

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

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



CC Myers - YBI
51 Macalla Road
San Francisco, CA 94130

Attn: Mr. Bob Coupe

Ref: 215-TRN.00388

January 05, 2006

Contract No. 04-0120R4
04-SF-80-12.6, 13.2
South – South Detour

Letter No. 05.03.01-000645

Subject: NOPC No. 15 - Part B

Dear Mr. Coupe,

We are in receipt of your Notice of Potential Claim (NOPC) No. 15, dated December 21, 2005, requesting additional compensation for developing plans for the United States Coast Guard (USCG) access road and for construction costs associated with implementing and operating the detours.

After a review of your NOPC, the Department finds no merit to it.

Your attention is directed to the Special Provisions Section 10-1.29 Maintaining Traffic, which states in part:

"The Contractor shall provide access and maintain local streets, Macalla Rd., USCG Access Rd., and Torpedo Factory Rd., which are the primary access to United States Coast Guard (USCG), United States Navy facilities, University of California-Berkeley (UCB) Seismographic Stations, and various project sites on Yerba Buena Island, in the vicinity of the contract, open to local and other Contractor's traffic at all times."

"Full compensation for providing and maintaining the above access shall be considered as included in the contract price paid for various items of work involved and no additional compensation will be allowed therefor."

Please reference the Special Provisions Section 5-1.12 'Disputes Review Board' should you choose to refer the matter to the Disputes Review Board (DRB).

If you have any questions, please call me at (510) 622-5660.

Sincerely,

<<< ORIGINAL SIGNED >>>

Resident Engineer
Lourdes David

cc: G. Lai
L. David
R. Hartley
C. Moreno
A. Yan
R. Morrow
S. Morrison

file: 05.03.01, 62.02.15