



September 12, 2024

VIA U.S. MAIL-CERTIFIED  
RETURN REQUEST REQUESTED

Hal E. Stober  
President  
Gordon N. Ball Inc.  
333 Camille Avenue  
Alamo, CA. 94507

RE: **Tender of Claim**  
**FOCP Coyote Creek Flood Management Measures Project**  
**Project 91864007**  
**Contract No. C0690**

Dear Mr. Stober:

The Santa Clara Valley Water District ("Valley Water") hereby tenders the above claim of Monarch Leasing Inc. to GORDON N. BALL INC. under Contract C0690 for the FOCP Coyote Creek Flood Management Measures Project.

Valley Water received a claim from Monarch Leasing Inc. on August 22, 2024 for damages in the amount of \$7,815.42 for vandalized vehicles parked along the back side of their yard at 1346 E. Taylor Street. At this location, there is ongoing construction by Gordon N. Ball Inc. on behalf of Water Valley that involves a floodwall, bridge and other improvements along Coyote Creek. Monarch Leasing Inc. alleges that the back fence was not fully secured allowing easy access for vandals.

Valley Water demands that Gordon N. Ball Inc. comply with its obligations under Contract No. C0690 and immediately assume the defense and indemnification of Valley Water in the above referenced claim.

Section 4.12 of Contract C0690 states:

*The Contractor shall defend, indemnify, and hold harmless the District and its Directors, officers, employees, and agents from liability, loss, suits, actions, or claims brought for or on account of violation of Laws, Ordinances, Rules, or Regulations, or injury, damage, or loss (including death) caused by acts or omissions of the Contractor, its employees, or its agents.*



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Please respond to Valley Water and Monarch Leasing Inc. by October 1, 2024 and keep Valley Water apprised as to the progress made to resolve this matter.

Regards,

Signed by:



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Sheryl Higa

Risk Manager

Risk Management Unit

(408) 630-2213

Attachment: Monarch Leasing Inc. Claim

cc: Mr. Kevin Johanson, Gordon N. Ball Inc.  
M. Thummaluru, R. Turcios, R. Yamane