C.C. MYERS, INC.

An Equal Opportunity / Affirmative Action Employer

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LETTER OF TRANSMITTAL

Document No: 215-STT.00092	
Dated Oct 21 2004	**Job No.:** 215
Attention: Mr. Lourdes David	
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	Oct 21 2004	Notice of Potential Claim #4

These are transmitted as checked below:

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

Remarks:

Copy To: Main Office
File: 215-101, 215-9904

RECEIVED
000375 OCT 21 04

Signed: Robert W. Coupe
Project Manager

3286 Fitzgerald Road, Rancho Cordova, CA 95742, Tel No. 916-635-9370 Fax No. 916-635-1527

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	CONTRACT NUMBER	DATE	IDENTIFICATION NUMBER
Lourdes David (resident engineer)	**04-0120R4**	**October 21, 2004**	**4**

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: October 19, 2004

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

In accordance with the State's verbal direction, we proceeded with performing the dynamic monitoring of the driven pipe piles at bent 49. The Supplemental Technical Special Provisions section regarding this matter requires that this work be performed by State forces. Section 5-1.14 of the Special Provisions requires that we utilize the State's Standard Special Provisions (SSP) in developing the Supplemental Technical Special Provisions. Although said section allows the SSP's to be edited, there is no direction anywhere in the project specifications that this SSP be edited to have anyone other than the State perform this monitoring work. Therefore, we have requested that the State issue a Contract Change Order to compensate us for the monitoring work. This request was made via our letter 215-STL.00035.

On October 19, 2004, we received the State's letter 05.03.01-000161, which denied our request for a Contract Change Order to compensate us for the monitoring work.

We seek reimbursement for the cost of the dynamic monitoring for the driven piles at all locations on the project, not just bent 49.

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)

<u>For subcontractor notice of potential claim</u>

This notice of potential claim in knowledged 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