

Office of the Mayor
Andrew "FoFo" Gilich



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April 28, 2021

Via Email and US Mail

Jason Bowen, PE
Director of Engineering & Project Controls
Oscar Renda Contracting, Inc.
608 Henrietta Creek
Roanoke, Texas 76262

Re: North Contract, PW 9, 11, 12, 14
Areas SXS, GRN1&2, GRN3, GRN4, GRN5, GRS1&2,
GRS3&4, DIV1&2

Subject: ORC's Second Request for Additional Time and Compensation –
dated March 22, 2021

Dear Mr. Bowen:

The City of Biloxi ("the City") had recently completed its review of Oscar Renda Contracting, Inc.'s (ORC's) demand dated May 14, 2020, asserting the right to payment in the amount of \$70,157,344.00 and additional contract time of 358 days. The City invested significant time and resources in its analysis of ORC's May 2020 demand.

Before the City issued its response to the May 2020 demand and the accompanying report by Aegis Risk, LLC ("Aegis"), the City received a second from ORC, dated March 22, 2021, which requests the amount of \$79,788,254.00 and additional contract time of 655 days. ORC states that the second Aegis report replaces the prior report in full. Aegis states that it prepared this second demand using "more complete contemporaneous Project records" and applies a different schedule analysis methodology. However, the underlying grounds, as alleged by ORC, remain the same.

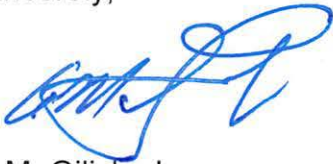
The City's analysis of ORC's first demand was extensive and is based on facts, documented in numerous contemporaneous Project records, that show the lack of merit in ORC's version of events. A change in Aegis's methodology will not change the facts.

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No matter the methodology Aegis now applies, the City's ultimate analysis is that ORC has not shown that it is entitled to additional time and compensation beyond what the City has already granted. It is therefore not necessary for the City to expend resources to undertake an extensive review and prepare a written response to ORC's second demand.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A.M. Gilich, Jr.', with a stylized flourish at the end.

A.M. Gilich, Jr.
Mayor, City of Biloxi

cc: Walt A. Rode, Program Manager
Peter Abide, City Attorney