

Klickitat County Port District No. 1  
**RESOLUTION NO. 4-2012**

A Resolution of the Port of Klickitat Commission  
**Terminating the 101 Parallel Building Improvement Contract**

**WHEREAS**, the Port entered into a contract with Kase Construction Inc. of The Dalles, Oregon, for the 101 Parallel Building Improvement project; and

**WHEREAS**, complications due to the discovery of unknown underground facilities, changes resulting from tenant modifications, and unanticipated code requirements regarding interior heating and insulation prevented prompt and diligent execution of the project; and

**WHEREAS**, subsequent to the start of construction, the tenant publicly announced its intention to relocate and vacate the building; and

**WHEREAS**, substantial federal grant monies may be available to construct various improvements to the building, unanticipated in the scope of the current project, that would increase its future usability and lease opportunities; and

**WHEREAS**, the Commission believes it to be in the best interests of the Port to cease further work at this time, prepare plans for additional improvements to the building, and seek other public funds to assist in the construction of said improvements; and

**WHEREAS**, the Port's legal counsel and project architect have reviewed the status of the project and the requested closeout payment received from the Contractor; and

**WHEREAS**, it is common practice to pay the contractor a fee equal to twenty percent (20%) of the balance of the contract amount for overhead and lost profit when an owner cancels a construction contract (except as otherwise stipulated in the contract);

**NOW, THEREFORE, BE IT RESOLVED** that the Port Commission does hereby authorize its Executive Director to terminate the 101 Parallel Building Improvement contract with Kase Construction and to make payment for all services rendered to date and settlement for early termination of the contract in the amount of \$43,870.80 less five percent (5%) retainage plus seven percent (7%) sales tax, all retainage to be paid upon release by the Washington Dept. of Revenue. The total project cost shall be \$75,722.62 comprised of contract and sales tax amounts of \$70,768.80 and \$4,953.82. Total retainage shall be \$3,538.44.

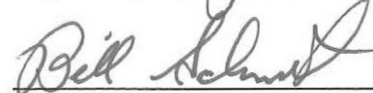
**ADOPTED IN OPEN SESSION** this 19th day of June, 2012.

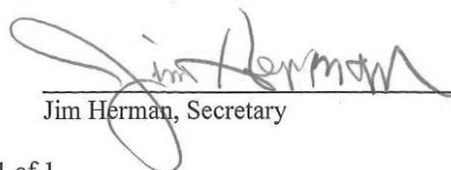
ATTEST:

  
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Margie Ziegler, Port Auditor

**PORT OF KLICKITAT COMMISSION**

  
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Wayne Vinyard, President

  
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Bill Schmitt, Vice-President

  
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Jim Herman, Secretary