

LLOYD WINNECKE
MAYOR



ALLEN R. MOUNTS
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EVANSVILLE WATER & SEWER UTILITY

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March 31, 2020

**RE: City of Evansville, Indiana
Force Majeure Notice Regarding COVID-19**

Dear Sir/Madam,

Please consider this mailing notice as required by Paragraphs 82 and 83 of Evansville's Consent Decree, as amended, that Evansville is asserting that a claim of a force majeure event over concerns of COVID-19 as it applies to current and upcoming projects could happen in the foreseeable future.

As it is evident across the world that COVID-19 has become a pandemic event, it is reasonable to assume that engineering, construction, materials production, labor force disruptions and supply chain delivery delays are eminent for projects already underway as well as those in the process of development. It is Evansville's contention that the supervening event threat was unforeseeable.

Given the nature of this extraordinary event, it is impossible to accurately define any scheduling impact associated with COVID-19. As this situation is dynamic in nature, it is impossible for Evansville to quantify the magnitude of the impacts at this time.

In the absence of a vaccine, Evansville expects the event to have a prolonged adverse effect on its daily operations that could prevent it in the interim from fulfilling its performance deliverables as noted in the consent decree. As this is a rapidly evolving situation, Evansville is taking steps to identify and address its potential risk areas. We are watching developments in this area closely and will issue further correspondence as matters unfold.

Regards,

A handwritten signature in black ink that reads "Jeffrey W Merrick".

Jeffrey W Merrick
Director, Regulatory Compliance and Lab Operations
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