

10-Aug-2007

ABF-CAL-LTR-000255

Mr. Gary Pursell
Resident Engineer
California Department of Transportation
333 Burma Road,
Oakland, CA 94607, USA

PROJECT: San Francisco Oakland Bay SAS Bridge Superstructure
Caltrans Contract No. 04-0120F4
ABF Job No. 660110

SUBJECT: POTENTIAL CLAIM NUMBER 003
SUBMISSION OF INITIAL NOTICE OF POTENTIAL CLAIM
CALTRANS LETTER # 05.03.01-000433

Dear Mr. Pursell:

Pursuant to the Agreement, including Standard Specifications, Article 9-1.04, Notice of Potential Claim, American Bridge / Fluor, JV hereby submits the enclosed certified Form CEM 6201A, Initial Notice of Potential Claim, identified by the above number.

This Initial Notice of Potential Claim will be followed-up with a Supplemental Notice of Potential Claim.

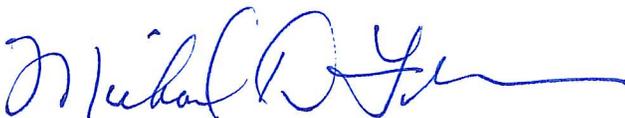
We look forward to receiving your prompt approval of the above identified Initial Potential Claim. The claimed cost damages and time impacts will not be incurred unless the Department directs the Contractor to measure the Hinge A reaction prior to the verification measurement indicated on Contract Sheet 982 of 1204.

As discussed in the core group, Contractor is requesting to place this NOPC on the agenda for discussion at the upcoming DRB meeting in September.

If you have any questions, please contact our office.

Sincerely,

AMERICAN BRIDGE/FLUOR ENTERPRISES, INC. A JOINT VENTURE



Michael Flowers
Project Director

MF/SC/km

File: 02.01

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION		FOR STATE USE ONLY	
INITIAL NOTICE OF POTENTIAL CLAIM		Received by	Date
CEM-6201A (NEW 9/2002)		(For resident engineer)	
TO Mr. Gary Purcell (resident engineer)	CONTRACT NUMBER 04-0120F4	DATE 8/09/07	IDENTIFICATION NUMBER 003

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: **Removal of Hydraulic Jacks at Temporary Towers AE and AW**

DATE: 8/09/07

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

Contractor objects to the Department's determination that the removal of hydraulic jacks is not a Change in Character of the Work and/or Differing Site Condition and declares that a Dispute now exists. The Dispute is limited to the cost of providing and installing hydraulic jack cylinders in the location shown on Structure Materials Information Item O, "Approved Shop Drawings of temporary towers AE and AW (Contract 04-012023)." If directed by the Engineer, Contractor will require these or similar jacks to lower the span from approximately 400 mm to measure the Hinge A reaction at profile grade at any time prior to the verification measurement indicated in Step 1 of Plan Sheet 982 of 1204. There was no information provided in the Information Handout or in the Contract Plans and Special Provisions suggesting that the Skyway would be positioned other than close to the profile grade or that hydraulic jacks indicated in the Information Handout would be removed by the Skyway Contractor and not available for use by the Contractor for measuring the Hinge A reaction on or about July 1, 2007.

(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.

American Bridge Flour JV
 SUBCONTRACTOR or CONTRACTOR
 (Circle one)
Muhall H. H.
 (Authorized Representative)
Project Director

For a subcontractor Potential claim

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

 PRIME CONTRACTOR

 (Authorized Representative)

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