



February 22, 2021

Attention:

All Public Construction Contractors Currently Under Contract with the City of Broken Arrow

**RE: FORCE MAJEURE AUTHORIZED TIME TO CITY OF BROKEN ARROW CONTRACTS
DUE TO WEATHER EVENTS OF FEBRUARY 2021**

Starting on February 8, 2021, the City of Broken Arrow began experiencing out of the normal weather conditions that affected production of construction projects currently under contract with the City. These weather conditions consisted of extreme cold temperatures, icy roadway and site conditions, accumulating and blowing snow build up.

On February 12, 2021, Governor J. Kevin Stitt executed Executive Order 2021-06 declaring a State of Emergency for the entire state of Oklahoma due to:

“Extreme freezing temperatures and severe winter weather including snow, freezing rain, and wind beginning February 7, 2021, and continuing, are expected to cause damage to public and private properties and utilities, including electric, gas and water systems, within the State of Oklahoma causing an undue hardship on the citizens of this State.”

Due to the above noted justifications, the City of Broken Arrow has decided that the current weather event conditions constitute may a force majeure condition as reflected within Section 4 of the executed construction contract.

In consideration of the current weather forecast, the City of Broken Arrow will approve force majeure time requests between the dates of February 7, 2021 and February 21, 2021; constituting a 14 calendar day extension.

A formal request for additional time, as allowable via this letter, shall be required to be submitted by the contractor by **5:00 PM CST March 4, 2020** to be applicable for consideration per requirements of Section 4 of the executed contract.

If you have any questions concerning these matters, please do not hesitate to call me.

Respectfully,
City of Broken Arrow

Timothy S. Robins, P.E. CWI CFM
Construction Manager

cc: Ethan JL Edwards, PE – Engineering and Construction Department Director
Kenneth D. Schwab, PE – Assistant City Manager - Operations