

ITEM 6
 MANAGER'S REPORT NO. 33
 COUNCIL MEETING May 5/75



THE CORPORATION OF THE DISTRICT OF BURNABY
 LEGAL DEPARTMENT

MUNICIPAL HALL
 4949 CANADA WAY
 BURNABY B.C. V5G 1M2
 TELEPHONE ~~299-0201~~
 294-7381

PLEASE ADDRESS REPLY TO THE
 MUNICIPAL SOLICITOR FOR THE
 ATTENTION OF: Mr. R. W. Brough

DOUBLE REGISTERED

The Foundation Company of
 Canada Limited,
 295 East 11th Avenue,
 Vancouver, B.C.

Dear Sirs:

Re: Contract #12 - Sanitary Sewers

The Corporation of the District of Burnaby has received a report which indicates that a number of the sewer lines installed by The Foundation Company of Canada Limited under Contract #12, Sanitary Sewers, have failed the standard exfiltration tests, as a result of which the lines will have to be cleaned and flushed and leaks will have to be located and a repair program started to bring the sewers in question up to the required standards.

In view of the fact The Foundation Company of Canada Limited has repudiated the contract in question The Corporation of the District of Burnaby proposes to have the defects repaired and to claim the costs of such repairs from The Foundation Company of Canada Limited in due course. We are fully conversant, of course, with the provisions of Paragraph 17 (copy enclosed herewith) of the General Conditions of the abovementioned Contract but consider that it has no application in view of your repudiation of the said Contract.

THE CORPORATE SEAL
 OF THE CORPORATION
 OF THE DISTRICT OF
 BURNABY WAS HEREUNTO
 AFFIXED IN THE PRESENCE
 OF:

 MAYOR

 CLERK

