

DF # 39

Georgia Asphalt Vs AG L

Bibb County

C S S T P - 0007 - 00 (644)

P I 0007644.

Joseph, Shajan

From: Ford, Keenan
Sent: Thursday, March 13, 2014 10:03 AM
To: Upkins, Lee
Cc: Gore, Kerry; Robinson, Ken; Collins, Kraig; Bolden, Mike; Joseph, Shajan
Subject: Re: CSSTP-0007-00(644) ; SR 74 ; Bibb County

A meeting was held this morning for this project the contractor will review it and respond to it by the beginning of next week

Thanks
Sent from my iPhone

On Mar 13, 2014, at 9:58 AM, "Upkins, Lee" <lupkins@dot.ga.gov> wrote:

Thanks.

Do we have a time frame as to when they Area and the contractor will review and approve the change?

Lee Upkins
Assistant State Utilities Engineer
Department of Transportation
Office of Utilities - One Georgia Center
600 West Peachtree Street, 10th Floor
Atlanta, Georgia 30308
Office: 404-631-1354
Email: lupkins@dot.ga.gov

From: Gore, Kerry
Sent: Thursday, March 13, 2014 9:48 AM
To: Upkins, Lee
Cc: Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Joseph, Shajan
Subject: RE: CSSTP-0007-00(644) ; SR 74 ; Bibb County

Lee,

AGL originally proposed an underground regulator station within the project limits. As mentioned yesterday, they chose to place it aerial down the County road on an easement. I advised them that this change was not prompted by us and that they would not be able to add time to their original UAS. I just received plans last week for review and our office approval their revisions. To follow protocol that we have here in the District, I don't want to move forward with any changes until the Area office and

contractor have agreed or have had an opportunity to review and approve before we move forward. We had to implement this to make sure we all were in agreement.

Thanks

Kerry Gore
District Utilities Engineer
District 3 - Thomaston
115 Transportation Boulevard
Thomaston, GA 30286
(706) 646-7603

From: Upkins, Lee
Sent: Wednesday, March 12, 2014 8:29 PM
To: Gore, Kerry
Cc: Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Joseph, Shajan
Subject: RE: CSSTP-0007-00(644) ; SR 74 ; Bibb County
Importance: High

Kerry,

In his response, he stated he is waiting on approval from the Area office and the contractor? If there was no change in his original UAS, then what approval is he waiting for? If there is none, please advise him accordingly in writing. If he is waiting on the Area and the Contractor, please resolve it quickly.

Once that aspect is clear, we will advise the contractor of AGL situation and plans for completion by April 14, 2014. Hopefully, this will resolve step 1.

Thanks

Lee Upkins
Assistant State Utilities Engineer
Department of Transportation
Office of Utilities - One Georgia Center
600 West Peachtree Street, 10th Floor
Atlanta, Georgia 30308
Office: 404-631-1354
Email: lupkins@dot.ga.gov

From: Carl Pearson [<mailto:cpearson@aglresources.com>]
Sent: Wednesday, March 12, 2014 4:52 PM
To: danoharrison@aol.com
Cc: Gore, Kerry; Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Upkins, Lee; Joseph, Shajan; Kelly Keevan; Jacob Ziliak; Larry Adams; Scott Grogan
Subject: RE: CSSTP-0007-00(644) ; SR 74 ; Bibb County

Danny,

Attached is AGL's follow up response to your letter dated 2-27-14. The original letter is being mailed today.

From: Joseph, Shajan [<mailto:sjoseph@dot.ga.gov>]

Sent: Monday, March 03, 2014 1:12 PM

To: Carl Pearson

Cc: Gore, Kerry; Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Upkins, Lee

Subject: CSSTP-0007-00(644) ; SR 74 ; Bibb County

Dear Carl Pearson:

The Department received a copy of the letter, addressing to Atlanta Gas Light from Georgia Asphalt Inc. concerning with the issue of the delay in the removal / relocation of your facilities on the Project CSSTP-0007-00(644); Bibb County.

The department reminds you to follow the procedure outlined in the Utility Accommodation Policy and Standard Manual. According to the manual, you must respond to this letter within 10 business days. The response shall include a proposal to cure the delay identified by the Department's Contractor. If you require that a utility coordination meeting (due to the complexity of the project) is held to address the issues identified by the Department's Contractor, then your response letter shall include a request to hold a utility coordination meeting with the Department's Contractor, the District Construction Engineer, and, the District Utilities Engineer for utility delay resolution.

A copy of the page detailing about the procedures to be followed is attached for your quick reference.

If you have any questions or need any additional information, please contact me or District Utilities Engineer.

Thanks.

Shajan P. Joseph, P.E.
State Utilities Construction Engineer
Georgia Department of Transportation
Office of Utilities – 10th Floor[1014]
600 West Peachtree St, NW
Atlanta, GA - 30308
Phone: (404)347-0604
Cell: (404)272-9264

E-mail: sjoseph@dot.ga.gov

<image001.png>

“4.4.C Procedures for Utility Damages or Delay Costs - If the Utility fails to provide a Work Plan or fails to complete the removal, relocation, or adjustment of its facilities in accordance with the Work Plan or Revised Work Plan approved by the Department, then the Utility may be liable to the Department or its Contractor for delay costs and damages incurred by the Department or its Contractor which grow out of the failure of the Utility to carry out and complete its work accordingly. However, the following escalation process shall be utilized by the Department, its Contractor, and the Utility to resolve such disputes regarding damages or delays prior to requests for payment or such claims being brought forth to a mediation board hearing for resolution as prescribed in O.C.G.A. § 32-6-171 and GDOT Board Rule 672-19.

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The Georgia DOT spent approximately \$15 million in 2013-2014 for 135 fast-tracked projects under the Quick Response program to reduce traffic congestion and improve operations across Georgia. Quick Response projects are typically under \$200,000 on the state route system and funded from state motor fuel tax. Visit us at <http://www.dot.ga.gov>; or follow us on <http://www.facebook.com/GeorgiaDOT> and <http://twitter.com/gadepoftrans>

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Joseph, Shajan

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Assistant State Utilities Engineer
Department of Transportation
Office of Utilities - One Georgia Center
600 West Peachtree Street, 10th Floor
Atlanta, Georgia 30308
Office: 404-631-1354
Email: lupkins@dot.ga.gov

From: Carl Pearson [mailto:cpearson@aglresources.com]
Sent: Wednesday, March 12, 2014 4:52 PM
To: danoharrison@aol.com
Cc: Gore, Kerry; Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Upkins, Lee; Joseph, Shajan; Kelly Keevan; Jacob Ziliak; Larry Adams; Scott Grogan
Subject: RE: CSSTP-0007-00(644) ; SR 74 ; Bibb County

Danny,

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From: Joseph, Shajan [mailto:sjoseph@dot.ga.gov]
Sent: Monday, March 03, 2014 1:12 PM
To: Carl Pearson
Cc: Gore, Kerry; Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Upkins, Lee
Subject: CSSTP-0007-00(644) ; SR 74 ; Bibb County

Dear Carl Pearson:

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If you have any questions or need any additional information, please contact me or District Utilities Engineer.

Thanks.

Shajan P. Joseph, P.E.
State Utilities Construction Engineer
Georgia Department of Transportation
Office of Utilities – 10th Floor[1014]
600 West Peachtree St, NW
Atlanta, GA - 30308
Phone: (404)347-0604
Cell: (404)272-9264
E-mail: sjoseph@dot.ga.gov



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complete its work accordingly. However, the following escalation process shall be utilized by the Department, its Contractor, and the Utility to resolve such disputes regarding damages or delays prior to requests for payment or such claims being brought forth to a mediation board hearing for resolution as prescribed in O.C.G.A. § 32-6-171 and GDOT Board Rule 672-19.

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AGL Resources™

Ten Peachtree Place
Atlanta, GA 30309

404 584 4000 phone
www.aglresources.com

March 12, 2014

Mr. Danny Harrison
Grading Superintendent
Georgia Asphalt
P.O. Box 7261
Macon, Georgia 31029

Re: GDOT Project CSSTP-0007-00(644); Bibb County
P. I. # 0007644
AGLC – Notification of Delay (Escalation Step 1)

Dear Mr. Harrison:

Please accept this letter as a response from Atlanta Gas Light (AGL) to the Escalation Step 1 letter submitted by Georgia Asphalt on February 27, 2014. This document is meant to suit the requirements put forth by the Georgia Department of Transportation (GDOT) and to prevent further escalation steps as specified in Rule 672-19 as well as Chapter 4 of the Utility Accommodations Policy and Standards Manual (UAM). This reply submitted by AGL intends to address concerns with the project and provide a solution agreeable to all parties.

The basis of the delay incurred by AGL was due to the relocation of a regulator station. This particular station is a major feed for the Macon area and it would not be plausible to take the facility out of service, even during construction. It was established by AGL personnel that an above ground station would be preferred at this location to replace the existing above ground station. As an above ground station cannot be installed on State of Georgia Right-of-Way, AGL contacted Bibb County to acquire permission to install the proposed station.

On October 10, 2013, AGL was notified that Bibb County would not allow this request. At that point, AGL began the easement acquisition process and a new easement was obtained in February of this year. The new location is located approximately 1200 ft. south of the existing regulator station on Johnson Road. AGL then notified GDOT and submitted the plan changes caused by the site modification. AGL was informed that this adjustment did not warrant a revision of the Utility Adjustment Schedule (UAS) and would still be held to the originally submitted project estimate.

As of the date of this letter, AGL has installed the necessary pipe from the new regulator station location back to the project limits. The office of the District 3 Utility Engineer has approved the requested plan changes; however we are awaiting final approval from the Area Office, as well as Georgia Asphalt. AGL

will continue to install additional sections previously approved, including a proposed section that has only changed in pipe diameter and material. The pipeline contractor will continue to work diligently on this project, making it their main focus, to rectify the situation as quickly as possible once full approval has been received. Pending approval, it is expected that the pipeline relocation work will be completed by April 14, 2014. AGL will continue to work closely with Georgia Asphalt to establish an installation plan that is efficient and beneficial to all involved parties.

We appreciate the opportunity to address the stated concerns and respond within a timely manner. Please feel free to contact me in reference to any comments declared within this statement or relating to the project at hand. Thank you.

Sincerely,



Carl Pearson, PE
Manager
AGLC & CGC – Engineering Design

cc: Kerry Gore e-mail
Mike Bolden e-mail
Lee Upkins e-mail
Shajan Joseph e-mail
Ken Robinson e-mail
Kraig Collins e-mail
Kennon Ford email
Kelly Keevan e-mail
Jacob Ziliak e-mail
Larry Adams e-mail
Scott Grogan e-mail
Danny Harrison e-mail & hard copy

Joseph, Shajan

From: Carl Pearson <cpearson@aglresources.com>
Sent: Wednesday, March 12, 2014 4:52 PM
To: danoharrison@aol.com
Cc: Gore, Kerry; Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Upkins, Lee; Joseph, Shajan; Kelly Keevan; Jacob Ziliak; Larry Adams; Scott Grogan
Subject: RE: CSSTP-0007-00(644) ; SR 74 ; Bibb County
Attachments: 0007644 Escalation Letter (AGL Response) 3-12-14.pdf

Danny,

Attached is AGL's follow up response to your letter dated 2-27-14. The original letter is being mailed today.

From: Joseph, Shajan [mailto:sjoseph@dot.ga.gov]
Sent: Monday, March 03, 2014 1:12 PM
To: Carl Pearson
Cc: Gore, Kerry; Robinson, Ken; Collins, Kraig; Ford, Keenan; Bolden, Mike; Upkins, Lee
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Thanks.

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“4.4.C Procedures for Utility Damages or Delay Costs - If the Utility fails to provide a Work Plan or fails to complete the removal, relocation, or adjustment of its facilities in accordance with the Work Plan or Revised Work Plan approved by the Department, then the Utility may be liable to the Department or its Contractor for delay costs and damages incurred by the Department or its Contractor which grow out of the failure of the Utility to carry out and complete its work accordingly. However, the following escalation process shall be utilized by the Department, its Contractor, and the Utility to resolve such disputes regarding damages or delays prior to requests for payment or such claims being brought forth to a mediation board hearing for resolution as prescribed in O.C.G.A. § 32-6-171 and GDOT Board Rule 672-19.

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03/03/2014
Monday

Georgia Asphalt: (Contractor)

↳ Atlanta Gas Light
(Utility)

Contract authorized → 08/30/2013

Completion date → 04/30/2015

08/24/2012 → 55 days

10/9/2012 Invoicing complete.

Georgia Asphalt Vs AGL

e-mail send to AGL on 03/03/2014

88 dates
etc

10/23/2013

11/23 - 34

12/23 - 64

01/23 - 92

02/23 - 123

02/27 → 127 da

DIST - 3; Bibb County

47
30
17 | 12/17/2013 //



GRADING = PAVING = HIGHWAYS = AIRPORTS

P.O. Box 7261 • Macon, Georgia 31209 • (478) 476-8484 • FAX (478) 476-8151

February 27, 2014

Atlanta Gas Light
Attention: Carl Pearson
10 Peachtree Place – 11th Floor
Atlanta, Georgia 30309

CSSTP-0007-00 (644)
B14557-13-0001
SR 74 - Bibb

Dear Sir:

The above referenced project was let to contract the GA Department of Transportation on July 19, 2013 and was awarded to Georgia Asphalt, Inc. on August 2, 2013. Construction was authorized on August 30, 2013 with a contract completion date of April 30, 2015.

Please accept this letter as notification that effective today Atlanta Gas Light is 20% or greater behind schedule in relocating natural gas facilities on this project. The pre-existing gas facilities constrain required construction activities including grading, storm drain installation and placement of base material. In the Utility Adjustment Schedule that AGL provide GDOT on August 24, 2012 a total of 55 days were allotted to complete construction, splicing/tie in work, service considerations and temporary work.

Georgia Asphalt completed clearing operations on or around October 23, 2013. Initial construction layout was completed prior to this day. Our records indicate that AGL subcontractors mobilized onto the project January 19, 2014 approximately 88 available days later. As of today's date some 127 days of available work days have now passed. As outlined in GDOT Utility Accommodation Policy Georgia Asphalt, Inc. requests that Atlanta Gas Light provide an updated proposal on the completion of the work on this project.

Please contact me with any questions or concerns at (478) 960-9879

Thank you,

Danny Harrison
Grading Superintendent

Joseph, Shajan

From: Bolden, Mike
Sent: Monday, March 03, 2014 7:40 AM
To: Joseph, Shajan
Cc: Upkins, Lee; Gore, Kerry
Subject: FW: CSSTP-0007-00(644) Bibb - Utility Relocation Impact (AGL)
Attachments: DOC.PDF

Joseph:

Attached is Escalation 1 letter from Georgia Asphalt to AGL on project PI 0007644. Please enter into the database and watch for AGL's response.

Michael J. Bolden
State Utilities Engineer

Ga. Department of Transportation
One Georgia Center
Office of Utilities – 10 Floor
600 West Peachtree Street NW
Atlanta, Georgia 30308

Phone: 404-631-1354
E-mail: mbolden@dot.ga.gov

-----Original Message-----

From: Gore, Kerry
Sent: Friday, February 28, 2014 5:00 PM
To: Bolden, Mike; Upkins, Lee
Cc: Robinson, Ken
Subject: FW: CSSTP-0007-00(644) Bibb - Utility Relocation Impact (AGL)

Mike/Lee,

Please find attached escalation one letter on the above to AGL. Please note that the contractor was educated on the escalation process at the precon and during the course of the project. It needs to be noted that it took roughly 70 days until he escalated this issue.

Thanks

Kerry Gore
District Utilities Engineer
District 3 - Thomaston
115 Transportation Boulevard
Thomaston, GA 30286
(706) 646-7603

-----Original Message-----

From: Collins, Kraig
Sent: Friday, February 28, 2014 4:45 PM
To: Gore, Kerry; Smith, Harland
Cc: Ford, Keenan; Saulsbury, Pamela; Collins, Kraig
Subject: CSSTP-0007-00(644) Bibb - Utility Relocation Impact (AGL)

Please find the attached letter from Ga. Asphalt in reference to AGL. According to the letter, AGL is greater than 20% behind schedule on their relocations. The Prime Contractor is requesting an update proposal for the completion of the Work.

Kraig A. Collins – Area Engineer, Macon
GA. Department of Transportation
4499 Riverside Drive
Macon, GA 31210-1357
(478) 757-2601

-----Original Message-----

From: XeroxBottom@dot.ga.gov [mailto:XeroxBottom@dot.ga.gov]
Sent: Saturday, March 01, 2014 1:21 PM
To: Collins, Kraig
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Attachment File Type: PDF

WorkCentre Location: machine location not set Device Name: XRX0000AADDE759

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During inclement winter weather, Georgia DOT commits to achieve and maintain passable road conditions on two lanes of interstates first and then state routes from the most heavily traveled to the least traveled. The Department urges travelers to exercise caution, be patient, and call 511 for updated information on roadway conditions before getting on the road during a winter weather event.

Visit us at <http://www.dot.ga.gov/winterweather> ; or follow us on <http://www.facebook.com/GeorgiaDOT> and <http://twitter.com/gadepoftrans>

Joseph, Shajan

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Subject: CSSTP-0007-00(644) SR 74; Bibb County

Handwritten notes: *AE* (with arrow pointing to 'To:'), *DUE*, *DCE*, and *AAE*.

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A copy of the page (reference.

Handwritten: *Carl Pearson*

your quick

If you have any que: Utilities Engineer.

or District

Handwritten in a circle: *cpearson @ aglresources.com*

Thanks.

Shajan P. Joseph, P.
State Utilities Construct
Georgia Department of
Office of Utilities – 10th
600 West Peachtree St,
Atlanta, GA - 30308
Phone: (404)347-0604
Cell: (404)272-9264
E-mail: sjoseph@dot.ga.gov



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