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HENKEL

Construction Company

Building Trust for Over a Century

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April 9, 2020

City of Ames
Attn: John A. Haila
515 Clark Ave
Ames IA 50010

Re: First Notice (sent by Certified Mail)
Brookside Park Restrooms Renovation Project

First and foremost, our company is dedicated to providing the necessary resources to complete your project on time. That said, we are in uncertain times, and try as we might, factors beyond our control relating to the COVID-19 pandemic may delay the project. To date, the state of Iowa has not declared the construction industry to be shut down, nor do we expect to be shut down if in the future the Governor declares a statewide shelter-in-place order. Our industry like every other, has been dealing with daily absences to some degree with COVID-19 infected workers or persons that are in close proximity to them, thereby requiring them to be quarantined and away from their normal work activities. In addition, many products used on your project may be sourced internationally or in states that have shut down their entire construction or manufacturing industries. These are a few factors that can affect our construction schedule for your project. As you know, the COVID-19 pandemic was unforeseen at the time we entered into our contract with you. While we have every intention of completing your project on time, or as near to the intended completion date as possible, the Force Majeure clause within our contract agreement would be relevant with regard to delays, extension of time and/or its financial impact resulting from the COVID-19 pandemic. The COVID-19 issue is truly a situation that is unanticipated and beyond the control of the Contractor and an unknown event such as this is addressed in our contract agreement.

Henkel Construction is sending this letter to make you aware that this is an issue we are monitoring and that we will make every effort to mitigate any delays or related cost implications, however, as an added measure of precaution and awareness, this letter also serves as our First Notice with respect to the COVID-19 pandemic and your project. Please contact me to discuss any issue of concern. Our Project Manager for your project will also provide you or your Owner's representative with periodic updates as we continue to work through these unprecedented times.

Sincerely,

HENKEL CONSTRUCTION COMPANY

By

Gary J. Schmit, President

cc: ISG

