



Lonzo Lester <lonzo.lester@russellcountyva.us>

Potesta Contract

1 message

Katie Patton <kpatton@chafinlaw.com>

Tue, Sep 27, 2022 at 2:00 PM

To: Lonzo Lester <lonzo.lester@russellcountyva.us>

Lonzo,

I have reviewed the revised Master Contract.

I still have the remaining issues in Exhibit B.

I advise that paragraph 13 be removed in its entirety. It concerns construction and an obligation to retain Potesta to oversee construction. Since this contract is merely for consulting services at this point that paragraph should be removed.

I also advise that paragraph 15 be revised to include the following language at the end of the end of the 5th sentence which begins as "Due to the risks to which Potesta is exposed..."

"unless employees or agents of Potesta are grossly negligent in containing, labeling, transporting, testing, storing or other handling of contaminated samples."

Finally, in paragraph 23, a sentence needs to be added at the end of that paragraph that states: " Should the contract be terminated by the Client for breach of contract by Potesta or should the contract be terminated for convenience by Potesta the Client shall not be responsible for any services including services associated with the termination itself, such as demobilizing, modifying schedules, and reassigning personnel, or any costs associated with the termination and post termination activities, such as demobilization, decontaminating and/or disposing of equipment, and disposal and replacement of contaminated consumables."

M. Katherine Patton

Attorney At Law
Campbell Chafin P. C.
44 East Main Street
P. O. Box 1210
Lebanon, Virginia 24266
Phone: 276-889-0143
Fax: 276-889-1121
E-Mail: kpatton@chafinlaw.com<<mailto:kpatton@chafinlaw.com>>

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