
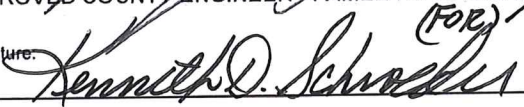
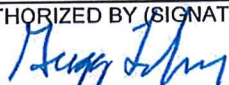


**LANCASTER COUNTY ENGINEERING DEPARTMENT CHANGE ORDER  
SUPPLEMENTAL AGREEMENT NO. 7  
EXCUSAL OF FAILURE OF CONDITION PRECEDENT**

5/10/2019	PROJECT NUMBER: 18-01 BIDNUMBER: 18-081
CONTRACTOR: Constructors, Inc.	LOCATION: Various Locations in Lancaster County
GROUPS OF WORK: N/A	STATION: N/A
SUPPLEMENTAL TO CONTRACT FOR WORK ON PROJECT NUMBER: 18-01; Asphalt Paving and Resurfacing 2018	DATE OF ORIGINAL CONTRACT: 5/16/2018
<p>WE HEREBY REQUEST APPROVAL OF CHANGES IN THE PLANS, SPECIFICATIONS, OR WORK NOT INCLUDED IN THE PLANS OR CONTRACT DESCRIBED AS FOLLOWS:</p> <p>Change Order #6, executed under County Contract No. C-19-0348 to extend the completion date of the project from May 1, 2019, through June 1, 2019, contained the following express condition precedent:</p> <p><b>Express Condition Precedent.</b> The obligation to perform any duties and the entitlement to exercise any powers provided for in this Change Order are subject to the following express condition precedent: if Contractor fails to renew Contractor's insurance in satisfaction of the contractual insurance requirements on or before May 1, 2019, and to provide reasonable proof of such renewal to the County in satisfaction of the contractual insurance requirements on or before May 1, 2019, then neither party to this Change Order shall have any obligation to perform any of the duties, nor shall any party to this Change Order be entitled to exercise any of the powers, provided for in this Change Order. In the event of the nonoccurrence of the foregoing express condition precedent, which must be exactly fulfilled, this Change Order shall become a nullity and entirely void, and no legal relation shall arise between the parties with respect to this Change Order. The foregoing express condition precedent may not be excused except by a separate written instrument adopted by a lawful action of the Lancaster County Board of County Commissioners.</p> <p>Contractor substantially fulfilled the foregoing express condition by satisfying its contractual insurance requirement to renew Contractor's insurance on or before May 1, 2019, and providing reasonable proof of such renewal in satisfaction of the contractual insurance requirements after May 1, 2019, and therefore the Lancaster County Board of County Commissioners hereby excuses the failure of the Contractor exactly to fulfill the foregoing express condition precedent on or before May 1, 2019, and hereby deems the conditions fulfilled.</p>	
APPROVED PROJECT ENGINEER – Larry L. Legg, P.E.	
Signature:  Date: 5-14-19	
APPROVED COUNTY ENGINEER – PAMELA L. DINGMAN, P.E.	NAME OF CONTRACTOR
Signature:  Date: 5-14-19	Constructors, Inc.
	AUTHORIZED BY (SIGNATURE)  Date: 5/10/2019 Print Name: Gregg Leber

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

LANCASTER COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY

COUNTY COMMISSIONERS

OF \_\_\_\_\_ 20\_\_\_\_.

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LANCASTER COUNTY ATTORNEY