

**Gayle Carrigan**

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**From:** Anthony Diaz [anthony\_diaz@dot.ca.gov]  
**Sent:** Tuesday, April 05, 2005 6:00 PM  
**To:** gcarrigan@ccmyers.com  
**Cc:** Chris Master; Lourdes David; Gary J Lai  
**Subject:** Missing Attachment 215-STL.00110

Gayle,

Can you please send the attachment to 215-STL.00110. It is missing its attachments.

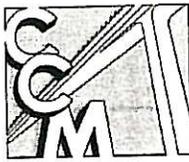
Anthony S. Diaz  
PMIV Coordinator  
South - South Detour  
Work: 1-510-622-5666  
Cell: 1-510-715-9613

*Anthony - 4/6/05  
Per your request.  
J.*

009252 FEB 18 2005

RECEIVED

62.02.06



C.C. MYERS INC.

51 Macalla Road  
(415) 399-0175

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

April 05, 2005

Document No.: 215-STL.00110

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: Notice of Potential Claim No. 6

Dear Mr. David,

Please find attached State Form CEM-6201B with which we are submitting our Notice of Potential Claim No. 6. We are submitting this notice of potential claim on behalf of our subcontractor, Pacific Mechanical Corporation, in accordance with Section 9-1.04 of the Standard Specifications.

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

  
Andy Chan  
Project Engineer

cc: RW.C  
MO

File: 215-101, 215-9906

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 <b>Mr. Lourdes David</b> (resident engineer)	CONTRACT NUMBER <b>04-0120R4</b>	DATE <b>04April05</b>	IDENTIFICATION NUMBER <b>6</b>
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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: **DATE: 18MAR05**

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

Please be advise that we are requesting additional compensation for alternate pipe routing as requested by Caltrans.

This is due to the following:

A different routing than shown on the drawings is requested. The new pipe routing is suspended from structural steel members rather than on top of the guardrail as we originally bid the work and as was shown on the bid drawings. As we discussed, there is no provisions in the bid documents that precluded us from running the pipe on top of the guardrail and our previous design meet the requirements of the Plans Specifications

This alternate routing causes cost increases of three types:

1. *Additional Design and Details Costs* – to revise and resubmit drawings.
2. *Additional Material Costs for Additional Supports Steel and Brackets* – the CALTRANS proposed support scheme requires additional support beams and brackets on part of our original design and original bid.
3. *Additional Labor and equipment costs to erect piping in a more difficult area* – Our original design to piping on the top of the guardrail provided for a relatively easy pipe erection as the piping was ran at grade and with an easy access. The CLATTRANS proposed routing is in a area with no access. It is in most cases off the 8 to 10 feet of the side of deck in mid air. There is no safe access and will require additional labor and equipment to safely access the pipe and handle and erect it in this difficult area. This will significantly increase our erection costs for the 300 pipe.

(attach additional sheets as needed)

Please issue a change order to cover for these additional expenses.

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

See additional sheet attached.

(attach additional sheets as needed)

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.

Estimate Attached **\$115,000.00**

(attach additional sheets as needed)

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:

This impact analysis impossible without design approval

(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.

*Pacific Mechanical Corporation*

**SUBCONTRACTOR** or CONTRACTOR

(Circle One)

*Steven Delledera*

(Authorized Representative)

For subcontractor notice of potential claim

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

*C.C. Myers, Inc.*

PRIME CONTRACTOR

*[Signature]*

(Authorized Representative)

**PACIFIC MECHANICAL CORPORATION**

292 Potential Claim #1

JOB: \_\_\_\_\_  
 PROCESS: \_\_\_\_\_  
 SPEC: \_\_\_\_\_  
 DRAWING: \_\_\_\_\_  
 LINE NBR: \_\_\_\_\_

TEST PRESSURE: \_\_\_\_\_  
 OTHER: \_\_\_\_\_

BID ITEM: \_\_\_\_\_  
 MATERIAL: \_\_\_\_\_  
 LINING: \_\_\_\_\_  
 COATING: \_\_\_\_\_  
 NDE: \_\_\_\_\_

**CCM Job 215 Temporary Bypass Structures**

	U / M	QTY	UNIT PRICE	TAXABLE NET TOTAL	EQUIP SUB	UNIT HOURS	TOTAL HOURS
Re-Design Cost 200 MHrs @ \$125/Hr					25,000		
Additional Brackets @ Truss & Columns		111	250	27,750			0
Additional Labor to Install Brackets		111	Above			4	444
Additional "Impact" labor to install Piping @ Higher Elevation							
12"	Ft	1,100	0			0.05	55
4"	Ft	1,100	0			0.02	22
<b>TOTALS</b>				<b>27,750</b>	<b>25,000</b>		<b>521</b>
<b>RECAP</b>							
Re-Design				\$ 25,000			
Material				\$ 27,750			
Tax @ 8.75%				\$ 2,428			
Pipefitter JMan ( 389) @ \$85.00				\$ 33,065			
Pipefitter FMan (132) @ \$90.00				\$ 11,880			
<b>Subtotal</b>				<b>\$ 100,123</b>			
Mark-Up @ 15%				\$ 15,018			
<b>TOTAL</b>				<b>\$ 115,141</b>			