



# ST. CHARLES PARISH

## DEPARTMENT OF WATERWORKS

P.O. BOX 108 • LULING, LOUISIANA 70070

(985)783-5110 • FAX (985)785-2005

Website: [www.stcharlesparish-la.gov](http://www.stcharlesparish-la.gov)

MATTHEW JEWELL

PARISH PRESIDENT

GREG GORDEN

DIRECTOR

## NOTICE TO PROCEED

April 11, 2022

Jeffrey Lemoine, Jr.  
Pintail Contracting Services, LLC  
13559 River Road  
Luling, LA 70070

PROJECT NAME: West Bank A Plant Filter Upgrade  
PROJECT NO.: WWKS 97

Gentlemen:

You are hereby notified to commence work on the subject contract on April 18, 2022 and to fully complete the work within 120 calendar days. In accordance with the Contract, the Substantial Completion date is August 16, 2022. Any extension in time will be by written Change Order only.

PLEASE NOTE: This Notice to Proceed is issued in accordance with Exhibit A to Notice to Proceed attached hereto and made a part hereof.

*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.

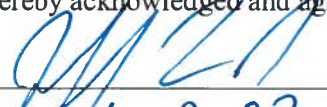
Please sign below as official indication of mutual agreement and mail one copy back to the St. Charles Parish Department of Waterworks.



Greg Gorden  
Director of Waterworks  
301 3<sup>rd</sup> Street  
Luling, LA 70070

Acceptance of Notice

Receipt of the above Notice to Proceed and Exhibit A is hereby acknowledged and agreed to by

  
Date: 4-12-22  
By Jeffrey Lambert  
Title Owner

- CC: Matthew Jewell, St. Charles Parish President  
Billy Raymond, St. Charles Parish Deputy Chief Operating Officer  
*District Councilmen*  
*At Large Councilmen*  
*Waterworks Accountant*  
*Waterworks Engineer*  
*Engineering Company Engineer*  
*Project File*

**EXHIBIT A**  
**TO NOTICE TO PROCEED**

**RE: WEST BANK A PLANT FILER UPGRADE  
PROJECT NO. WWKS 97**

This contract was executed on August 24, 2021. Notice to Proceed was set to be issued on or before September 23, 2021. Governor John Bell Edwards issued Proclamation No. 165JBE2021 declaring a State of Emergency as a result of Tropical Storm Ida. Shortly thereafter Proclamation No. 166JBE2021 was issued on August 27, 2021 amending Proclamation No. 165JBE2021, as a result of Tropical Storm Ida strengthening to Hurricane Ida. In that Proclamation Governor Edwards continued the State of Emergency and suspended the Louisiana Public Bid Law (La. R.S. 38:2211, et seq) and their corresponding rules and regulations including emergency contracts, Cooperative Endeavor Agreements, and other emergency amendments to existing contracts. That State of Emergency has been extended and has not been withdrawn. Due to the State of Emergency and the devastation here in St. Charles Parish, the parties agreed to extend the Notice to Proceed and now desire that the Notice to Proceed be issued.


This correspondence memorializes and confirms the parties above referenced prior agreement to extend the Notice to Proceed and hereby attaches to the Notice to Proceed.

ST. CHARLES PARISH

  
\_\_\_\_\_  
BY: GREG GORDEN

DATE: 4-12-22

PINTAIL CONTRACTING SERVICES, LLC

  
\_\_\_\_\_  
BY: JEFFERY J. LEMOINE, JR.

DATE: 4-12-22