

447



MATTHEW JEWELL  
PARISH PRESIDENT

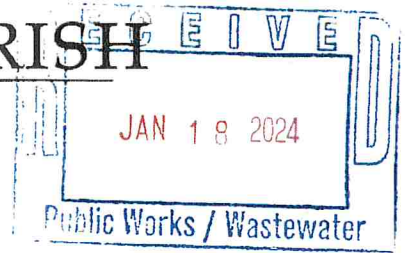
MILES BINGHAM, P.E.  
DIRECTOR

# ST. CHARLES PARISH

PUBLIC WORKS  
RECEIVED

JAN 23 2023

PARISH COUNCIL



## NOTICE TO PROCEED

January 3, 2024

TO: Cycle Construction Company, LLC  
6 E 3<sup>rd</sup> Street  
Kenner, LA 70062

PROJECT NAME: ENGINEER'S CANAL BANK STABILIZATION PHASE 1

PROJECT NO.: P190301

Gentlemen:

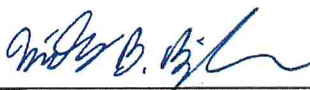
You are hereby notified to commence work on the subject contract on March 4, 2024 and to fully complete the work within 180 calendar days. In accordance with the Contract, the Final Completion date is September 2, 2024. Any extension in time will be by written Change Order only.

*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 five hundred dollars \$500.00 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.

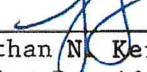
  
\_\_\_\_\_  
Miles B. Bingham, PE  
Director Public Works  
100 River Oaks Rd.  
Destrehan, La. 70047

Acceptance of Notice

Receipt of the above Notice to Proceed  
is hereby acknowledged by

\_\_\_\_\_  
Cycle Construction Company, LLC.

This \_\_\_\_\_ 1/10, 2024

By   
\_\_\_\_\_  
Jonathan N. Kernion, Jr.  
Title Vice President

CC: Matthew Jewell, St. Charles Parish President  
Billy Raymond, St. Charles Parish Chief Operating Officer  
Brandon Bernard, Assistant Director of Public Works  
Brad Berthelot, Accountant  
Lawrence "Lee" Zeringue, PE; Sr. Parish Engineer  
P190301