

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

333 Burma Rd.
Oakland, CA 94607
(510) 622-5660, (510) 286-0550 fax



*Flex your power
Be energy efficient!*

May 26, 2009

Contract No. 04-0120F4
04-SF-80-13.2 / 13.9
Self-Anchored Suspension Bridge
Letter No. 05.03.01-004206

Michael Flowers
Project Executive
American Bridge/Fluor, A JV
375 Burma Road
Oakland, CA 94607

Dear Michael Flowers,

Notice of Potential Claim (NOPC) No. 12 - Sales Tax Increase

The Department is in receipt of ABF-CAL-LTR-000910, "Supplemental Notice of Potential Claim Number 012, Form CEM-6201 B," dated May 01, 2009, regarding the recent sales and use tax increase brought on by Assembly Bill 3.

The Department's decision regarding NOPC 12 remains unchanged as outlined in State Letter 05.03.01-003827, dated April 10, 2009.

In response to information provided with Supplemental NOPC 12, the Department requests the following additional information and/or clarification:

1. The Supplemental NOPC 12 cited some 29 California Civil Code provisions and 26 California Public Contract Code provisions. Please explain the relevance of each of the cited codes as it applies to NOPC 12.
2. Please provide the basis for the \$500M in anticipated purchases and payments after April 1, 2009.

Sincerely,

A handwritten signature in blue ink that reads "Gary Purcell".

GARY PURSELL
Resident Engineer

cc: Don Ross
file: 05.03.01, 62.02.012