



C. W. MATTHEWS CONTRACTING COMPANY

DRAWER 970

MARIETTA, GEORGIA 30061

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December 4, 2012

Mr. Kris Stephens
GA Power Distribution
1001 Prince Avenue
Athens, GA 30606

RE: CWM Job 1921 – SR 347 Widening & Reconstruction
GDOT Project # STP00-2688-00(004)
P.I. 170735
Hall County
Escalation Step # 1 (GA Power Distribution)

Dear Mr. Stephens,

The above referenced project was let to contract by State of Georgia – Department of Transportation (GDOT) on April 20, 2012 and awarded to C.W. Matthews Contracting Company, Inc. (CWM) as the lowest reliable bidder on May 4, 2012. Construction was authorized on July 10, 2012 toward a contract completion date of November 30, 2014.

Please accept this letter as notification that effective December 4, 2012; Georgia Power Distribution (GPD) is 20% or greater behind in acquiring easements necessary to accommodate power distribution facility relocation on the subject project. Pre-existing aerial power facilities constrain required construction activities including but not limited to mass grading, storm drain installation and placement of the required typical section. It should also be noted that relocation of pre-existing aerial power facilities are a predecessor activity toward relocation of Charter Communications CATV plant and AT&T telecommunications facilities.

As you are aware, GPD was issued Notice to Proceed with facility relocation in a letter dated March 27, 2012 authored by Mr. Bayne Smith, State of Georgia – Department of Transportation (GDOT), District One – District Engineer. In a duly executed utility Adjustment Schedule (UAS) prepared by yourself, dated November 21, 2011, GPD detailed a total of 45 days after project award in which to finalize easement acquisition throughout the project limits. Predecessor / dependent activities detailed in the UAS are Notice to Proceed Authorization,

Receipt of Final plans, OEL review and receipt of Green Sheets. The same have all since been accomplished.

CWM finalized clearing and grubbing operations on September 25, 2012. Initial construction staking along with placement of survey data was also completed on or before September 25, 2012. While the aforementioned activities were not listed on the GPD UAS, we realize that survey / staking in particular was relevant in ultimately determining easement limits. Therefore, based on the aforementioned start date of September 25, 2012, GPD easement acquisition should have finalized on or before November 6, 2012. Per an update provided by yourself on November 28, 2012, GPD easement acquisition was still ongoing and a definitive timeframe for completion could not be provided at that time. Thus yielding 20 days having lapsed since GPD should have finalized easement acquisition. When adding the 20 days which have since lapsed to the GPD relocation schedule it thereby places GPD easement acquisition 20 percent or greater behind schedule. As outlined in the GDOT Utility Accommodation Policy and Standards Manual Chapter 4.4.C., please accept this letter as formal notification from CWM of the same. I look forward to receiving your proposal on rectifying this delay. This will allow CWM as well as our Sub-Contractors to plan and schedule the remainders of our required construction activities accordingly.

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

Sincerely,

C. W. Matthews Contracting Company, Inc.

Jeff Jacques, Worksite Utility Coordinating Supervisor

JSJ

cc: Project File
Charles Matthews e-mail
Al Eckford e-mail
Jeff Shropshire e-mail
Byron Rhodes e-mail
Matt Needham e-mail
Damon Frost e-mail
Harold Mull e-mail
Jason Dykes e-mail
Kris Stephens e-mail & hard copy
Thomas Parker e-mail
Steve Gafford e-mail

1921 Escalation Step # 1 - GPD
1921 Correspondence