



April 28, 2011

Mr. Jeff Baker, State Utilities Engineer
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308

Re: STP00-0164-01(039) & STP00-0164-01(048) Coweta County

Dear Jeff,

In accordance with Section 4.4.C of the Utility Accommodation Policy and Standards Manual (Manual) a Project Utility Delay Mitigation Meeting was conducted for the above noted project on Thursday April 28, 2011. The meeting was held at the Department of Transportation Office located at 16 Kennedy Drive, Forest Park, GA. The meeting began at 10 am and there were representatives from the Departments Utility Office, Sunbelt Structures, Inc. and AT&T (see attached list of attendees).

The purpose of the meeting was to comply with Step 2 of the Departments mitigation process as outlined in "The Utility Accommodation Policy and Standards Manual" and determine if the Utility's proposal to cure the utility delay is satisfactory or not.

At this meeting, Ms. Bonnie Britton of AT&T indicated that the remaining work for AT&T within the project limits would be complete within 9 weeks of today's date, barring any reassignment of AT&T crews due to storm damage repair. However, it was stated that AT&T did submit a Utility Adjustment Schedule that was accepted by the Department and a Notice to Proceed was issued on April 7, 2009. The approved UAS that provided a completion time of 200 calendar days was not met. As of the date of this meeting AT&T continues to relocate facilities.

2. Representatives from Sunbelt Structures, Inc. indicated the failure of AT&T to meet the September 18, 2010 date did impact their completion schedule. At this time representatives of Sunbelt Structures, Inc. cannot quantify the amount of impact to their schedule.

As a result of the failure of AT&T to complete their relocations by the approved schedule, it is determined that the proposal to complete the relocation of all AT&T facilities within the 9 weeks timeframe is not satisfactory for the completion of the project on schedule. As stated in the Manual, AT&T may be liable for damages or delay costs.

The Manual further states, "The utility delay cost/damage claim dispute shall be resolved through payment or full Mediation as prescribed in O.C.G.A. 32-7-171 and GDOT Board Rule 672-10." ?

Once all work is complete and a determination is made as to the total impact of the failure to meet the relocation date, AT&T will be notified as to the total costs of said impact. The utility shall have 45 days from receipt of such letter to either pay the amount of damages or delay costs or request full Mediation board hearing.

Sincerely,



James K. Magnus
State Construction Engineer

C:
Thomas Howell
Jeff Baker
David Millen
file