



November 18, 2010

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

Re: STP00-0209-01(002) & BHF00-0209-01(003) Fayette 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 Wednesday November 17, 2010. The meeting was held at the Department of Transportation General Office located at 600 West Peachtree Street, Atlanta, GA. The meeting was held in room 408 and began at 2 pm and there were representatives from the Departments Utility Office C.W. Matthews 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, Mr. Jim Silvester of AT&T indicated that the remaining work for AT&T within the project limits would be complete as of November 19, 2010. However, it was stated that AT&T did submit a Utility Adjustment Schedule that was accepted by the Department that provided a completion date of September 18, 2010.

Representatives from C.W. Matthews indicated the failure of AT&T to meet the September 18, 2010 date did impact their completion schedule. At this time representatives of C.W. Matthews 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 date, it is determined that the proposal to cure the impact by November 19, 2010 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

11/17/2010 GDOT; AT&T & CWM

JAMES MAGNUS	GDOT
C. Allen Scott	CWM
Al Eckford	CWM
Kevin Eubanks	CWM
Mike Bolden	GDOT
TERY L. BEIGMAN	GDOT
Guy Spidel	AT&T
Sue SILVESTER	AT&T
Terri Kennard	AT&T
LAMAR M. PRUITT, JR.	GDOT. DIST. 3
JEFF BAKER	GDOT
Steve Gifford	GDOT
KERRY GORE	GDOT.
Michael Lankford	GDOT
MARC MASTRONARDI	"