

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD IN THE DISTRICT OFFICE AT FORT WORTH, TEXAS, ON
THE 12TH DAY OF JUNE, 1958 AT 10:00 A. M.

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The call of the roll disclosed the presence or absence
of Directors as follows:

PRESENT

Joe B. Hogsett
Houston Hill
Lacy Boggess
W. L. Pier
A. T. Seymour, Jr.

Also present were Messrs. Sidney L. Samuels, Attorney for the Dis-
trict and Ben Hickey, General Manager of the District.

Director Hogsett acted in his capacity as President, and
Director Boggess acted in his capacity as Secretary, whereupon pro-
ceedings were had and done as follows:

1.

The purpose of this meeting, among other items of business,
was to consider, open and if possible to award a contract on the lowest
or best bid submitted for the proposed core trench improvements to be
made at the Eagle Mountain Dam; for which due advertisements had been
published, as per plans and specifications as prepared by Freese and
Nichols engineers for the District.

It was found that two (2) bids for these improvements had
been submitted to the Board. The tabulation of the bidders and amount

of each bid was as follows:

<u>BIDDER</u>	<u>AMOUNT BID</u>		<u>TIME</u>
	<u>PART A</u> <u>36" TRENCH</u>	<u>PART B</u> <u>42" TRENCH</u>	
Glade Const. Company	\$85,283.20	\$94,295.20	80 Calendar Days
Steed Const. Company	87,722.40	99,021.30	80 Calendar Days

After such bids had been read to the Board of Directors and each having been duly examined by the engineers for the District, it was the unanimous opinion of the Directors that the lowest and best bid for the District, concurred in by the engineers of the District by their letter attached to these minutes and made a part thereof, was that of the Glade Construction Company on its bid of \$85,283.20 and that the bid and contract between the Glade Construction Company and the District, fully complying with as to the making of Bond and such matters as required by law in the making of such a contract be awarded to Glade Construction Company. This being the unanimous opinion of the Directors, it was so ordered.

2.

President Hogsett stated that by the terms of the contract between the District and Ernest Loyd for the construction of Marine and Cement Creek Reservoirs, as a part of the flood control program known as Program B, that final payment to the contractor would be due upon receipt of a letter from the engineers for the District, and the Contractor, stating that the work has been completed according to

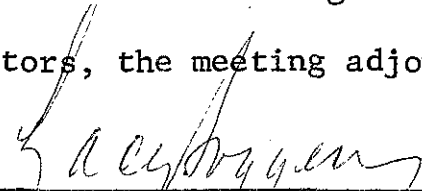
plans and specifications, at that time final payment by the District shall be made within fifteen (15) days from such notice. There was presented to the Directors a letter from Freese and Nichols, Engineers for the District, dated June 12, 1958, a copy of same being attached to these minutes and made a part thereof, wherein the engineers state that the work on the Marine Creek and Cement Creek Dams and appurtenances have now been completed and that they (Freese and Nichols) have inspected these works and found them completed according to the bid plans and specifications and also recommended that the work now be accepted by the District and the amount due contractor for work performed amounting to \$134,805.66 be placed in line for payment, subject to the provisions of claims and liquidated damages as outlined under Items 38 and 41.

The question of claims, as outlined under Item 38 of the Contract Document was first discussed by the Directors and upon examination of the records and the assurance from the General Manager of the District that all known claims against the Contractor had been settled, further that the necessary releases acknowledging such, to be executed by the Contractor to the District before final payment is made, had been prepared by the Attorneys for the District for the contractor's signature; whereon the matter of liquidated damages, or days extending beyond the time for completion as outlined under Item 41 of the Contract, which upon examining the records of the District

were found to be extended from the completion date, as bid by the Contractor, of 275 working days beginning on July 16, 1956 and extending through September 17, 1957, which amounted to a total of 407 working days to the date of completion May 17, 1958. This resulting in a penalty period of 132 working days. After a long and thorough discussion of the penalty period or liquidation damage clause as set out in Item 41 of the Contract document, it was the concensus of opinion of the Directors, and their unanimous order, that the date of substantial completion be established, as the records of the District did reflect, as of March 31, 1958, thereby establishing, by the terms of the contract, a penalty period of 106 days that the contractor be charged with at the rate of \$100.00 per day, or a total of \$10,600.00, which by the terms of the contract was to be deducted from the balance remaining to be paid Contractor upon completion; whereby, by unanimous approval a voucher was ordered drawn in the amount of \$124,205.66, this being the net amount due the Contractor under the contract agreement, and that the voucher be given to the Fort Worth National Bank for the Contractors account upon completion of all releases as prepared by attorney for the District.

3.

There being no further business before the Board of Directors, the meeting adjourned.


Secretary


President

JUN 13 1958

June 12, 1958

Board of Directors
Tarrant County Water Control
and Improvement District No. 1
506 Danciger Building
Fort Worth, Texas

Re: Core Trench Improvements
Eagle Mountain Dam

Gentlemen:

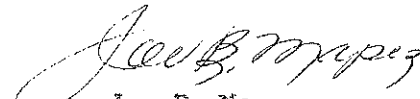
The following is a summary of the tabulation of bids received today on the subject work:

BIDDER	AMOUNT BID		TIME
	PART A 36" Trench	PART B 42" Trench	
Glade Const. Co.	\$85,283.20	\$94,295.20	80 C.D.
Steed Const. Co.	87,722.40	99,021.30	80 C.D.

It is our recommendation that the contract be awarded to Glade Construction Company as having submitted the lowest and best bid in the total amount of \$85,283.20. Our recommendation is based on using the 36" trench width.

Yours very truly,

FREESE AND NICHOLS


Joe B. Mapes

JBM:rh