

03/04/2014  
Tuesday

Gregory Bridge Co Vs. Georgia Power

NTP → 07/09/2013, July 09, 2013

191 days

Aug	09 - 31
Sept	09 - 62
Oct	09 - 92
Nov	09 - 123
Dec	09 - 153
Jan	09 - 184
	7
<hr/>	
Jan	16 - 191

days

First Letter to Area Engineer → Jan 24, 2014  
responded Feb 4, 2014

Big-utility coordination meeting } → Feb 27, 2014

## Joseph, Shajan

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**From:** Joseph, Shajan  
**Sent:** Tuesday, March 04, 2014 12:05 PM  
**To:** 'matilden@southernco.com'; 'rdlong@southernco.com'  
**Cc:** Bolden, Mike; Upkins, Lee; McCall, Robert; Rozier, Dallory; Lindsey, Jamie; Nelson, Ron; Scott, Teresa; Hendley, Jason; Garner, Michael  
**Subject:** BRSTO-0005-05(047); Bryan and Effingham Counties - Utility Delay  
**Attachments:** Gregory Bridge Co - Utility Delay Letter.pdf

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Dear Mark Tilden and Rick Long:

The Department received a copy of the letter, addressing to Georgia Power Company from Gregory Bridge Co. concerning with the issue of the delay in the removal / relocation of your facilities on the Project BRSTO-0005-05(047); Bryan and Effingham Counties.

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 – 10<sup>th</sup> Floor[1014]  
600 West Peachtree St, NW  
Atlanta, GA - 30308  
Phone: (404)347-0604  
Cell: (404)272-9264  
E-mail: [sjoseph@dot.ga.gov](mailto:sjoseph@dot.ga.gov)



**“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.

**Escalation Process Step 1 -** It shall be the Contractor’s responsibility to coordinate and track each Utilities progress in relation to the Work Plan or Revised Work Plan previously approved by the Department. Once the Contractor has determined that the Utilities work progress is at least 20% behind the approved Work Plan, the Contractor will notify the Utility and the Department of such apparent delay through written correspondence. Such written correspondence shall detail the delay in question and request the Utility to submit a proposal on how the Utility plans to rectify such delay and maintain the project’s schedule prescribed by the previously approved Work Plan. The Utility will respond to this letter within 10 business days. The response shall include a proposal to cure the delay identified by the Department’s Contractor. In some cases, the complexity of the project may require that a utility coordination meeting be held to address the issues identified by the Department’s Contractor. If the Utility determines that this is the case, then the Utility’s 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. If any changes are made to the Utility’s Work Plan, such revisions shall adhere to Section 4.4.B. If the utility delay dispute cannot be resolved through the coordination efforts described above after 20 business days from the date provided in the Contractor’s original written correspondence; the said dispute shall escalate to the State Construction Engineer for further consideration.”

**Joseph, Shajan**

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**From:** Scott, Teresa  
**Sent:** Friday, February 28, 2014 10:32 AM  
**To:** Lindsey, Jamie; Rozier, Dallery; Joseph, Shajan  
**Subject:** FW: Utility Meeting Scheduled for 2-27-2014

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FYI...

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**From:** Long, Richard D. [<mailto:RDLONG@southernco.com>]  
**Sent:** Friday, February 28, 2014 9:59 AM  
**To:** Jay Gregory  
**Cc:** Scott, Teresa  
**Subject:** RE: Utility Meeting Scheduled for 2-27-2014

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Jay –

I have been out of town for most of the past 3 weeks or so. I was in an all-day compliance training meeting in Waynesboro yesterday and was unable to attend the utility meeting.

My schedule next week is open so if we need to get together to discuss schedules, please let me know. We are at a complete standstill due to water levels. I do not remember a winter that has had such high water levels for so long. Next week I will be discussing our options internally with my construction group on how we can proceed with our work while the water is still up so high. This is certainly not impossible but comes at a cost. I will work on our options and the associated costs so we can use this information to discuss our next move if the water does not recede any time soon.

Thanks,

**Rick Long**

Engineer SR

Georgia Power Company

DRS - DOT Group

3102 Kilowatt Drive

Savannah, GA 31405 - BIN# 73820

912-547-0660 (cell)

[rdlong@southernco.com](mailto:rdlong@southernco.com)

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**From:** Jay Gregory [mailto:[jay@gregorybridgeco.com](mailto:jay@gregorybridgeco.com)]  
**Sent:** Thursday, February 27, 2014 6:10 AM  
**To:** Long, Richard D.  
**Subject:** Utility Meeting Scheduled for 2-27-2014

Rick,

Good morning. I was just checking to see if you or a GA Power representative would be at the meeting today.

Thanks,

Jay

**J.T. Gregory, III**  
Gregory Bridge Company  
P.O. Box 3355  
Eatonton, GA 31024  
Office (706) 485-7283  
Fax (706) 485-4328  
Mobile (478) 288-3971

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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>



# GREGORY BRIDGE CO.

P.O. BOX 3355  
EATONTON, GEORGIA 31024

PHONE 706-485-7283  
FAX 706-485-4328

J.T. GREGORY, JR. PRESIDENT

J.T. GREGORY, III VICE PRESIDENT

February 27, 2014

Mr. Mark Tilden  
Georgia Power Company  
241 Ralph McGill Blvd, NE, Bin 10142  
Atlanta, GA 30308-3374

Re: BRST0-0005-05(047)  
Bryan & Effingham Counties  
Bridge Replacement  
SR 26/US 80 Over Ogeechee River  
Escalation Process Step 1

Dear Mr. Tilden,

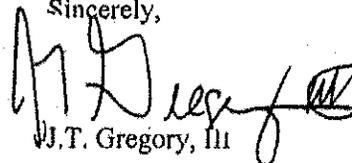
I am writing this letter to begin the escalation process per Section 4.4.C. of the Utility Accommodation Policy and Standards Manual 1/01/2009 – "Procedures for Utility Damages or Delay Costs".

According to the Utility Adjustment Schedule, GA Power was to have completed their work 191 days after the NTP was issued. The NTP was issued July 9, 2013. The date to have the work completed was January 16, 2014. Relocation work has not been completed as of February 27, 2014.

A GA Power representative has not attended a scheduled utility meeting since December 5, 2013. Therefore, no one has given us an updated schedule as to when the relocation work will be completed. We cannot begin our grading or bridge work until the relocation of the power lines has been completed. This will cause us to be unable to complete the project by the scheduled completion date. Please provide us with an updated schedule as to when GA Power's work will be completed.

Your attention to this matter will be greatly appreciated.

Sincerely,



J.T. Gregory, III

cc: Karon L. Ivery - District Engineer  
Robert McCall - District Construction Engineer  
Dallory Rozier - District Utility Engineer  
Shajan Joseph - State Utility Construction Engineer  
Jamie Lindsey - Utility Liaison Engineer  
Ron Nelson - Area Engineer  
Rick Long - Georgia Power Distribution

## Joseph, Shajan

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**From:** Lindsey, Jamie  
**Sent:** Tuesday, March 04, 2014 9:03 AM  
**To:** Upkins, Lee; Joseph, Shajan  
**Subject:** FW: BTSTO-0005-05(047)  
**Attachments:** 13-02 BRSTO-0005-05(047) GA Power Escalation Process.pdf

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*Jamie Lindsey*  
*Utilities Liaison Engineer (South)*

GA Department of Transportation  
One Georgia Center  
Office of Utilities - 10th Floor  
600 West Peachtree Street NW  
Atlanta, GA 30308

Cell: 478-232-9037  
E-mail: [jlindsey@dot.ga.gov](mailto:jlindsey@dot.ga.gov)

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**From:** [judy\\_knight@bellsouth.net](mailto:judy_knight@bellsouth.net) [mailto:[judy\\_knight@bellsouth.net](mailto:judy_knight@bellsouth.net)]  
**Sent:** Monday, March 03, 2014 2:08 PM  
**To:** Lindsey, Jamie  
**Subject:** BTSTO-0005-05(047)

Jamie-

Per our telephone conversation-

Judy Knight  
Gregory Bridge Co.  
706-485-7283

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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/winterweather> ; or follow us on <http://www.facebook.com/GeorgiaDOT> and <http://twitter.com/gadepoftrans>

## Joseph, Shajan

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**From:** Scott, Teresa  
**Sent:** Friday, February 28, 2014 9:45 AM  
**To:** Joseph, Shajan; Lindsey, Jamie  
**Cc:** Upkins, Lee; Rozier, Dallory; Nelson, Ron  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

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Good morning!

Jamie and I attended the Utility Coordination Meeting held yesterday on the above project. Mike Garner, Construction Liaison, was also in attendance. Georgia Power was not in attendance. There was a general discussion about the project and which activities are ready to proceed once the utilities are completed with their relocation. Georgia Power has two poles on either side of the river that have not been relocated. The existing line is on the north side of the river, where the new bridge will be constructed. The earthwork sub is ready to begin, but cannot do so because the existing poles are in conflict.

Also, until Georgia Power completes their relocation the other utilities cannot complete theirs. The general contractor has spoken with Pike (Georgia Power's sub) and the superintendent advised that the river was too high for them to place the last two poles. The general contract (Gregory Bridge) has not spoken directly with Georgia Power and says they have had no response to phone calls and emails.

After much discussion, Jamie and I advised Gregory Bridge that if they were planning to proceed with requesting time based on a possible utility delay, they would have to follow the Escalation process. Mr. Gregory had a copy of the process. At that time, we were able to direct him on the first step. My understanding by the end of the meeting, is that Gregory Bridge will be writing a letter and sending it by certified mail to Mark Tilden, Georgia Power, and copy Rick Long (Savannah Georgia Power representative).

My hope is that this will be resolved once the letter is received by Georgia Power and no further action will be required.

Jamie,  
Did I leave anything out?

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**From:** Joseph, Shajan  
**Sent:** Friday, February 28, 2014 9:33 AM  
**To:** Scott, Teresa; Lindsey, Jamie  
**Cc:** Upkins, Lee  
**Subject:** FW: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Good Morning Teresa and Jamie:

Can you please give an updates of Yesterday's Utility Coordination Meeting.

Thanks.

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

**E-mail: [sjoseph@dot.ga.gov](mailto:sjoseph@dot.ga.gov)**



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**From:** Joseph, Shajan  
**Sent:** Wednesday, February 26, 2014 9:56 AM  
**To:** Scott, Teresa  
**Cc:** Upkins, Lee; Bolden, Mike; Lindsey, Jamie  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Good Morning Teresa:

According to the letter submitted by the Gregory Bridge Company on January 24, 2014: The Georgia Power has to complete their work by 01/16/2014.

First:

1. When we received this letter, we should advise the Contractor to write the letter to Georgia Power and make a copy to the Department.
2. We must advise the contractor to follow the Special Provision of Utility Conflicts in order to achieve time extension; instead the Area Engineer send a reply - sort of kind of giving an approval / authorization to the Gregory Bridge Company for Time Extension.
3. Do we conducting the Utility Coordination Meeting on a regular basis?
4. Did the Contractor notified the Georgia Power or the Department regarding to the delay from the Georgia Power?.

This delay haven't happened overnight. Even before January 16, 2014 , the Contractor was well aware of this delay and he never requested or communicated about this delay.

He waited until the last minute and complaining about the delay. I don't mean the Georgia power has done their job as per UAS.

The Contractor has to make sure the work schedule, work progress, communicate and coordinate with utility companies, in order to achieve a better Project Control.

Second:

1. As soon as we receive this kind of letter, Area Engineer must forward this letter to the District Construction Engineer (DCE) and District Utilities Engineer (DUE).
2. If he/she is writing a letter to the contractor, before he/she forward to the contractor, it must be forwarded to DCE / DUE for review.
3. Special Provision must be followed by the Contractor in order to achieve the Time extension.
4. Since we received this letter, did we conduct any meeting as a part of the Escalation 1 or any utility coordination meeting and discussed this issue? What is the outcome?
5. Whether Georgia Power is officially aware of this delay or not?
6. Did the Department or Contractor communicated officially to Georgia Power?

Third:

1. According to my knowledge, If Georgia Power is an ability or equipment available at the site, to do the operation, GP must utilize those tools to complete the job.
2. We can't instruct the GP to hire or purchase or lease a special equipment to perform this job.
- 3. It is the duty of the GP to conduct his works according to his means and method of operation; but he can't escape from his delay issues.**

Teresa:

Hope you will discuss the above concerns and issues in the next meeting and please forward the outcomes.

Thanks.

**Mike and Lee:**

**If any mistake, please correct me.**

Thanks.

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



---

**From:** Scott, Teresa  
**Sent:** Wednesday, February 26, 2014 9:15 AM  
**To:** Upkins, Lee; Bolden, Mike; Joseph, Shajan  
**Cc:** Rozier, Dallory; Cravey, Tony; Lindsey, Jamie; Nelson, Ron  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Good morning!

I will be at the utility coordination meeting tomorrow and I am sure we will discuss all of this. we will discuss the fact that this is weather related. I do, however, have a question. If the Georgia Power contractor has equipment available to do the work with the water so high, is this an excuse any longer? I am assuming that Gregory Bridge would still have to document everything and know for sure whether there was any way to get this work done.

---

**From:** Upkins, Lee  
**Sent:** Wednesday, February 26, 2014 8:01 AM  
**To:** Bolden, Mike; Scott, Teresa; Joseph, Shajan  
**Cc:** Rozier, Dallory; Cravey, Tony; Lindsey, Jamie; Nelson, Ron  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

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Good Morning Everyone,

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As per the Mike Bolden, State Utilities Engineer and Jeff Baker, Director of Construction discussion this morning on the above project issue, We should inform the contractor that this delay is cause by weather and not Ga Power. We should advised Ga Power that as soon as the river is low enough to allow for them to continue work, then Ga Power has to complete their work within their original schedule.

Thanks

**Lee Upkins**  
**Assistant State Utilities Engineer**  
Department of Transportation  
Office of Utilities - One Georgia Center  
600 West Peachtree Street, 10<sup>th</sup> Floor  
Atlanta, Georgia 30308  
Office: 404-631-1354  
Email: [lupkins@dot.ga.gov](mailto:lupkins@dot.ga.gov)

---

**From:** Bolden, Mike  
**Sent:** Wednesday, February 26, 2014 6:05 AM  
**To:** Scott, Teresa; Upkins, Lee; Joseph, Shajan  
**Cc:** Rozier, Dallory; Cravey, Tony; Lindsey, Jamie  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

All:

If the delay is due to the river being high and Ga. Power cannot complete their installations, would this not be a weather delay or Act of God and not a Utility delay. I would think that Escalation Step 1 is not applicable in this case.

Comments?

*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](mailto:mbolden@dot.ga.gov)

---

**From:** Scott, Teresa  
**Sent:** Tuesday, February 25, 2014 3:49 PM

**To:** Upkins, Lee; Joseph, Shajan  
**Cc:** Rozier, Dallory; Bolden, Mike; Cravey, Tony; Lindsey, Jamie  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Thank you for your response. I actually have a utility coordination meeting this week and I am sure that this will be discussed. I'll be sure to clear up anything misleading!

---

**From:** Upkins, Lee  
**Sent:** Tuesday, February 25, 2014 3:47 PM  
**To:** Scott, Teresa; Joseph, Shajan  
**Cc:** Rozier, Dallory; Bolden, Mike; Cravey, Tony; Lindsey, Jamie  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Teresa,

The contractor should be made aware that he should follow the Escalation Process even if he is asking for a Time Extension. The statement "govern your actions accordingly" is misleading. In reviewing the Area engineer letter, if I was the contractor, I would be under the impression that the Time Extension is granted.

The District Utility Office should follow up with the Area Engineer and advise him that as outlined in the UTILITY CONFLICT Special Provision Gregory Bridge Company shall follow the Procedures for Utility Damages or Delay Costs outlined in the latest edition of The Utility Accommodation Policy and Standards Manual in order for the request for a Time Extension to be considered.

Thanks

**Lee Upkins**  
**Assistant State Utilities Engineer**  
Department of Transportation  
Office of Utilities - One Georgia Center  
600 West Peachtree Street, 10<sup>th</sup> Floor  
Atlanta, Georgia 30308  
Office: 404-631-1354  
Email: [lupkins@dot.ga.gov](mailto:lupkins@dot.ga.gov)

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**From:** Scott, Teresa  
**Sent:** Tuesday, February 25, 2014 12:47 PM  
**To:** Upkins, Lee; Joseph, Shajan  
**Cc:** Rozier, Dallory  
**Subject:** BRST0-0005-05(047), PI 533145-, Bryan, Effingham

BRST0-0005-05(047), Bryan, Effingham  
PI 533145-  
SR 26/US 80 over the Ogeechee River and Overflow  
Utility Delay

Good afternoon,  
I've attached correspondence from Gregory Bridge and the Area Office regarding the possibility of utility delays. If you need anything further, please let me know.

**Teresa A. Scott**

Georgia Department of Transportation  
Assistant District Utilities Engineer  
GDOT  
(912) 530-4403 Work  
(912) 424-9049 Mobile  
tscott@dot.ga.gov  
204 North Highway 301  
Jesup, GA

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.

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## **Joseph, Shajan**

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**From:** Scott, Teresa  
**Sent:** Wednesday, February 19, 2014 3:05 PM  
**To:** Joseph, Shajan  
**Cc:** Lindsey, Jamie; Rozier, Dallory; Bolden, Mike; Upkins, Lee  
**Subject:** RE: BRST0-0005-05(047), PI-533145-, Bryan, Effingham

---

Good afternoon,  
I will get this information for you.

---

**From:** Joseph, Shajan  
**Sent:** Wednesday, February 19, 2014 11:08 AM  
**To:** Scott, Teresa  
**Cc:** Lindsey, Jamie; Rozier, Dallory; Bolden, Mike; Upkins, Lee  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Good Morning Teresa: ~

Any updates from the Georgia Power?

What about the status of the water level at the Ogeechee River? Still it is too high.

If it is too high for the Pike to install the poles, according to previous years of history, how long we have to wait to have a lower water level and place the poles?

Due to this delay how much/ to what extent the Contractors works are affected or delayed.

Is this a side effect [ small area affected] or a stand and still [ all activities are stopped] situation?

Did we tried to contact the Georgia Power Company's upper management by e-mail or by phone or by any letter? Any response.

Did the GP or its sub attend the last utility coordination meeting?

Thanks.

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



**From:** Scott, Teresa  
**Sent:** Wednesday, February 12, 2014 5:15 PM  
**To:** Bolden, Mike  
**Cc:** Joseph, Shajan; Lindsey, Jamie; Rozier, Dallory  
**Subject:** BRST0-0005-05(047), PI 533145-, Bryan, Effingham

BRST0-0005-05(047), Bryan, Effingham  
PI 533145-  
SR 26 @ Ogeechee River & Overflow  
Possible Time Extension Request

Good afternoon,  
Georgia Power has two poles on this project that have not been installed by their contractor. The Ogeechee River is too high for Pike to do the proposed work. This has put Georgia Power behind by almost a month. Utility Coordination Meetings are being held every two weeks and it has been mentioned that they contractor has been delayed by Georgia Power and Georgia Power has been nonresponsive.  
I just want you to be aware of this if it is mentioned.  
If you have any questions, please let me know.

**Teresa A. Scott**  
Georgia Department of Transportation  
Assistant District Utilities Engineer  
GDOT  
(912) 530-4403 Work  
(912) 424-9049 Mobile  
tscott@dot.ga.gov  
204 North Highway 301  
Jesup, GA

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## Joseph, Shajan

---

**From:** Upkins, Lee  
**Sent:** Wednesday, February 26, 2014 10:59 AM  
**To:** Joseph, Shajan; Lindsey, Jamie  
**Cc:** Bolden, Mike  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

**Importance:** High

Jamie/Joseph,

I just got off the phone with Jeff Baker. Please make a determination which one of you can attend this meeting. After you decide who will be going, Please call Mike Gardner to discuss the issues. He has stated that we did not get the full story. He believes Step 1 escalation is require but a decision can be made and everyone agree before the meeting.

Please let me your decision today on who will be attending.

Thanks

**Lee Upkins**  
**Assistant State Utilities Engineer**  
Department of Transportation  
Office of Utilities - One Georgia Center  
600 West Peachtree Street, 10<sup>th</sup> Floor  
Atlanta, Georgia 30308  
Office: 404-631-1354  
Email: [lupkins@dot.ga.gov](mailto:lupkins@dot.ga.gov)

---

**From:** Scott, Teresa  
**Sent:** Wednesday, February 26, 2014 10:18 AM  
**To:** Joseph, Shajan  
**Cc:** Upkins, Lee; Bolden, Mike; Lindsey, Jamie  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

I am able to answer some of these questions, but they will be discussed tomorrow. I plan to make it very clear to all parties, so there is no misunderstanding, about what needs to happen.

---

**From:** Joseph, Shajan  
**Sent:** Wednesday, February 26, 2014 9:56 AM  
**To:** Scott, Teresa  
**Cc:** Upkins, Lee; Bolden, Mike; Lindsey, Jamie  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Good Morning Teresa:

According to the letter submitted by the Gregory Bridge Company on January 24, 2014: The Georgia Power has to complete their work by 01/16/2014.

First:

1. When we received this letter, we should advise the Contractor to write the letter to Georgia Power and make a copy to the Department.  
Area Engineer responded and copied the DUE. The District did not have to opportunity to review the letter or have any input. This will be discussed with the Area Engineer.

2. We must advise the contractor to follow the Special Provision of Utility Conflicts in order to achieve time extension; instead the Area Engineer send a reply - sort of kind of giving an approval / authorization to the Gregory Bridge Company for Time Extension.  
That was done by email from me and letter from Area Engineer. This will be reiterated at the coordination meeting tomorrow.

3. Do we conducting the Utility Coordination Meeting on a regular basis?  
Yes, meeting are held twice a month.

4. Did the Contractor notified the Georgia Power or the Department regarding to the delay from the Georgia Power?  
The contractor tried to contact GP by phone and possibly email, but I have not seen anything in writing.

This delay haven't happened overnight. Even before January 16, 2014 , the Contractor was well aware of this delay and he never requested or communicated about this delay.

He waited until the last minute and complaining about the delay. I don't mean the Georgia power has done their job as per UAS.

The Contractor has to make sure the work schedule, work progress, communicate and coordinate with utility companies, in order to achieve a better Project Control.

Second:

1. As soon as we receive this kind of letter, Area Engineer must forward this letter to the District Construction Engineer (DCE) and District Utilities Engineer (DUE).
2. If he/she is writing a letter to the contractor, before he/she forward to the contractor, it must be forwarded to DCE / DUE for review.
3. Special Provision must be followed by the Contractor in order to achieve the Time extension.
4. Since we received this letter, did we conduct any meeting as a part of the Escalation 1 or any utility coordination meeting and discussed this issue? What is the outcome?
5. Whether Georgia Power is officially aware of this delay or not?
6. Did the Department or Contractor communicated officially to Georgia Power?

Third:

1. According to my knowledge, If Georgia Power is an ability or equipment available at the site, to do the operation, GP must utilize those tools to complete the job.
2. We can't instruct the GP to hire or purchase or lease a special equipment to perform this job.
3. It is the duty of the GP to conduct his works according to his means and method of operation; **but he can't escape from his delay issues.**

Teresa:

Hope you will discuss the above concerns and issues in the next meeting and please forward the outcomes.

Thanks.

Mike and Lee:

If any mistake, please correct me.

Thanks.

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



---

**From:** Scott, Teresa  
**Sent:** Wednesday, February 26, 2014 9:15 AM  
**To:** Upkins, Lee; Bolden, Mike; Joseph, Shajan  
**Cc:** Rozier, Dallory; Cravey, Tony; Lindsey, Jamie; Nelson, Ron  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Good morning!

I will be at the utility coordination meeting tomorrow and I am sure we will discuss all of this. we will discuss the fact that this is weather related. I do, however, have a question. If the Georgia Power contractor has equipment available to do the work with the water so high, is this an excuse any longer? I am assuming that Gregory Bridge would still have to document everything and know for sure whether there was any way to get this work done.

---

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**Sent:** Wednesday, February 26, 2014 8:01 AM  
**To:** Bolden, Mike; Scott, Teresa; Joseph, Shajan  
**Cc:** Rozier, Dallory; Cravey, Tony; Lindsey, Jamie; Nelson, Ron  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Good Morning Everyone,

As per the Mike Bolden, State Utilities Engineer and Jeff Baker, Director of Construction discussion this morning on the above project issue, We should inform the contractor that this delay is cause by weather and not Ga Power. We should advised Ga Power that as soon as the river is low enough to allow for them to continue work, then Ga Power has to complete their work within their original schedule.

Thanks

**Lee Upkins**

**Assistant State Utilities Engineer**

Department of Transportation

Office of Utilities - One Georgia Center

600 West Peachtree Street, 10<sup>th</sup> Floor

Atlanta, Georgia 30308

Office: 404-631-1354

Email: [lupkins@dot.ga.gov](mailto:lupkins@dot.ga.gov)

---

**From:** Bolden, Mike

**Sent:** Wednesday, February 26, 2014 6:05 AM

**To:** Scott, Teresa; Upkins, Lee; Joseph, Shajan

**Cc:** Rozier, Dallory; Cravey, Tony; Lindsey, Jamie

**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

All:

If the delay is due to the river being high and Ga. Power cannot complete their installations, would this not be a weather delay or Act of God and not a Utility delay. I would think that Escalation Step 1 is not applicable in this case.

Comments?

*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](mailto:mbolden@dot.ga.gov)**

---

**From:** Scott, Teresa

**Sent:** Tuesday, February 25, 2014 3:49 PM

**To:** Upkins, Lee; Joseph, Shajan

**Cc:** Rozier, Dallory; Bolden, Mike; Cravey, Tony; Lindsey, Jamie

**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

Thank you for your response. I actually have a utility coordination meeting this week and I am sure that this will be discussed. I'll be sure to clear up anything misleading!

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**Cc:** Rozier, Dallory; Bolden, Mike; Cravey, Tony; Lindsey, Jamie

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Teresa,

The contractor should be made aware that he should follow the Escalation Process even if he is asking for a Time Extension. The statement "govern your actions accordingly" is misleading. In reviewing the Area engineer letter, if I were the contractor, I would be under the impression that the Time Extension is granted.

The District Utility Office should follow up with the Area Engineer and advise him that as outlined in the UTILITY CONFLICT Special Provision Gregory Bridge Company **shall follow the Procedures for Utility Damages or Delay Costs outlined in the latest edition of The Utility Accommodation Policy and Standards Manual** in order for the request for a Time Extension to be considered.

Thanks

**Lee Upkins**

**Assistant State Utilities Engineer**

Department of Transportation

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Atlanta, Georgia 30308

Office: 404-631-1354

Email: [lupkins@dot.ga.gov](mailto:lupkins@dot.ga.gov)

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**From:** Scott, Teresa

**Sent:** Tuesday, February 25, 2014 12:47 PM

**To:** Upkins, Lee; Joseph, Shajan

**Cc:** Rozier, Dallory

**Subject:** BRST0-0005-05(047), PI 533145-, Bryan, Effingham

BRST0-0005-05(047), Bryan, Effingham

PI 533145-

SR 26/US 80 over the Ogeechee River and Overflow

Utility Delay

Good afternoon,

I've attached correspondence from Gregory Bridge and the Area Office regarding the possibility of utility delays. If you need anything further, please let me know.

**Teresa A. Scott**

Georgia Department of Transportation

Assistant District Utilities Engineer

GDOT

(912) 530-4403 Work

(912) 424-9049 Mobile

[tscott@dot.ga.gov](mailto:tscott@dot.ga.gov)

204 North Highway 301

Jesup, GA

---

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:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

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**Cc:** Rozier, Dallory; Cravey, Tony; Lindsey, Jamie  
**Subject:** RE: BRST0-0005-05(047), PI 533145-, Bryan, Effingham

All:

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Comments?

*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](mailto:mbolden@dot.ga.gov)**

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**Subject:** RE: BRSTO-0005-05(047), PI 533145-, Bryan, Effingham

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**Assistant State Utilities Engineer**  
Department of Transportation  
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Email: [lupkins@dot.ga.gov](mailto:lupkins@dot.ga.gov)

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**Cc:** Rozier, Dallery

**Subject:** BRST0-0005-05(047), PI 533145-, Bryan, Effingham

BRST0-0005-05(047), Bryan, Effingham

PI 533145-

SR 26/US 80 over the Ogeechee River and Overflow

Utility Delay

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**Teresa A. Scott**

Georgia Department of Transportation

Assistant District Utilities Engineer

GDOT

(912) 530-4403 Work

(912) 424-9049 Mobile

tscott@dot.ga.gov

204 North Highway 301

Jesup, GA

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

Keith Golden, P.E., Commissioner



GEORGIA DEPARTMENT OF TRANSPORTATION

One Georgia Center, 600 West Peachtree Street, NW  
Atlanta, Georgia 30308  
Telephone: (404) 631-1000

February 4, 2014

Mr. J. T. Gregory, III – Vice President  
Gregory Bridge Company  
865 Oak Street  
Eatonton, GA 31024-6501  
VIA EMAIL [jay@gregorybridgeco.com](mailto:jay@gregorybridgeco.com)

RE: BRST0-0005-05(047) BRYAN / EFFINGHAM  
CID#: B14543-13-000-0  
PI#: 533145  
PROJECT COMPLETION DATE / POTENTIAL UTILITY DELAYS

Dear Mr. Gregory:

The Department is in receipt of the attached letter from Gregory Bridge Company dated January 24, 2014 referenced Project Completion Date.

In response, the Department encourages Gregory Bridge Company to thoroughly review Contract Special Provision – Utility Conflicts and govern your actions accordingly. In accordance with Subsection 105.06 of the Specifications, the Department is not liable for payment of any claims due to utility delays. However, in accordance with Subsection 107.21.G delays by utilities will continue to be considered by the Department in charging Contract Time.

If you have any questions or require additional information, please contact this office at (912) 871-1103.

Sincerely,

W. Ron Nelson  
Area Engineer  
17213 U.S. Hwy 301 N  
Statesboro, GA 30458

WRN: JH: ts

Attachment

Copy: Mr. Robert T. McCall, District Construction Engineer  
Mr. Michael D. Garner, Construction Liaison Engineer  
Mrs. Teresa Scott, Assistant District Utilities Engineer  
General Files Unit/Atlanta  
Mr. Jason Hendley, Project Engineer

- District # 8  
JESMO  
Date: 2-5-14
- Dist. Engr.
  - Personnel
  - Contracts
  - Dist. Est.
  - Mil's Test
  - Constr.
  - Progr. & R.
  - Pre-Const.
  - Local Gov./R.W.
  - Design
  - Traffic Aid
  - Right of Way
  - P.O. & Tr.
  - Employee Stry
  - Public Stry
  - Utilities *DR*
  - Adm. Office
  - Purchasing *1 H*
  - Maintenance
  - File Room



# GREGORY BRIDGE CO.

- Area Engineer *Wm*
- Maintenance
- Construction

JAN 28 2014

P.O. BOX 3355  
EATONTON, GEORGIA 31024

PHONE 706 485 7283  
FAX 706 485 4328  
 State Aid  
 Res. Manager  
 Permit

J.T. GREGORY, JR. PRESIDENT

J.T. GREGORY, III VICE PRESIDENT

January 24, 2014

Mr. Ron Nelson  
Georgia Department of Transportation  
Area Engineer  
17213 U.S. Hwy 301 N.  
Statesboro, GA 30458

Re: BRSTO-0005-05(047)  
US 80 Over Ogeechee River  
Project Completion Date

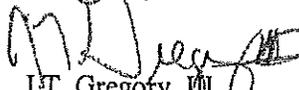
Dear Mr. Nelson,

As you are well aware of, the utility owners are behind schedule on relocating their utilities. According to the Utility Adjustment Schedule, Georgia Power Company gave 191 days after the Notice To Proceed, to complete their work. That time was up on January 16<sup>th</sup>, 2014.

With the Ogeechee River level like it is, it doesn't look like Georgia Power will complete their work within the next two weeks. Comcast and AT&T both have to complete their portion of the work after GA Power is done. According to their Utility Adjustment Schedule, their work will take 61 and 141 days, respectively.

Please consider these delays if we are unable to complete the subject project by it scheduled completion date of December 31, 2015.

Yours truly,

  
J.T. Gregory, III



# GREGORY BRIDGE CO.

P.O. BOX 3355  
EATONTON, GEORGIA 31024

PHONE 706-485-7283  
FAX 706-485-4328

J.T. GREGORY, JR. PRESIDENT

J.T. GREGORY, III VICE PRESIDENT

February 27, 2014

Mr. Mark Tilden  
Georgia Power Company  
241 Ralph McGill Blvd, NE, Bin 10142  
Atlanta, GA 30308-3374

Re: BRST0-0005-05(047)  
Bryan & Effingham Counties  
Bridge Replacement  
SR 26/US 80 Over Ogeechee River  
Escalation Process Step 1

Dear Mr. Tilden,

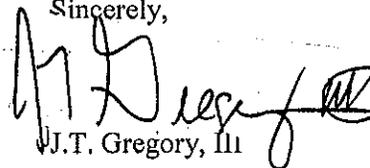
I am writing this letter to begin the escalation process per Section 4.4.C. of the Utility Accommodation Policy and Standards Manual 1/01/2009 -- "Procedures for Utility Damages or Delay Costs".

According to the Utility Adjustment Schedule, GA Power was to have completed their work 191 days after the NTP was issued. The NTP was issued July 9, 2013. The date to have the work completed was January 16, 2014. Relocation work has not been completed as of February 27, 2014.

A GA Power representative has not attended a scheduled utility meeting since December 5, 2013. Therefore, no one has given us an updated schedule as to when the relocation work will be completed. We cannot begin our grading or bridge work until the relocation of the power lines has been completed. This will cause us to be unable to complete the project by the scheduled completion date. Please provide us with an updated schedule as to when GA Power's work will be completed.

Your attention to this matter will be greatly appreciated.

Sincerely,



J.T. Gregory, III

cc: Karon L. Ivery - District Engineer  
Robert McCall - District Construction Engineer  
Dallory Rozier - District Utility Engineer  
Shajan Joseph - State Utility Construction Engineer  
Jamie Lindsey - Utility Liaison Engineer  
Ron Nelson - Area Engineer  
Rick Long - Georgia Power Distribution