# Kimley »Horn

March 26, 2024

Harrison Youngblood, P.E. Indian River County Department of Utility Services 1801 27<sup>th</sup> Street Vero Beach, FL 32960

## RE: Indian River County Department of Utility Services South Oslo Road Water Treatment Plant Improvements Change Order 4 – Time Extension & Deductive Credit for IRCDUS Project #2021-026

The intent of this letter is to outline our recommendation to Indian River County Department of Utility Services (IRCDUS) to provide TLC Diversified, Inc. with a deductive change order and contract time extension for the South Oslo Road Water Treatment Plant Improvements project. The original contract had a final completion date of November 2, 2023. TLC was not able to meet this final completion date due to delays in lead times for materials as well as an increase in scope through change orders. TLC formally requested a time extension request in October 2023 and was granted an extension under work change directive #2 and the contract final completion date was extended to May 17, 2024.

Since the execution of work change directive #2, TLC has encountered further delays as outlined in the letter to Indian River County dated March 6, 2024 (see attached). TLC is no longer able to meet the current final completion date for this project. TLC has formally requested a second time extension request of 77 days to yield final completion date of August 2, 2024 (1,094 days from NTP). The revised schedule includes the following major milestones:

Caustic Tank Startup	4/5/2024
CO2 Tank Startup	4/9/2024
Permeate and Concentrate Trench Piping in Service	3/30/2024
Train 1 Demolition	3/25/2024
Train 4 Startup	4/8/2024
Wellfield FO Panel Work Complete	4/12/2024
CTF Piping Complete	4/15/2024
Train 1 Startup	4/22/2024
Raw Water Blend Improvements	4/22/2024
CIP System Startup	6/15/2024
Substantial completion	6/15/2024
Final completion	8/2/2024

This time extension results in additional cost burden to IRCDUS. Per discussions with the TLC project manager and IRCDUS, line item 345 of the schedule of values, which totals \$54,928.65, will be deducted from the contract value in exchange for additional time. This credit to IRCDUS appears satisfactory to cover costs associated with this time extension. We have reviewed the milestones and TLC's completion schedule and believe them to be achievable.

# Kimley »Horn

I trust this information useful. Included with this letter is the signed Change Order #4 and associated backup for IRCDUS review and approval. Should you need additional information or have any questions regarding this project, please do not hesitate to contact me at 561-421-1979.

Sincerely,

Neto. Be

Nick Black, P.E. PE# 84908

Cc:

Rich Meckes (IRCDUS), Harrison Youngblood (IRCDUS), Leon Liberus (IRCDUS), Bert King (KH)

Attachments:

Changer Order #4, TLC Request for Time Extension, Updated Schedule from TLC, TLC Letter dated 3/6/24

## CHANGE ORDER

PROJECT: South Oslo Road WTP Improvements	No. <u>4</u>							
DATE OF ISSUANCE: March 26, 2024	EFFECTIVE DATE:							
OWNER: Indian River County								
OWNER's Contract No.: 2021026	Project No.: 044572102							
CONTRACTOR: TLC Diversified, Inc	ENGINEER: Kimley-Horn & Associates, Inc.							
provided to cover costs asso	ne item 345 in the schedule of values to IRCDUS. This cred ciated with schedule delay shown in TLC latest schedule. udes time extension request of additional 77 days to final							
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME							
Original Contract Price	Original Contract Times:							
\$ 10,665,515.65 	Substantial Completion: 760 Ready for final payment: 820							
Net changes from previous Change Orders No. <u>1</u> , 2, 3 <u>\$1,0</u> 20,621.72	Net change from previous Work Directives:         No.       1 to No.         2       197							
Contract Price prior to this Change Order	Contract Time prior to this Change Order							
\$ 11,686,137.37	Substantial Completion: 954 Ready for final payment: 1017 Days or dates							
Net Increase (decrease) in this Change Order	Net Increase in this Change Order							
\$ ( 54,928.65)	days							
Contract Price with all approved Change Orders	Contract Time with all approved Change Orders							
\$ 11,631,208.72	Substantial Completion: 1,046 (6/15/2024)							
* <u></u>	Ready for final payment: 1,094 (8/2/2024) Days or dates							
RECOMMENDED: APPROVED: NICK BLACK, P.E. By: KIMLEY-HOLN By:	ACCEPTED Solar F. Elsen By: TLC Div. PM							
Engineer (Authorized Signature) Owner (Authoriz								
3-7.(-2024	Date: <u>27-March-2024</u>							

EJCDC No. C-700 (2002 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America.



27-March- 2024

Kimley-Horn 1920 Wekiva Way, Suite 200 West Palm Beach, FI 33411

Attn: Mr. Nick Black, P.E. <u>Nick.Black@Kimley-Horn.com</u>

Reference: Change Order #4 Time Extension.

Dear Mr. Black,

Please find a quotation for the changes requested as reference above.

Labor =	\$ 0
Material =	\$ 0
Subcontract =	\$ 0
Equipment =	\$ 0
Other=	\$ (\$54,928.65)
Labor Burden =	\$ 0
Tax =	\$ 0
OH & P subs 5% =	\$ 0
OH & P @ Self Perform 15% =	\$ 0
Subtotal =	\$ (\$54,928.65)
Bond =	\$ 0
Total Deduct =	\$ (\$54,928.65)

With the current supply chain delays that have been discussed in the project meetings it is difficult to quantify the additional time required to quote this change. TLC is therefore reserving our rights to additional time for the project that will be determined at a later date. Please provide your acceptance of this additional work and issue a change order so that TLC can release the required items for production.

Sincerely Yours,

Volm P. Elabr John P. Elder (Project Manager)

PALMETTO Corporate Office 2719 17th St. East

WEST PALM BEACH 7233 Southern Blvd Suite B-1 Palmetto, FL 34221 West Palm Beach, FL 33413 ТАМРА 12814 Dupont Circle Building B, Suite 4-A Tampa, FL 33626

941.722.0621 941.722.1382 CG C041816 CU C053963



# OSLO WATER PLANT ...

Project Start Date:04-Aug-21 Data Date:04-Mar-24

	Remaining Activity Name Duration	Activity ID	Start	Finish	h 2024	Apri		May 2024	June 2024
			04 Mar 04	00.4	17 24	31 07	14 21	28 05 12 19 26	02 09 16 2
OSLO WATER PLANT	109		04-Mar-24	02-Aug-24					_
Milestones	25		15-Jun-24	11-Jul-24					-
Not Started	0 SUBSTANTIAL COMPLETION	A1020		15-Jun-24*					SUBSTAN
Not Started	0 PLANT EQUIPMENT START UPS COMPLETE	A2280	15-Jun-24	15-Jun-24					PLANT E
Not Started	0 DEMOBILIZE	A1030	45 1 04	11-Jul-24*					
Close Out Activities	46		15-Jun-24	02-Aug-24					
Not Started	5 Submit Letter to Engineer Stating Substantial Completion		15-Jun-24	20-Jun-24					Sul
Not Started	5 Engineer To Inspect Project	A1470 A1560	20-Jun-24	26-Jun-24					
Not Started Not Started	5 Engineer to Provide List of Items To Complete 10 Punchlist	A1500 A2150	26-Jun-24 02-Jul-24	01-Jul-24 11-Jul-24					
Not Started	1 Engineer Reinspection Following Punchlist	A2130 A2730	02-Jul-24 11-Jul-24	12-Jul-24					
Not Started	1 Remove Engineer's Trailer from Project	A5270	12-Jul-24	13-Jul-24					
Not Started	2 Contractor provide Record Documents	A5020	13-Jul-24	16-Jul-24					
Not Started	5 Contractor Provide Evidence of Compliance	A2740	16-Jul-24	20-Jul-24					
Not Started	5 Contractor Provide Final Statement of Accounting to En	ineer A5030	22-Jul-24	25-Jul-24					
Not Started	2 Engineer Provide Final Change Order	A5040	26-Jul-24	29-Jul-24					
Not Started	5 Contractor Prepare and Submit Final Payment Application	n A5050	29-Jul-24	02-Aug-24					
GENERAL SITE ITEMS (ASPHALT	AND SEEI 0								
FAB & DELIVER MATERIALS FOR	LABORA1 20		30-Apr-24	20-May-24				20-May-24	4, FAB & DELIVER MATERIALS
Not Started	20 DELIVER AND INSTALL LAB SHELVING REPLACEME	NT A12700	30-Apr-24*	20-May-24				DELIVER	AND INSTALL LAB SHELVING
CONSTRUCT TRAIN #3 NANO-FIL	<b>FER</b> 7		04-Mar-24	11-Mar-24	Mar-24, CONSTRU	ICT TRAIN #3 NA	NO-FILTER		
Not Started	4 LOAD NEW NANO-FILTER FILTER ELEMENTS	A7330	04-Mar-24	07-Mar-24	IEW NANO-FILTER	FILTERELEMEN	ITS		
Not Started	1 CONDUCT TRAIN #3 FUNCTIONAL TESTING	A7340	07-Mar-24	07-Mar-24	JCT TRAIN #3 FUN	CTIONAL TESTI	NG		
Not Started	2 BAC-TTESTNANO-FILTER TRAIN #2 & ACHIEVE 2 C	ONSECUTIVE PASSING TESTS A7350	08-Mar-24	11-Mar-24	C-TTESTNANO-F	LTER TRAIN #2	& ACHIEVE 2 CO	DNSECUTIVE PASSING TESTS	
Not Started	0 SUBMIT QUALITY OF FEED AND PERMEATE WATEF	QUALITY TEST RESULTS A7360	11-Mar-24	11-Mar-24	BMIT QUALITY OF	FEED AND PERM	MEATE WATER	QUALITY TEST RESULTS	
Not Started	0 SUBMIT FOR PARTIAL CLEARANCE TO FDEP & REC	EIVE ACCEPTANCE A7370	11-Mar-24	11-Mar-24		1		IVE ACCEPTANCE	
Not Started	0 PERFORM START UP AND TRAINING FOR NANO-F		11-Mar-24	11-Mar-24	RFORM START UF				
Not Started	0 TRAIN #3 NANO-FILTER IS READY TO PLACE INTO	SERVICE A7390		11-Mar-24	AIN #3 NANO-FILT	1			
CONSTRUCT TRAIN #4 NANO-FIL			11-Mar-24	08-Apr-24		1		CT TRAIN #4 NANO-FILTER	
Not Started	1 FAB & DELIVER NANO FILTER EQUIPMENT PACKAG		11-Mar-24	11-Mar-24	B & DELIVER NAN			ETRAIN #4	
Not Started	5 DEMO / REMOVE EXISTING NANO FILTER #4	A7610	11-Mar-24	15-Mar-24	DEMO / REMOVE	i			
Not Started	2 LAYOUT TRAIN #4 NANO-FILTER AREA IN PREPARA		15-Mar-24	18-Mar-24				EPARATION TO INSTALL NEW FILTER	RRACKS
Not Started	1 REMOVE FEEDWATER PUMP FOR TRAIN #4	A7620 RESSURE SWITCHES @ TRAIN # 4 A7770	15-Mar-24 15-Mar-24	15-Mar-24 19-Mar-24		WATER PUMP FO		.VES & PRESSURE SWITCHES @ TR	
Not Started Not Started	3 INSTALL NEW FEEDWATER PIPING AND VALVES & I 5 RETROFIT FEEDWATER PUMP FOR TRAIN #4	A7730 A7630	15-Mar-24 16-Mar-24	21-Mar-24		T FEEDWATER F			Aun # 4
Not Started	3 INSTALL AND ANCHOR NANO FILTER STAINLESS SI		18-Mar-24	20-Mar-24				NLESS SUPPORTS INTO CONCRETE	
Not Started	5 WIRE UP ELECTRIC VALVES & PRESSURE SWITCH		19-Mar-24	23-Mar-24		1		RE SWITCHES @ FEEDWATER PIPIN	1
Not Started	3 INSTALL FILTER VESSELS AND ASSOCIATED INFLU		20-Mar-24	23-Mar-24				ATED INFLUENT & EFFLUENT PIPING	
Not Started	5 INSTALL RETROFITED FEEDWATER PUMP FOR TR		21-Mar-24	27-Mar-24		1		R PUMP FOR TRAIN #4	
Not Started	3 INSTALL ALL CONTROL NANO -FILTER PANELS AND	SENSORS A7670	23-Mar-24	27-Mar-24		TALL ALL CONTI	ROL NANO -FILT	ER PANELS AND SENSORS	
Not Started	2 PRESSURE TEST ALL PIPES, VALVES AND CONNEC	TONS A7680	27-Mar-24	28-Mar-24	🛛 P	RESSURE TEST	ALL PIPES, VAL	ESAND CONNECTIONS	
Not Started	4 INSTALL ELECTRICAL CONDUITS, WIRES AND CON	NECTIONS TO NANO-FILTER SYSTEM A7690	28-Mar-24	02-Apr-24		INSTALL ELE	CTRICAL CON	DUITS, WIRES AND CONNECTIONS T	O NANO-FILTER SYSTEM
Not Started	0 ENERGIZE NANO FILTER TRAIN #4 SYSTEM	A7700	02-Apr-24	02-Apr-24		1		RAIN #4 SYSTEM	
Not Started	3 LOAD NEW NANO-FILTER FILTER ELEMENTS	A7710	02-Apr-24	04-Apr-24		i		RFILTERELEMENTS	
Not Started	0 CONDUCT TRAIN #4 FUNCTIONAL TESTING	A7720	05-Apr-24	05-Apr-24		4		ICTIONAL TESTING	
Not Started	2 BAC-T TEST NANO-FILTER TRAIN #2 & ACHIEVE 2 C		05-Apr-24	08-Apr-24				ILTER TRAIN #2 & ACHIEVE 2 CONSE	1
Not Started Not Started	0 SUBMIT QUALITY OF FEED AND PERMEATE WATEF 0 PERFORM START UP AND TRAINING FOR NANO-FI		08-Apr-24 08-Apr-24	08-Apr-24 08-Apr-24		1		FEED AND PERMEATE WATER QUA	
Not Started	0 TRAIN #4 NANO-FILTER IS READY TO PLACE INTO		06-Api-24	08-Apr-24		1		ER IS READY TO PLACE INTO SERVI	1
CONSTRUCT TRAIN #1 NANO-FIL			25-Mar-24	22-Apr-24	<b>_</b>	▼ HOAIN		or-24, CONSTRUCT TRAIN #1 NANO-I	
Not Started	1 FAB & DELIVER NANO FILTER EQUIPMENT PACKAG	ETRAIN #1 A13990	25-Mar-24*	25-Mar-24				MENT PACKAGE TRAIN #1	
Not Started	5 DEMO / REMOVE EXISTING NANO FILTER #1	A13990 A8110	25-Mar-24*	23-Mar-24 28-Mar-24		EMO / REMOVE			
Not Started	2 LAYOUT TRAIN #1 NANO-FILTER AREA IN PREPARA		29-Mar-24	01-Apr-24		1		TER AREA IN PREPARATION TO INST	ALL NEW FILTER RACKS
Not Started	1 REMOVE FEEDWATER PUMP #?	A8120	29-Mar-24	29-Mar-24		REMOVE FEEDW		i i	
Not Started	3 INSTALL NEW FEEDWATER PIPING AND VALVES & I		29-Mar-24	01-Apr-24		INSTALL NEW	FEEDWATER F	PIPING AND VALVES & PRESSURE SV	VITCHES @ TRAIN # 1
Not Started	5 RETROFIT FEEDWATER PUMP#?	A14000	29-Mar-24	04-Apr-24		RETROFIT	FEEDWATER	PUMP#?	
Not Started	3 INSTALL AND ANCHOR NANO FILTER STAINLESS S	IPPORTS INTO CONCRETE @ TRAIN #1 A8020	01-Apr-24	03-Apr-24				NO FILTER STAINLESS SUPPORTS IN	TO CONCRETE @ TRAIN #
Not Started	5 WIRE UP ELECTRIC VALVES & PRESSURE SWITCH	S @ FEEDWATER PIPING TRAIN #1 A14030	02-Apr-24	05-Apr-24		🔲 WIRE UP	ELECTRIC VAL	VES & PRESSURE SWITCHES @ FEE	DWATER PIPING TRAIN #1
	3 INSTALL FILTER VESSELS AND ASSOCIATED INFLU	ENT & EFFLUENT PIPING & VALVES TRAIN #1 A8030	03-Apr-24	05-Apr-24		1		SAND ASSOCIATED INFLUENT & EF	FLUENT PIPING & VALVES T
Not Started								D REEDWATER PUMP#?	

- Critical Remaining Work
- MilestoneSummary

### Project Finish Date: <del>19-3cp-24</del> Run Date: 15-Mar-24 13:17

			July 20	24			T		August	2024		Septe	ember 20	24
23	30	07	14		21		28	04	11	18	25	01	08	15
							-	02-Aug	-24, OSL	O WATE	R PLANT	[		
_			11-Jul	-24,	Milest	ones								
TIAL C	OMPL	ETION	I .											
UIPM	ENT S	rart l	JPS CO	MPL	ETE.									
		٠	DEMC	BILI	ZE									
							1	02-Aug	-24, Clos	e Out Ac	tivities			
mit Let	ter to E	nginee	r Stating	g Su	bstan	tial C	oṁ	pletion						
Eng	ineer T	o Insp	ectProj	ect			÷							
	Engi	ineer to	Provid	e Lis	t of Ite	ems <sup>-</sup>	To¦ (	Complete						
			Punch	list			1							
			Engir	neer	Reins	pecti	ο'n	Following	Punchlist	t				
			Ren	nove	Engir	neer's	s Ťr	ailer from	Project					
				Cont	ractor	r prov	/ide	Record I	Document	ts				
					Contr	actor	r Pr	ovide Evid	dence of (	Compliar	nce			
						Con	ıtra	ctor Provi	de Final S	Statemer	t of Acco	unting to	Enginee	r
					I		Ęn	gineer Pr	ovide Fina	al Chang	e Order			
							1	Contra	ctor Prepa	are and	Submit Fi	hal Paym	ent Appli	cation
							÷							
FOR	ABOR	ATOR	Y IMPRO	OVE	MENT	rs								
REPLA	CEMEI	ТΛ					÷.							
	-						÷							
							÷							
							÷							
							÷							
							÷							
							1							
							÷							
							÷.							
							÷							
							÷							
							Ť							
							÷							
							÷.							
							1							
							T							
							ł							
							÷							
							1							
							ł							
							1							
							÷							
							1							
							÷							
AIN #1							÷							
							Ì							
				-										
									Pag	e 1 o	f 3			
									3					
				1										



# OSLO WATER PLANT ...

Project Start Date:04-Aug-21 Data Date:04-Mar-24

vity Status	Remaining Activity Name	Activity IE	) Start	Finish	h 2024	April 2024	May 2024	June 2024
	Duration				17 24		05 12 19 26	
Not Started	3 INSTALL ALL CONTROL NANO-FILTER PANELS AND SENSORS TRAIN #1	A8040	06-Apr-24	09-Apr-24		i i	NANO - FILTER PANELS AND SEM	- i
Not Started	2 PRESSURE TEST ALL PIPES, VALVES AND CONNECTIONS TRAIN #1	A8050	10-Apr-24	11-Apr-24			PIPES, VALVES AND CONNECTION	
Not Started	4 INSTALL ELECTRICAL CONDUIT, WIRES AND CONNECTIONS NANO-FILTER		11-Apr-24	16-Apr-24		1 1	RICAL CONDUIT, WIRES AND CO	NNECTIONS NANO-FILTER SY
Not Started	0 ENERGIZE NANO FILTER TRAIN #1 SYSTEM	A8140	16-Apr-24	16-Apr-24		i i	O FILTER TRAIN #1 SYSTEM	
Not Started	3 LOAD NEW NANO-FILTER FILTER ELEMENTS TRAIN #1	A8150	16-Apr-24	18-Apr-24			ANO-FILTER FILTER ELEMENTS	IRAIN#1
Not Started	0 CONDUCT TRAIN #1 FUNCTIONAL TESTING	A8160	18-Apr-24	18-Apr-24		1	AIN #1 FUNCTIONAL TESTING	
Not Started	2 BAC-T TEST NANO-FILTER TRAIN #1 & ACHIEVE 2 CONSECUTIVE PASSING T		18-Apr-24	20-Apr-24		i i		ILEVE 2 CONSECUTIVE PASSING
Not Started	<ol> <li>SUBMIT QUALITY OF FEED AND PERMEATE WATER QUALITY TEST RESULTS</li> <li>PERFORM START UP AND TRAINING FOR NANO-FILTER TRAIN #1</li> </ol>	S TRAIN #1 A8180 A8190	22-Apr-24	22-Apr-24			M START UP AND TRAINING FOR	TE WATER QUALITY TEST RESU
Not Started Not Started	0 TRAIN #1 NANO-FILTER IS READY TO PLACE INTO SERVICE	A8150 A8200	22-Apr-24	22-Apr-24 22-Apr-24			NANO-FILTER IS READY TO PL	
OFFSITE WELL MODIFICATIONS	35	7.0200	04-Mar-24	08-Apr-24		▼ 08-Apr-24, OFFSITE WEL		
		TO OFFN #05						_
Not Started	7 WELL #6 REPLACE RTU CP WITH NEW WELL S6 PLC, ENERGIZE & PLACE IN 5 WELL #5 PROVIDE FO CABLE IN EXIST. 2" CONDUITS, TERMINATE AT PATCH		04-Mar-24	11-Mar-24		TU CP WITH NEW WELL S6 PLC, EN		
Not Started	5 WELL #5 PROVIDE FO CABLE IN EXIST. 2 CONDUTTS, TERMINATE AT PATCH 5 WELL #5 REPLACE EXIST. RTU W/ PLC WSP ENCLOSURE, ENERGIZE & PLAC		11-Mar-24 15-Mar-24	15-Mar-24 20-Mar-24		DE FO CABLE IN EXIST. 2" CONDUIT: EPLACE EXIST. RTU W/ PLC WSP EI		1
Not Started Not Started	2 WELL #2 INSTALL (FO) FIBER OPTIC PULL BOX	A8400	20-Mar-24	20-Mar-24 22-Mar-24		NSTALL (FO) FIBER OPTIC PULL B		INTO SERVICE
Not Started	5 WELL #2 INSTALL 120 LF OF (2) 2" CONDUITS FOR WELL S2	A8410	20-Mar-24 22-Mar-24	27-Mar-24		ELL #2 INSTALL 120 LF OF (2) 2" CON		
Not Started	5 WELL #2 REPLACE EXISTING RTU CP W/ PLC WS2 , ENERGIZE & PLACE INT		28-Mar-24	02-Apr-24		WELL #2 REPLACE EXISTING R		
Not Started	5 DEMO EXISTING (CTU) RADIO & COMPONENTS AFTER ALL WELLS CONNEC		02-Apr-24	08-Apr-24		DEMO EXISTING (CTU)		
Not Started	1 ELECTRICAL WELL FIELD MODIFICATIONS COMPLETE	A8560	08-Apr-24	08-Apr-24		1	MODIFICATIONS COMPLETE	
ELECTRICAL PANELS #1,2,3 & 4 MODIFICA		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	00740121	0070121				
	0							
HIGH SERVICE PUMPS #1,2 & 3 INSTALL N								
CONSTRUCT TRAIN #2 NANO-FILTER	0							
INSTALLATION OF SULFURIC ACID METER	0							
4000 GALLON BULK CAUSTIC (NaOH) STO	33		04-Mar-24	05-Apr-24		05-Apr-24, 4000 GALLON BU	K CAUSTIC (NaOH) STORAGE	TANK & CONTAINMENT
Not Started	10 CONNECT CPVC PIPING (FILL, OVERFLOW, VENT, FEED PUMP SUPPLY)	A8690	04-Mar-24	13-Mar-24	CONNECT CPVC F	PING (FILL, OVERFLOW, VENT, FE	ED PUMP SUPPLY)	
Not Started	1 INSTALL QUICK CONNECT FILL CONNECTION(S)	A8700	13-Mar-24	14-Mar-24		ONNECT FILL CONNECTION(S)	·····	
Not Started	2 INSTALL TANK LEVEL TRANSMITTER & LEVEL INDICATOR AND START UP & C	CHECK OUT A8710	14-Mar-24	15-Mar-24	I INSTALL TANK L	EVEL TRANSMITTER & LEVEL INDIC	ATOR AND START UP & CHECK	τύο
Not Started	3 INSTALL ELECTRICAL HEAT TRACE (SEE SHEET E-10)	A8720	16-Mar-24	19-Mar-24	INSTALL EL	ECTRICAL HEAT TRACE (SEE SHEET	E-10)	
Not Started	5 INSTALL ISOLATION VALVES AT SITE GLASS	A8770	01-Apr-24*	04-Apr-24		INSTALL ISOLATION VALVES	AT SITE GLASS	
Not Started	1 START UP AND CHECK OUT NEW BULK CAUSTIC TANK	A8750	05-Apr-24	05-Apr-24		START UP AND CHECK OUT	NEW BULK CAUSTIC TANK	
Not Started	0 CAUSTIC TANK IS READY TO BE FILLED AND PLACED INTO SERVICE	A8760		05-Apr-24		CAUSTIC TANK IS READY TO	BE FILLED AND PLACED INTO	SERVICE
RELOCATION OF (HFA) HYDROFLUORIC A	0							
· ·	39		04-Mar-24	11 Apr 24		11 Apr 24 CO2 CARP		
CO2 CARBON DIOXIDE TANK CONSTRUCT				11-Apr-24		1	ON DIOXIDE TANK CONSTRUCT	(REDUCES FR)
Not Started	15 SCHEDULE START-UP ON DATE ACCEPTABLE TO O WNER	A8310	04-Mar-24	19-Mar-24	SCHEDULE	START-UP ON DATE ACCEPTABLE T		
Not Started	1 PERFORM START UP & TRAINING FOR NEW CO2 TANK	A8330	11-Apr-24*	11-Apr-24			& TRAINING FOR NEW CO2 TAP	NĶ
Not Started	0 CO2 SYSTEM READY FOR OPERTION	A8360		11-Apr-24		CO2 SYSTEM READY		
NSTALL NEW PERMEATE & CONCENTRAT	10		04-Mar-24	13-Mar-24	13-Mar-24, INSTALI	NEW PERMEATE & CONCENTRATE	PIPING IN BUILDING TRENCH	
Not Started	5 INSTALL NEW PERMEATE AND CONCENTRATE PIPING IN CHANNELS	A7000	04-Mar-24	07-Mar-24	L NEW PERMEATE	AND CONCENTRATE PIPING IN CH	ANNELS	
Not Started	5 CONNECT NEW R/O UNITS TO NEW SS PIPE PERMEATE & CONCENTRATE (	& REMOVE OLD PIPES) A7010	08-Mar-24	13-Mar-24	CONNECT NEW R	O UNITS TO NEW SS PIPE PERMEA	TE & CONCENTRATE (& REMOV	E OLD PIPES)
INSTALL FEEDWATER PIPING	0							
INSTALL SS PERMEATE AND CONCENTRA	37		04-Mar-24	10-Apr-24		10-Apr-24 INSTALL SS	PERMEATE AND CONCENTRATE	PIPING FILTER PERMEATE PIP
						1		
Not Started	10 INSTALL 14" STAINLESS (NFP) NANO-FILTER PERMEATE @ TRENCH AND PR		04-Mar-24	13-Mar-24		LESS (NFP) NANO-FILTER PERMEAT		
Not Started	5 INSTALL 10" STAINLESS (NFC) FILTER CONCENTRATE @ TRENCH AND PRE 10 FAB AND DELIVER 1 FOOT LONG SS SPOOLS FOR FINAL CONNECTIONS		13-Mar-24	19-Mar-24		STAINLESS (NFC) FILTER CONCEN		
Not Started			15-Mar-24*	26-Mar-24		AND DELIVER 1 FOOT LONG SS SP		1
Not Started	5 CONNECT NANO-FILTERS 3 THROUGH 4 TO NEW SS PERMEATE AND CONC	CENTRATE PIPING A6920	26-Mar-24	30-Mar-24		CONNECT NANO-FILTERS 3 THRO		
Not Started	10 INSTALL ALUMINUM GRATING S AT TROUGHS	A6870	30-Mar-24	10-Apr-24		INSTALL ALUMINUM GF	RATINGSAT TROUGHS	
DEMO AND REPLACE (RWB) RAW WATER	48		04-Mar-24	22-Apr-24		▼ 22-Apr-24	, DEMO AND REPLACE (RWB) R	AW WATER BLEND STAINLESS
Not Started	2 COMMENCE COMPLETION OF (RWB) AUTOMATIC ACID FEED	A6850	04-Mar-24	05-Mar-24	CE COMPLETION	OF (RWB) AUTOMATIC ACID FEED		
Not Started	40 DELIVER NEW HDPE 90 AND STICKS OF PIPE W/ FLANGE (OUTSIDE OF COM	NTRACT) A6790	05-Mar-24	16-Apr-24		DELIVER NEW H	IDPE 90 AND STICKS OF PIPE W	/ FLANGE (OUTSIDE OF CONTR
Not Started	40 DELIVER FLOW METER FOR CHANGE ORDER WORK AT (RWB)	A6840	05-Mar-24	16-Apr-24		DELIVER FLOW	METER FOR CHANGE ORDER \	VORKAT (RWB)
Not Started	15 DELIVER ACID DOUBLE CONTAINMENT PIPE	A6860	05-Mar-24	20-Mar-24	DELIVER A	CID DOUBLE CONTAINMENT PIPE		
Not Started	5 INSTALL ACID DOUBLE CONTAINMENT PIPE	A6900	20-Mar-24	26-Mar-24	INS	TALL ACID DOUBLE CONTAINMENT	PIPE	
Not Started	5 INSTALL FLOW METER FROM CHANGE ORDER	A6880	16-Apr-24	20-Apr-24		INSTALL FL	OW METER FROM CHANGE OR	DER
Not Started	5 INSTALL NEW HDPE 90 AND STICKS OF PIPE W/ FLANGE (OUTSIDE OF CON	ITRACT) A6890	16-Apr-24	20-Apr-24		INSTALL NE	W HDPE 90 AND STICKS OF PIP	EW/FLANGE (OUTSIDE OF CO
Not Started	1 START UP ON NEW 6" (RWB) CONTROL VALVE & ACID INJECTION	A6770	20-Apr-24	22-Apr-24		🗖 START U	ON NEW 6" (RWB) CONTROL	VALVE & ACID INJECTION
INSTALL 10" SS CONCENTRATE PIPING AT	30		22-Apr-24	22-May-24			22-May	-24, INSTALL 10" SS CONCENTF
		40500						
Not Started	5 COMMENCE STAINLESS REPLACEMENT AT CTF BUILDING		22-Apr-24	26-Apr-24			IMENCE STAINLESS REPLACEM	
Not Started	5 INSTALL NEW 12" STAINLESS CONCENTRATE PIPE,FITTINGS,VALVES @ COI	NCENTRATE BLDG C-10 A6540	26-Apr-24	02-May-24			INSTALL NEW IZ STAINLESS	CONCENTRATE PIPE, FITTINGS
Actual Work			т					
		TLC Diversified,	Inc.				FL 3	4221
Remaining Work								
Critical Remaining Work								
Ũ								
♦ Milestone								
Summary								

### Project Finish Date: <u>19-Sep 24</u> Run Date: 15-Mar-24 13:17

	-						-					_		
23	30	07	July:	2024 14	21	2		04	August	18	25	Sept 01	tember : 08	4 15
23	30	07		14	21	20	5	04		10	25		08	15
R SYSTE	MTRA	JN #1												
	et e													
SING TE		N #1												
		_												
) FIBER	COWW	UNIC	ATION											
E PIPE IN	TREN	CHES	3											 
3														
ESS PIPE	SHEE	T C-7												
ONTRAC	T)													
51111010	<i>'</i>													
F CONTR	RACT)													
ENTRATE	PIPIN	G AT	CTF (	CONC	ENTR/	ATE F	EEC	) BLDG	)					
NGS,VAL	VES @		ICENT	RATE	BLDG	C-10								
				Τ					D-	10.0	.f 2			 
									Рас	ge 2 c	лэ			

	05	OSLO WATER PLANT										
DIVERSIFIED	4/15 per mile date	stone	$\mathbf{r}$									
	maining Activity Name	Activity IE	Start	Finish	h 2024 April 2024	May 2024 June 202						
Not Started	10 INSTALL 1" 316 STAINLESS AIR PIPING TO 3 EACH INJECTORS @ CONCENTRATE BUILDING	A6570	02-May 24	13-May-24	17 24 31 07 14 21 2	28 05 12 19 26 02 09 1						
Not Started	2 PRESSURE TEST 10" AND 12" CONCENTRATE PIPE	A6820	13-May-24	14-May-24		PRESSURE TEST 10" AND 12" CONCENT						
Not Started	3 PIPE SUPPORTS @ 12" CONCENTRATE BUILDING PIPE	A6810	15-May-24	17-May-24		PIPE SUPPORTS @ 12" CONCENTR						
Not Started	5 REMOVE EXISTING 12" BURIED CONCENTRATE RISERS, SPOOL AND VALVE SEE PHOTO C-1	0 A6530	17-May-24	22-May-24		REMOVE EXISTING 12" BURIE						
Not Started	0 CONCENTRATE PIPE MODIFICATIONS ARE NOW READY TO BE PLACED INTO SERVICE	A6830		22-May-24		♦ CONCENTRATE PIPE MODIFI						
INSTALL NEW (CIP) CLEAN IN PLACE SYST	101		04-Mar-24	15-Jun-24		▼ 15						
Not Started	30 SUBMIT (CIP) HOLDING TANKS	A4350	04-Mar-24	03-Apr-24	SUBMIT (CIP) HOLDING TANK	S						
Not Started	30 SUBMIT (CIP) TANK MIXER	A4360	04-Mar-24	03-Apr-24	SUBMIT (CIP) TANK MIXER							
Not Started	30 SUBMIT (CIP) END SUCTION PUMP	A4370	04-Mar-24	03-Apr-24	SUBMIT (CIP) END SUCTION	PUMP						
Not Started	30 SUBMIT (CIP) TANK HEATERS	A4400	04-Mar-24	03-Apr-24	SUBMIT (CIP) TANK HEATERS							
Not Started	30 SUBMIT (CIP) PVC PIPE AND VALVES FOR CLEAN IN PLACE SYSTEM	A4410	04-Mar-24	03-Apr-24	SUBMIT (CIP) PVC PIPE AND	ALVES FOR CLEAN IN PLACE SYSTEM						
Not Started	30 SUBMIT (CIP) CARTRIDGE FILTER VESSEL	A4460	04-Mar-24	03-Apr-24	SUBMIT (CIP) CART RIDG E FI	TER VESSEL						
Not Started	10 INSTALL MEZZANINE STRUCTURAL SUPPORTS TO SUPPORT NEW CLEAN IN PLACE EQUIP.	A5330	03-Apr-24*	12-Apr-24	INSTALL MEZZANIN	IE STRUCTURAL SUPPORTS TO SUPPORT NEW CLEA						
Not Started	55 FAB & DELIVER (CIP) HOLDING TANKS	A13220	03-Apr-24	30-May-24		FAB & DELIVER (CI						
Not Started	55 FAB & DELIVER (CIP) TANK MIXER	A13230	03-Apr-24	30-May-24		FAB & DELIVER (CI						
Not Started	55 FAB & DELIVER (CIP) END SUCTION PUMP	A13240	03-Apr-24	30-May-24		FAB & DELIVER (CI						
Not Started	55 FAB & DELIVER (CIP) TANK HEATERS	A13260	03-Apr-24*	30-May-24		FAB & DELIVER (CI						
Not Started	55 FAB & DELIVER (CIP) CARTRIDGE FILTER VESSEL	A13280	03-Apr-24	30-May-24		FAB & DELIVER (CI						
Not Started	5 FORM, REINFORCE & POUR (CIP) (CLEAN IN PLACE) PUMP PAD & HOLDING TANK PADS	A6230	12-Apr-24	18-Apr-24	FORM, REIN	FORCE & POUR (CIP) (CLEAN IN PLACE) PUMP PAD 8						
Not Started	5 INSTALL (1,500 GALLON) (CIP) CLEAN IN PLACE HOLDING TANKS #1 & #2	A6240	30-May-24	04-Jun-24								
Not Started	2 INSTALL (CIP) CLEAN IN PLACE END SUCTION PUMP	A6300	04-Jun-24	06-Jun-24								
Not Started	1 INSTALL 18" TANK MIXER(S) AT CLEAN IN PLACE TANKS	A6410	04-Jun-24	05-Jun-24		INSTALL 18						
Not Started Not Started	1 INSTALL LEVEL TRANSMITTER @ CLEAN IN PLACE SYSTEM	A6420 A6430	04-Jun-24 04-Jun-24	05-Jun-24 06-Jun-24		<ul> <li>INSTALL LEV</li> <li>INSTALL TA</li> </ul>						
Not Started	2 INSTALL TANK HEATER(S) @ CLEAN IN PLACE TANKS 5 ELECTRICAL TO IN PLACE CLEANING MIXERS	A6460	04-Jun-24 05-Jun-24	11-Jun-24								
Not Started	1 ELECTRICAL TO IN PLACE CLEANING MIXENS 1 ELECTRICAL TO IN PLACE CLEANING LEVEL TRANSMITTER	A6470	05-Jun-24	06-Jun-24								
Not Started	5 INSTALL 3" PVC PIPE & VALVES (NFP) PERMEATE SUPPLY FROM NANO TO CLEAN IN PLACE T		06-Jun-24	11-Jun-24								
Not Started	5 INSTALL 6" PVC PIPE & VALVES (CSS) CLEANING SYSTEM SUPPLY TO NANO-FILTERS	A6320	06-Jun-24	11-Jun-24		INST						
Not Started	5 INSTALL 6" PVC PIPE & VALVES (CSR) CLEANING SYSTEM RETURN PUMPED TO NAN0-FILTEF		06-Jun-24	11-Jun-24		INST						
Not Started	2 INSTALL (CFR) CARTRIDGE FILTER VESSEL @ CLEAN IN PLACE PUMPED RETURN	A6340	06-Jun-24	07-Jun-24								
Not Started	1 INSTALL 6" PROPELLER STYLE FLOWMETER @ CLEAN IN PLACE DISCHARGE	A6360	06-Jun-24	07-Jun-24		INSTALL 6						
Not Started	1 INSTALL 4" PVC TANK DRAIN PIPING TO TRENCH DRAIN	A6370	06-Jun-24	07-Jun-24								
Not Started	1 INSTALL EYEWASH STATION @ MEZZANINE WITH 7" WATTS FLOOR DRAIN & DRAIN PIPING	A6390	06-Jun-24	07-Jun-24		INSTALL F						
Not Started	2 ELECTRICAL TO IN PLACE CLEANING TANK HEATERS	A6480	06-Jun-24	07-Jun-24								
Not Started	1 INSTALL 1-1/2" PVC PIPE TO EMERGENCY EYEWASH FROM LOWER FLOOR TO MEZZANINE	A6380	07-Jun-24	07-Jun-24		I INSTALL						
Not Started	3 INSTALL CONCRETE PIPE SUPPORTS FOR IN PLACE CLEANING SYSTEM PVC PIPING	A6350	12-Jun-24	14-Jun-24		n 🗖						
Not Started	1 START UP AND CHECK OUT CLEAN IN PLACE SYSTEM	A6490	14-Jun-24	15-Jun-24								
Changes / Delays To The Work	17		22-Apr-24	08-May-24		08-May-24, Changes / Delays To The Work						
Not Started	15 REMOVE, TRANSPORT RE-BUILD RE-INSTALLAND START UP REMAINING FEEDWATER PUM	IP A7200	22-Apr-24	07-May-24		REMOVE, TRANSPORT RE-BUILD RE-INSTAL						
Not Started	2 INSTALL LAST RE-BUILT FEED WATER PUMP	A7230	07-May-24	08-May-24		INSTALL LAST RE-BUILT FEED WATER PUM						
	15		22-Apr-24	07-May-24	<b>↓</b>	07-May-24, REQUIRED SITE DE-MOBILIZATIO						
REQUIRED SITE DE-MOBILIZATION ACTIVI		A6180	22-Apr-24	25-Apr-24		TALL ASPHALT PAVING						
REQUIRED SITE DE-MOBILIZATION ACTIVI Not Started	5 INSTALL ASPHALT PAVING		26-Apr-24	01-May-24		FINE GRADE SITE						
	5 TINE TALL ASPHALT PAVING 5 FINE GRADE SITE	A6220										
		A6220 A5380	01-May-24	07-May-24		SEED / SOD DISTURBED AREAS						

Actual Work     Remaining Work	TLC Diversified, Inc.	FL 34221
Critical Remaining Work		
♦ ♦ Milestone		
Summary		

#### Project Finish Date:10-8ep-24 Run Date:15-Mar-24 13:17

	_										_		
			uly 2024	1				August		ember 2			
3	30	07 PS@C	14 ONCEN	21 ITRATE E	28	_	04	11	18	25	01	08	15
PIPE		KS @ C	UNCEN			ING							
	G PIPE												
1			SPOOL	AND VA	LVE \$	SEE F	нотс	) C-10					
SARE	E NOW	READY	TO BE	PLACED	INTO	SEF	RVICE						
				I IN PLAC									
INGI			OLLAN			OIL							
CE EC	UIP.												
IG TA	NKS												
IIXER													
	N PUN	IP											
EATE		RVESSE											
	K PADS		.L.										
			PLACE	HOLDING	; G TAN	KS #	1 & #2						
		END SU				- 1							
ER(S	) AT CL	EAN IN	PLACE	TANKS									
SMIT	TER @	CLEAN	IN PLAC	CE SYST	EM								
		ean in f											
		CLEANI											
											TANK	<i>(</i> 0	
				ANING S						I IN PLAC	E IANK		
										IAN0-FIL	TERS		
				) CLEAN							2.10		
			-	@ CLEAN									
IK DR	AIN PI	PING TO	TREN	- CH DRAI	N								
STAT	ION @	MEZZA	NINE W	'ITH 7" W	/ATTS	FLC	OOR D	RAIN &	DRAIN F	PIPING			
				EATERS									
				WASH F									
				FOR IN I			EANIN	G SYST	EM PVC	PIPING			
AND	CHEC	COUT C	LEAN II	N PLACE	SYST	EM							
ART U	P REN	AINING	FEEDV	VATER P	UMP								
TIES													
							I						
								<b>D</b> -	- <b>1</b> - 1	: 0			
								Pag	e 3 of	13			



Mr. Harrison Youngblood, P.E (Utilities Engineer for Indian River County)

06-March-2024

Indian River County 1800 27<sup>th</sup> Street (Building "B") Vero Beach, Florida 32960

## Subject: Indian River Contract No. 2021026 Delays Beyond the Contractors Control.

Dear Mr. Youngblood,

TLC Diversified is in receipt of your letter dated 01-March-2024 requesting TLC to provide an updated Finishing Schedule with a written request for an extension of Contract time to include valid reasons for an extension. The letter also references the liquidated damages clause in the contract.

Please note that TLC is relying on these same documents under General Conditions section 12.03 A and 12.03 C dealing with Delays beyond the control of the Contractor. A portion of this was modified under the Supplemental General Conditions where 12.03 A was removed and replaced with modified verbiage.

Delays beyond the Contractors control are delineated in this section and state," Where Contractor is delayed or prevented from completing any part of the Work within the Contract Times due to delay beyond the control of the Contractor, the Contract Times (or Milestones) will be extended" The Contractor is tasked with providing evidence that the delay(s) impacted the critical path and prove that delays were caused by various items out of his control including acts of God and Owner related delays.

TLC and our subcontractors and suppliers have experienced multiple and ongoing delays throughout this project which have affected our anticipated completion date. The entire construction industry is experiencing this issue on projects of long durations that overlapped with the Worldwide pandemic. We continue to ask the Owner for assistance in limiting these delays as this project is **hypersensitive to** <u>any</u> <u>delays</u>, critical shutdown requests and out of sequence work.

TLC has commented throughout this project that we scheduled the project correctly but in reality, were forced to build it backwards and out of sequence because of the disastrous and ongoing delays caused by the pandemic.

TLC issued a written (friendly Notice) to the Engineer and Owner on 29-December-2021. We provided examples of (pricing escalations / delivery delays / labor shortages) and expressed that the project would run over. The Notice informed all parties not of one delay but instead a catastrophic set of (plural) delays in every part of the project. TLC requested help from the Owner and Engineer to deal with these issues and explained how TLC was self-performing many parts of the work in order to maintain forward motion in any place that was possible. Further examples of this can be discussed in necessary.

TLC has provided the Owner notice of delays both verbally in meetings and in writing as evidenced by language in each of the change orders stating," with the current supply chain delays that have been discussed in the project meetings it is difficult to quantify the additional time required to quote this change. TLC is therefore reserving our rights to additional time for the project that will be determined at a later date."

An important point that needs to be relayed before discussing the delays and remedies to them, is the sequencing of different interconnected systems that are specific and re-occurring on this project. Each of these systems are hypersensitive to any delays, critical shutdown requests or out of sequence work.

The work activities on this Oslo Road project were intentionally designed to be performed in series and not in parallel in order to maintain potable water delivery to customers in sufficient quantity and quality without interruption. As a result, any delay in any part of the project affects the entire series of activities on the entire project. For example:

- The New HSP pumps #4 and #5 had to be installed and operational before the existing HSP pumps 1,2,3 could be taken offline and renovated.

- Only one of four R/O skids can be taken offline and completely replaced including the initial demolition of the existing skid and related instrumentation and electrical work.

- Only one feedwater pump out of five can be taken off line at any given time including the demolition of the existing connecting 8" feedwater manifolds that selectively feed each of the four existing R/O skids.

- The R/O permeate and concentrate stainless piping in the pipe trenches require complete demolition and then require a completely new larger stainless piping system installed in specific sequences in order to tie in the new R/O systems while keeping the existing R/O systems and entire plant operational.

- There are many other areas with these requirements, but we only want to point out that work throughout this Contract must happen in specific sequences.

- Adding more people does not necessarily allow for more work to progress. For instance, TLC cannot go in and demo all of the existing R/O skids.

- Please note that TLC offered suggestions that would allow the Contractor to build uninhibited by the phasing constraints which would allow for much faster progress. Each of these requests were not acceptable to the Owner.

TLC utilized specified companies on this project and expected nothing short of on time and complete deliveries followed by the timely installation of each of the materials. We instead have continued to face delays beyond the control of not only the General Contractor but also to each of our suppliers and subcontractors.

Being specific to your request,

TLC provided a Finishing Schedule with a request for an extension of time for reasons delineated above. These re-scheduled activities rely on all predecessors to be completed before the next activity can begin and each of the activities must be completed before its successor can begin. A slippage in only one the activities potentially delays all activities down line from it.

The Off-site Well Modifications were delayed by deteriorated optic cables that needed to be replaced. Multiple meetings were held which ultimately resulted in modifications to the fiber optic cables. The final solution was to replace portions of existing fiber to make the SCADA system reliable. Since that time, the work to complete these four wells has been scheduled. Two of them are now completed including the installation of the associated new control panels. The remaining two wells are scheduled for CC Controls and Paragon Electric to complete on Monday 06-March-2024 and the remaining has been scheduled for Monday 13-March-2024.

## R/O Nano-Filter R/O Skid Work:

The work for the demolition of the first existing (R/O Skid) Nano-Filter is completed and is reported as functioning as intended.

The delays at the second R/O skid installation were extensive:

- out of sequence work to repair the Owners emergency leak.
- Delays in receipt of Aerex stainless piping.
- Delays by specified but malfunctioning R/O permeate flow meter(s).
- Delays by the denial of multiple requests to shut down the plant to tie in the R/O system.
- This was followed by delays when Harn left the site to go to another available project.
- Delays caused by a malfunctioning feedwater pump.

- These issues have now all been corrected, and the filter membrane loading is now scheduled for 04-March-2024.

- Because this project was designed in series and not in parallel, the delays to the second R/O skid also cause delay to the third and fourth skids and the Feed pump replacements and the Feedwater Pipe replacement and on down the line. We are working with the Engineer and the Owner to streamline the removal and replacement of these final skid(s).

Regarding Stainless Steel Pipe Delivery and Installation:

The project has been severely delayed by the absence of the stainless-steel pipe delivery(s). We now have delivery of this stainless-steel piping for all areas on the schedule. TLC has also intentionally increased its labor force after receiving this piping and is currently installing the stainless piping systems.

Demolition and Replacement of the (RWB) Raw Water blend Piping:

- This was part of the delayed pipe delivery and was discussed above to correct the Emergency Owner leak. The piping is installed and operational but has some accessories that need to be replaced. These accessories are on order and are included on the updated Finishing schedule for completion.

Clean In Place System:

The (CIP) Clean in Place system orders are being written and shop drawings are forthcoming. The materials for this work are on site and installation of the Mezzanine support system will also be on the updated Finishing Schedule.

The Acid Feed system in the Finishing Schedule is installed and is in operation.

The 4000 Gallon Bulk Storage tank is installed and will be scheduled for start-up in the updated Finishing Schedule.

The Co2 system final start up and tank filling is in process of being scheduled. TLC requested 2 start-up dates from the Manufacturer (Tomco) for the Owner to choose from in an email dated 29-February. We are confident that this work will be completed in the next few weeks.

TLC has not left the site since the day we mobilized. We have enjoyed a good working relationship with the Plant Superintendent and with the Owner and Engineer which is sometimes difficult on contracts that last longer than 1 year. We ask that the Owner provide an extension of time and avoid the Liquidated Damages route on this project. That route would be a slippery slope knowing what we have all experienced over the life of this project regarding delays beyond our control and especially on a phased project such as this one.

TLC has written many "do better letters" to suppliers and subcontractors over the life of this project and have had some heated discussions informing them to execute their work even in the face of the delays that we are all experiencing.

TLC has asked only for additional time on this project. We have already endured and continue to pay a heavy price for the extended overhead, supervision and even for extra work that the Owner has never received an invoice for. TLC is committed to completing the remaining work on this project as efficiently and as quickly as possible and ask that the Owner provide an extension of time for this request.

We look forward to the safe and expeditious closure to this project and appreciate any assistance the Owner and Engineer can offer.

Sincerely,

TLC Diversified, Inc.

Vola P. Elder

John Elder Project Manager

PALMETTO Corporate Office 2719 17th St. East Palmetto, FL 34221

WEST PALM BEACH 7233 Southern Blvd Suite B-1 West Palm Beach, FL 33413 TAMPA 12814 Dupont Circle Building B, Suite 4-A Tampa, FL 33626

941.722.0621
 941.722.1382
 CG C041816 CU C053963



Mr. Harrison Youngblood, P.E (Utilities Engineer for Indian River County) 15-March-2024 Indian River County 1800 27<sup>th</sup> Street (Building "B") Vero Beach, Florida 32960 Subject: Indian River Contract No. 2021026 Delays Beyond the Contractors Control.

Dear Mr. Youngblood,

TLC Diversified is in receipt of the email from Kimley-horn dated 14-March-2024 and is requesting an extension of time for the Oslo Road WTP in accordance with the dates proposed by the Engineer with a few minor date changes as shown below.

- 1. TLC started up Train 3 3/11/2024 MILESTONE DATE MET BY TLC
- 2. TLC began demolition of Train 4 3/11/2024 and will complete demo 3/15/2024 **MILESTONE DATE MET BY TLC**
- 3. Caustic Startup **REQUESTED** week of 3/18/2024. The Caustic tank requires isolation valves to be installed at the site glass. **New Startup date is scheduled for 4/05/2024**
- CO2 Startup REQUESTED week of 3/18/2024. The Manufacturer is not available for Startup services until week of April 8, 2024. <u>New Startup date is scheduled for</u> <u>4/09/2024</u>
- Permeate and concentrate piping installed, tested and bac-t'd week of 3/18/2024. Large sections of pipe are installed. We require (1 foot long) sections from Aerex. <u>New date is scheduled for 3/30/2024</u>
- 6. Train 1 Demo 3/25/2024 Schedule reflects this date.
- 7. Train 4 Startup 4/8/2024 Schedule reflects this date.
- 8. Wellfield FO Panel work complete 4/12/2024 <u>Schedule reflects this date</u>.
- 9. CTF piping complete 4/15/2022 Schedule reflects this date.
- 10. Train 1 startup 4/22/2024 <u>Schedule reflects this date.</u>
- **11.** Raw water acid piping complete week of 4/22/2024 <u>Schedule reflects this date.</u>
- 12. CIP system complete 6/15/2024 Schedule reflects this date.
- **13.** Substantial completion 6/15/2024 –. <u>Schedule reflects this date.</u>
- 14. Final completion 8/2/2024 Schedule reflects this date.

TLC understands that the Engineer has recommended IRCDUS to grant TLC a time extension request of final completion up to 8/2/24 under the following conditions:

- A. TLC agrees to the final completion date of 8/2/2024 and will provide an updated schedule reflecting that date.
- B. TLC will provide weekly updates to the construction schedule.

- C. TLC will hold the milestone dates and provide plans for how to perform schedule recovery should milestone date not be met.
- D. TLC project management team will be present at the site for bi-weekly progress meetings through completion date 8/2
- E. There will be no more than 3 week of overlap of time where the Owner does not have beneficial use of Train 1 and Train 4
- F. TLC will maintain a current Certificate of Insurance on file with IRCDUS

TLC has already re-scheduled the project (schedule attached) with dates that match the time frames Recommended by the Engineer, and we ask that a time extension be provided by change order to the project. We look forward to the safe and expeditious closure to this project and appreciate any assistance the Owner and Engineer can offer during this process.

Sincerely,

TLC Diversified, Inc.

Solon P. Elher

John Elder **Project Manager** 

PALMETTO Corporate Office 2719 17th St. East

WEST PALM BEACH 7233 Southern Blvd Suite B-1 Palmetto, FL 34221 West Palm Beach, FL 33413

TAMPA 12814 Dupont Circle Building B, Suite 4-A Tampa, FL 33626

941.722.0621 941.722.1382 CG C041816 CU C053963