

ITEM 16

MANAGER'S REPORT NO. 81

COUNCIL MEETING Dec. 11/72

16. Re: Contract #24, 1972 - Storm Drainage
Kany Construction & Engineering Ltd.

The contractor, Kany Construction, has requested an extension of time of one month in order to complete clean-up on the subject contract. The new completion date would be January 15, 1973.

At the present time, it appears that the installation of contract items will likely be completed by the original completion date of December 15, 1972, barring any unforeseen circumstances. However, because of the present frozen ground conditions, it is impossible for the contractor to complete his clean-up and "rough" restoration on some streets.

The Engineer, therefore, recommends that the contractor be given a one month extension without implementation of the \$100 per day liquidated damages clause contained in the contract provided that the performance bond and insurance matters pertaining to the contract are extended accordingly.

It should be noted that the final degree of restoration, such as fine grading of topsoil and planting of grass, cannot be achieved in any event late in the year and will have to be carried over until the Spring of 1973. A list of these deficient works will form part of the Certificate of Acceptance and sufficient monies can be retained from the holdback funds at the time of the holdback release, forty days after the contract completion date, to ensure that the deficient works are completed.

RECOMMENDATION:

THAT the completion date of the subject contract be extended to January 15, 1973, without implementation of the \$100 per day liquidated damages and subject to the extension of insurance requirements and the performance bond.