Example 5A

NOTICE OF INTENT TO FILE A CLAIM

Any Construction Company

P.O. Box 1234
Anywhere, North Carolina 27777

Letter No. 1149

November 6, 2006

Mr. I. M. Engineer, PE
Resident Engineer
111 District Drive
Anywhere, North Carolina 27777

Reference: (State Project)
(Project Description)

Subject: Flatwork Repairs – Notice of Intent to File Claim

Dear Mr. Engineer:

In accordance with Article 104-8(B) of the 2006 Standard Specifications for Roads and Structures, this letter serves as notice of our intent to file claim for additional compensation for the extra work involved with removing and replacing damaged curb, sidewalk, and driveways on the above referenced project.

Extensive use by the traveling public over the life of the project has created numerous sections of cracked and damaged curb, sidewalk and driveways. Per your direction, cracked and damaged flatwork must be completely removed and replaced. Any Construction Company's position is that the flatwork was built in accordance with the contract plans and specifications and that these repairs are additional and compensible to the contract.

Any Construction Company will perform the repairs per your direction. Weekly cost records will be forwarded to your office for review. Should you request additional information regarding this issue, please contact me directly.

Sincerely,

I. B. Contractor
Project Manager
Any Construction Company