

C.C. MYERS, INC.

An Equal Opportunity / Affirmative Action Employer

3286 FITZGERALD ROAD
RANCHO CORDOVA, CA 95742
916-635-9370
FAX 916-635-1527

LETTER OF TRANSMITTAL

Document No: 215-STT.00621
Dated Mar 15 2006 Job No.: 215
Attention: Mr. Mahantesh Anigol
Re: 04-0120R4
Temporary Bypass Structure

To: State of California
Department of Transportation
333 Burma Road
Oakland CA 94607

Subject: Notice of Potential Claim #17 - Refer to DRB

We are sending you:

Attached Via Fax

- | | | |
|---------------------------------------|---|---|
| <input type="checkbox"/> Drawing | <input checked="" type="checkbox"/> Plans | <input type="checkbox"/> Prog. Pmt |
| <input type="checkbox"/> Samples | <input type="checkbox"/> Certificates of compliance | <input type="checkbox"/> Calculations |
| <input type="checkbox"/> Payroll | <input type="checkbox"/> Specs | <input type="checkbox"/> Copy of Letter |
| <input type="checkbox"/> Change Order | <input type="checkbox"/> Schedule | <input type="checkbox"/> Invoice |

Copies	Item	Date	Description
1	01	Mar 15 2006	Notice of Potential Claim #17 - Refer to DRB

These are transmitted as checked below:

- | | | |
|--|---|--|
| <input type="checkbox"/> For Approval | <input type="checkbox"/> For Review/comment | <input type="checkbox"/> Return For Correction |
| <input checked="" type="checkbox"/> For Your Use | <input type="checkbox"/> As Requested | <input type="checkbox"/> For Information |

Remarks:

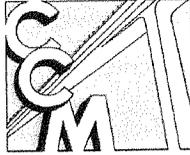
Copy To: Robert Coupe, Main Office

File: 215-101, 215-9917

Signed:

Andy Chan
Project Engineer





C.C. MYERS INC.

51 Macalla Road
(415) 399-0175

San Francisco, CA 94130
Fax (415) 399-0587

March 14, 2006

Document No.: 215-LET.00331

Dispute Review Board
511 Kortum Canyon Road
Calistoga, CA 94515

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

Attn: Mr. William Baker

Re: Notice of Potential Claim #17

Dear Mr. Baker,

We have submitted a Notice of Potential Claim to the State regarding the State's denial of compensation for all costs associated with the clean up, repair and restoration of the damaged that occurred due to a significant storm event over the weekend of December 31, 2005 through January 1, 2006. Attached please find a compilation of all the correspondence generated to date regarding this matter.

We hereby refer this matter to the Disputes Review Board in accordance with Section 5-1.12 of the project's Special Provisions.

This letter is to inform you that C.C. Myers, Inc. has agreed with the State to postpone the presentation of this NOPC to the DRB. We will inform you when we will be ready to hold this meeting.

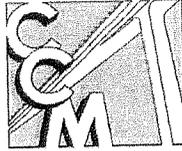
Very Truly Yours,
C. C. Myers, Inc.

Andy Chan
Project Engineer

Enclosed: 215-STL.00220	1/3/06	05.03.01-000643	1/4/06
05.03.01-000652	1/10/06	215-STL.00226	1/25/06
05.03.01-000679	2/16/06	215-STT.00598	2/23/06
215-STT.00607	3/6/06	05.03.01-000687	3/8/06
CCO #14		CCO #24	
SWPPP RAINY SEASON CONSTRUCTION INSPECTION FORM			10/24/06
October, 05 Job Photos			

cc: Matthew B. McGowan, Frederick Graebe, RW.C, Mahantesh Anigol, MO

File: 215-101, 215-9917



C.C. MYERS INC.

51 Macalla Road
(415) 399-0175

San Francisco, CA 94130
Fax (415) 399-0587

January 03, 2006

Document No.: 215-STL.00220

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

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

Attn: Mr. Lourdes David
Resident Engineer

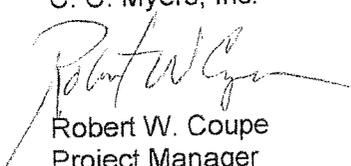
Re: Extraordinary Storm Damage

Dear Mr. David,

Over the last weekend, the project site experienced a storm event being categorized similarly to the 100+ year event that occurred January 1, 1997 that caused flooding and damage throughout Northern California. This extraordinary storm caused damage to the slope between Southgate Road and the old USCG Access Road.

As you are aware, the project completion date, considering the temporary suspension under Contract Change Order No. 14 was to be October 27, 2005. However, due to subsequent temporary project suspensions, the completion date is now projected to be June 28, 2007. As such, without these subsequent suspensions, the project would have been complete and we would not have been on site during the above referenced storm event. We therefore request that the State issue a Contract Change Order to compensate us for all costs associated with the clean up, repair and restoration of the damage that occurred over this past weekend.

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


Robert W. Coupe
Project Manager

cc: AC
DHobbs
CMW
MO
JCG

File: 215-101

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

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



RECEIVED

January 04, 2006

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

JAN 05 2006

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

Attn: Mr. Bob Coupe

CC MYERS, INC.
JOB 215 TEMP. BYPASS STRUCTURE

Letter No. 05.03.01-000643

Ref:

IC: 02791

215-103

Subject: Bent 48 Slope Damage

Re
D Hobbs
CW

Dear Mr. Coupe,

On the morning of December 21, 2005, a portion of the Bent 48 slope area between Southgate Rd. and the USCG Rd. slid and destroyed some of the plastic temporary cover used to cover the slope. The displaced soil was removed and the plastic was repaired. Then again on the morning of January 2, 2006, a much larger portion of Bent 48 slope between Southgate Rd. and the USCG Rd. slid and destroyed much of the plastic temporary cover used to cover the slope.

This office recommends a geotechnical evaluation due to the current condition of the slope to determine the stability and adequate support for the foundations and columns on Southgate Road. Furthermore, a thorough inspection of the drainage areas should be conducted by your personnel to prevent further entry of water to the slope. Please consider the change in conditions on Southgate Road and the hydraulics before and after this project started.

Furthermore, it has been an ongoing issue that the State has not been receiving the inclinometer reports weekly as required by the Special Provisions. The last transmittal of readings was received on July 12, 2005 and covered only until June 17, 2005. This issue was already addressed to you back on June 24, 2005 via letter 05.03.01-000476, yet we have not received an inclinometer reading for over 6 months now.

Sincerely,

Resident Engineer
Lourdes David

cc: G. Lai
C. Moreno
A. Yan

file: 05.03.01

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

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



RECEIVED

January 10, 2006

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

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

Attn: Mr. Bob Coupe

JAN 18 2006

CC MYERS, INC.

Ref: 215-STL.00220

JOB 215 TEMP. BYPASS STRUCTURE Letter No. 05.03.01-000652

IC 02823
215-103

Subject: Bent 48 Slope Damage

RC
CW
DHobbs
AC

Dear Mr. Coupe,

In response to your letter 215-STL.00220, you request a Contract Change Order to compensate you for slope damage discovered on the morning of January 3, 2006.

You make the following statements in your letter:

- 1) The storm event over the previous weekend was categorized similarly to the 100+ year event that occurred January 1, 1997.
- 2) The project completion date under CCO # 14 was to have been October 27, 2005 and that subsequent suspensions pushed the final project completion date to June 28, 2007.

After carefully reviewing the information, a Contract Change Order will not be issued, as it is not warranted for the following reasons:

- 1) The cross section profile for Southgate Rd. initially sloped from East to West (West being the low side) before the area of A/C was removed for construction. Now, due to construction activities and the addition of footings for Bent 48, the Contractor has changed the slope and the profile of the road and drainage was not accounted for. The road now sits high on the West side and low on the East side, resulting in the water running away from the existing drains and right onto the large slope. To make matters worse, Bay Cities spread a large stockpile of dirt onto Southgate Rd. instead of properly securing it as a stockpile during their operation of backfilling around the East End of Bent 48. This raised the elevation of the West Side of the road even more and further contributed to more water running East to the slope.
- 2) In reference to your claim that this storm was categorized similar to the 100+ year storm, the National Weather Service indicates the following rainfall totals for San Francisco: 12-30-05 - 1.53", 12-31-05 - 1.50", 1-1-06 - .13", 1-2-06 - .77". No single day exceeded 1.53" of rain. This is significantly less than even the 25-year storm total of 2.5".
- 3) You are reminded that there was a previous failure on the same slope during the weekend of 12-20-05 to 12-21-05, and the rainfall totals were significantly lower, 12-20-05 - .67", 12-21-05 - .35". CCMyers repaired the slope and additional measures taken were not adequate to withstand subsequent storms. On the afternoon of 12-21-05, Behzad Halali told Dan Hobbs that the Visqueen placed at the top of the slope near Bent 48(R) footing (as a repair) was not adequately secured. He

indicated that he was concerned that a concentrated flow of water would make its way under the visqueen and cause more damage. He did not believe that appropriate measures were taken to divert water away from the plastic. No action was taken

- 4) CCO # 24 was a mutually agreed upon suspension Contract Change Order and executed as such. Taking into account the mutual benefit to the Contractor and the State, and according to your CPM update # 1, completion date for the project would have been June 22, 2006, stretching through yet another rain season.

You are referred to section 5-1.14, Contractor Design, of the Special Provisions. "Geotechnical Investigations" indicates that "The Contractor's Geotechnical Engineer shall develop foundation designs and mitigation measures against potential slope failure initiated by external loading from these foundations and construction activities on the slope."

If you have any further questions, please feel free to contact me.

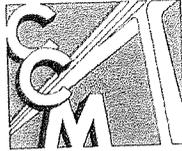
Sincerely,



Resident Engineer
Lourdes David

cc: G. Lai
L. David
A. Yan

file: 05.03.01 44.10.02



C.C. MYERS INC.

51 Macalla Road
(415) 399-0175

San Francisco, CA 94130
Fax (415) 399-0587

January 25, 2006

Document No.: 215-STL.00226

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

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

Attn: Mr. Lourdes David
Resident Engineer

Re: Span 48 Slope Damage

Dear Mr. David,

We have reviewed your letter 05.03.01-000652 with which you deny our request for a change order for the costs to be incurred as a result of the damage to the slope in span 48 from the storm event that occurred over the New Year's Day weekend of 2006. While there are several issues raised in your letter that are subject to debate, it is not our intention to do so herein. There are only a couple of underlying issues to be discussed to determine entitlement to compensation in this matter. The first being the temporary project suspension imposed by Contract Change Order 24 and the second being the condition of the area at the time of the event.

Regarding Contract Change Order No. 24, you indicate in your letter that the change order was a mutually agreed upon suspension change order and executed as such. Further, you reference some mutual benefit to the Contractor and the State. Please understand that any change order which is fully executed by both parties, as with this one, is a mutually agreed upon change order. This has no significance on the determination of entitlement for events that occur outside the scope of the change order. There is specific language in this change order that contains the words 'mutually agree'. However, if you read the exact sentences in the change order in the proper context, it states that "The State and the Contractor mutually agree that all construction operations involving the Temporary Bypass Structure, shall be suspended. Additionally, k-rail placement, roadway restriping, and other traffic control operations shall be suspended. Other work shall proceed in accordance with the contract." The payment clause in the change order only provides compensation for direct and other impacted costs incurred during the suspension period which is not related to item work. It can be summarized from this that the change order was definitely mutually agreed upon, that both parties mutually agreed to suspend construction operations and it provided compensation for some costs that were incurred during the suspension period. This cannot be construed to mean that we are not entitled to compensation for costs that result as a consequence of the change order that occur at a time outside of the suspension period.

You are correct in stating that that the completion date shown in our project schedule update no. 1 is June 22, 2006; however, this schedule update includes the suspension imposed by Contract Change Order No. 24. The appropriate project completion date to use as a comparison in this

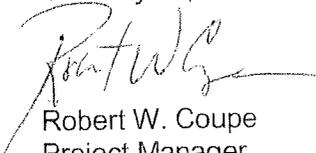
January 25, 2006
State of California
Department of Transportation
Attn: Mr. Lourdes David, Resident Engineer
Doc. #: 215-STL.00226
Page 2

matter is the one prior to the initiation of the change order as the change order is what has caused the impact to occur. That date is October 27, 2005 as discussed in our previous letter.

Statements were made in your letter regarding the condition of the area prior to the event in question. It can be established from your description that the area was an active work area within the meaning of the Storm Water Pollution Prevention Plan. Also, please note that the condition of the slope at the location of the failure had not changed for a few months. The entire project had been inspected on many occasions during this time by us, your field staff and the various District and Headquarters Task Forces that Caltrans utilizes. Many written reports were generated over this period of time by all of these parties. We are not aware of a single instance of any deficiency being noted on any of the reports regarding this slope area. In fact, during the inspection conducted on October 24, 2005 by members of your field staff and the Task Force, the project was granted the highest possible rating of "Full Compliance". Other such site inspections since then have revealed complying ratings as well. On January 6, 2006, while restoration work was in progress on the slope, we requested the assistance of your Task Force representative who had been involved in the project previously to evaluate the restoration measures being implemented. He visited the site on that day and concurred with what was being done. He also stated that the incident was not considered a failure by the Task Force of the SWPPP implementation taken to date but rather a failure due to an unusual storm event.

Based on the discussion contained herein, we request that you reconsider your position on this matter or escalate it to a higher level of management within Caltrans. We again reiterate our request for a Contract Change Order to compensate us for all of the costs that we will incur as a result of the damage to the slope in span 48 of the Viaduct.

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



Robert W. Coupe
Project Manager

cc: AC
DHobbs
CMW
MO
JCG

File: 215-101, 215-9917

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

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



RECEIVED

FEB 22 2006

February 16, 2006

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

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

Attn: Mr. Bob Coupe

CC MYERS, INC.
JOB 215 TEMP. BYPASS STRUCTURE
IC-02929

Ref: 215-STL.00226

215-103

Letter No. 05.03.01-000679

Subject: Span 48 Slope Damage

RC
D Hobbs
CW
AC

Dear Mr. Coupe,

As you requested in letter 215-STL.00226, your request for a Contract Change Order for slope damage repairs has been discussed with Construction Manager Rick Morrow. After further consideration, it has been determined that the decision stands. A Contract Change Order will not be issued for the reasons outlined in letter 05.03.01-000652. If you would like to elevate this issue even further, we would be willing to set up a meeting between our upper management and your upper management upon your request.

You are reminded that on June 17, 2005, letter 05.03.01-000463 was sent requesting certain issues be addressed in regards to your submittal # 78 (Geotechnical Report). The letter allowed you to proceed with work at your own risk on the Bent 48 slope.

On July 1, 2005, letter 05.03.01-000488 was sent indicating the State's concern with inclinometer readings showing downward movement on the slope. The letter further stated that this downward movement should be addressed as well as the comments made in letter 463.

On August 30, 2005, submittal #78 revision # 1 was received containing responses to letter 05.03.01-000463, but not letter 05.03.01-000488 (downward slope movement).

On September 14, 2005, letter 05.03.01-000571 was sent requesting additional comments be addressed, specifically why your submittal addresses on the final stage of construction, rather than each individual stage of construction as required in section 5-1.14 subsection "Geotechnical Investigation".

On January 4, 2006, after the slope damage occurred, letter 05.03.01-000643 was sent recommending a Geotechnical evaluation of the Bent 48 slope.

A revised submittal # 78 still has not been received to this date, and you are reminded that you proceeded with work at your own risk, prior to approval of the Geotechnical Investigation. Once again, please provide the information for review and approval.

If you have any further questions, please feel free to contact me.

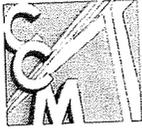
Sincerely,

M. U. Anigol

Resident Engineer
Mahantesh Anigol

cc: G. Lai
C. Moreno
A. Yan

file: 05.03.01



C.C. MYERS, INC.

An Equal Opportunity / Affirmative Action Employer

3286 FITZGERALD ROAD
RANCHO CORDOVA, CA 95742

916-635-9370
FAX 916-635-1527

LETTER OF TRANSMITTAL

Document No: 215-STT.00598
Dated Feb 23 2006 Job No.: 215
Attention: Mr. Mahantesh Anigol
Re: 04-0120R4
Temporary Bypass Structure

To: State of California
Department of Transportation
333 Burma Road
Oakland CA 94607

Subject: Notice of Potential Claim #17 Part A

We are sending you:

Attached Via Fax

- Drawing
- Samples
- Payroll
- Change Order
- Plans
- Certificates of compliance
- Specs
- Schedule
- Prog. Pmt
- Calculations
- Copy of Letter
- Invoice

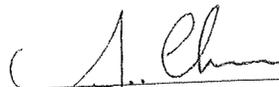
Copies	Item	Date	Description
1	01	Feb 24 2006	Notice of Potential Claim #17 Part A

These are transmitted as checked below:

- For Approval
- For Your Use
- For Review/comment
- As Requested
- Return For Correction
- For Information

Remarks:

Copy To: Robert Coupe, Main Office
File: 215-9917

Signed: 
Andy Chan
Project Engineer



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
NOTICE OF POTENTIAL CLAIM
 CEM-6201A (NEW 9/2002)

FOR STATE USE ONLY		
Received by:	(For Resident Engineer)	Date:

To Mahantesh Anigol (resident engineer)	CONTRACT NUMBER 04-0120R4	DATE February 22, 2006	IDENTIFICATION NUMBER 17
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This is an Initial Notice of Potential Claim for additional compensation submitted as required under the provisions of Section 9-1.04 "Notice of Potential Claim" 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: 2/21/06

The particular nature and circumstances of this potential claim are described as follows:

Over the weekend of December 31, 2005 through January 1, 2006, the project site experienced a significant storm event that caused flooding and damage throughout Northern California. This extraordinary storm caused damage to the slope between Southgate Road and the old USCG Access Road.

The project completion date, considering the temporary suspension under Contract Change Order No. 14 was to be October 27, 2005. However, due to subsequent temporary project suspensions, the completion date is now projected to be June 28, 2007. As such, without these subsequent suspensions, the project would have been complete and we would not have been on site during the above referenced storm event. With our letters 215-STL.00220 and 215-STL.00226, we requested that the State issue a Contract Change Order to compensate us for all costs associated with the clean up, repair and restoration of the damage that occurred due to this storm event. Our request was denied via State letters 05.03.01-000652 and 05.03.01-000679. We therefore submit this Notice of Potential Claim.

The undersigned originator (Contractor or Subcontractor as appropriate) certifies that the above statements and attached documents 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 fully conform to the requirements in Section 9-1.04 of the Standard Specifications and must be restated as a claim in the Contractors written statement of claims in conformance with Section 9-1.07B of the Standard Specifications.

C. C. Myers, Inc.

 SUBCONTRACTOR or **CONTRACTOR**
 (Circle One)

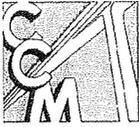

 (Authorized Representative)

For subcontractor notice of potential claim

This notice of potential claim is known and forwarded by

 PRIME CONTRACTOR

 (Authorized Representative)



C.C. MYERS, INC.

An Equal Opportunity / Affirmative Action Employer

3286 FITZGERALD ROAD
RANCHO CORDOVA, CA 95742
916-635-9370
FAX 916-635-1527

LETTER OF TRANSMITTAL

Document No: 215-STT.00607
Dated Mar 06 2006 Job No.: 215
Attention: Mr. Mahantesh Anigol
Re: 04-0120R4 Temporary Bypass Structure

To: State of California
Department of Transportation
333 Burma Road
Oakland CA 94607

Subject: NOPC # 17 Part B

We are sending you:

Attached Via Fax

- | | | |
|---------------------------------------|---|--|
| <input type="checkbox"/> Drawing | <input type="checkbox"/> Plans | <input type="checkbox"/> Prog. Pmt |
| <input type="checkbox"/> Samples | <input type="checkbox"/> Certificates of compliance | <input type="checkbox"/> Calculations |
| <input type="checkbox"/> Payroll | <input type="checkbox"/> Specs | <input checked="" type="checkbox"/> Copy of Letter |
| <input type="checkbox"/> Change Order | <input type="checkbox"/> Schedule | <input type="checkbox"/> Invoice |

Copies	Item	Date	Description
1	01	Mar 06 2006	NOPC #17 Part B

These are transmitted as checked below:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> For Approval | <input type="checkbox"/> For Review/comment | <input type="checkbox"/> Return For Correction |
| <input type="checkbox"/> For Your Use | <input type="checkbox"/> As Requested | <input type="checkbox"/> For Information |

Remarks:

Copy To: Robert Coupe, Main Office

File: 215-9917

Signed: _____

Andy Chan
Project Engineer



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL NOTICE OF POTENTIAL CLAIM
CEM-6201B (NEW 9/2002)

FOR STATE USE ONLY		
Received by:	(For Resident Engineer)	Date:

To	CONTRACT NUMBER	DATE	IDENTIFICATION NUMBER
Mahantesh Anigol (resident engineer)	04-0120R4	March 2, 2006	17 Page 1 of 2

This is a Supplemental Notice of Potential Claim for additional compensation submitted as required under the provisions of Section 9-1.04 "Notice of Potential Claim" 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:

February 21, 2006

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

Over the weekend of December 31, 2005 through January 1, 2006, the project site experienced a significant storm event that caused flooding and damage throughout Northern California. This extraordinary storm caused damage to the slope between Southgate Road and the old USCG Access Road.

The basis of this potential claim including all relevant contract provisions are listed as follows:

The project completion date, considering the temporary suspension under Contract Change Order No. 14 was to be October 27, 2005. However, due to subsequent temporary project suspensions, the completion date is now projected to be June 28, 2007. As such, without these subsequent suspensions, the project would have been complete and we would not have been on site during the above referenced storm event.

With our letters 215-STL.00220 and 215-STL.00226, we requested that the State issue a Contract Change Order to compensate us for all costs associated with the clean up, repair and restoration of the damage that occurred due to this storm event. Our request was denied via State letters 05.03.01-000652 and 05.03.01-000679. We therefore submit this Notice of Potential Claim.

The estimated dollar cost of the potential claim including a description of how the estimate was derived and an itemized breakdown of the individual costs are attached hereto.

The work performed to date has been to clean up the material and mess caused by the slip out. This cost is approximately \$17,000. The cost of the restoration work cannot be determined at this time.

A time impact analysis of the disputed disruption has been performed and is attached hereto. The affect on the scheduled project completion date is as follows:

A time impact cannot yet be performed as some or all of the work within the scope of this potential claim is not complete. A time impact analysis can be performed once the work is completed to demonstrate any delays that actually occur as a result of this matter.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL NOTICE OF POTENTIAL CLAIM
 CEM-6201B (NEW 9/2002)

FOR STATE USE ONLY		
Received by:	(For Resident Engineer)	Date:

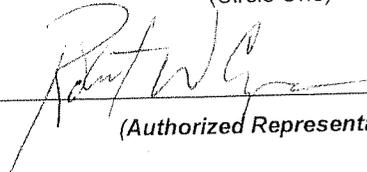
To Mahantesh Anigol (resident engineer)	CONTRACT NUMBER 04-0120R4	DATE March 2, 2006	IDENTIFICATION NUMBER 17 Page 2 of 2
--	-------------------------------------	------------------------------	--

The undersigned originator (Contractor or Subcontractor as appropriate) certifies that the above statements and attached documents 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 fully conform to the requirements in Section 9-1.04 of the Standard Specifications and must be restated as a claim in the Contractors written statement of claims in conformance with Section 9-1.07B of the Standard Specifications.

C. C. Myers, Inc.

SUBCONTRACTOR or **CONTRACTOR**

(Circle One)



(Authorized Representative)

For subcontractor notice of potential claim

This notice of potential claim is acknowledged, certified and forwarded by

PRIME CONTRACTOR

(Authorized Representative)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

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



*** COMPANY DISTRIBUTION ***
Caltrans - South Detour;
CC Myers - YBI

RECEIVED

March 08, 2006

333 Burma Road
Oakland, CA 94607

MAR 09 2006

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

Attn: Mr. Bob Coupe

JOB 215 TEMP. BYPASS STRUCTURE

IC - 02954

Ref: 215-STT.00607

215-9917

Letter No. 05.03.01-000687

RC

Subject: Response to NOPC 17 - Part B

Dear Mr. Coupe,

The Department received NOPC 17 on March 7. In reviewing your claim, you indicate that an extraordinary storm caused damage to the slope between Southgate Road and the old USCG access. As noted in letter 05.03.01-00652, the rainfall totals in the area were consistent with a typical winter rain event. The Department also reminds the Contractor that there was a change in the drainage profile (also noted in letter 05.03.01-00652) due to Construction activities at Bent 48.

The suspension period according to schedule update # 1 shows a project completion date of June 22, 2006. Being that this suspension was mutually agreed upon, the work would have continued until June 22, 2006 and the Contractor would have been working in the area regardless of subsequent suspensions.

For the reasons stated above, the Department finds no merit to NOPC 17.

If you have any further questions, please feel free to contact me.

Sincerely,

Resident Engineer
Mahantesh Anigol

cc: A. Yan

file: 05.03.01, 62.02.17

CONTRACT CHANGE ORDER NO. 14 SUPPL. --
ROAD SF-80-12.6/13.2 SHEET 1 OF 1 SHEETS
FEDERAL NO.(S) ACBRIM-080-1(097)N CONTRACT NO. 04-0120R4

To C.C. Myers, Inc. Contractor

You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on this contract.

NOTE: This change order is not effective until approved by the Chief Engineer.

Description of work to be done, estimate of quantities, and prices to be paid. Segregate between additional work at contract price, agreed price and force account. Unless otherwise stated, rates for rental equipment cover only such time as equipment is actually used and no allowance will be made for idle time.

This Change is requested by the ENGINEER.

The last percentage shown is the net accumulated increase or decrease from the original in the Engineer's Estimate.

NO COST CHANGE ORDER:

In accordance with Section 8-1.05 "Temporary Suspension of Work," of the Standard Specifications, portions of the contract are temporarily suspended, effective April 9, 2004. The date Area GR is available to the Contractor as Specified in Section 5-1.18, "Areas for Contractor Use", of the Special Provisions, is revised from July 1, 2004 to October 1, 2004. Construction operations within area GR will be rescheduled and / or re-sequenced since this area will not be available to the Contractor until October 1, 2004.

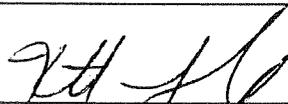
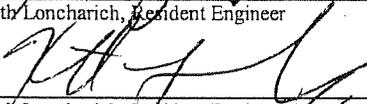
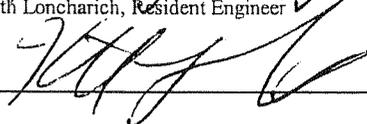
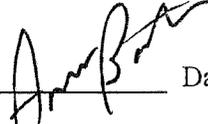
The suspension will be in effect through July 9, 2004 and the first chargeable working day will be July 10, 2004.

During the temporary suspension, unaffected portions of work can still proceed with the approval of the Engineer.

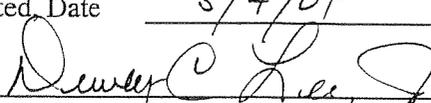
It has been determined that this suspension will benefit the State and the Contractor, therefore, in accordance with Section 10-1.20 "Time Related Overhead," of the Special Provisions, the lump sum bid item for Time Related Overhead will not be adjusted. The days in which the suspension is in effect will not be considered working days. There will be no other compensation including but not limited to, inefficiencies, "right of way" delays, escalation of labor, material and equipment costs, all overheads, underutilization of equipment, and any other costs whatsoever by reason of this change.

Estimated Cost Decrease \$ 0.00 or Increase \$ 0.00

By reason of this order the time of completion will be adjusted as follows:	0 DAYS
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Submitted by:		Date:	<u>5-3-04</u>
	Kenneth Loncharich, Resident Engineer		
Approval Recommended:		Date:	<u>5-5-04</u>
	Kenneth Loncharich, Resident Engineer		
Approved by: Chief Engineer		Date:	<u>5-5-04</u>
			

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices shown above.

Accepted Date	<u>5/4/04</u>	Contractor	<u>C.C. MYERS, INC.</u>
By		Title	<u>DEWEY C. LEE, JR. Contract Administrator</u>

If the contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.

CONTRACT CHANGE ORDER

CCO: 24	Suppl. No. 0	Contract No. 04 - 0120R4	Road SF-80-12.6/13.2	FED. AID LOG.: ACBRIM-080-1(097)N
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To: CC MYERS INC

You are directed to make the following changes from the plans and specifications or do the following described work not included in the plans and specifications for this contract. **NOTE: This change order is not effective until approved by the Engineer.**

Description of work to be done, estimate of quantities and prices to be paid. (Segregate between additional work at contract price, agreed price and force account.) Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. This last percentage shown is the net accumulated increase or decrease from the original quantity in the Engineer's Estimate.

Adjustment of Compensation at Unit Price:

In accordance with Section 8-1.05, "Temporary Suspension of Work", of the Standard Specifications, portions of the contract are temporarily suspended, effective September 3, 2004. The State and the Contractor mutually agree that all construction operations involving the Temporary Bypass Structure, shall be suspended. Additionally, k-rail placement, roadway restriping, and other traffic control operations shall be suspended. Other work shall proceed in accordance with the contract.

The suspension will be in effect through March 31, 2005 and the first chargeable working day after the suspension ends will be April 1, 2005.

This suspension relates only to field site construction activities. Contractor Design of these facilities shall continue. Administrative procedures will continue on the design process.

The State and the Contractor mutually agree that complete design submittals for the outstanding portions of the Temporary Bypass Structure, without any Engineer requested enhancements, will be submitted in accordance with the following milestone dates:

East Tie-In Contractor Proposed Design Criteria and Final Design (without intermediate staging)	November 29, 2004
East Tie-In Design	January 31, 2005
West Tie-In Design	December 31, 2004
Viaduct Design	December 31, 2004

Complete design submittals shall comply with the requirements of Special Provisions Section 5-1.12, "Contractor Design", and shall encompass all phases of the work. This includes the foundations, substructure, and superstructure work in addition to any stage construction leading up to the final state of the structure.

The submitted Design shall be in accordance with the contract plans and specifications or may be modified as approved by the Engineer in writing.

In accordance with Section 10-1.20, "Time Related Overhead," of the Special Provisions, the lump sum bid item for, "Time Related Overhead" will not be adjusted. The Contractor agrees to accept payment based on an Agreed Unit Price of \$10,387.94/day for 210 days for a lump sum total equal to \$2,181,467.40 for the duration of the suspension period as compensation for direct and other impacted costs including payment for personnel, equipment and material costs at the project site incurred during the suspension period which is not related to item work. Payment for equipment and material are paid in accordance with Section 8.109, "Right of Way Delay," of the Standard Specifications. The State reserves the right to modify the agreed unit price with a supplement to this change order if there are reductions in equipment, material and other verifiable costs. The Contractor shall notify the State immediately of such changes. The days in which the suspension is in effect will not be considered working days.

By accepting this change order the Contractor further agrees to rescind and drop further pursuit of claims for the issues presented in Notice of Potential Claim (NOPC) No. 5, as this change order is considered the full resolution thereof.

Total estimated cost of Adjustment of Compensation at Agreed Unit Price\$ 2,181,467.40

CONTRACT CHANGE ORDER

Change Requested by: Engineer

CCO: 24	Suppl. No. 0	Contract No. 04 - 0120R4	Road SF-80-12.6/13.2	FED. AID LOC.: ACBRIM-0B0-1 (097)N
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Estimated Cost: Increase Decrease \$2,181,467.40

By reason of this order the time of completion will be adjusted as follows: 0 days

Submitted by	Resident Engineer: LOURDES DAVID	Date 1/18/05
Signature <i>Lourdes David</i>		
Approved by	Construction Engineer: LOURDES DAVID	Date 1/18/05
Signature <i>Lourdes David</i>		
Approved by	(Print name and title) AMER BATA - Chief	Date 1/31/05
Signature <i>Amer Bata</i>		

We the undersigned contractor, have given careful consideration to the change proposed and agree, if this proposal is approved, that we will provide all equipment, furnish the materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices shown above.

NOTE: If you, the contractor, do not sign acceptance of this order, your attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.

Accepted by	(Print name and title) DANIEL E. HINICK	Date 1/27/05
Signature <i>D. Hinick</i>		

SWPPP RAINY SEASON CONSTRUCTION INSPECTION FORM

Rainfall Area Designation

2

PROJECT INFORMATION SUMMARY SHEET

Contract No.: 04 - 0120R4	RE: Lourdes David
CO./RTE/PM.: 04-SF-/80-/&.8/8.2	Phone: (650) 826-4119
Project Description: Construct south detour for Rte 80-Yerba Buena Isl.	Fax: (510) 286-0550
SW Inspector(s): J. Flanagan	Priority Status: 1
Estimate Disturbed Soil Area (DSA) 1 Acres	Contractor: CC Meyers
<input checked="" type="checkbox"/> SWPPP <input type="checkbox"/> WPCP Approved? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	WPCM: Christine Williams
Last Construction Site Inspection conducted by Construction Contractor on: 10/21/2005	
Last Construction Site Inspection conducted by Department personnel on: 10/21/2005	
Other Permits: F&G, USACOE, SFBCDC, NMFS, RWQCB, USCG, USF&WS	Date of Inspection: 10/24/2005
Inspection Participant(s): <input type="checkbox"/> RE <input checked="" type="checkbox"/> CSWC <input type="checkbox"/> Superintendent	Storm Inspection Type:
Other(s)-Name/Title: P Elshoff, T Refaat	<input checked="" type="checkbox"/> None <input type="checkbox"/> Pre <input type="checkbox"/> During <input type="checkbox"/> Post
Inspection Description: <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Revisit	Last Inspection Rating: 2

PROJECT COMPLIANCE RATING

(See Rating Guidelines for detailed construction compliance criteria)

- 1 FULL COMPLIANCE:** The project has no significant deficiencies that require correction. Anticipated revisit date: 11/28/20
 - 2 MINOR DEFICIENCIES:** The project has minor deficiencies. There are no major deficiencies observed. Anticipated revisit date:
 - 3 MAJOR AND/OR MINOR DEFICIENCIES:** Excessive minor deficiencies and or major deficiencies are encountered. Total of six or more minor deficiencies and or one or more major deficiencies are observed. Revisit within two (2) weeks. Anticipated revisit date:
 - 4 CRITICAL DEFICIENCIES:** There are critical deficiencies that would likely result in a violation of the permit if there were a storm water runoff event to occur. Revisit within one (1) week. Anticipated revisit date:
- UNCONTROLLED DISCHARGE OBSERVED; NOTIFY INSPECTOR'S MANAGER, R.E. AND DISTRICT CONSTRUCTION STORM WATER COORDINATOR
 ASSISTANCE RECOMMENDED
 INNOVATIVE BMP USED (provide description below in comments)

SW Inspector Comments:

The project is +-25% complete. The projects annual rainy season ammendment and the rainy season implementation plan have been submitted and approved. The weather was overcast and cool at the time of the inspection. The project is a large design build project that is in partial suspension and has a limited work area and disturbed soil area.

Observed a large active stockpile near the contractors yard (outside of the active project area) that had badly deteriorating plastic covers and sediment controls. The inspector informed me that the stockpile was left by a preceeding project and that this project is currently using this stockpile for backfill material and will dispose of any dirt remaining in the srockpile after backfill is complete. I advised project personnel to fully protect this stockpile prior to the next predicted rain event or whenever it becomes inactive. Observed sawdust on a footing at 1 location, project personnel informed me tha this is cleaned up regularly. The proeject is generally well maintained.

The project has no significant deficiencies which require correction.

SWPPP RAINY SEASON COMPLIANCE INSPECTION CHECKLIST

Contract No.: 04 - 0120R4

Date: 10/24/2005

1. SOIL STABILIZATION PRACTICE

For NON-ACTIVE DSAs (ALL AREAS): Are soil stabilization measures properly implemented throughout all non-active DSAs?

YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
all non active DSAs observed were covered with plastic

For ACTIVE DSAs (AREA 3 ONLY) with a slope rate >1:2 and a slope length > 15.0m (50ft): Are soil stabilization measures properly implemented?

YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
proeject is in rainfall area 2

For ACTIVE DSAs (AREAS 1 AND 6 ONLY) with a slope rate >1:2 and a slope length >3.0m (10ft): Are soil stabilization measures properly implemented?

YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
project is in area 2

For required DSAs: Are fiber rolls or gravel bag berms properly implemented?

YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
steep slopes are currently covered with plastic. Fiber rolls are not required at this time

Are conveyances, top of slope diversions, and discharge points for concentrated storm water flows protected with additional BMPs, if needed, to reduce erosion?

YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
all inlet are protected by gravel bag inlet protection or silt sack protection. Observed silt fence installed at top of slope to prevent slough off of sediment from work area

For inspection during or immediately following a rain event, are the BMPs implemented at the site effective in controlling erosion?

YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
no significant rain since last rainy season

Erosion Observed: None Minor Major Localized Widespread

Number of BMPs observed:

3

*No. deficiencies due to:

(1): 0 (2): 0 (3): 0 (4): 0 (5): 0

Comments/BMPS Observed:

observed plastic covers and erosion control blankets

Approved Soil Stabilization Measure(s): (A) Hydraulic Mulch, (B) Hydroseeding, (C) Soil Binders, (D) Straw Mulch,
 (E) Geotextiles, (F) Final Erosion Control Per Contract Plans and Specifications

*Key: (1) Installed incorrectly (2) Wrong Location (3) Lack of Maintenance (4) Wrong Application (5) Indeterminate

SWPPP RAINY SEASON COMPLIANCE INSPECTION CHECKLIST

Contract No.: 04 - 0120R4	Date: 10/24/2005
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2. SEDIMENT CONTROL PRACTICES

For DSAs with a slope rate >1:20 and a slope length >3.0m (10ft). Are linear sediment barriers properly implemented?
 YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
 sediment barriers are installed where required.

Are sediment controls used in flow paths/conveyances properly implemented?
 YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
 observed proper implementation of sediment control

Desilting Basins Only - For ACTIVE AND NON-ACTIVE DSAs (AREAS 1 and 6 ONLY) with slope rate >1:20 and a slope length > 3.0m (10ft). Are desilting basins properly implemented in addition to linear sediment barriers?
 YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
 project is in area 2

Are sediment controls used in flow paths/conveyances properly implemented?
 YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
 project is in area 2

Desilting Basins Only - For ACTIVE DSAs (AREAS 2, 3, 4 AND 5 ONLY) with a slope rate >1:2 and a slope length >15.m(10ft). Are desilting basins properly implemented in addition to linear sediment barriers?
 YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
 not required

Are desilting basins properly implemented in addition to other sediment controls?
 YES NO N/A Deficiencies: No Significant Minor Major Critical

Further Explanation:
 not required

For inspection performed during or immediately following a rain event, are the implemented BMPs effective in controlling sediment discharge?
 YES NO N/A

Further Explanation:
 no significant rain since the last rainy season

Sediment Discharged: None Minor Major Localized Widespread

Number of BMPs observed: 15	*No. deficiencies due to: (1): <u>0</u> (2): <u>0</u> (3): <u>0</u> (4): <u>0</u> (5): <u>0</u>
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Comments/BMPS Observed:
 observed silt fence, fiber rolls, inlet protection

*Key: (1) Installed incorrectly (2) Wrong Location (3) Lack of Maintenance (4) Wrong Application (5) Indeterminate

SWPPP RAINY SEASON COMPLIANCE INSPECTION CHECKLIST

Contract No.: 04 - 0120R4	Date: 10/24/2005
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3. WIND EROSION CONTROL

Are wind erosion control BMPs properly implemented throughout the construction site? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical	
For active wind during time of inspection, are implemented BMPs effective in controlling wind erosion? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical	
Number of BMPs observed: 4	*No. deficiencies due to: (1): <u>0</u> (2): <u>0</u> (3): <u>0</u> (4): <u>0</u> (5): <u>0</u>
Comments/BMPS Observed: observed plastic covers, erosion control blankets.	
Approved wind erosion control: <input type="checkbox"/> (A) Hydraulic Mulch, <input checked="" type="checkbox"/> (B) Hydroseeding, <input type="checkbox"/> (C) Soil Binders, <input type="checkbox"/> (D) Straw Mulch, <input checked="" type="checkbox"/> (E) Geotextiles, <input checked="" type="checkbox"/> (F) Final Erosion Control Per Contract Plans and Specifications	

*Key: (1) Installed incorrectly (2) Wrong Location (3) Lack of Maintenance (4) Wrong Application (5) Indeterminate

4. TRACKING CONTROL PRACTICES

<input checked="" type="checkbox"/> Project Related <input type="checkbox"/> Non-Project Related	
Are sediment tracking control BMPs properly implemented throughout the construction site? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical	
Further Explanation: observed 2 TC-1s and a TC-2 that were working properly	
For active construction during inspection, are implemented BMPs effective in controlling sediment tracking? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical	
Further Explanation: no tracking observed	
Number of BMPs observed: 3	*No. deficiencies due to: (1): <u>0</u> (2): <u>0</u> (3): <u>0</u> (4): <u>0</u> (5): <u>0</u>
Further Explanation: tracking controls and sweeping were working properly	

*Key: (1) Installed incorrectly (2) Wrong Location (3) Lack of Maintenance (4) Wrong Application (5) Indeterminate

Contract No.: 04 - 0120R4

Date: 10/24/2005

5. NON-STORM WATER CONTROL AND**6. WASTE MANAGEMENT AND MATERIALS POLLUTION CONTROL**

Are the following BMPs properly implemented where required?

Temporary Stream Crossing

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: not used

Clear Water Diversion

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: not used

Spill Prevention and Control

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: no problems observed

Solid Waste Management

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: project is very clean and well maintained. No solid waste issues observed.

Hazardous Waste Management

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: no problems observed

Contaminated Soil Management

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: n/a at this time

Concrete Waste Management

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: no problems observed

Sanitary/Septic Waste Management

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: no problems observed

Liquid Waste Management

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: The liquid waste management BMP is properly implemented and maintained

Materials Handling (Material Delivery and Storage and Material Use)

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: materials are well managed

Vehicle and Equipment Operations (Cleaning, Fueling, and Maintenance)

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: no problems observed

Paving Operations

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: n/a at this time

Stockpile Management

 YES NO N/ADeficiencies: No Significant Minor Major Critical

Further Explanation: inactive stockpiles are all covered. Single active stockpile observed will need controls prior to rain or when it becomes inactive

SWPPP RAINY SEASON COMPLIANCE INSPECTION CHECKLIST

Contract No.: 04 - 0120R4	Date: 10/24/2005
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**5. NON-STORM WATER CONTROL AND
6. WASTE MANAGEMENT AND MATERIALS POLLUTION CONTROL**

(Continued)

Are the following BMPs properly implemented where required?

Water Conservation	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: n/a today		
Potable Water/Irrigation	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: not used		
Dewatering Operations	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: n/a today.		
Illicit Discharge/Illegal Dumping Observed?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A	
Further Explanation: none observed		
Pile Driving Operations	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: not used		
Concrete Curing	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: n/a at this time		
Material and Equipment Use Over Water	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: not used		
Concrete Finishing	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: n/a at this time		
Structure Demolition/Removal Over or Adjacent to Water	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical
Further Explanation: n/a at this time		
Were there any Non-Storm water discharges observed?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If Yes, were implemented BMPs effective in controlling water pollution?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
	Deficiencies: <input type="checkbox"/> No Significant <input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Critical	
Further Explanation:		

Number of BMPs observed:	13	*No. deficiencies due to: (1): <u>0</u> (2): <u>0</u> (3): <u>0</u> (4): <u>0</u> (5): <u>0</u>
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*Key: (1) Installed incorrectly (2) Wrong Location (3) Lack of Maintenance (4) Wrong Application (5) Indeterminate

SWPPP RAINY SEASON COMPLIANCE INSPECTION CHECKLIST

Contract No.: 04 - 0120R4	Date: 10/24/2005
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6. Project File Review

Documentation File Review Checklist:

Yes	No	N/A	Documentation in Project Files:
<input checked="" type="checkbox"/>	<input type="checkbox"/>		All Contractor Inspection Reports as of 2 weeks prior to today's inspection Last Inspection report dated: <u>10/21/2005</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Signed/Dated SWPPP (by Contractor in SECTION 100.1 and by Caltrans in SECTION 100.2) on site
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved Amendments for variances observed during inspection
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Annual Certification(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Active DSAs comply with limits in Special Provisions? If NO, is RE approval of DSA modification on file? Date of approval:
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Sampling and Analysis Plan
			<u>Dewatering:</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does Special Provisions and approved SWPPP address dewatering if applicable for project? If YES, does plan address:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Discharge Points?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BMPs/Control Measures?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Monitoring Protocols?

PHOTOGRAPHIC LOG

Project No.: 04-0120R4-102405-1

Date: 10/24/2005

PHOTO	DESCRIPTION
1	material storage
2	inlet protection
3	plastic covers - soil stabilization
4	plastic covers
5	sawdust on footing
6	active slope will need controls prior to rain
7	covered inlet
8	silt bag inlet protection
9	stabilized entrance and stabilized roadway
10	stockpile controls
11	stabilized entrance
12	stockpile controls
13	liquid waste management
14	liquid waste management
15	stockpile controls
16	active stockpile will need protection prior to predicted rain
17	concrete wash out pit
18	plastic covers, installed by previous contractor, need maintenance before next rain
19	inlet protection
20	silt fence place at top of fence



Photos was taken in October 05



Photos was taken in October 05