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August 21, 2024

Eric Reichert Insulation and Construction, Inc.
Attn: Eric Reichert, President
1502 19th Avenue
Scottsbluff NE 69361

Re: Scotts Bluff County – Replacement of County Bridge Lyman East 5050-004-23

Dear Mr. Reichert:

In response to my letter of July 25, 2024, I have been informed by Steve Baird that representatives of your company, the engineer, the irrigation district and the County have met one or more times to resolve the issues involving the irrigation pipe adjacent to the box culvert your company constructed.

It is the position of Scotts Bluff County that you and the irrigation district will need to work out the issues involving damage and repair to the irrigation pipe east of the culvert. The issue concerning the culvert into the sidewall has not been resolved after many attempts. The County has determined that it is in the best interest to retain another contractor to complete the work on the culvert wall. The County has received a bid in the amount of \$5,400 to complete and remedy the problems with the current construction.

This letter is to advise you the County considers Reichert Construction in default and is exercising the remedy to have another contractor complete the work because of Reichert Construction's continued failure to resolve the matter.

The contract provisions contain liquidated damages penalty in the amount of \$200 per day. Based upon a reasonable time of 30 days from the date of substantial completion, which was March 1, 2024, the penalties amount to \$_____.

Enclosed is the engineer's application for a final payment and a check in the amount of \$_____ for final payment to Reichert Construction to close out the contract obligations.

If you have any questions or comments, feel free to contact me, Jack Baker or Steve Baird.

Sincerely,

DOUGLAS, KELLY, OSTDIEK, SNYDER,
OSSIAN and VOGL, P.C.

Philip M. Kelly

PMK:cw

Cc: Steve Baird, Scotts Bluff County, Highway Superintendent
Jack Baker, JEO Consulting