



Andrew Yan To: wbbaker@napanet.net
03/23/2005 03:15 PM cc: Lourdes David/D04/Caltrans/CAGov@DOT
Subject: 04-0120R4 DRB Hearing NOPC 1 meeting minutes

These meeting minutes have been mutually agreed to between the State and C.C. Myers. Please forward on to the other DRB members. Thank you.



3.14.05 NOPC 1 Hearing minutes FINAL

Please email or call me if you have any questions.

- Andrew Yan 510.286.0540

RECEIVED

001545 MAR 22 2005

DISPUTES REVIEW BOARD (DRB)
NOPC NO. 1 HEARING

Project: 04-0120R4 (South-South Detour)
04-SF-80-12.6/13.2

Date: Monday, March 14, 2005
Time: 10:00AM – 11:30 PM

Location of Meeting: Caltrans San Francisco Oakland Bay Bridge Field Office
333 Burma Road, Oakland, CA 94607

The DRB Hearing Agenda's topics were discussed as follows

1. Opening remarks by Bill Baker

2. Introductions of all individuals present:

DRB: William (Bill) B. Baker – Chairman Fred Graebe - DRB Member
Tim McGowan - DRB Member

Caltrans: Lourdes David - Resident Engineer Gary Lai- Structure Representative
Pete Siegenthaler - Principal Engineer Rob Kobal – Caltrans HQ
Andrew Yan - Assistant Resident Engineer

C.C. Myers: Bob Coupe – Project Manager

3. Project Status:

a. LDavid highlighted items of project status:

- LDavid provided a handout detailing information about the project status.
- Project is currently suspended until March 31, 2005.
- Possible suspension of portions of work on West Tie-In (WTI) from not wanting to affect mainline traffic.
- East Tie-In (ETI) Superstructure submittal on hold due to design criteria issues (NOPC No. 3).
- Deck drainage issues need to be resolved, however this should not affect re-start of work on 4/1/05.
- Work on Viaduct section can be completed; ETI and WTI can be completed up to 80% so as to not affect mainline traffic; project will then most likely be suspended again.

b. BCoupe highlighted items of project status:

- There may be another interim suspension for the WTI after 4/1/05.
- CCM could delay construction of WTI for approximately one year, but still meet the July 1, 2007 completion date.
- Viaduct steel has mostly been purchased and fabrication as per plan is under way.

c. Design submittal status:

- ETI is behind slightly.
- WTI and Viaduct submittals on-schedule.

d. Contract Change Order (CCO) Status:

- LDavid provided a current CCO log.
- None are in dispute.

e. Notice of Potential Claim (NOPC) Status:

- LDavid provided a current NOPC log.
- NOPCs 2 through 4 continue to have on-going negotiations. All have been referred to the DRB.
- All NOPCs have complied with time requirements.
- All NOPCs are currently on hold (i.e. hearing dates).

4. C.C. Myers NOPC No. 1 presentation:

- See attached CCM position paper.
- DRB had no immediate questions.

5. Caltrans NOPC No. 1 presentation:

- See attached CT position paper.
- DRB had no immediate questions.

6. Rebuttals:

a. C.C. Myers:

- CCM requests the ENR article referenced in CT's presentation be removed, as it is new material and was never an original part of Caltrans' position paper submittal.

b. Caltrans:

- When a contract award extension request has been made, and CCM decides to accept the extension, CCM is obligated to be sure that the bid item quotes are still valid.

7. DRB Questions:

- Was steel ordered before award of job? CCM: Yes
- Material On Hand (MOH) payment provisions? If all the steel were purchased, would it have been paid as MOH? CT: Yes, provided the material is stored in the United States, as per SP Section 5-1.25 "Payments".
- Can changes be initiated by CCO? CT: Yes, for ordered change.
- Can terms of contract be changed by CCO? CT: No, if there is no ordered change.
- What percent magnitude of increase has steel prices escalated? CT/CCM: No assessment has been done.

8. Date for next DRB meeting: Thursday, June 16, 2005 at C.C. Myer's field trailer at 10:00 AM.

9. Meeting adjourned. No job-site tour conducted.