

**DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program**

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



CC Myers  
51 Macalla Road  
San Francisco, CA 94130

Attn: Mr. Bob Coupe

Ref: 215-STT.00155, 215-STT.00140

December 30, 2004

Contract No. 04-0120R4  
04-SF-80-12.6, 13.2  
Temporary Bypass Structure

Letter No. 05.03.01-000262

Subject: Notice of Potential Claim No. 5

Dear Mr. Coupe,

This Office has received and reviewed CC Myers' Notice of Potential Claim No. 5, part B regarding the current suspension of fieldwork.

At this time, Contract Change Order No. 24 is in the process of being issued to address the mutually agreed suspension of fieldwork for the period between September 3, 2004 and March 31, 2005. In regards to this, a meeting was held between this Office and CC Myers on December 27, 2004 to discuss the terms of the change order and it was agreed that language would be included to indicate that NOPC No.5 will be rescinded by CC Myers with the execution of CCO 24. CC Myers has agreed to rescinding NOPC No.5 as part of CCO 24.

Therefore, we conclude that NOPC No. 5 will be rescinded and no further action is required.

Sincerely,

**<<< ORIGINAL SIGNED >>>**

Gary Lai  
Structure Representative  
for  
Resident Engineer  
Lourdes David

cc: D. Adams  
A. Bata

file: 05.03.01, 62.02.05