

TEXAS TRANSPORTATION COMMISSION

BEXAR County

MINUTE ORDER

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SAN ANTONIO District

In BEXAR COUNTY on FM 2696, Zachry Construction Corporation (contractor) was awarded construction project NH 98(386) in the amount of \$21,350,000.13.

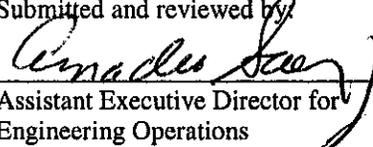
The contractor filed a claim against the Texas Department of Transportation (department) for additional compensation in the amount of \$97,182.99 for the 55 percent burden markup difference and interest on the Change Order No. 94 amount for the 3-year period it took to resolve the request.

Pursuant to Title 43, Texas Administrative Code, §9.2, the Contract Claim Committee met informally with the contractor, and the claim was successfully resolved.

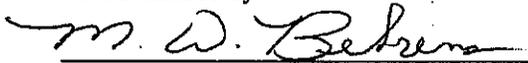
The agreed resolution requires that the contractor be paid the sum of \$21,922 in full and final satisfaction of the claim. This consideration shall be payable only after the department is in receipt of a duly authorized and completed Settlement Agreement and Release containing a specific promise by 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 \$21,922 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

110242 SEP 29 05

Minute
Number

Date
Passed