

FOR STATE USE ONLY	
Received By	(For resident engineer) DATE

TO Pedro Sanchez (resident engineer)	CONTRACT NUMBER 04-0120E4	DATE January 18, 2008	IDENTIFICATION NUMBER 20-011808
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This is an Initial Notice of Potential Claim for additional compensation submitted as required under the provisions of Section 9-1.04, "Notice of Potential Claim," of the Standard Specifications. The act of the engineer, or his/her failure to act, or the event, thing, occurrence, or other cause giving rise to the potential claim occurred on:

DATE: January 18, 2008

The particular nature and circumstances of this potential claim are described as follows:

Please see attachment "NOPC 20-011808 -- Nature and Circumstances of Potential Claim".

(attach additional sheets as needed)

The undersigned originator (Contractor or Subcontractor as appropriate) certifies that the above statements and attached documents are made in full cognizance of the California False Claims Act, Government Code sections 12650-12655. The undersigned further understands and agrees that this potential claim to be further considered, unless resolved, must fully conform to the requirements in Section 9-1.04 of the Standard Specifications and must be restated as a claim in the Contractors written statement of claims in conformance with Section 9-1.07B of the Standard Specifications.

Kienitz/PEI/Manson AJV
 SUBCONTRACTOR or CONTRACTOR
 (Circle One)

 (Authorized Representative)

For a subcontractor potential claim

This notice of potential claim is acknowledged, certified and forwarded by

 PRIME CONTRACTOR

 (Authorized Representative)

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NOPC 20-011808 – Nature and Circumstances of Potential Claim

Kiewit/FCI/Manson AJV (“KFM”) was impacted by delayed steel piling deliveries from its pile supplier Trans Bay Steel, Inc (“TBS”). Trans Bay Steel has notified the State that these delays are due in part to direction by the State with respect to the use of welding operator trainees. TBS’s position has been denied by the State and is the subject of NOPC 06-062007 (“NOPC 6”).

NOPC 6 has not been resolved as of the filing date of this NOPC 20-011808. NOPC 6 has been heard by the Disputes Resolution Board (“DRB”) and a recommendation was issued effective January 2, 2008. This recommendation is pending acceptance or rejection from the parties in accordance with the specifications governing DRB operations.

A request for change order by KFM for its damages due to late TBS piling deliveries was deferred pending acknowledgement by the State of Trans Bay Steel’s claims. Completion of contract work by KFM and Contract Acceptance by the State without resolution of TBS’s claims is imminent. Accordingly, KFM makes this Notice of Potential Claim for damages resulting from steel piling delivery delays stemming from Trans Bay Steel’s claims under NOPC 6 and requests the State issue a contract change order immediately for this work in accordance with Standard Specification 4-1.03.