

*FORM OF BACKCHARGE LETTER*

DATE

Re: SUNY Project No.

Title

Campus

Contractor Name

Address

Gentlemen:

You are hereby directed to perform the following work:

*(Describe work and location thereof)*

In the event that you fail to comply with this directive within three (3) working days of the receipt hereof, the University, under Section 4.06 of the Agreement, will omit said work from your Contract, may have the same performed by another Contractor and will backcharge your Company by the issuance of a credit change order for all costs and expenses it incurs in connection with your failure to comply with this directive. Such work is preliminarily estimated to be valued at *(amount in words)* dollars *($numeric value)* but this amount is not firm and in no way limits the amount of the credit change order(s).

This direction or the issuance of the aforesaid credit change order(s) are without prejudice to any other rights, remedies or claims of the University under the Contract.

Very truly yours,

*Signed by Consultant or University*