
NOTICE OF POTENTIAL DELAY AND RESERVATION OF RIGHTS

March 27, 2020

Re: COVID-19 Pandemic

To Whom It May Concern:


We are all aware of the ongoing outbreak of the Coronavirus 2019 (COVID-19), which was recently declared a pandemic by the World Health Organization and both the President and the Governor have declared a national and state emergency, respectively. Although the situation continues to evolve rapidly, Hogan & Associates Construction remains fully committed to pursuing the completion of our work in a safe, diligent and reasonable manner under the current circumstances. We have begun to hear about and must recognize, however, there is a strong likelihood that we will encounter certain delays as a result of this pandemic.

We anticipate our work will be delayed and our productivity will be negatively impacted by the cumulative effect of this outbreak. Potential impacts may include, but are not limited to, labor shortages due to infection, quarantine, or closures as well as material shortages and significant delays in lead times as a result of factory closings or production delays across the globe. In addition, we are monitoring whether there will be a mandatory shut down. At this time, it is not possible to quantify the potential delay or compute the cost impact.

While this notice may seem premature, our contract requires that we furnish you written notice of any delays in a timely fashion. Accordingly, pursuant to the terms of our contract, please consider this correspondence to be our formal notice of potential delays to our performance through no fault of our own and that are beyond our control, including, but not limited to, changed conditions, constructive suspension of work, constructive change, force majeure/act of God, etc. Hogan & Associates Construction hereby reserves all rights it may have under our contract and applicable law to protect its legal and commercial interests, including without limitation the right to seek an extension of time and an increase in our contract price. Please keep records as you deem appropriate to confirm any extensions or increased or unabsorbed costs if we do, in fact, submit same. I can assure you that we are evaluating all options to minimize and mitigate the impact to your Project. As more information becomes available, we would like to discuss our options for successfully completing this Project.

We will continue to keep your project representatives informed of these delays and their effect on overall job completion. We will diligently seek to minimize to the best of our ability, the effects of these delays on our work. Your cooperation in minimizing these impacts are appreciated as we work our way through this unprecedented event.

Respectfully submitted,
Hogan & Associates Construction, Inc.



Cris Hogan, LEED AP BD+C
President/CEO

