

March 30, 2011

Recipient
Company
Address
Address

RE: UTILITY COMPANY NOTIFICATION

Prime Contractor: 
Fin No:
FAP No:
Contract No:
County:
Project Description:

Dear _____ :

By my letter dated  , I advised you that **Prime Contractor**, the Department's Contractor for the referenced project, had notified us of their intent to submit a claim for additional compensation based on costs incurred by them due to an alleged failure of your company to adjust its facilities located within the project right-of-way in a timely manner. The Department has received a detailed statement of claim from the Contractor.

The Utility Relocation Agreement dated  between your company and the Department provides for direct responsibility of your company for such Contractor claims. We, therefore, request you to respond directly to the Contractor and attempt to settle the matter with him.

The Department is assessing the validity of the claim. Please notify this office within 15 days as to your position concerning this claim. If both parties agree that negotiations are progressing but a final settlement has not been reached within 60 days, then a time extension (up to 60 days, 120 days total) may be requested. If a settlement is not reached within 60 days and a request for a time extension is not received or an agreement is not reached within 120 days, then the Department will proceed to negotiate with the Contractor.

The Department will seek reimbursement from you company of any monies paid by the Department to the Contractor.

Sincerely,

Name of Engineer
Operations Center Engineer

cc: David A. Sadler, P.E., Director, Office of Construction
Jonathan M. Sands, P.E., District Construction Engineer
Walt Childs, District Utilities Engineer
Thomas L. Wright, Chief Counsel District One
Scott Presson, P.E., District Construction Services Manager
 , Project Administrator
Contractor
File