

**HOUSING AUTHORITY OF NEW ORLEANS  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MARCH 11, 2014**

**RESOLUTION NO. 2014-11**

**WHEREAS**, the Housing Authority of New Orleans (HANO) executed Contract #11-130-05-06 with Durr Heavy Construction, LLC (Durr) for the Guste III Site Demolition and Infrastructure in the amount of \$6,283,834 on December 19, 2011 (Contract) to be funded with Replacement Housing Factor grant funds; and

**WHEREAS**, it was determined that Contract Change Order Number 5 was required due to unforeseen conditions at the locations of the new site infrastructure installation, resulting in performance delays by Durr; and

**WHEREAS**, the performance delays were caused by events outside of Durr's control, and led to increased expenses and costs of performance; and

**WHEREAS**, HANO negotiated a settlement with Durr for one-half of the extra costs and expenses claimed by Durr; and

**WHEREAS**, the Administrative Receiver on behalf of HANO executed Contract Change Order Number 5 on February 17, 2014, for the amount of three hundred fifty-one thousand nine hundred eighty-seven and 99/100 (\$351,987.99) dollars, in full satisfaction of any and all claims for equitable adjustment by Durr.

**THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Housing Authority of New Orleans hereby ratifies the actions of the Administrative Receiver in executing and awarding Contract Change Order Number 5, entered into on February 17, 2014, in the amount of three hundred fifty-one thousand nine hundred eighty-seven and 99/100 (\$351,987.99) dollars, to Durr Heavy Construction, LLC, in full satisfaction of any and all claims for equitable adjustment by Durr.

**Executed this 11<sup>th</sup> day of March, 2014**

**APPROVAL:**



**DAVID GILMORE  
ADMINISTRATIVE RECEIVER  
CHAIRMAN, BOARD OF COMMISSIONERS**



**March 11, 2014**

**MEMORANDUM**

**To: David Gilmore  
Administrative Receiver  
Chairman, Board of Commissioners**

**From: Maggie Merrill  
Senior Advisor to the Administrative Receiver**

**Re: Resolution to Ratify Receiver's Actions in Executing and Awarding Change  
Order 5 to Durr Heavy Construction, LLC  
Guste III – Demolition and Infrastructure**

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The Housing Authority of New Orleans (HANO) executed Contract #11-130-05-06 with Durr Heavy Construction, LLC (Durr) for the Guste III Site Demolition and Infrastructure in the amount of \$6,283,834 on December 19, 2011. During the completion of the scope of work, Durr experienced delays due to FEMA Section 106 compliance activities. Durr submitted a request for equitable adjustment to compensate it for additional expenses attributable to the delays.

HANO negotiated a settlement with Durr for one half of its equitable adjustment claim. The Administrative Receiver on behalf of HANO executed Contract Change Order Number 5 on February 17, 2014, for the amount of three hundred fifty-one thousand nine hundred eighty-seven and 99/100 (\$351,987.99) dollars, in full satisfaction of any and all claims for equitable adjustment by Durr, thereby perfecting the settlement.

It is necessary to seek Board ratification of the Administrative Receiver's actions.