

Massana

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(972) 963-5101

Letter No. 004

November 2, 2015

Jeff Durham
Collin County
2300 Bloomdale Rd.
Mckinney, TX 75071

RE: IFB No. 2013-271 County Road 419 over Brinlee Creek Bridge Replacement Project

Subject: CR 419 flood repair

Dear Mr. Durham:

We have carefully considered the flood damage at CR 419 and offer to perform the repair as discussed for \$49,738.00.

Please note that the County, Dannenbaum, and Massana have all had differing opinions about responsibility for this repair. We maintain that this repair is not due to construction deficiency or fault of the contractor, and therefore is not part of the warranty.

Additionally, this proposal will only be honored if:

- 1) Collin County agrees that final acceptance/project completion will remain in 2014 provided the pavement repairs are made prior to 12/12/15. This will release the maintenance bond for the entire project as of 12/12/15.
- 2) Massana will provide a new one-year maintenance bond in an amount equal to 100% of the new work.
- 3) Massana anticipates less than 3 weeks of work and therefore only one bill submission. Retainage and/or Payments will not be held and Collin County will process payment in accordance with Texas Government Code, Title 10, Subtitle F, Section 2251.021, time for Payment by a Governmental Entity, upon acceptance of work.
- 4) Material Testing and Geotechnical testing is the responsibility of the County.
- 5) A letter acknowledging final acceptance and conformity with the plans will be issued after the punchlist is satisfactorily completed.
- 6) Massana will perform work in accordance with the concept provided by Dannenbaum dated 9/14/15, TXDOT Type 2 filter fabric may be substituted for Bid Item 9 Bedding Material (6"), and the existing RIP RAP (Stone Protection)(18") stone may be reused.
- 7) Flow line elevations for the channel at specific locations will be identified in the plans.

Please note that we estimate the cost of this repair to be almost double this proposal. We hope that splitting the cost will help to solve the problem at the bridge and continue our good relationship with the County.

Feel free to contact me at (469) 647-0007 (cell) if you have any questions.

Sincerely,

Rob Starr