

A0007120

Date

MAR -5 1996

ROUTING AND TRANSMISSION

To (Name, office symbol, room number, building Agency/Post)	Initials	Date
1. Contracting Division Attn: CELMN-CT-R		
2.		
3.		
4.		
5.		

X	Action	File	Note and Return
	Approval	For Clearance	For Conversation
	As Required	For Correction	Prepare Reply
	Circulate	For Your Information	See file
	Comment	Investigate	Signature
	Coordination	Justify	

Remarks

Modification A00006  
 Contract Number DACW29-94C0079

DO NOT use this form as a RECORD of approvals, concurrences, disposes, clearances, and similar actions

From: (Name, org. symbol, Agency/Post)	Room No.-Bldg.
	379
PAMELA PATRICK	Phone No.
	1718

5041-102


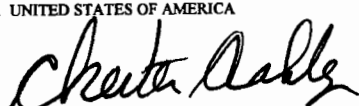
OPTIONAL FORM 41 (Rev. 7-78)

Prescribed by GSA

U.S. GPO: 1990 - 322-080

FPMR (41 CFR) 101-11.208

A0007/20

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>		1. DE	PAGE 1 OF PAGES 2
2. AMENDMENT/ MODIFICATION NO. A00006	3. EFFECTIVE DATE 02/06/96	4. REQUISITION/ PURCHASE REQ. NO.	5. PROJECT NO. (If applicable) TE-006
6. ISSUED BY U. S. Army Engineer District, New Orleans Corps of Engineers P.O. Box 60267 New Orleans, LA 70160-0267	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  B & K Construction Company, Incorporated 1905 Highway 59 Mandeville, LA 70448		(X)	9A. AMENDMENT OF SOLICITATION NO.
CODE			9B. DATED (See Item 11)
FACILITY CODE		X	10A. MODIFICATION OF CONTRACT/ ORDER NO. DACW29-94-C-0079
			10B. DATED (See Item 13) 07/11/94
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS			
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.			
12. ACCOUNTING AND APPROPRIATION DATA (If required) No additional funds are required.			
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ ORDERS, IT MODIFIES THE CONTRACT/ ORDER NO. AS DESCRIBED IN ITEM 14.			
(X)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.		
	B. THE ABOVE NUMBERED CONTRACT/ ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b).		
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: CC 1.93 Default (Fixed-Price Construction)		
	D. OTHER (specify type of modification and authority)		
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>original</u> copies to the issuing office.			
14. DESCRIPTION OF AMENDMENT/ MODIFICATION (Organized by UCF section headings, including solicitation/ contract subject matter where feasible.)  In view of delays in the completion of work for the above numbered contract for Lake Pontchartrain, Louisiana and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Blvd. Floodwall, Orleans Parish, Louisiana, due to causes beyond the control and without the fault or negligence of the contractor, namely, unusually severe weather during the period 1 November 1995 through 31 January 1996, this contract is modified as follows:			
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.			
15A. NAME AND TITLE OF SIGNER (Type or print) B & K CONSTRUCTION CO., INC. H. B. Kenyon, President		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) CHESTER ASHLEY, ADMINISTRATIVE CONTRACTING OFFICER	
15B. CONTRACTOR/ OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
 (Signature of person authorized to sign)	2/19/96	BY  (Signature of Contracting Officer)	2-27-96

4/10/96  
2 de Distribucion



Faint, illegible text or markings at the top right of the page.

Standard Form 30  
Block 14, Description of Modification (continued)  
Contract No. DACW29-94-C-0079  
TE 006

Changes to the Bidding Schedule:

There are no changes to the bidding schedule.

Changes to the Specifications:

There are no changes to the specifications.

Changes to the Contract Drawings:

There are no changes to the contract drawings.

Changes to the Contract Price:

The contract price remains unchanged.

Changes to the Contract Time:

The contract time is extended twenty-eight (28) calendar days due to unusually severe weather.

It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the contractor, its subcontractors and suppliers for all costs and markups directly or indirectly attributable to the change, for all delays, impacts and extended overhead, and for performance of the work within the time period of this modification related to unusually severe weather.

## PRICE NEGOTIATION MEMORANDUM

Lake Pontchartrain, Louisiana and Vicinity,  
High Level Plan,  
London Avenue Outfall Canal, Parallel Protection,  
Mirabeau Avenue to Leon C. Simon Boulevard Floodwall,  
Orleans Parish, Louisiana,  
DACW29-94-C-0079, A00006, TE-006,  
B & K Construction Company, Incorporated

1. CONTRACT DESCRIPTION: Work under this contract consists of clearing, selective demolition, cutting existing steel sheet piling, pulling, cleaning and delivering existing steel sheet piling, driving new steel sheet piling, constructing reinforced concrete I-type floodwalls on existing and new steel piling, concrete slope pavement, driving steel sheet piling under South Central Bell telephone cables, relocating New Orleans Sewerage and Water Board 10-foot feeder cables, modifying existing utilities, degrading existing levees, placing embankment, fertilizing, seeding and mulching. The contract was awarded to B & K Construction Company, Incorporated, on 11 July 1994, in the amount of \$4,554,500.00.

2. DESCRIPTION OF MODIFICATION:

a) Summary and necessity for change: During the period 1 November 1995 through 31 January 1996, the contractor experienced excusable delays due to unusually severe weather that caused delays to his operations and progress.


b) Authority for change: This change is authorized by Contract Clause I.93 - Default (Fixed-Price Construction).

3. TIME JUSTIFICATION: Due to unusually severe weather (based on a ten year average of the U.S. Weather Service Records), during the period 1 November 1995 through 31 January 1996, the date fixed for completion of work is extended twenty-eight (28) calendar days. This extension provides full consideration for equivalent fair weather days.

4. APPROPRIATION DATA: No additional funds are required.

SUBMITTED FOR APPROVAL

Date: 6 February 1996

  
Donna M. Urban  
Civil Engineering Technician

February 23, 1996

*du*  
MS. URBAN/1a/1249

Contracting Division  
New Orleans Area Office

*out*  
MORTON  
CELMN-CD-NO-E

SUBJECT: DACW29-94-C-0079, Lake Pontchartrain, Louisiana  
and Vicinity, London Avenue Outfall Canal, Parallel  
Protection, Mirabeau Avenue to Leon C. Simon Boulevard  
Floodwall, Orleans Parish, Louisiana

DIXON  
CELMN-CD-NO-Q

*jo*  
HABBAZ  
CELMN-CD-NO

B & K Construction Company, Incorporated  
1905 Highway 59  
Mandeville, Louisiana 70448

*jo*  
BERNARD  
CELMN-CD-NO

Gentlemen:

*jo*  
ASHLEY  
CELMN-CD-NO

Enclosed for your file is the duplicate original of  
Modification A00006, TE-006 for the subject contract.

Sincerely,

Chester Ashley  
Administrative Contracting  
Officer

DACW29-94-C-0079, London Ave. Canal, Mirabeau Ave to Leon C. Simon  
 Contract Completion Calculation

	Time Extension	Revised Completion Date
NTP Acknowledgement Date	16-Aug-94	
Length of Contract	540	
Original Completion Date	07-Feb-96	07-Feb-96
P00002, CIN01, sgn'd 11/21/94	41	19-Mar-96
P00003 , TE-001, (Aug - Oct 94), sgn'd 12/5/94	3	22-Mar-96
P00008/CIN04, sgn'd 2/24/95	10	01-Apr-96
P00007/TE-002, (Nov 94 - Jan 95), sgn'd 3/18/95	2	03-Apr-96
P00009/CIN03, sgn'd 6/1/95	1	04-Apr-96
P00010/TE-003, (Feb 95 - Apr 95), sgn'd 6/1/95	30	04-May-96
P00012/TE-004, (May 95 - Jul 95), sgn'd 8/31/95	5	09-May-96
A0001/CIN 05, sgn'd 10/25/95	2	11-May-96
A00004/TE-005, (Aug 95 - Oct 95)	11	22-May-96
A00005, CIN-08, sgn'd 1/26/96	6	28-May-96
A00006, TE-006	28	25-Jun-96

December 5, 1995

MORTON  
CELMN-CD-NO-E

New Orleans Area Office

DUKIN  
CELMN-CD-NO-Q

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain, Louisiana and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

HABBAZ  
CELMN-CD-NO

B & K Construction Company, Incorporated  
1905 Highway 59  
Mandeville, Louisiana 70448

BERNARD  
CELMN-CD-NO

Gentlemen:

ASHLEY  
CELMN-CD-NO

An analysis of rainfall data for your contract from November 1, 1995 through November 30, 1995, has been made. Compared with the Monthly Anticipated Adverse Weather Calendar Days in SPECIAL CLAUSE H-20,, it is apparent that consideration must be given to the addition of 8 calendar days due to unusually severe weather.

These additional 8 days will be incorporated into your contract by formal modification at a later date.

If you disagree with this determination, please contact this office within 10 calendar days.

Sincerely,

Chester Ashley  
Administrative Contracting  
Officer

Enclosure

CF:  
CELMN-CD-NO-Q (Wagner)  
CELMN-CD-NO-E (Urban)  
CELMN-CT  
CELMN-CD-CS (Guillot)



Forwarded herewith are weather and flood delays for the month of NOVEMBER, 1995 as recorded in the Quality Assurance Reports (QAR).

DAY OF MONTH	QAR NUMBER	RAIN INCHES	PERCENT DAY LOST (Weather)	STREAM GAGE READINGS		PERCENT DAY LOST (Flood)	TEMPERATURE RANGE	REMARKS (Weather other than rain: ie, fog, cold, etc.)
				F/S	L/S			
1	228	0.20"	0	2.60'	—	-0-	66° - 85°	cloudy w/Rain
2	229	1.50"	100%	2.40'	—	-0-	67° - 83°	" "
3	230	1.40"	100%	2.90'	—	-0-	49° - 70°	" "
4	231		NSWD					
5	"		NSWD					
6	"	-0-	-0-	2.10'	—	-0-	60° - 82°	Partly cloudy & Mild
7	"	0.75"	100%	2.50'	—	-0-	58° - 78°	cloudy w/Rain
8	232	-0-	100%	2.10'	—	-0-	55° - 75°	Partly cloudy & Mild
9	233	-0-	50%	2.00'	—	-0-	54° - 72°	clear & Cool
10	234	-0-	-0-	1.90'	—	-0-	52° - 80°	cloudy & Windy
11	235	0.75"	NSWD					
12	"		NSWD					
13	"	-0-	-0-	1.80'	—	-0-	38° - 74°	Clear & Cool
14	236	-0-	-0-	1.70'	—	-0-	44° - 66°	" " "
15	237	-0-	-0-	1.70'	—	-0-	42° - 68°	" " "
16	238	-0-	-0-	1.60'	—	-0-	44° - 72°	" " "
17	239	-0-	-0-	1.60'	—	-0-	50° - 76°	" " "
18	240		NSWD					
19	"		NSWD					
20	"	0.75"	100%	1.80'	—	-0-	60° - 74°	cloudy w/Rain
21	"	-0-	50%	1.70'	—	-0-	48° - 68°	clear & Cool
22	241	-0-	50%	1.60'	—	-0-	42° - 68°	" " "
23	242	0.40"	HOLIDAY					Rain
24	"	-0-	100%	1.50'	—	-0-	44° - 65°	Partly cloudy & Cool
25	"	-0-	NSWD	1.50'	—	-0-	42° - 68°	" " " "
26	"		NSWD					
27	"	-0-	50%	1.60'	—	-0-	46° - 68°	Clear & Cool
28	243	-0-	-0-	1.60'	—	-0-	50° - 72°	" " "
29	244	-0-	-0-	1.50'	—	-0-	42° - 62°	Partly cloudy & Cool
30	245	-0-	-0-	1.60'	—	-0-	38° - 64°	Clear & Cool

The contractor is working a (4) (5) (6) (7) day work week. (Circle One)

[Signature] 12-4-95  
Government Inspector Date

[Signature] 12-4-95  
Contractor's Representative Date

FOR OFFICE ENGINEERING USE ONLY

Actual Adverse Weather Delays 10  
Anticipated Adverse Weather Days by clause 4  
Allowable Lost Work Days 6

Conversion of Work Days to Calendar Days

6 work days x 7/4 = \_\_\_\_\_  
6 work days x 7/5 = 8.4, Nov 8  
work days x 7/6 = \_\_\_\_\_  
work days x 7/7 = \_\_\_\_\_

High River Stages

\_\_\_\_\_ days @ 25% = \_\_\_\_\_  
\_\_\_\_\_ days @ 50% = \_\_\_\_\_  
\_\_\_\_\_ days @ 75% = \_\_\_\_\_  
\_\_\_\_\_ days @ 100% = \_\_\_\_\_

Original Completion Date: 7 Feb 96

High River Stages Total \_\_\_\_\_

URBAN/1a/1249

January 10, 1996

MORTON  
CELMN-CD-NO-E

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain, Louisiana and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

DUNN  
CELMN-CD-NO-Q

B & K Construction Company, Incorporated  
1905 Highway 59  
Mandeville, Louisiana 70448

HABBAZ  
CELMN-CD-NO

Gentlemen:

BERNARD  
CELMN-CD-NO

An analysis of rainfall data for your contract from ASHLEY December 1, 1995 through December 31, 1995, has been made. Compared with the Monthly Anticipated Adverse Weather Calendar Days in SPECIAL CLAUSE H-20, it is apparent that consideration must be given to the addition of 13 calendar days due to unusually severe weather.

These additional 13 days will be incorporated into your contract by formal modification at a later date.

If you disagree with this determination, please contact this office within 10 calendar days.

Sincerely,

Chester Ashley  
Administrative Contracting  
Officer

Enclosure

CF:  
CELMN-CD-NO-Q (Wagner)  
CELMN-CD-NO-E (Urban)  
CELMN-CT  
CELMN-CD-CS (Guillot)

DACW29-94-C-0079

Forwarded herewith are weather and flood delays for the month of DECEMBER 1995 as recorded in the Quality Assurance Reports (QAR).

DAY OF MONTH	QAR NUMBER	RAIN INCHES	PERCENT DAY LOST (Weather)	STREAM GAGE READINGS		PERCENT DAY LOST (Flood)	TEMPERATURE RANGE	REMARKS (Weather other than rain: ie, fog, cold, etc.)
				F/S	L/S			
1	246	-0-	-0-	1.40'	—	-0-	40° - 67°	Ptly cldy & Cool
2	247		NSWD					
3	"	0.45"	NSWD					
4	"	-0-	100%	1.40'	—	-0-	60° - 78°	Ptly cldy & Warm
5	248	-0-	50%	1.70'	—	-0-	62° - 82°	" " " "
6	249	Trace	50%	1.80'	—	-0-	62° - 82°	Cloudy & Windy
7	250	-0-	-0-	1.60'	—	-0-	46° - 68°	Cloudy & Cool
8	251	0.40"	50%	1.60'	—	-0-	50° - 72°	Cloudy w/ Rain
9	252		NSWD					
10	"		NSWD					
11	"	-0-	-0-	1.50'	—	-0-	30° - 55°	Clear & Cold
12	253	-0-	50%	1.40'	—	-0-	40° - 64°	Ptly cldy & Mild
13	254	0.10"	-0-	1.80'	—	-0-	55° - 75°	Cloudy w/ Rain
14	255	-0-	-0-	1.80'	—	-0-	60° - 80°	Ptly cldy w/ Fog
15	256	0.10"	50%	1.80'	—	-0-	62° - 78°	Cloudy w/ Fog & Rain
16	257		NSWD					
17	"	2.00"	NSWD					
18	"	2.10"	100%	2.50'	—	-0-	60° - 76°	Cloudy w/ Fog & Rain
19	258	-0-	100%	2.60'	—	-0-	42° - 58°	Cloudy & Cool
20	259	-0-	100%	2.00'	—	-0-	34° - 48°	" " "
21	260	-0-	50%	1.90'	—	-0-	35° - 55°	" " "
22	261	0.15"	50%	1.70'	—	-0-	32° - 42°	Cloudy & Cold w/ Sleet
23	262		NSWD					
24	"		NSWD					
25	"		HOLIDAY					
26	"	-0-	-0-	1.00'	—	-0-	36° - 55°	Cloudy & Cold
27	"	-0-	-0-	0.80'	—	-0-	36° - 56°	" " "
28	"	-0-	50%	0.80'	—	-0-	35° - 43°	" " "
29	"	-0-	50%	1.00'	—	-0-	36° - 56°	Ptly cldy & Cold
30	"	2.00"	NSWD					
31	"	1.10"	NSWD					

The contractor is working a (4) (5) (6) (7) day work week. (Circle One)

*Samuel D. Dewart*  
Government Inspector  
1-8-96  
Date

*[Signature]*  
Contractor's Representative  
1-8-96  
Date

FOR OFFICE ENGINEERING USE ONLY

Actual Adverse Weather Delays 13  
Anticipated Adverse Weather Days by clause 4  
Allowable Lost Work Days 9

Conversion of Work Days to Calendar Days  
work days x 7/4 = \_\_\_\_\_  
work days x 7/5 = 12.6, USE 13  
work days x 7/6 = \_\_\_\_\_  
work days x 7/7 = \_\_\_\_\_

High River Stages  
days @ 25% = \_\_\_\_\_  
days @ 50% = \_\_\_\_\_  
days @ 75% = \_\_\_\_\_  
days @ 100% = \_\_\_\_\_

Original Completion Date: 7 Dec 96

High River Stages Total \_\_\_\_\_

Forwarded herewith are weather and flood delays for the month of JANUARY, 1996 as recorded in the Quality Assurance Reports (QAR).

DAY OF MONTH	QAR NUMBER	RAIN INCHES	PERCENT DAY LOST (Weather)	STREAM GAGE READINGS		PERCENT DAY LOST (Flood)	TEMPERATURE RANGE	REMARKS (Weather other than rain: ie, fog, cold, etc.)
				F/S	L/S			
1	262	0.40"	50%	2.40'	—	-0-	40° - 60°	Cloudy & Cold w/ Rain
2	"	-0-	50%	2.40'	—	-0-	40° - 60°	Cloudy & Cold
3	"	-0-	50%	1.40'	—	-0-	38° - 45°	Ptly Cldy & Cold
4	"	-0-	-0-	1.00'	—	-0-	33° - 58°	" " " "
5	"	-0-	-0-	1.20'	—	-0-	52° - 72°	" " " "
6	"	1.10"	NSWD					
7	"	-0-	NSWD					
8	263	-0-	50%	0.00'	—	-0-	25° - 48°	Clear & Cold
9	264	-0-	-0-	0.00'	—	-0-	30° - 64°	" " "
10	265	-0-	-0-	0.10'	—	-0-	40° - 68°	Clear & Cool
11	266	0.20"	-0-	0.50'	—	-0-	48° - 70°	Cloudy & Cold w/ Rain
12	267	-0-	-0-	0.60'	—	-0-	42° - 64°	Clear & Cool
13	"	-0-	NSWD	0.70'	—	-0-	42° - 68°	" " "
14	"		NSWD					
15	"	Trace	-0-	0.80'	—	-0-	58° - 74°	Ptly Cldy w/ Fog
16	"	-0-	-0-	1.00'	—	-0-	62° - 77°	" " & Warm
17	268	-0-	-0-	1.40'	—	-0-	63° - 78°	" " " "
18	269	0.50"	50%	2.40'	—	-0-	30° - 74°	Cldy w/ Rain & Cool
19	270	-0-	100%	2.00'	—	-0-	27° - 45°	Clear & Cold
20	271		NSWD					
21	"		NSWD					
22	"	-0-	-0-	1.70'	—	-0-	45° - 72°	Ptly Cldy & Cool
23	272	-0-	-0-	1.50'	—	-0-	58° - 73°	Cloudy & Mild
24	273	1.05"	100%	2.10'	—	-0-	42° - 62°	Cldy w/ Rain to Ptly Cldy
25	274	-0-	50%	2.00'	—	-0-	40° - 65°	Clear & Cool
26	275	1.70"	50%	2.40'	—	-0-	62° - 78°	Cloud w/ Rain & Warm
27	276		NSWD					
28	"		NSWD					
29	"	0.35"	100%	2.70'	—	-0-	40° - 74°	Cloudy w/ Rain & Mild
30	277	TRACE	50%	2.00'	—	-0-	60° - 76°	Cloudy & Mild
31	278	TRACE	-0-	1.80'	—	-0-	40° - 58°	Cloudy & Cold

The contractor is working a (4)  (5)  (7) day work week (Circle One)

Zane R. Bryant 2-5-96  
Government Inspector Date

[Signature] 2/5/96  
Contractor's Representative Date

FOR OFFICE ENGINEERING USE ONLY

Actual Adverse Weather Delays 11  
Anticipated Adverse Weather Days by clause 6  
Allowable Lost Work Days 5

Conversion of Work Days to Calendar Days  
5 work days x 7/4 = 7  
 work days x 7/5 = 7  
 work days x 7/6 =       
 work days x 7/7 =     

High River Stages  
 days @ 25% =       
 days @ 50% =       
 days @ 75% =       
 days @ 100% =     

Original Completion Date: 7 Feb 96

High River Stages Total

CELMN-CD-NO

26 Feb 96

MEMORANDUM THRU C/Const Div, *P*ATTN: Contr Admin Br

FOR C/Contr Div

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain, Louisiana and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

Modification A00006, TE-006 to the subject contract is forwarded for the contract file.

Enclosure



CHESTER ASHLEY  
Area Engineer  
New Orleans Area Office

MAR -1 1996  
9600223