, FOR Lakewo QUANTITY (300.00) 190 00 190 00 DAYS FOR COM BURK-KI ENGINEERS, ARC BY ACCEPTEI OWNER BY ACCEPTE CONTRAC	AMOUNT PROJECT L 19 99 WITH VER, FOR Lakewood Drive QUANTITY U/M (300.00) LF 190 00 LF 190 00 LF BURK-KLEINPE ENGINEERS, ARCHITECTS, PL BY ACCEPTED OWNER BY ACCEPTED CONTRACTOR	JOB NO. 9610-1 CHANGE ORDER NO. AMOUNT \$725,87 PROJECT Lakewood Drive Drainage Improver 19 99 , WITH St. Charles Parish IER, FOR Lakewood Drive Drainage Improve (300.00) LF \$110.00 (345.00) LF \$85.00 TOTAL \$0/100. DOLLARS \$(DAYS FOR COMPLETION New COmpletion BURK-KLEINPETER, INC. ENGINEERS, ARCHTECTS, PLANNERS, ENVIRONMENTAL BY ACCEPTED OWNER BY ACCEPTED CONTRACTOR

		DATE	_		9/30/99	
CONTRACTOR J. Caldarera & Company,	inc.	JOB !	10		9610-10	
ADDRESS 201 Woodland Drive LaPlace, LA 70068		CHAM	IGE O	RDER NO.		1
LaPlace, LA 70005		AMO	JNT		\$725,870	.70
		PRO	ECT	Lakewood	Drive	
GENTLEMEN:				Drainage I	mproveme	nts
UNDER YOUR CONTRACT DATED	December 23,	, 19 99	, WIT	TH St. Charl	es Parish	
	, OWNE	R, FOR				
		A THE STATE OF THE				
ITEM WE ARE AUTHORIZED BY THE NO. DESCRIPTION	OWNER TO HEREBY	QUANTITY	O: U/M	I UNIT	PRICE	AMOUNT
Bid Item No 10 - 18" RCP/Class contract quantity from 105 LF to 0		(105.00)	LI	_	\$50.00	(\$5250.00)
Bid Item No 11 - Concrete Backfi from 20 CY to 0 CY	ill - Decrease contract	(20.00)	C	Y :	\$125.00	(\$2500.00)
11 Bid Item No. 12 - Tie - in 12" - 24' Decrease contract quantity from1		(14.00)	E	A \$	1200.00	(\$16800.00)
AND ADD TO THE CONTRACT,				1	TOTAL =	
Seven hundred twenty five thousand eight h				DOLLARS	,)
THERE WILL BE AN EXTENSION OF	113 CALENDER					date - 11/30/9
		ENGINEERS, AN	CHITECT	PETER, II 6, Planners, en	NG. VIRONMENTAL	SCIENTISTS
		BY				
AMOUNT OF ORIGINAL CONTRACT		ACCEPTE	D			
TOTAL ADDITIONS		BY				
TOTAL DEDUCTIONS		ACCEPTE				
TOTAL CONTRACT TO-DATE		BY				

		DATE	<u> </u>	9/30/99)
CONTRACTOR J Caldarera & Compa	ny, inc	JOB	NO.	9610-1	0
ADDRESS 201 Woodland Drive		CHAI	NGE ORE	DER NO	1
LAPiace, LA 70068		AMO	UNT	\$725,87	0.70
		PRO	JECT L	akewood Drive	
			ī	rainage Improvem	ents
GENTLEMEN. UNDER YOUR CONTRACT DATE	ED December 23,	, 19 99	, WITH	St. Charles Parish	
	, OWN	ER, FOR Lakew	ood Drive	Drainage Improve	ements
ITEM WE ARE AUTHORIZED BY T	HE OWNER TO HEREBY	DIRECTYOU			
NO. DESCRIPTION		QUANTITY	U/M	UNIT PRICE	AMOUNT
Bid Item No. 13 - Removal of e contract quantity from 11 EA to		(10.00)	EA	\$600 00	(\$6000 00
Bid Item No. 14 - Foundation s contract quantity from CY to 5.		(44.17)	CY	\$60.00	(\$2650 20)
14 Bid Item No 15 - New C.B for quantity from 7 EA to 0 EA	54" - Decrease contract	(7,00)	EA	\$3000.00	(\$21000.00)
ADD TO THE CONTRAC AND X DEDUCT FROM Seven hundred twenty five thousand eight		0/400		TOTAL =	
THERE WILL BE AN EXTENSION OF		DAYS FOR COM		OLLARS \$(
THERE WILL BE AN EXTENSION OF	TIS CALLIDER			TER, INC.	
		ENGINEERS, AR	CHITECTS, PL	ANNERS, ENVIRONMENTAL	SCIENTISTS
		BY			
AMOUNT OF ORIGINAL CONTRACT		ACCEPTE	D		
TOTAL ADDITIONS		BY			
TOTAL DEDUCTIONS		ACCEPTE			
TOTAL CONTRACT TO-DATE		BY			

			DATE	_	9/30/99	9
CONTRACTO	R J. Caldarera & Company, In-	c	JOB N	10	9610-1	0
ADDRESS	201 Woodland Drive LaPlace, LA 70068		CHAN	IGE O	RDER NO.	1
	Edi (1805) D. (1888)		AMOU	JNT .	\$725,87	0.70
05.57 5.45.			PROJ	ECT	Lakewood Drive	ments
GENTLEMEN UNDER Y	OUR CONTRACT DATED	December 23,	, 19 99	, WIT	H St. Charles Parish	
		, OWN	ER, FOR	and a		
NO. DESCR	IPTION	WHER TO HEREBY	QUANTITY	O: U/M	UNIT PRICE	AMOUNT
15 Bid - I	tem No. 16 - New C.B. for 40" : ease contract quantity from 2 E/		(2.00)	EA	OMIT PRICE	(\$6000.00)
	tem No 17 - New C.B. for 36": ase contract quantity from 1 E/		(1.00)	EA	\$3800 00	(\$3800.00)
17 Bid - I Decre	tem No. 18 - New C.B, for 31": ase contract quantity from 2 E	C 51" RCAP - EA to O EA	(2.00)	EA	\$2800.00	(\$5600 00)
	TO THE CONTRACT, THE CT FROM red twenty five thousan		Seventy 5 7	0/100	TOTAL =	
THERE WILL BE A	N EXTENSION OF	CALENDER	DAYS FOR COM	PLETIC	N. New completion	n date - 11/30/99
			BURK-KL	PINP	ETER, INC.	
			BY		- William Standard IVC	3C10N [1613
AMOUNT OF OR	RIGINAL CONTRACT		ACCEPTED)		
TOTAL ADDITIO	NS		BY			
TOTAL DEDUCT	IONS		ACCEPTED CONTRAC			
TOTAL CONTRA	CT TO-DATE		BY			
			7			

		D	ATE	-	9/30/99	
CONTRACTOR J Caldarera & Company	y, Inc.	JO	OB NO.		9610-10	
ADDRESS 201 Woodland Drive LaPlace, LA 70068		C	HANGE	OR	DER NO.	1
Carlace, DA 70000		A	MOUNT	т _	\$725,870	70
		P	ROJEC	TL	akewood Drive	
GENTLEMEN:				-	Drainage Improveme	ents
UNDER YOUR CONTRACT DATED	December 23,	, 19	99 ,1	WITH	St. Charles Parish	
	, OWNE	R, FOR	Lake	ewoo	i Drive Drainage	Improvements
					7	AMP LOV CARE LO
ITEM WE ARE AUTHORIZED BY THE	E OWNER TO HEREBY (DIRECTYC				
NO.		QUANTIT	<u> </u>	J/M	UNIT PRICE	AMOUNT
Bid - Item No. 19 - New C.B for a Decrease contract quantity from		(1.00)		EA	\$2300.00	(\$2300.00)
Bid - Item No. 20 - New C.B for Decrease contract quantity from		(1.00)		ΕA	\$2300.00	(\$2300.00)
20 Bid - Item No. 21 - New C B. for contract quantity from 1 EA to 0		(1.00)		ΕA	\$1000.00	(\$ 1000.00)
AND X DEDUCT FROM Seven hundred twenty five the	ousand eight hundre	d sevent	y & 7(0/16	TOTAL	
TUEDE WILL DE AN EVTENDION OF	CALENDER D	AYS FOR C	COMPLE	TION	New completion	
					TER, INC.	
		BY				
AMOUNT OF ORIGINAL CONTRACT		ACCEP				
TOTAL ADDITIONS		OWNER	ζ			
		-				
TOTAL DEDUCTIONS		CONTR	PTED RACTOR	R		
TOTAL CONTRACT TO-DATE		BY				

				D	DATE		9/30/99)
CONTRACTOR	J. Caldarera & Comp	any, Inc.		J	OB NO.		9610-10)
	201 Woodland Drive LaPlace, LA 70068			С	HANGE (ORDER N	10.	1
,	EST 1800; EA 70000			. А	TAUOM		\$725,870	0.70
				Р	ROJECT	Lakewo	ood Drive	
GENTLEMEN:						Draina	age Improvem	nents
	JR CONTRACT DAT	ED	December 23,	, 19	99 , WI	TH St Ch	narles Pansh	
			, OWN	ER, FOR				
DESCRIPT	AUTHORIZED BY	THE OWNE	R TO HEREBY	DIRECTYC				
NO				TITHAUD			TPRICE	AMOUNT
Dia - Hen	n No. 22 - New C.B. 1 quantity from 1 EA I	for 18" RCP to O EA	. Decrease	(1.00)	E	A	\$1000.00	(\$1000.00)
22 Rid - Item	n No 23 - Reroute ex	riction neutro	d	(1 00)	ı	s	\$6000.00	(\$6000 00)
Decrease	contract quantity from	om 1 LS to 0	D LS	(, 55)	_		\$0000,00	\$6000007
23 Bid - Item	No. 24 - Junction Be from 1 LS to O LS	ox - Decrea	se contract	(1.00)	L	S	\$6000.00	(\$6000.00)
quantity i	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1							
AND X DEDUCT	THE CONTRAC	T, THE SU	M OF				TOTAL	
	twenty five th	ousand et	ght hundred	seventy	& 70/10	n DOLLA	RS 8/	
THERE WILL BE AN E		113						ate - 11/30/99
				BURK	-KLFINI	PETER	INC	
				BY	s, ARCHITECTS	, PLANNERS,	ENVIRONMENTAL S	CIENTISTS
AMOUNT OF ORIGI	INAL CONTRACT			ACCEP				
	-			OWNER	3			
TOTAL ADDITIONS				BY				
TOTAL DEDUCTION	10			ACCEP	RACTOR			
TOTAL DEDUCTION				100				
TOTAL CONTRACT	TO-DATE			BY_				

CONTRACTOR J Caldarers & Company, Inc ADDRESS 201 Woodland Drive LaPlace, LA 70068 CHANGE ORDER NO. 1 AMOUNT \$725,870.70 PROJECT Lakewood Drive Dramage improvements CONTRACT DATED Decamber 23, 19 99, WITH St. Charles Partsh OWNER, FOR Lakewood Drive Dramage improvements TIEM WE ARE AUTHORIZED BY THE OWNER TO HEREBY DIRECT YOU TO. DESCRIPTION DESCRIPTION DESCRIPTION DESCRIPTION DESCRIPTION QUANTITY UM UNIT PRICE AMOUNT (4600.00) SY \$65.00 (\$299000.00) 24 Bid - Item No. 25 - PCCP Dramage - Decrease contract quantity from 4500 SY to 0 SY 25 Bid Item No. 26 - Concrete ourb - Decrease contract quantity from 3900 LF to 0 LF Decrease contract Direct YOU TO. 26 Payment for materials to be turned over to owner - Concrete pipe - \$186,000.00 less 29,295.00 paid under Bid item No. 3.0 Procest concrete structures -	
ADDRESS 201 Woodland Drive LaPlace, LA 70068 CHANGE ORDER NO. 1 AMOUNT \$725,870.70 PROJECT Lakewood Drive Drivingly Improvements OWNER, FOR La	
AMOUNT \$725,870.70 PROJECT Lakerwood Drive Dramage Improvements CWNER, FOR Lakerwood Drive Dramage Improvements CWNER, FOR Lakerwood Drive Dramage Improvements CWNER, FOR Lakerwood Drive Dramage Improvements TIEM WE ARE AUTHORIZED BY THE OWNER TO HEREBY DIRECT YOU TO. NO. DESCRIPTION DESCRIPTION QUANTITY UM UNIT PRICE AMOUNT (4600.00) SY \$65.00 (\$299000.00) 25 Bid Item No. 25 - PCCP Dramage - Decrease contract quantity from 4800 SY to 0 SY Bid Item No. 26 - Concrete curb - Decrease contract quantity from 3900 LF to 0 LF 26 Payment for materials to be turned over to owner - Concrete pipe - \$188,000.00 less 29,295.00 paid under Bid Item No. 3.0 Precast concrete structures -	
GENTLEMEN: UNDER YOUR CONTRACT DATED December 23, 19 99 , WITH St. Charles Parish OWNER, FOR Lakewood Drive Drainage Improvements OWNER, FOR Lakewood Drive Drainage Improvements TITEM WE ARE AUTHORIZED BY THE OWNER TO HEREBY DIRECT YOU TO. NO. DESCRIPTION QUANTITY UM UNIT PRICE AMOUNT (4600.00) SY \$65.00 (\$299000.00) 25 Bid Item No. 25 - PCCP Drainage - Decrease contract quantity from 4800 SY to 0 SY 26 Payment for materials to be turned over to owner - Concrete pipe - \$188,000.00 less 29,295.00 paid under Bid Item No. 3.0 Precast concrete structures -	
OWNER, FOR Lakewood Drive Drainage Improvements OWNER, FOR Lakewood Drive Drainage Im	
UNDER YOUR CONTRACT DATED December 23, 19 99 , WITR St. Criteries Parish OWNER, FOR Lakewood Drive Drainage Improventents OWNER, FOR Lakewood Drive Drainage Improventents VE ARE AUTHORIZED BY THE OWNER TO HEREBY DIRECT YOU TO. NO. DESCRIPTION DESCRIPTION QUANTITY UM UNIT PRICE AMOUNT (4600.00) SY \$65.00 (\$299000.00) 24 Bid - Item No. 25 - PCCP Drainage - Decrease contract quantity from 4600 SY to 0 SY Bid Item No. 26 - Concrete curb - Decrease contract quantity from 3900 LF to 0 LF Payment for materials to be turned over to owner - Concrete pipe - \$188,000.00 less 29,295.00 paid under Bid Item No. 3.0 Precast concrete structures -	
TITEM WE ARE AUTHORIZED BY THE OWNER TO HEREBY DIRECT YOU TO. NO. DESCRIPTION QUANTITY U/M UNIT PRICE AMOUNT 14	
NO. DESCRIPTION QUANTITY U.M UNIT PRICE AMOUNT	
NO. DESCRIPTION QUANTITY U.M UNIT PRICE AMOUNT	
Bid - Item No. 25 - PCCP Drainage - Decrease contract (4600.00) SY \$65.00 (\$299000.00)	
quantity from 4800 SY to 0 SY Bid Item No. 26 - Concrete ourb - Decrease contract (3900.00) LF \$8.50 (\$33150.00) Peyment for materials to be turned over to owner - Concrete pipe - \$188,000.00 less 29,295 00 paid under Bid Item No 3.0 Precast concrete structures -	
Bid Item No. 26 - Concrete curb - Decrease contract quantity from 3900 LF to O LF 26 Payment for materials to be turned over to owner - Concrete pipe - \$188,000.00 less 29,295 00 paid under Bid Item No 3.0 Precast concrete structures -	
Bid Item No. 26 - Concrete curb - Decrease contract quantity from 3900 LF to O LF 26 Payment for materials to be turned over to owner - Concrete pipe - \$188,000.00 less 29,295 00 paid under Bid Item No 3.0 Precast concrete structures -	
26 Payment for materials to be turned over to owner - Concrete pipe - \$188,000.00 less 29,295 00 paid under Bid ttem No 3.0 Precast concrete structures -	
Concrete pipe - \$188,000.00 less 29,295 00 paid under Bid tiem No 3.0 Precast concrete structures -	
Concrete pipe - \$188,000.00 less 29,295 00 paid under Bid tiem No 3.0 Precast concrete structures -	
Precast concrete structures -	
TOTAL THE CONTRACT. THE SUM OF TOTAL	
AND X DEDUCT FROM	
Seven hundred twenty five thousand eight hundred seventy and 70/1000LLARS %	
THERE WILL BE AN EXTENSION OF 113 CALENDER DAYS FOR COMPLETION. Mew completion date 11/30/99 BURK-KLEINPETER, INC.,	
DUPLINE ALGERICA, PLANNING, ENHOSPINETA GENTATE	
BY Much Carlin	
AMOUNT OF ORIGINAL CONTRACT \$ 1,926,635.00 OWNER ONLY	_
TOTAL ADDITIONS BY St. Charles Parish (LIVE)	
ACCEPTED J. Caldarera & Co., Inc.	en t
TOTAL DEDUCTIONS 725.870.70 Agreement dated 10/19/00)	
TOTAL CONTRACT TO-DATE 1,200,764.30	
- L MM -	

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SETTLEMENT AGREEMENT OUTLINE

WHEREAS, the Parish of St. Charles ("Parish") and J. Caldarera & Co., Inc. ("Caldarera") entered into a contract dated December 23, 1998 ("Contract") to construct certain Lakewood Drive Drainage Improvements;

WHEREAS, the Parish issued a default termination to Caldarera on September 17, 1999, to be effective September 24, 1999, which effective date was extended to October 1, 1999, by the Parish; and

WHEREAS, Caldarera contests the sufficiency of the Parish's default termination;

AFTER a semiement meeting between representatives of the Parish and Caldarera was held on September 27, 1999, the Parish and Caldarera agreed to settle their dispute as follows:

- The Parish does hereby rescind the termination for default which shall be considered
 null and void.
- 2. Parish and Caldarera agree that a Change Order to the Contract will be issued reducing the scope of the Contract work by deleting, effective September 24, 1999, those portions of Item A, Subsurface Drainage Improvements along Lakewood Drive, from the Contract not performed through September 17, 1999.
- performed through September 17, 1999.

 Ochieve substantial completion of

 Caldarera is to finish-Item B Contract work, DW4 and DW4. A Pump Stations, by

 November 30, 1999, and the Change Order will provide for an extension of Contract time through
 that date which date shall not be considered dispositive of any issue related to Caldarera's delay claim.
- Caldarera will waive any claim for, and the Contract price will be reduced by, the
 Contract amount included for those portions of Item A work not performed through September 17,

1999, including all overhead and profit associated with the deleted work except that the Parish agrees to pay Caldarera the unpaid mobilization line item in the Contract in the amount of Eighty-two thousand four hundred eighty-five and no/100ths (\$82,485.00) dollars.

- 5. Caldarers does not waive, and may maintain its damage claim for, delay related damages incurred to date associated with the failure of the Contract documents to reflect the fact and alleged unless invalid of designs; location of utility conflicts this reservation shall become a part of the Change Order contemplated by Paragraph 2 herein.
- 6. In addition to Item B work performed by Caldarera, the Parish will reimburse Caldarera's costs for any Contract materials ordered, received and turned over to the Parish for Item A work.
- Caldarera and its sub-contractors shall have no tort liability for deleted work not performed.
- 8. Caldarera shall waive any non-contract claims, against the Parish and its representatives, including BKI and CH2M Hill, regarding the Project, including but not limited to the issuance of the termination of for default.
 - 9. Caldarera shall have no warranty obligations or liability for the deleted work.
- 10. Caldarera's surety, National Union Fire Insurance Co. of Pittsburgh, is released from all obligations to Parish for the deleted work.
- 11. Caldarera's performance or alleged failure to perform the Contract to delete work is not and shall not be urged as a basis for disqualification of future Parish work, but Caldarera shall not bid and shall not contest the Parish's bid process or award of the Item A work deleted from the Contract.

NO-99025658.1

12. Within forty-five (45) days Caldarera and the Parish including its representatives, BKI and CH2M Hill, agree to commence good faith mediation of Caldarera's delay claim and any dispute axising out of this settlement before resort is had to litigation.

Parish of St. Charles

Date

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