C.C. MYERS INC.

51 Macalla Road San Francisco, CA 94130
(415) 399-0175 Fax (415) 399-0587

November 28, 2007

Document No.: 215-STL.00340

State of California
Department of Transportation
333 Burma Road
Oakland, CA 94607

Temporary Bypass Structure
Contract No. 04-0120R4
CCM Job # 215

Attn: Mr. William Casey
Resident Engineer

Re: Notice of Potential Claims 10 and 14

Dear Mr. Casey,

Attached please find a compilation of the costs incurred to date for the additional work performed as described in our Notices of Potential Claim referenced above. As full settlement for the costs incurred to date, we will accept a lump sum payment equal to $468,518.80. For the costs that are yet to be incurred, payment as extra work at force account would be the most appropriate method as the scope of work is not clearly defined. These future costs include any review of working drawings by our designer as well as any additional work required by our designer as a result of the Viaduct Supplemental Technical Special Provisions (STSP) requiring work by the Contractor's Engineer when the Standard Special Provision used to create the STSP required this work to be performed by the Engineer.

The issuance of a Contract Change Order as specified herein will result in full settlement of the potential claims referenced above.

Very Truly Yours,
C. C. Myers, Inc.

Robert W. Coupe
Senior Project Manager

cc: MO

File: 215-101, 215-9910, 215-9914

Detail of Charges from Imbsen and Associates' Invoices for Shop Drawings Review and CIDH Piles Inspection and Anomalies

		9910	9914	Total Amount
Invoice No.	**8092**			
Date	10/28/2004			
Period	9/25/2004 10/22/2004			
Related Charges	West Tie-In Micropile Shop Plans	$ 331.25		
Total		$ 331.25	$ -	
Total Amount This Invoice				$ 331.25
Invoice No.	**8120**			
Date	12/3/2004			
Period	10/23/2004 11/19/2004			
Related Charges	West Tie-In Micropile Shop Plans	$ 1,266.83		
Total		$ 1,266.83	$ -	
Total Amount This Invoice				$ 1,266.83
Invoice No.	**8149**			
Date	2/3/2005			
Period	11/20/2004 1/28/2005			
Related Charges	Pile driving inspection		$ 6,265.36	
	West Tie-In Micropile Shop Plans	$ 1,253.62		
Total		$ 1,253.62	$ 6,265.36	
Total Amount This Invoice				$ 7,518.98
Invoice No.	**8183**			
Date	3/9/2005			
Period	1/29/2005 2/25/2005			
Related Charges	Pile driving inspection		$ 217.10	
	West Tie-In Micropile Shop Plans	$ 1,096.08		
Total		$ 1,096.08	$ 217.10	
Total Amount This Invoice				$ 1,313.18
Invoice No.	**8295**			
Date	9/10/2005			
Period	5/21/2005 8/26/2005			
Related Charges	Viaduct Steel Erection Plan Review	$ 500.00		
	Engineering- Pile Anomalies		$ 5,025.00	
Total		$ 500.00	$ 5,025.00	
Total Amount This Invoice				$ 5,525.00
Invoice No.	**8299**			
Date	9/22/2005			
Period	2/25/2005 7/28/2005			
Related Charges	West Tie-In Micropile Shop Plans	$ 2,532.28		
	Pile and CIDH inspection		$ 31,705.68	
Total		$ 2,532.28	$ 31,705.68	
Total Amount This Invoice				$ 34,237.96

		9910	9914	Total Amount
Invoice No.	**8354**			
Date	12/7/2005			
Period	7/29/2005 11/25/2005			
Related Charges	Pile and CIDH inspection		$ 37,662.06	
Total		$ -	$ 37,662.06	
Total Amount This Invoice				$ 37,662.06
Invoice No.	**128**			
Date	5/10/2006			
Period	4/1/2006 4/28/2006			
Related Charges	Bearing Shop Plan Review	$ 3,220.35		
	Joint Steel Shop Plan Review	$ 840.90		
Total		$ 4,061.25	$ -	
Total Amount This Invoice				$ 4,061.25
Invoice No.	**153**			
Date	6/5/2006			
Period	4/29/2006 5/26/2006			
Related Charges	Viaduct Steel Shop Plan Review	$ 3,678.80		
	Viaduct Steel Erection Plan Review	$ 647.50		
	Bearing Shop Plan Review	$ 1,437.50		
	Joint Steel Shop Plan Review	$ 280.00		
Total		$ 6,043.80	$ -	
Total Amount This Invoice				$ 6,043.80
Invoice No.	**212**			
Date	8/7/2006			
Period	7/1/2006 7/28/2006			
Related Charges	Tiedown Shop Plan Review	$ 2,809.06		
	Pile and CIDH inspection	$ 1,062.77		
Total		$ 3,871.83	$ -	
Total Amount This Invoice				$ 3,871.83
Invoice No.	**254**			
Date	9/11/2006			
Period	7/29/2006 8/25/2006			
Related Charges	Viaduct Steel Shop Plan Review	$ 22,752.65		
	Viaduct Steel Erection Plan Review	$ 5,355.00		
	Bearing Shop Plan Review	$ 7,633.75		
	Joint Steel Shop Plan Review	$ 9,140.35		
	Tiedown Shop Plan Review	$ 157.60		
	Pile and CIDH inspection		$ 4,150.97	
	CH2M Hill- Erection Plan	$ 574.12		
	CIDH Pile Anomalies		$ 11,670.00	
	Tiedown Shop Plan Review	$ 2,263.75		
	Overhead sign Shop Plan Review	$ 2,037.50		
	CH2M Hill- Pile Anomalies		$ 785.88	
	Mark Thomas- Pile Anomalies		$ 3,174.00	
Total		$ 49,914.72	$ 19,780.85	
Total Amount This Invoice				$ 69,695.57

		9910	9914	Total Amount
Invoice No.	**291**			
Date	10/4/2006			
Period	9/2/2006 9/29/2006			
Related Charges	Viaduct Steel Shop Plan Review	$ 40,647.57		
Total		$ 40,647.57	$ -	
Total Amount This Invoice				$ 40,647.57
Invoice No.	**331**			
Date	11/3/2006			
Period	9/30/2006 10/27/2006			
Related Charges	Viaduct Steel Shop Plan Review	$ 26,544.03		
	Viaduct Steel Erection Plan Review	$ 420.00		
Total		$ 26,964.03	$ -	
Total Amount This Invoice				$ 26,964.03
Invoice No.	**349**			
Date	11/30/2006			
Period	10/28/2006 11/24/2006			
Related Charges	Viaduct Steel Shop Plan Review	$ 34,269.83		
	Viaduct Steel Erection Plan Review	$ 4,022.50		
Total		$ 38,292.33	$ -	
Total Amount This Invoice				$ 38,292.33
Invoice No.	**390**			
Date	1/5/2007			
Period	12/2/2006 12/29/2006			
Related Charges	Viaduct Steel Shop Plan Review	$ 11,073.00		
	Viaduct Steel Erection Plan Review	$ 1,503.32		
	Bearing Shop Plan Review	$ 245.00		
Total		$ 12,821.32	$ -	
Total Amount This Invoice				$ 12,821.32
Invoice No.	**421**			
Date	2/5/2007			
Period	12/30/2006 1/26/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 22,006.30		
	Bearing Shop Plan Review	$ 34.25		
Total		$ 22,040.55	$ -	
Total Amount This Invoice				$ 22,040.55
Invoice No.	**456**			
Date	3/2/2007			
Period	1/27/2007 2/23/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 31,953.96		
	Bearing Shop Plan Review	$ 1,446.50		
Total		$ 33,400.46	$ -	
Total Amount This Invoice				$ 33,400.46

		9910	9914	Total Amount
Invoice No.	**469**			
Date	4/2/2007			
Period	3/3/2007 3/30/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 46,095.75		
Total		$ 46,095.75	$ -	
Total Amount This Invoice				$ 46,095.75
Invoice No.	**527**			
Date	5/3/2007			
Period	3/31/2007 4/27/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 14,394.91		
Total		$ 14,394.91	$ -	
Total Amount This Invoice				$ 14,394.91
Invoice No.	**551**			
Date	6/18/2007			
Period	4/28/2007 5/25/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 305.47		
Total		$ 305.47	$ -	
Total Amount This Invoice				$ 305.47
Invoice No.	**568**			
Date	6/29/2007			
Period	5/26/2007 6/29/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 68.46		
Total		$ 68.46	$ -	
Total Amount This Invoice				$ 68.46
Invoice No.	**598**			
Date	7/27/2007			
Period	5/26/2007 7/27/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 5,134.53		
Total		$ 5,134.53	$ -	
Total Amount This Invoice				$ 5,134.53
Invoice No.	**609**			
Date	9/11/2007			
Period	7/28/2007 8/24/2007			
Related Charges	Viaduct Steel Shop Plan Review	$ 14,234.00		
Total		$ 14,234.00	$ -	
Total Amount This Invoice				$ 14,234.00

Subtotals	$ 325,271.04	$ 100,656.05

Total Costs	$ 425,927.09

Geomatrix Cost Breakdown Summary

Update: 11/26/07

Geomatrix Invoice No.	32415	33689	34838	35412	35797	39236	39238	39240	39242	39130	39589	41034	41633	45558	46357	47097	48628	49242	49845	52986
IAI Invoice No.	8120	8149	8183	8227	8227	8299	8299	8299	8299	8299	8354	8354	8354	8299	291	380	390	390	390	551
GMX Invoice Date	9/14/2004	11/23/2004	1/26/2006	12/26/2005	3/17/2006	8/31/2005	8/31/2005	8/31/2005	8/31/2005	8/25/2005	8/16/2005	11/22/2005	12/22/2005	6/26/2006	7/27/2006	8/28/2006	10/26/2006	11/17/2006	12/14/2006	5/26/2007
GMX Billing Period	- 8/29/2004	8/27/2004 - 10/28/2004	10/29/2004 - 12/30/2004	12/3/2004 - 1/27/2005	1/28/2005 - 2/24/2005	2/25/2005 - 3/31/2005	4/1/2005 - 4/28/2005	4/29/2005 - 5/28/2005	5/27/2005 - 6/30/2005	7/1/2005 - 7/28/2005	7/29/2005 - 8/25/2005	9/1/2005 - 10/27/2005	10/28/05 - 11/24/05	11/25/2005 - 5/25/2006	5/26/2006 - 6/29/2006	6/30/2006 - 7/27/2006	7/28/2006 - 8/28/2006	9/29/2006 - 10/27/2006	10/28/2006 - 11/23/2006	11/24/2006 - 3/28/2007

Task	Description	Total	Total Task Cost Code
		$ 16,564.58	
1	Pile Driving Inspection - Bent 48 22	$ 5,831.16	
	Pile Driving Inspection- Bent 48	$ 2,791.42	
	Pile Driving Inspection -Bent 47B	$ 1,242.20	
	Pile Driving Inspection - Bent 52	$ 3,653.20	$ 24,251.40 990 4
2	Pile Driving Inspection Oversight	$ 434.20 $ 217.10	$ 781.04
	Pile Driving Inspection Oversight - Bent 48	$ 441.65	$ 1,422.34
	Pile Driving Inspection Oversight - Bent 52	$ 1,034.56	$ 441.65 $ 2,808.55 990 4
	Pile Driving Inspection Oversight - Bent 62		$ 1,034.56
	Pile Capwap Analysis		$ -
3	Pile Capwap Analysis - Bent 52L	$ 759.33	
	Pile Capwap Analysis - Bent 52R	$ 405.44 $ 120.16	$ 759.33 $ 1,284.93 990 4
	Pile Load Test- Bent 48 - CCO 42	$ 340.86	$ 525.60
4	Pile Load Test- Bent 52L	$ 540.72 $ 540.72	$ 340.86 $ 340.86 904 2
	Pile Load Test- Bent 52R- CCO 42	$ 1,587.23	$ 540.72 $ 540.72 253 4
5	CIDH Pile Drilling and Pouring - Bent 51L	$ 8,987.21 $ 8,987.21	$ 1,587.23 $ 1,587.23 904 2
	CIDH Pile Drilling and Pouring - Bent 51R	$ 4,568.44	
	CIDH Pile Drilling and Pouring - Bent 50L	$ 5,412.11 $ 1,153.97	$ 8,987.21
	CIDH Pile Drilling and Pouring - Bent 50R	$ 7,490.80	$ 4,568.44 $ 6,566.08 $ 41,033.02 991 4
	CIDH Pile Drilling and Pouring - Bent 53R	$ 9,467.48 $ 3,952.01	$ 7,490.80
6	CIDH Pile Drilling Oversight - Bent 51L	$ 2,976.48	$ 13,419.49
	CIDH Pile Drilling Oversight - Bent 51R	$ 480.64	$ 2,976.48
	CIDH Pile Drilling Oversight - Bent 50R	$ 736.73	$ 480.64
	CIDH Pile Drilling Oversight - Bent 53R	$ 1,261.68	$ 736.73 $ 5,455.53 991 4
7	CIDH Pile Test Evaluation - Bent 51L	$ 1,169.19	$ 1,261.68
	CIDH Pile Test Evaluation - Bent 51R	$ 1,328.80 $ 78.80 $ 1,062.77	$ 1,169.19
	CIDH Pile Test Evaluation - 50L-50R-51L	$ 1,321.76	$ 2,470.37
	CIDH Pile Test Evaluation - Bent 50R	$ 1,169.19	$ 1,321.76 $ 6,130.51 991 4
8	CIDH Pile Anomaly Mitigation		$ 1,169.19
9	Slope Monitoring		$ - $ - 991 4
10	Shop Drawing Review	$ 1,266.83 $ 1,253.62 $ 1,096.08 $ - $ 285.63 $ 2,532.28	$ 9,401.10 $ 9,401.10 991 0
11	RFI's	$ 1,318.47 $ - $ 325.63 $ 325.65 $ -	$ 2,960.93 $ 54,610.22 253 4
12	Foundation Acceptance - Bent 48	$ 434.20 $ 759.85 $ 1,292.26	$ 2,860.93
	Foundation Acceptance - Bent 49	$ 841.12 $ 480.64	$ 3,478.67
	Foundation Acceptance - Bent 52	$ 480.55 $ 1,743.32 $ 1,254.80	$ 3,808.06 $ 10,466.92 253 4
13	Bent 52 L Redesign -CCO 27	$ 1,794.64 $ 1,384.55	$ 3,178.19
14	Construction Meetings	$ 1,318.47 $ 868.40	$ 5,908.59 $ 5,908.59 902 7
		$ 3,721.72	$ 1,518.49 253 4
		$ 811.77 $ 706.72	
			$ 168,598.00

Cost Code Breakdown

Cost Code Breakdown	32415	33689	34838	35412	35797	39236	39238	39240	39242	39130	39589	41034	41633	45558	46357	47097	48628	49242	49845	52986
CCM Cost Code	8120	8149	8183	8227	8227	8299	8299	8299	8299	8299	8354	8354	8354	212	291	380	390	390	390	551
2534	$ 1,318.47	$ 4,326.80	$ 3,339.78	$ 2,068.02	$ 1,979.58	$ 1,997.66	$ 4,283.02	$ 3,718.64	$ 2,911.59	$ 2,985.87	$ 3,614.24	$ 5,758.42	$ 2,847.40	$ 16,192.65	$ 2,644.28	$ 2,362.75	$ 2,934.47	$ 1,865.06	$ 656.26	$ 2,471.32
9027	$ 1,318.47	$ 868.40				$ -	$ -	$ -	$ -	$ -	$ -	$ -								
9042						$ -	$ -	$ -	$ -	$ -	$ 340.86	$ -								
9904	$ 6,265.36	$ 217.10				$ -	$ -	$ -	$ 8,271.86	$ 3,242.80	$ 7,162.23	$ 3,175.57	$ 120.16							
9910	$ 1,266.83	$ 1,253.62	$ 1,096.08	$ -	$ 285.63	$ 2,532.28	$ -	$ -	$ -	$ -	$ -	$ -	$ 157.60	$ 2,809.06						
9914						$ -	$ -	$ -	$ -	$ 20,191.22	$ 14,129.37	$ 13,204.88	$ 4,030.81	$ 1,062.77						
Total	$ 2,585.30	$ 13,164.25	$ 5,521.36	$ 2,068.02	$ 2,265.21	$ 4,528.94	$ 4,283.02	$ 7,440.36	$ 11,183.45	$ 26,429.69	$ 25,238.70	$ 22,138.88	$ 8,743.20	$ 20,064.48	$ 2,644.28	$ 2,362.75	$ 2,934.47	$ 1,865.06	$ 656.26	$ 2,471.32

$ 168,598.00