

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

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MCM CONSTRUCTION, INC.  
6413 32ND STREET  
NORTH HIGHLANDS, CA 95660

October 09, 2008

Contract No. 04-0120L4  
04-Ala-80-1.6/2.7  
Oakland Touchdown  
SFOBB-ESSSP

Attn: Mr. Greg Allen  
Project Manager

Letter No. 05.03.01-001092

**Subject: Notice of Potential Claim for PS & ISD Delay  
MCM-TRN-444R2**

Dear Mr. Allen,

This letter is to acknowledge the receipt of MCM letter MCM-TRN-444R2.

Please be advised that as of the date of this letter, we have not received the information we requested in State Letter 1035 in regards to a Time Impact Analysis and associated costs involved in your claim.

Also, your attention is directed to Section 9-1.04, "Notice of Potential Claim" of the Standard Specifications that requires the contractor to submit, within 15 days of submitting the initial notice of potential claim, a 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 Supplemental Notice of Potential Claim submitted by MCM-TRN-444R1 dated September 11, 2008 does not include the required information outlined above. Until we receive this information, we will not be able to make a realistic assessment of the issues presented and the Department's position remains unchanged. Please provide the requested information no later than October 17, 2008 to help us take a meaningful step towards resolving any time and costs impacts that may be associated with your claim.

Sincerely,

**<<< ORIGINAL SIGNED >>>**

Ben Ghafghazi  
Resident Engineer

file: 05.03.01, 62.00