

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

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Kiewit-FCI-Manson, JV
Kiewit/FCI/Manson, a JV
Vallejo, CA 94590

April 2, 2008

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

Attn: Mr. Dan Proctor
Construction Manager

Letter No. 05.003.01-003892

Subject: Response to KFM Letter No. 377 (Contract Change Order #34 - Time Impact Analysis #3 Mitigation Effects)

Dear Dan,

The Department received Kiewit-FCI-Manson (KFM) Letter No. 377 dated March 12, 2008, which stated KFM's position relative to payments for CCO No. 34 and TIA #3. KFM's attention is directed to the Department's Letter No. 3808 dated January 8, 2008, which stated that "...Contract Change Order (CCO) No. 34 S01 encompasses a prior verbal request to perform the extra work on premium hours and extended shifts, as necessary, to avoid negative effects to the project schedule." The Department and KFM agreed, prior to KFM beginning extra work under CCO No. 34, to contemporaneously document through "tentative field agreements" the activities and labor which might have been associated with the Department's direction under CCO No. 34.

The Department agreed during the meeting on December 20, 2007, to pay KFM's supported costs based on the tentative field agreements generated as the CCO NO. 34 work was performed, as premium hours, to account for the effort to avoid schedule impacts. Payments under CCO No. 34 were made on this basis.

The Department points out that after the extra work of CCO No. 34 was performed, KFM requested that the Department review additional work tickets, which were generated between KFM and the rebar placement subcontractor. The labor hours documented on these additional work tickets were not brought to the Department's attention contemporaneously as being associated with CCO No. 34, nor were these hours documented in any of the tentative field agreements. The Department reviewed the additional work tickets and found that a portion of the total additional hours could be supported for payment.

The Department considers that the total payments to KFM under CCO No. 34 to be reflected in the Proposed Final Estimate (PFE), and hereby reminds KFM that exceptions to the PFE are due by April 3, 2008.

Sincerely,

<<< ORIGINAL SIGNED >>>

Mark Vilcheck
Structure Representative

For: Pedro J. Sanchez
Resident Engineer

cc: P. Sanchez
M. Woods

file: 05.003.01, 49.034, 62.001.18