

STP00-174-01 (007)

Columbia County

Beam's Contracting, Inc Vs AT&T.

05/29/2014:  
Send the initial response  
to the utility company

Waiting from the contractor's  
reply }  
for AT&T's reply: -

06/20/2014 - send the  
conclusion letter }

## **Joseph, Shajan**

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**From:** Joseph, Shajan  
**Sent:** Wednesday, June 11, 2014 12:17 PM  
**To:** Thomas, David (MIKE)  
**Cc:** Upkins, Lee  
**Subject:** FW: AT & T's response to significant delay notification - PI#231440 Columbia Rd  
**Attachments:** PI#231440 - Columbia Rd response.docx

**Good Afternoon Mike:**

**I can't make a decision about the percentage of work completed.**

**It is the Contractor - who has to agree or disagree with AT & T's response. If he agrees with AT & T's response, Escalation Step 1 completed.**

**If he don't agree with AT & T's proposal: Two Cases**

**Case A: He can request for a utility coordination meeting and discuss the issues and see where we are standing and come to a conclusion.**

**Or**

**Case B: The Contractor has to respond back to AT & T's letter, indicating his arguments for the delay based on what so ever reason and move forward with Escalation Step 2.**

**If you need any additional information, please let me know.**

**The Contractor started with this delay issue and let him respond back to the AT & T's response.**

**Thanks.**

**Good Afternoon Lee:**

**I will wait for 2 more days to see any response from the Contractor.**

**If not, I will send a conclusion letter indicating that AT & T 's response by Friday.**

**If any mistakes please let me know.**

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:** Thomas, David (MIKE)  
**Sent:** Wednesday, June 11, 2014 11:06 AM  
**To:** Joseph, Shajan  
**Subject:** FW: AT & T's response to significant delay notification - PI#231440 Columbia Rd

Hi Shajan, I have attached AT&T's response letter for escalation process step 1 to this email. Are you in agreement with AT&T's claim of being only about 9% behind?

Thank You.

Michael D. Thomas  
Georgia Department of Transportation  
District 2  
Assistant District Utilities Engineer  
Office # 478-552-4606  
Cell # 478-232-3325  
Fax # 478-552-4677

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**From:** SURRENCY, WILLIAM J [<mailto:ws1449@att.com>]  
**Sent:** Friday, June 06, 2014 7:14 AM  
**To:** 'Greg Aplin'  
**Cc:** CROSBY, WAYNE; Lindsey, Jamie; Thomas, David (MIKE); MARKWALTER, RUSS; BEARDEN, SELBY A; HAMMETT, JOHN S; Way, Rodney; Joseph, Shajan  
**Subject:** AT & T's response to significant delay notification - PI#231440 Columbia Rd

Greg,

Please see attached response letter.

Jeff Surrency  
AT & T Resource Manager

706-210-8237

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The Georgia DOT inspected 8,725 bridges across the state in 2013 to ensure the safety of the travelling public and to identify critical maintenance needs for system preservation. With one of the lower gasoline taxes in the nation, Georgia consistently ranks among the nation's best maintained bridges. Visit us at <http://www.dot.ga.gov> or follow us on <http://www.facebook.com/GeorgiaDOT> and <http://twitter.com/gadepoftrans>.



Jeff Surrency  
AT&T Resource Manager

AT&T Southeast  
3841 Wrightsboro Rd  
Augusta, GA 30909

Office: 706-210-8237  
Fax: 706-863-3739  
Ws1449@att.com

June 5, 2014

Mr. Greg Aplin  
Project Manager  
Beams Contracting, Inc.  
2335 Atomic Rd  
Beech Island, SC 29842

RE: GDOT PI#231440 – Columbia Rd

Dear Mr. Aplin,

I am responding to your letter dated May 28<sup>th</sup>, 2014 to address your concerns regarding AT&T's facility relocation. On October 22nd, 2013, AT & T received a notice that the r/w was cleared and grubbed. As mentioned in our approved utility adjustment schedule, that is the date that our construction could begin. Our GDOT approved utility adjustment schedule allows 291 days to complete the AT & T relocations on this project. We are currently at day 114 of our 291 day schedule. This is derived from the total number of business days (160) elapsed less the total number of logged/approved rain days (46). Based on this schedule, AT & T should be approximately 39% complete. We believe that we are approximately 30% complete on the project.

AT & T's construction organization has committed to a July 31, 2014 date to be complete with all AT & T facility relocations between Jensen's Wimberly and S Old Belair Rd intersection. This includes all AT & T relocations on Shepherd Way and S Old Belair Rd. During this timeframe, AT & T will continue working from the S Old Belair Rd intersection west, towards the new N Old Belair Rd intersection. AT & T commits to have that section complete by August 22nd, 2014. These commitments will put AT & T approximately 65% complete on our facility relocations with only 58% of the GDOT approved utility adjustment schedule elapsed.

It is AT & T's belief that we will meet or exceed these commitments. It is also AT & T's belief that we will bring this project in on time. Please understand that these commitments do not include any future logged rain/delay days. If you have specific areas of concern during the completion of our job, please call me and I will arrange for myself and a construction representative to meet you to determine if there is anything we can do to clear those areas.

Sincerely,

Jeff Surrency  
Design Resource Manager

Cc: Mike Thomas, GDOT Utilities (via email) [tdavid@dot.ga.gov](mailto:tdavid@dot.ga.gov)  
Rodney Way, GDOT Area Engineer (via email) [rway@dot.ga.gov](mailto:rway@dot.ga.gov)

Jamie Lindsey, GDOT Utility Engineer (via email) [jlindsey@dot.ga.gov](mailto:jlindsey@dot.ga.gov)  
Wayne Crosby –AT&T Engineering Area Manager (via email) [wc1258@att.com](mailto:wc1258@att.com)  
Selby Bearden-AT & T Construction Area Manager (via email) [sb3713@att.com](mailto:sb3713@att.com)  
John Hammett-AT & T Construction Manager (via email) [jh2806@att.com](mailto:jh2806@att.com)  
Russ Markwalter-AT & T Plant Contract Supervisor (via email) [rx4680@att.com](mailto:rx4680@att.com)

## Joseph, Shajan

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**From:** SURRENCY, WILLIAM J <ws1449@att.com>  
**Sent:** Friday, June 06, 2014 7:14 AM  
**To:** 'Greg Aplin'  
**Cc:** CROSBY, WAYNE; Lindsey, Jamie; Thomas, David (MIKE); MARKWALTER, RUSS;  
BEARDEN, SELBY A; HAMMETT, JOHN S; Way, Rodney; Joseph, Shajan  
**Subject:** AT & T's response to significant delay notification - PI#231440 Columbia Rd  
**Attachments:** PI#231440 - Columbia Rd response.docx

Greg,

Please see attached response letter.

Jeff Surrency  
AT & T Resource Manager  
706-210-8237

## Joseph, Shajan

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**From:** Thomas, David (MIKE)  
**Sent:** Thursday, May 29, 2014 8:44 AM  
**To:** Joseph, Shajan  
**Cc:** Lindsey, Jamie  
**Subject:** 231440 COLUMBIA  
**Attachments:** AT&T- Columbia Road Utility Significant Delay Notification - STP00-174-01(007).doc

Shajan, please see the attached escalation step number one letter from Beam's Contracting Inc.

Thank You.

Michael D. Thomas  
Georgia Department of Transportation  
District 2  
Assistant District Utilities Engineer  
Office # 478-552-4606  
Cell # 478-232-3325  
Fax # 478-552-4677

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**From:** Greg Aplin [<mailto:GAplin@beamscontracting.net>]  
**Sent:** Thursday, May 29, 2014 8:26 AM  
**To:** [ws1449@att.com](mailto:ws1449@att.com)  
**Cc:** Way, Rodney; Thomas, David (MIKE)  
**Subject:** Morning

Project Engineer: — [greg smith]

Please see attached letter.

*Thanks,*

*Greg Aplin*  
*Project Manager*  
*Beam's Contracting, Inc.*  
706-840-5528 ( Cell)  
803-827-0136 ( Office)  
[GAplin@beamscontracting.net](mailto:GAplin@beamscontracting.net) ( Email)

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The Georgia DOT Teens in the Driver Seat initiative is a peer-to-peer program that educates teens and parents on the dangers of distracted driving, delivers safe driving messages, and helps prevent teens from becoming a statistic. Car crashes are the number one killer of teenagers in America. Almost 6,000 teens die every year in preventable car crashes, which means a teenage driver dies every 90 minutes. Help to drive down these numbers. Visit <http://www.t-driver.com/whatyoucando/get-started/gainfo/> to get more information on teen driving; visit us at <http://www.dot.ga.gov>; or follow us on <http://www.facebook.com/GeorgiaDOT> and <http://twitter.com/gadepoftrans>.



2335 Atomic Road  
Beech Island, South Carolina 29842  
Telephone (803) 827-0136  
Fax (803) 827-1868

May 28, 2014  
AT&T  
Augusta Area Engineering Office  
3841 Wrightsboro Road  
Augusta, GA 30909

Columbia Road Project  
PI # 231440

Re: Notification of Significant Utility Delays,

Mr. Jeff Surrency,

Beam's Contracting, Inc. has initiated the process of requesting mediation with AT&T, due to significant delays in the construction schedule. In Beam's Contracting Inc.'s judgment AT&T is over 20% behind schedule and with 153 calendar days remaining on the contract time. It is imperative that Beam's get some relief on the schedule for completion or that AT&T bear the cost for the delays and subsequent penalties caused by AT&T's delays.

These delays have prevented us from making the expected progress in the Basic Grading, Storm & Water System, Graded Aggregate Base and Concrete Curbing / Sidewalk, to date. These delays have pushed our critical grading work back into the winter / spring months and into the Rain/Thunder Storm weather pattern, severely affecting our work completion schedule.

We are requesting that AT&T submit a current construction schedule and their plans to rectify the situation and get back on schedule.

If you have any questions, comments or request concerning this issue please contact me at any time.

Sincerely,

Greg Aplin  
Project Manager  
803-827-0136 (o )  
706-840-5528 (c )  
[gaplin@beamscontracting.net](mailto:gaplin@beamscontracting.net)

Cc; Rodney Way, GDOT Area Engineer  
Mike Thomas, GDOT Utilities

## Joseph, Shajan

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**From:** Joseph, Shajan  
**Sent:** Thursday, May 29, 2014 11:27 AM  
**To:** 'ws1449@att.com'  
**Cc:** Lindsey, Jamie; Thomas, David (MIKE); Way, Rodney; Smith, Gregory O; Upkins, Lee; 'gaplin@beamscontracting.net'  
**Subject:** STP00-174-01(007); Columbia County; Utility Delay Escalation Step 1.  
**Attachments:** AT& T- Columbia Road Utility Significant Delay Notification - STP00-174-01(007) (2).doc

Dear Mr. Jeff Surrency:

The Department received a copy of the letter, addressing to AT & T from Beam's Contracting, Inc. concerning with the issue of the delay in the removal / relocation / adjustment of your facilities on the Project STP00-174-01(007); Columbia 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 – 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:** Joseph, Shajan  
**Sent:** Thursday, May 22, 2014 12:26 PM  
**To:** 'carl.gooch@windstream.com'; 'alan.mcever@windstream.com'  
**Cc:** Upkins, Lee  
**Subject:** RE: CSSFT-0008-00(534) ; Peach County - Utility Delay

Dear Carl Gooch and Alan McEver:

I am just checking the status of the below e-mail.

Did you completely resolved this issue?

or

Did you send an official reply back to the contractor with a detail response to eliminate the delay or how is future work plans?

Please forward me the correspondence which you may already forwarded to the contractor, so that I can complete my Escalation Step 1 process or advise the contractor to proceed with Escalation Process Step 2.

If you have any questions or need any additional information, please let me know.

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:** Joseph, Shajan  
**Sent:** Monday, April 07, 2014 2:50 PM  
**To:** 'carl.gooch@windstream.com'; 'alan.mcever@windstream.com'  
**Cc:** Gore, Kerry; Peek, Tyler; Robinson, Ken; Minor, Sheldon; Collins, Kraig; Ford, Keenan; Upkins, Lee; Bolden, Mike  
**Subject:** CSSFT-0008-00(534) ; Peach County - Utility Delay

Dear Carl Gooch and Alan McEver:

The Department received a copy of the letter, addressing to Windstream Corporation from C.W. Matthews Contracting Co., Inc. concerning with the issue of the delay in the removal / relocation of your facilities on the Project CSSFT-0008-00(534); Peach 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 – 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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**Joseph, Shajan**

---

**From:** Joseph, Shajan  
**Sent:** Monday, April 07, 2014 2:50 PM  
**To:** 'carl.gooch@windstream.com'; 'alan.mcever@windstream.com'  
**Cc:** Gore, Kerry; Peek, Tyler; Robinson, Ken; Minor, Sheldon; Collins, Kraig; Ford, Keenan; Upkins, Lee; Bolden, Mike  
**Subject:** CSSFT-0008-00(534) ; Peach County - Utility Delay  
**Attachments:** C.W. Matthew's Initial Letter.pdf

Dear Carl Gooch and Alan McEver:

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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 – 10<sup>th</sup> Floor[1014]**  
**600 West Peachtree St, NW**  
**Atlanta, GA - 30308**  
**Phone: (404)347-0604**  
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