



C.C. MYERS, INC.

3286 Fitzgerald Road
Rancho Cordova, CA 95742

CCM Job # 215: Temporary Bypass Structure

FAX

Date: 13-Aug-2004

Document No.: 215-STF.00004

State of California
Department of Transportation
4585 Pacheco Blvd., Suite 200
Martinez, CA 94553

Attention: Mr. Kenneth Loncharich

Fax#: 510-286-0550

From: Robert Coupe

Fax#: 916-635-8961

Phone#: 916-635-9370

Subject: Notice of Potential Claim No. 2

Message:

Here is our transmittal 215-STT.00027 with which we submit our Notice of Potential Claim No. 2.

Total pages sent including this one: 5

Original to follow: yes

File: 215-101, 215-9902

62.02.02

05.04/04 / ~~5500~~

000756



C.C. MYERS, INC.

3286 FITZGERALD ROAD
RANCHO CORDOVA, CA 95742

An Equal Opportunity / Affirmative Action Employer
916-635-9370
FAX 916-635-8961

LETTER OF TRANSMITTAL

Document No: 215-STT.00027
Dated Aug 13 2004 Job No.: 215
Attention: Mr. Kenneth Loncharich
Re: 04-0120R4
Temporary Bypass Structure

To: State of California
333 Burma Road
Oakland CA 94607

We are sending you:

Attached

Via Fax

Drawing

Plans

Prog. Pmt

Samples

Certificates of compliance

Calculations

Payroll

Specs

Copy of Letter

Change Order

Schedule

Invoice

Copies	Item	Date	Description
1	01	Aug 13 2004	State Form CEM-6201A: Notice of Potential Claim No. 2 from C. C. Myers, Inc.
1	02	Aug 13 2004	State Form CEM-6201A: Notice of Potential Claim No. 2 from Danny's Construction Company, Inc.
1	03	Aug 13 2004	State Form CEM-6201A: Notice of Potential Claim No. 2 from Imbsen & Associates, Inc.

These are transmitted as checked below:

For Approval

For Review/comment

Return For Correction

For Your Use

As Requested

For Information

Remarks:

Signed: _____

Robert Coupe
Project Manager

Copy To: M.D

File: 215-101,215-8902

62.00

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 Kenneth Loncharich (resident engineer)	CONTRACT NUMBER 04-0120R4	DATE 8/13/04	IDENTIFICATION NUMBER 2
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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: 8/9/04

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

The Design Criteria in the project plans requires that the Temporary Bypass Structure (TBS) be designed utilizing the Bridge Design Specification version April 2000. Initially during the design process, this requirement was being met. However, it was later discovered, and confirmed with the Caltrans design group, that there was an error in the BDS 2000 regarding the method of calculation of the allowable design capacity of the bolts. The direction provided by the State was to utilize the May 2002 version of the BDS, which had corrected the error in the bolt capacity calculation. The impact of this change is that now more or larger bolts will be required. This expands into a much larger impact in that the additional and/or larger bolts cause the size of the connection to increase and thus the member sizes increase, adding weight to the structure. Additionally, due to the timing of the change, a considerable amount of rework is required to both the design plans and the structural steel shop drawings. This will not only cause additional costs to be incurred, but substantial delays to the completion of the design plans and structural steel detailing/fabrication/delivery will be realized. To minimize the time impact, it may be necessary to now employ additional structural steel detailing and fabrication firms so that these activities can occur concurrently. There will be increased costs associated with this. Another source of cost and delay to the steel fabrication stems from the possible necessity to have to purchase additional steel material. The delays to be caused by waiting for this material will also prolong the fabrication activities. The steel erection time and cost will also be impacted. All of this coupled together could ultimately delay the completion of the entire project. This issue could cause such a delay that the traffic switch to the TBS is pushed into the time period when bridge closures are not allowed. This delay, if it were to occur, would be considered a part of the delay caused by this change.

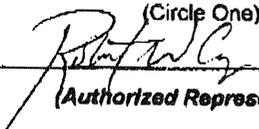
Due to this change in the design criteria, we requested that a Contract Change Order be issued to implement the change and address the impacts. In the State's letter SL #68, which we received on August 9, 2004, the issuance of a change order was denied. Due to this, we file this Notice of Potential Claim. Some of our subcontractors are impacted by this change as well, such as our designer, Imbsen & Associates, Inc., our steel detailer/fabricator, Shanghai Grand Tower Steel Structure Co., and our steel erector, Danny's Construction Company, Inc.

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)

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

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 Kenneth Loncharich (resident engineer)	CONTRACT NUMBER 04-0120R4	DATE Friday, August 13, 2004	IDENTIFICATION NUMBER 2
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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: 8/9/04

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

Ref: CCC Request for Utilizing 2002 Bridge Design Specifications - Impact on DCCI (Steel Erectors)
Letter from CALTRANS dated Aug.6, 2004 received August 9, 2004

- 1) Increase in number of bolts result in additional labor time and cost.
- 2) Increase in related tool and some expendable material use.
- 3) Increase in number of bolts will cause connection plates to increase that will also add weight to the structure. This additional weight could result in the need for greater crane capacity.

(attach additional sheets as needed)

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 12650-12668. 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 Contractor's 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)

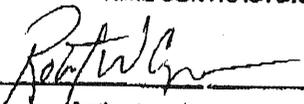
DCCI - PRIME CONTRACTOR

For subcontractor notice of potential claim

This notice of potential claim is known and forwarded by

CC MYERS INC

PRIME CONTRACTOR



(Authorized Representative)

AUG-13-04 16:11 FROM-IMBSEN

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 Kenneth Loncharich (resident engineer)	CONTRACT NUMBER 04-0120R4	DATE 8/12/04	IDENTIFICATION NUMBER 2
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DATE: 8/9/04

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

The Design Criteria for the Temporary Bypass Structures states that "1. General. The Temporary Bypass Structure shall be designed in accordance with 'Bridge Design Specifications' (BDS), LRD Version, April 2000, California Department of Transportation, (1996 AASHTO with interims, and revisions by Caltrans), modified or augmented as detailed in this design criteria document."

In utilizing Specification Section 10.57.3.1 and comparing equation 10-172a to that same equation in AASHTO 1996, we discovered an error in that equation in BDS 2000. As a result, we have to redesign the Viaduct Truss and East Tie-In connections, which will result in an estimated 20% increase in the number of bolts required.

The nature of the costs incurred include redesign and drafting of the connections, the development of shop drawings for fabrication and erection, and the cost of labor and material for installing the larger gusset plates and greater number of bolts. Additional working days will also be required to perform the design and shop drawing preparation work as well as installing extra bolts.

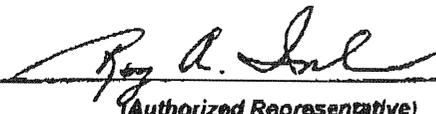
(attach additional sheets as needed)

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.

Imbse & Associates, Inc

SUBCONTRACTOR or CONTRACTOR

(Circle One)



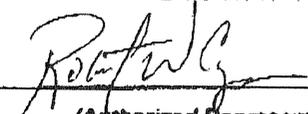
(Authorized Representative)

For subcontractor notice of potential claim

This notice of potential claim is knowledgeable and forwarded by

C.C. MYERS INC

PRIME CONTRACTOR



(Authorized Representative)

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