

Memorandum

*Flex your power!
Be energy efficient!*

To: DEPUTY DISTRICT DIRECTORS, Construction
DEPUTY DIVISION CHIEFS, Structure Construction
CONSTRUCTION MANAGERS
SENIOR CONSTRUCTION ENGINEERS
RESIDENT ENGINEERS

Date: February 17, 2006

File: Division of Construction
CPD 06-2

From: ROBERT PIEPLOW
Chief
Division of Construction



Subject: Serving Legal Division with a Copy of a Contract Complaint in Arbitration

A contractor who files a complaint in arbitration in accordance with Section 9-1.10, "Arbitration," of the *Standard Specifications*, does not receive instructions telling him where to serve his complaint to Caltrans. Some contractors serve a copy of their complaint to the Legal Division, while others serve the district. Some districts do not routinely notify the Legal Division when they receive a complaint. Inconsistent serving of arbitration complaints causes problems for the Legal Division because they must respond to the complaint within a specific period of time.

The District Director Determination of Claims letter must be revised to include instructions for the contractor to serve Caltrans with a copy of its complaint to the Legal Division. The revised Example 5-4.11, "Sample District Director Determination of Claims," letter of the *Construction Manual* is attached for your reference.

Attachment