

Bond Case Briefs

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Lower Valley Water District v. Danny Sander Construction, Inc.

Court of Appeals of Texas, El Paso - July 10, 2019 - S.W.3d - 2019 WL 3001523

Construction contractor brought breach-of-contract claim against a local water district regarding construction of water lines and other improvements.

The District Court denied water district's plea to the jurisdiction. Water district appealed.

The Court of Appeals held that contractor's claim was not barred by governmental immunity.

Construction contractor's breach-of-contract claim against local water district regarding construction of water lines and other improvements was not barred by governmental immunity, even though change order was never incorporated into contract; contract was properly executed, and contractor did not contend that alleged damages arose out of change order but rather asserted that alleged damages arose out of contract when water district caused a delay in performing contract.