



RESOLUTION #R-__ -__

Resolution authorizing payment to Kokosing Construction Company, Inc for bridge repair contract claim from the Risk Management Fund

WHEREAS on November 2, 2020 the City entered into a contract with Kokosing Construction Company, Inc. (“KCC”) for the repair of four separate bridges within the City; and

WHEREAS the project’s scope of work included “concrete deck replacement, concrete deck mill/hydro-mill and overlay, concrete deck patching, steel beam repairs, bearing repairs and/or replacements, cleaning and painting of steel beams and bearing assemblies, concrete superstructure surface repairs, deck joint closures, expansion joint replacement, and erosion and drainage repairs”; and,

WHEREAS during the course of the project, work was delayed on the 250 bypass over the Norfolk Southern Railway while the City sought additional funding from VDOT for additional repairs; and

WHEREAS KCC has submitted a claim for costs allegedly caused by this delay totaling \$564,949.30 plus interest of \$115,748.98; and,

WHEREAS the City has negotiated a settlement whereby the City will recognize an excusable time extension for the project until February 21, 2023, with no assessment of liquidated damages, and KCC will accept \$275,000 as full and final settlement of all claims asserted by KCC in the current dispute; and,

WHEREAS approximately \$200,000 remains available for the payment of change order claims from VDOT’s State of Good Repair funding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that:

1. The Manager is authorized to spend up to \$275,000 from the City’s Risk Management fund for the settlement of delay claims submitted by KCC in connection with a contract entered between the City and KCC on or about November 2, 2020.
2. The City Manager is further authorized to execute all documents necessary to effectuate said settlement.

Date Introduced: October 6, 2025

Date Adopted:

Certified:

Clerk of Council