

21-Nov-2007

ABF-CAL-LTR-000371

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 004**  
**Submission of Supplemental Notice of Potential Claim**

Gentlemen:

By its letters dated November 8, 2007 American Bridge / Fluor, JV provided its Initial Notice of Potential Claim and supplemental Initial Notice of Potential Claim respectively for the above referenced Potential Claim. 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 6201B, Supplemental Notice of Potential Claim.

This Supplemental Notice of Potential Claim will be followed-up with a Full and Final Documentation of Potential Claim when all the information is available.

Upon presentation of the Full and Final Documentation by ABFJV, we will look forward to receiving your prompt approval of the above identified Potential Claim and the issuance of an appropriate Change Order.

If you have any questions, please contact our office.

Sincerely,

**AMERICAN BRIDGE/FLUOR ENTERPRISES, INC. A JOINT VENTURE**



Michael Flowers  
Project Director  
MF/SC/ag

Enclosure: Supplemental NOPC 004 Form CEM-6201B

File: 02.01

|  |                                     |                              |                  |
|--|-------------------------------------|------------------------------|------------------|
| STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION |                                     | FOR STATE USE ONLY           |                  |
| <b>SUPPLEMENTAL NOTICE OF POTENTIAL CLAIM</b>      |                                     | Received by                  | Date             |
| CEM-6201B (NEW 9/2002)                             |                                     | (For resident engineer)      |                  |
| TO   | Gary Pursell<br>(resident engineer) | CONTRACT NUMBER<br>01-0120F4 | DATE<br>11/20/07 |
|  |                                     | IDENTIFICATION NUMBER<br>004 |                  |

*This is a Supplemental 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

The particular nature and circumstances of this potential claim are described in detail as follows: Contractor objects to the Department's determination that Contractor's Protest of CCO 21 has been terminated due to lack of notice.

(attach additional sheets as needed)

The basis of this potential claim including all relevant contract provisions are listed as follows:

(attach additional sheets as needed),

The estimated dollar cost of the potential claim including a description of how the estimate was derived and an itemized breakdown of individual costs are attached hereto.

Cost Impact cannot be determined at this time as the NOPC is ongoing.

(attach sheets as required)

A time impact analysis of the disputed disruption has been performed and is attached hereto. The affect on the scheduled project completion date is as follows:

TIA will be submitted at a future date

(attach time impact analysis as required)

*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.*

*Michael D. Flowers*

SUBCONTRACTOR or CONTRACTOR  
(Circle One)

*Michael D. Flowers*

(Authorized Representative)

*Project Director*

For a subcontractor potential claim

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

PRIME CONTRACTOR

(Authorized Representative)