

**DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program**

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Kiewit-FCI-Manson, JV  
220 Burma Rd.  
Oakland, CA 94607

Attn: Mr. Christopher Villa  
Deputy Project Director

December 22, 2004

Contract No. 04-0120E4  
04-SF-80-13.4, 13.8  
SAS T1 & E2 Foundations  
SFOBB-ESSSP

Letter No. 05.003.01-000387

Subject: Response to KFM Transmittal No. 62, Initial Notice of Potential Claim (KFM NOPC No. 2) from Oregon Iron Works, Inc.

Dear Christopher,

The Department has received and is currently reviewing Kiewit-FCI-Manson (KFM) Transmittal No. 62 dated December 10, 2004, which included Oregon Iron Works, Inc., Initial Notice of Potential Claim No. 2 for the ultrasonic testing (UT) of partial joint penetration (PJP) welds.

KFM's attention is directed to Section 9-1.04, "Notice of Potential Claim," of the amended Standard Specifications, which requires, in part, the following:

- Within 15 days of submitting the Initial Notice of Potential Claim, the Contractor shall provide a signed Supplemental Notice of Potential Claim to the Engineer that provides the following information:
  - A. The complete nature and circumstances of the dispute which caused the potential claim.
  - B. The contract provisions that provide the basis of claim.
  - C. The estimated cost of the potential claim, including an itemized breakdown of individual costs and how the estimate was determined.
  - D. A time impact analysis of the project schedule that illustrates the effect on the scheduled completion date due to schedule changes or disruptions where a request for adjustment of contract time is made.
- The information provided in items A and B above shall provide the Contractor's complete reasoning for additional compensation or adjustments.
- The supplemental notice of potential claim shall be submitted on Form CEM-6201B furnished by the Department and shall be certified with reference to the California False Claims Act, Government Code Sections 12650-12655.

It is the Department's understanding that there have been no impacts to date to the project due to this issue.

If you have questions or require additional information, please contact this office.

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Kiewit-FCI-Manson  
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Sincerely,

Pedro J. Sanchez  
Resident Engineer

cc: R. Morrow  
P. Sanchez  
N. Locke  
M. Vilcheck  
R. Hartley

file: 05.003.01, 09.003, 62.001.02