

TEXAS TRANSPORTATION COMMISSION

TOM GREEN County

MINUTE ORDER

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SAN ANGELO District

In TOM GREEN COUNTY on US 67, Cactus Concrete, Inc. (contractor) was awarded construction project BH 2000(186) in the amount of \$12,493,116.

The contractor filed a claim against the Texas Department of Transportation (department) for additional compensation in the amount of \$69,300 for the return of 77 days of liquidated damages based on several issues that arose during the construction of the project.

Pursuant to Title 43, Texas Administrative Code, §9.2, the Contract Claim Committee met informally with the contractor.

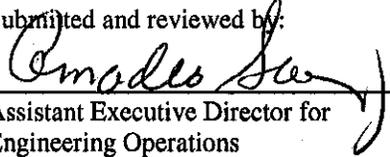
The contractor failed to notify the department of his acceptance of the proposed settlement amount within the prescribed 20-day period.

Pursuant to Title 43, Texas Administrative Code, §9.2, the failure to notify the department within the prescribed 20-day period bars the contractor from further appeal.

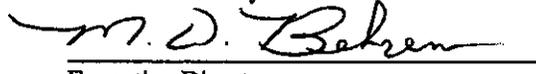
The agreed resolution requires that the contractor be paid the sum of \$3,600 in full and final satisfaction of the claim. This consideration shall be payable only after the department is in receipt of a duly authorized and completed Settlement Agreement and Release containing a specific promise by the contractor to release and hold harmless the State of Texas, its officers, and employees with regard to all claims and disputes arising from the contract.

IT IS THEREFORE ORDERED by the Texas Transportation Commission (commission) that the sum of \$3,600 is authorized to be expended from funds under the control and jurisdiction of the commission, and the executive director is directed to take the necessary steps to secure a warrant in this amount payable to the contractor.

Submitted and reviewed by:


Assistant Executive Director for
Engineering Operations

Recommended by:


Executive Director

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Minute Number Date Passed