



LARRY COCHRAN  
PARISH PRESIDENT

CLAYTON FAUCHEUX  
DIRECTOR

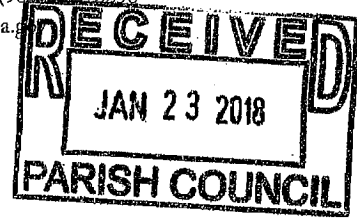
# ST. CHARLES PARISH

## DEPARTMENT OF PUBLIC WORKS

100 RIVER OAKS DRIVE • DESTREHAN, LOUISIANA 70047

(985) 783-5102 • (985) 783-5104 • FAX (985) 725-2250

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



### NOTICE TO PROCEED

December 4, 2017

TO: Fleming Construction Company, LLC  
23 East Airline Drive  
Kenner, LA 70062  
Attn: Jana Fleming Katz

PROJECT NAME: Mimosa Avenue Culvert Replacement Project

PROJECT NO.: P090201-6

Ladies and Gentlemen:

The final paragraph in Section 00100, Instructions to Bidders, states that "St. Charles Parish Government will issue a Notice to Proceed to the contractor to order the material for this project. The Notice to Proceed for the construction work will be issued 60 days after the first Notice to Proceed has been issued. The second Notice to Proceed will be for the construction work to be completed within 90 consecutive calendar days."

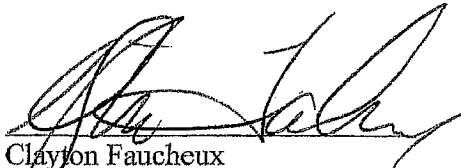
You are hereby notified to commence work on the first phase of the subject contract on December 5, 2017 and to complete the work prior to field construction within 60 calendar days. The Final Completion date is February 3, 2018. Any extension in time will be by written Change Order only.

*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.

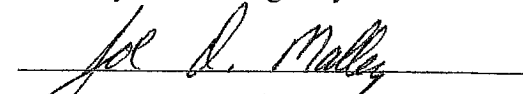
Before Work is started, the Contractor shall have submitted to the Engineer and St. Charles Parish for review a final schedule of the proposed construction operations. The Contractor shall be responsible for developing a final construction sequence to facilitate the construction of this project within 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 / Wastewater.

  
Clayton Faucheux  
Director Public Works/Wastewater  
100 River Oaks Drive  
Destrehan, La. 70047

Acceptance of Notice

Receipt of the above Notice to Proceed  
is hereby acknowledged by

  
This 18th day of December, 2017  
By Joe D. Malley  
Title Vice President

cc: Larry Cochran, St. Charles Parish President  
Billy Raymond, St. Charles Parish Chief Administrative Officer  
Paul J. Hogan, Councilman-At-Large, Division B  
Julia Fisher-Perrier, Councilwoman, District VII  
Mo Saleh, PE, PEEC  
Donald Edwards, PE, St. Charles Parish Public Works  
Rachel Whitener, St. Charles Parish Public Works Financial Officer  
Carla Chiasson, St. Charles Parish Grant Officer  
Project File P090201-6