



**C. W. MATTHEWS CONTRACTING CO., INC.**

DRAWER 970

**MARIETTA, GEORGIA 30061**

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July 17, 2012

Charter Communications  
Attn: Mr. Ken York  
127 Mattox Court  
Lagrange, GA 30241

RE: CWM Job No. 1901 – SR 100 Construction of Two Bridges and Approaches  
over Clear Creek and New River.  
GDOT Project No. BRSTO-2797-00(004)  
Escalation Step 1 – Charter Communications

Dear Mr. York,

The above referenced project was let to contract by the State of Georgia – Department of Transportation on February 17, 2012 and was awarded to C. W. Matthews Contracting Company, Inc. (CWM) as lowest reliable bidder on March 1, 2012. Construction was authorized on April 6, 2012 toward a contract completion date of April 30, 2014.

Please accept this letter as notification that effective July 17, 2012 Charter Communications is 20% or greater behind in relocating CATV facilities on the subject project. The pre-existing CATV facilities constrain required construction activities including but not limited to bridge demolition and bridge construction. As you are aware, Charter Communications was issued Notice to Proceed with facility relocation in a letter dated March 12, 2012 and authored by Mr. Jeff Baker, State of Georgia – Department of Transportation (GDOT), State Utilities Engineer. In a duly executed Utility Adjustment Schedule prepared by Mr. James Kimbrell dated May 5, 2011, Charter Communications outlined a total of 30 days to complete CATV facility relocation throughout limits of the subject project. The same was approved by Ms. Kim Brown, GDOT Utilities Engineer on January 25, 2012. The aforementioned Utility Adjustment Schedule listed completion of power facility relocation as a predecessor activity for commencement of CATV relocation activities.

Diverse Power finalized power facility relocation on July 6, 2012. Impacted utility owners were notified of the Diverse Power schedule via e-mail dated June 29, 2012 authored by myself. It should be noted that the CATV relocation design had no predecessor activities and therefore should have been finalized 10 working days from receipt of the Notice to Proceed Letter from Mr. Jeff Baker. The same would thus yield design to have been finalized by March 26, 2012. Based on an update provided by Charter Communications on July 16, 2012, CWM personnel were advised that the CATV relocation design has still not been finalized. Thereby yielding Charter Communications greater than 20% behind in completing the required relocation design. It should also be noted that Charter Communications was to have begun CATV relocation / new installation immediately following relinquishment of the new pole line by Diverse Power. As previously stated, the pole line was released to Charter Communications on

July 6, 2012. The duly authorized UAS denoted a total of 25 days for Charter Communications to complete relocation / installation of CATV plant throughout the project limits. As of today's date, Charter Communications has not commenced CATV facility relocation thus yielding a timeframe which is 20% or greater behind schedule. As outlined in the GDOT Utility Accommodation Policy and Standards Manual Chapter 4.4.C., please accept this letter as notification from CWM of the same. I look forward to receiving your proposal on rectifying the aforementioned delay. This will allow CWM as well as our Sub-Contractors to plan and schedule required construction activities accordingly.

Should you have questions regarding the preceding contents, please contact and so inquire of me.

Sincerely,

Jeff Jacques,  
Utility Coordinator

JSJ

cc: Project File  
Charles Matthews e-mail  
Jeff Shropshire e-mail  
Al Eckford e-mail  
Kevin Eubanks e-mail  
Adam Grist e-mail  
Kerry Gore e-mail  
Havard Seldon e-mail  
Tony Richardson e-mail  
Shay Rapes e-mail  
Ken York e-mail & hard copy  
Steve Gafford e-mail  
Tom Parker – e-mail  
1901 – Project File