

McMath - Turner Construction Company
Vs Georgia Power

STP 00 - 8060 - 00 (002)

Whittlesey Road

Hold as per Lee options

Joseph, Shajan

From: Gore, Kerry
Sent: Tuesday, March 25, 2014 10:48 AM
To: Upkins, Lee; Joseph, Shajan; Bolden, Mike
Subject: FW: Whittlesey Road
Attachments: img869.jpg; img868.jpg

Lee/Joseph,

Please find attached an escalation 1 letter for GPC on the Muscogee 351010 project.

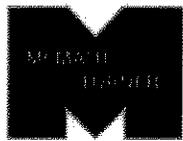
Thanks

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

From: Luther Wilson [<mailto:lwilson@mcmath-turner.com>]
Sent: Tuesday, March 25, 2014 10:43 AM
To: Bowen, Greg; McKissick, Gene; david.dawkins@wideopenwest.com; chuck.goodwin@wideopenwest.com; Gore, Kerry; gdeck@ucsynergetic.com; mm1115@att.com; Williams, Mark; Mullis, Eddie; jjordan@mediaicomcc.com
Subject: Whittlesey Road

Copy of letter to the Georgia Power Company

Respectfully,



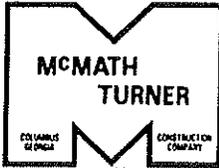
M*Math-Turner Construction Company Inc.
Luther Wilson | Executive Vice President |
135 Brennan Road | Columbus GA 31906 |
706.687.0303 office | 706.687.0306 fax |
lwilson@mcmath-turner.com

Please consider the environment before printing this email

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

MCMATH-TURNER
CONSTRUCTION COMPANY

COLUMBUS, GEORGIA



135 BRENNAN ROAD
POST OFFICE BOX 38
COLUMBUS, GA 31902-0038
PHONE (706) 687-0303

March 25th, 2014

Georgia Power Company (GPC)
Attn: Mark A. Tilden, Project Manager
241 Ralph McGill Blvd-Bin 10140
Atlanta, GA

RE: McMath-Turner Construction Job No.873

Reconstruction Whittlesey Rd. Beginning at Rollins Way and Extending to US 27/SR (Veterans PKWY) and on US 27/SR 1(Veterans PKWY) Beginning at Gepca Dr. and Extending to Adams Farm Dr. / Commercial CT E.

STP00-8060-00(002)

Escalation Step #1 1-Mar-2014

Dear Mr. Tilden,

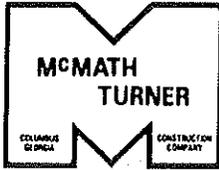
The above referenced project was let to contract by State of Georgia-Department of Transportation (GDOT) April 20th, 2012 and awarded to McMath- Turner Construction .McMath-Turner Construction as the lowest reliable bidder on May 24th 2012. Construction was authorized July 3rd 2012 toward a contract completion date of April 30th 2015.

Please accept this letter as notification that effective March 1st 2014, Georgia Power Company is 20% or greater behind in relocating facilities on the subject project. The pre-existing facilities constrain required construction activities including but not limited to grading, storm drain instillation, and placement of Graded Aggregate Base. As you are aware, Georgia Power Company was issued Notice to proceed with facility relocation via letter which was authored by Kim Brown, State of Georgia-Department of Transportation (GDOT), State Utilities Engineer, Dated January 28th 2011, Georgia Power Co. Outlined a total of 498 days to complete facility relocation throughout the project limits. The same included Construction.

During the course of a Project Utility Meeting on August 29th, 2013, it was duly noted that all predecessor activities required for Georgia Power Co. to commence facility relocation had been accomplished. Mr. Eddie Mullins, Georgia Power Engineer Representative, advised that Georgia Power Co. facility relocation was to proceed shortly. As of today's date, facility relocation has not yet commenced on Veterans Blvd. Georgia Power Co is 20% or greater behind the schedule denoted in the aforementioned UAS.

McMATH-TURNER
CONSTRUCTION COMPANY

COLUMBUS, GEORGIA



135 BRENNAN ROAD
POST OFFICE BOX 38
COLUMBUS, GA 31902-0038
PHONE (706) 687-0303

As outlined in the GDOT Utility Accommodation Policy and standards Manual Chapter 4.4.C., please accept this letter as notification from McMath-Turner that Georgia Power Company is 20% or greater behind in relocating facilities on subject project. I look forward to receiving your proposal on rectifying the aforementioned delay. This will allow McMath-Turner as well as our Sub-Contractors to plan and schedule required construction activities accordingly.

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

Sincerely,

Luther B. Wilson
Executive Vice President



E-Mailed:

Gene Mckissick (GDOT)
Kerry Gore (GDOT)
Mark Williams (GDOT)
Greg Bowen (GDOT)
Eddie Mullins (GPC)
David Dawkins (WOW)
Brooks Jordan (Mediacom)
Greg Deck (Sunesys)

Joseph, Shajan

From: Joseph, Shajan
Sent: Wednesday, March 26, 2014 12:12 PM
To: 'matilden@southernco.com'; Long, Richard D.; 'emullins@southernco.com'
Cc: 'iwilson@mcmath-turner.com'; Gore, Kerry; Bolden, Mike; Upkins, Lee; McKissick, Gene; Williams, Mark; Bowen, Greg
Subject: STP00-8060-00(002); Whittlesey Road
Attachments: Whittlesey Road.pdf

Dear Mark Tilden, Rick Long and Eddie Mullins:

The Department received a copy of the letter, addressing to Georgia Power Company from McMath -Turner Construction Company concerning with the issue of the delay in the removal / relocation of your facilities on the Project STP00-8060-00(002).

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, Mr. Kerry Gore @ (706)646-7603.

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



“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.”