



# Inter-Office Communication

## Division of Construction Management

**To:** Steve Williams, District Construction Engineer  
District 10

**From:** Clint M. Bishop, Secretary of the Board  
Construction Administration

**Subject:** ODOT Project 246(01)  
Claim 10-0246(01)-01

**Date:** June 7, 2004

The Directors Claim Board met with Smith & Johnson Construction Company on June 3, 2004 to hear the referenced claim. The Directors Claim Board decided that District 10 needs to make the following equitable adjustments to the contract to settle the claim:

Issue #1 Value of Timber Removed.

Additional Entitlement: Yes

Amount: \$67,000.00 This is the difference between the amount requested minus the amount previously paid (\$143,976 - \$82,780) plus interest in the amount of \$5,804.00.

Issue #2 Differing Site Condition

Entitlement: Yes

Amount: \$163,000.00 This is the estimated amount of additional clearing and grubbing multiplied by a unit cost acceptable to all parties (50 acres x \$3,260 per acre). This is less than the approximate unit cost of \$3,500 per acre used by the contractor to bid the project.

Please process a change order to memorialize the equitable adjustment with the contractor. As per the current Change Order Standard Procedure 510-010(SP), please include the disclaimer "The execution of this document constitutes full settlement of Claim Number 10-0246(01)-01 and all rights for any additional compensation based on this cause is waived."

If you have any questions, please contact me at 387-1164.

c: File