

Queen Wilhelmina State Park Lodge Renovation Project
Arkansas Building Authority (ABA) Contract # 9001211

Owner: Arkansas Department of Parks and Tourism (ADPT)
Architect: The Borne Firm (Borne)
Contractor: Wade Abernathy Inc. (WAI)
Surety: Travelers Casualty and Surety Company of America (Travelers)

Original Contract: Started March 16, 2012; days to complete 450; completion date June 7, 2013
Amount \$6,753,685.00

Adjusted Contract (thru Change Order 5): completion date September 8, 2013;
Amount \$7,527,734.71

WAI Time Line:

- 4/15/13** ADPT requests Borne to review the project status and provide a report on deficiencies to determine if default and termination of WAI is justified.
- 5/13/13** Borne letter to ADPT notes that termination is justified and outlines recommendations to cure the default.
- 5/15/13** ADPT letter to WAI (Surety copied & 5/13 Borne letter attached) informing of the recommendation to terminate and setting a date of 6/18/13 for WAI to cure the defaults.
- 5/23/13** Travelers letter to ADPT acknowledges receipt of 5/15 letter.
- 5/29/13** WAI letter to ADPT responds to 5/15 letter, disagrees with ADPT/Borne evaluation of project status and notes that they will work to address cures.
- 6/19/13** ADPT letter to WAI responding to 5/29 letter and establishing 7/8/13 as the deadline to enclose the building.
- 6/27/13** WAI letter to ADPT agreeing to enclose the building but disputing other statements.
- 7/01/13** WAI letter to ADPT stating reasons that mold remediation work can not be completed in 30 days.
- 7/09/13** ADPT letter to WAI allowing 30 days for the remediation work after it is awarded to a Subcontractor.

7/16/13 ADPT to WAI noting that the building was not enclosed by 7/10/13 and disputes claims in WAI's 6/27 letter.

8/15/13 ADPT letter to WAI and Travelers terminating the contract with WAI effective 8/24/13.

8/16/13 Brett Watson (Attorney for WAI) to ABA noting the termination and that the time allotted is only nine days.

8/19/13 Travelers to ADPT acknowledging 8/15 letter and requesting information and a meeting.

8/21/13 ABA to Brett Watson noting date discrepancy and that ADPT would revise the date.

8/21/13 ADPT to WAI and Travelers changing the termination date to 8/30/13.

8/30/13 WAI termination date.