

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

PASSED

ORDER NO.) IN THE MATTER OF APPROVING A CONSTRUCTION
04-9-29-6) CLAIM SETTLEMENT WITH DELTA CONSTRUCTION
) CO. IN THE AMOUNT OF \$77,120.63 FOR COSTS
) ASSOCIATED WITH RECONSTRUCTION OF IRVINGTON
) DRIVE (CONTRACT NO. 02/03-10).

WHEREAS, in May of 2003, Lane County awarded a construction contract to Delta Construction Co. for reconstruction of Irvington Drive from River Rd. to the NW Expressway; and

WHEREAS, during construction Delta Construction Co. encountered difficulty and delays due to utility relocation time frames and conflicts, and extra work not included in the original plans and specifications; and

WHEREAS, subsequent to completion of the road reconstruction work, Delta Construction Co. submitted a claim for additional costs incurred on various portions of the work and for acceleration of their activities in order to complete the project within one construction season; and

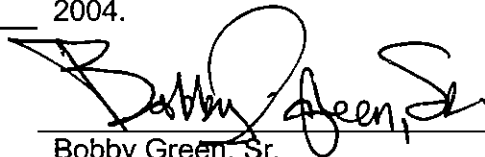
WHEREAS, the contractors claim has been reviewed in accordance with the project Special Provisions and the County Engineer and Delta Construction Co. have agreed upon a tentative settlement amount at Step 2 of the claim process; and

WHEREAS, Delta Construction Co. has indicated verbally and in writing that they are willing to settle the claim for the tentatively agreed to amount; **NOW THEREFORE, BE IT**

ORDERED, that the construction claim tentative agreement in the amount of \$77,120.63 is approved by the Board; **AND BE IT FURTHER**

ORDERED, that the County Administrator is authorized to execute a contract price agreement for payment of \$77,120.63 to Delta Construction Co. as full payment and final resolution of the contractor's claim.

DATED this 29th day of September 2004.



Bobby Green, Sr.
Chair, Lane County Board of
Commissioners

APPROVED AS TO FORM

Date 9-17-04 lane county



OFFICE OF LEGAL COUNSEL