

03-Dec-2007

ABF-CAL-LTR-000380

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: Request for Change Order (RFCO) No. 19 and Supplement
Department Letter No. 05.03.01-000886

Gentlemen:

American Bridge / Fluor Enterprises Inc., A Joint Venture (ABFJV) is in receipt of the above noted Department letter dated November 27, 2007 provided in response to ABF-CAL-LTR-000331 dated November 19, 2007 wherein the Department advises that based upon the Contract Documents and the information provided by ABFJV, the Department feels that a Contract Change Order is not warranted.

In letter ABF-CAL-000348, Request for Change Order (RFCO) No. 19 – RFI 876R0 and 944R0 Design Deficiencies on PWS Cable Geometry near Pier E2 and from PP111 to PP 118, dated November 1, 2007 ABFJV requested that a Contract Change Order or other written order be issued because, as a result of deficient Design, Plans and Specifications, ABFJV is performing, and will in the future be required to perform, Extra Work that is not covered by any of the various items for which there is a bid price. The basis for ABFJV's Request for Change Order or other written order is that ABFJV is not responsible for the completeness and accuracy of the Department issued Engineering Plans and Specifications. It is the Department's responsibility to prepare full, complete and accurate plans and specifications and give ABFJV the direction necessary to carry them out. The complexity or uniqueness of the bridge does not relieve the Department of this responsibility.

The Department advised that it feels that a Contract Change Order is not warranted. ABFJV disagrees. For this reason, ABFJV has provided under separate cover, a "Notice of Potential Claim" pursuant to Standard Specification 9-1.04 as amended by the Special Provisions.

If you have any questions, please contact our office.

Sincerely,

AMERICAN BRIDGE/FLUOR ENTERPRISES, INC. A JOINT VENTURE



Michael D. Flowers
Project Director
MF/PW/ag

File: 02.01, 04.06.19