



January 6, 2006

Serial Letter: KFM-LET-001462

California Department of Transportation  
SFOBB – Skyway Project  
345 Burma Road  
Oakland, CA 94607

Attention: Douglas Coe, P.E.

Reference: Skyway Bridge Project (Caltrans Contract No. 04-012024)  
KFM Job No. 364/3726

Subject: Payment for CCO 99 Composite Drawings

Dear Doug:

Please find Parsons NOPC dated January 5, 2006 responding to State Letter #9364. This NOPC is in regards to payment for CCO 99 composite drawings. Review and respond accordingly.

Sincerely,  
**KIEWIT/FCI/MANSON, a JV.**

A handwritten signature in black ink, appearing to read 'Lee Zink', written over a horizontal line.

Lee Zink  
Project Director

cc: file

STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION  
**NOTICE OF POTENTIAL CLAIM**  
CEM-6201 (REV 3/2001)



TO Doug Coe  (resident engineer)	CONTRACT NUMBER 04-012024	DATE January 5, 2006
---	------------------------------	-------------------------

This is a Notice of Potential Claim for additional compensation under the provisions of Section 9-1.04 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 January 5, 2006

The particular circumstances of this potential claim are described in detail as follows:

The State issued CCO 99 February 6, 2004. The scope of work included pier table composite drawings for both the State and the Contractor and was compensated on a Force Account Basis. The Contractor's construction engineer, Parsons Transportation Group prepared the drawings. CCO 99 took a credit from the Contractor for its entire pier table drawing budget accordingly.

After completing several pier table drawings, it was discovered that a pier table panel dimension exceeded the precast yard formwork capacity. The forms were fabricated based on CCO 32 provided dimensions. To avoid delays in fabricating the precast panels and the pier table work, the panel dimensions on the composite drawings were changed and re-submitted. The State refuses to provide compensation for this work which involved the pier table composite drawings that are covered under CCO 99.

The reasons for which I believe additional compensation may be due are:

Per CCO 99, all work necessary to produce pier table composite drawings will be compensated for on a force account basis. The change to these pier table composite drawings is part of the CCO 99 scope.

The nature of the costs involved and the amount of the potential claim are described as follows:  
(If accurate cost figures are not available, provide an estimate, or describe the types of expenses involved.)

Approximately \$60,000

The undersigned originator (Contractor or Subcontractor as appropriate) certifies that the above statements 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 be restated as a claim in response to the states proposed final estimate in accordance with Section 9-1.07B of the Standard Specifications.

PARSONS TRANSPORTATION GROUP INC.

SUBCONTRACTOR or CONTRACTOR

(Circle one)

GARY J. QUARANTA, VICE PRESIDENT

(Authorized Representative)

**For subcontractor notice of potential claim**

This notice of potential claim is acknowledged and forwarded by

[Signature]

PRIME CONTRACTOR

(Authorized Representative)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 263-2041 or TDD (916) 263-2044 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

California Department of Transportation – Construction Manual – July 2001

**DEPARTMENT OF TRANSPORTATION**

SFOBB – Skyway Project  
 345 Burma Road  
 Oakland, CA 94607  
 Facsimile Number: (510) 622-5165



*Flex Your Power  
 Be Energy Efficient!*

December 29, 2005

KFM, a JV  
 220 Burma Road  
 Oakland, CA 94607

Contract: 04-012024  
 04-SF, Ala-80-13.9/14.3, 0.0/1.6  
 SFOBB Skyway Project  
 State Letter # 5.03.1-009364

*Subject: KFM Letter No. 1348, Payment for CCO 99 Composite Drawings*

Dear Mr. Zink,  
 Attention: Mr. Paul Giroux,

The Department has received KFM Letter No. 1348 "Payment for CCO 99 Composite Drawings" dated August 26, 2005. This issue, which is related to KFM Letter No. 761, has been discussed on several occasions with the most recent discussion having taken place on December 13, 2005 during the weekly CCO No. 74 Pier Table Issues Meeting. As per our discussions, the Engineer's response to KFM Letter No. 761 stated in State Letter No. 4410 remains unchanged.

Furthermore, Section 51-1.05 "Forms" of the Standard Specifications places the responsibility for constructing concrete forms true to the dimensions, lines, and grades of the structure on the Contractor. CCO No. 99 did not negate this contractual responsibility. KFM is expected to abide by their contractual obligation and take responsibility for costs and project impacts related to incorrectly determining the minimum and maximum pier table panel dimensions.

If you have any further questions, feel free to contact me at (510) 455-1798.

Sincerely,

Mr. William S. Casey  
 Senior Bridge Engineer

For: Mr. Douglas Coe  
 Resident Engineer

JMF:jmf

cc: D. Coe, W. Casey, H. El-Natur, D. Salladay  
 file: 49.099, 5.03.1

<b>SKYWAY-BAY BRIDGE PROJECT</b>	
KIEWIT / FCI / MANSON, A JV	
DATE: 12/29/05	CO/JOB: 364-3726
ROUTED BY: SBV	NO: 04-012024
TO: Zink, Lee	SPECIAL NOTES:
INTERNAL KFM COPIES TO:	
EXTERNAL COPIES TO:	
SCANNED: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	FILED TO: Kfm Let 1348