



March 19, 2008

Serial Letter: KFM-LET-000380

California Department of Transportation
SFOBB – E2T1 Project
333 Burma Road
Oakland, CA 94607

Attention: Pedro Sanchez

Reference: SAS E2/T1 Foundation Project
Caltrans Contract No 04-0120E4
KFM Job No. 364/4347

Subject: NOPC 22-011808 Withdrawal

Dear Pedro:

Kiewit/FCI/Manson, a JV (“KFM”) acknowledges actions taken by the State which address issues raised by KFM under Notice of Potential Claim 22-011808 (“NOPC 22”) as follows:

- **Labor Compliance Deductions – Inspection Services Inc.** – Deductions taken by the State for labor compliance were restored under Progress Estimate #46 and this issue is resolved.
- **Bid Item #18 and #20 Concrete Temperature Exceedence** – Deductions taken by the State for concrete temperatures not in compliance with contract requirements have been adjusted on the Proposed Final Estimate in accordance with discussions between KFM and the State and this issue is resolved.
- **Bid Item #41 Overbid Deduction** – Payment for this Bid Item was made in full under Progress Estimate #47 and this issue is resolved.
- **Foreign Steel** – KFM acknowledges receipt of approved Contract Change Order No. 55 Supplement 2 which exempts certain items from contract “Buy America” provisions. With approval of this change order, all work under the contract is brought into conformance with “Buy America” requirements.

With resolution of issues as described above, KFM’s claims under NOPC 22 are relieved and this NOPC is withdrawn.

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Please contact us with any questions.

Sincerely,

KIEWIT/FCI/MANSON, a JV



Dan Proctor
Construction Manager

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