

**ANITA P. ARRIOLA, ESQ.**  
**ARRIOLA, COWAN & ARRIOLA**  
 259 MARTYR STREET, SUITE 201  
 HAGATNA, GUAM 96910  
 Telephone: (671) 477-9730/33  
 Facsimile: (671) 477-9734  
 E-Mail: [anitaarriola@arriolacowan.com](mailto:anitaarriola@arriolacowan.com)

**RECEIVED**  
 OFFICE OF PUBLIC ACCOUNTABILITY  
 PROCUREMENT APPEALS  
 DATE: Dec 26, 2017  
 TIME: 3:40  AM  PM BY: FDJ  
 FILE NO OPA-PA: 17-10

*Attorneys for Appellant*  
*Core Tech International Corp.*

**BEFORE THE PUBLIC AUDITOR  
 PROCUREMENT APPEALS  
 TERRITORY OF GUAM**

IN THE APPEAL OF  CORE TECH INTERNATIONAL CORP.,  Appellant.	) Docket No. OPA PA-17-10 ) ) <b>DECLARATION OF ANITA P.</b> ) <b>ARRIOLA IN SUPPORT OF</b> ) <b>APPELLANT CORE TECH INTER-</b> ) <b>NATIONAL CORP.'S OBJECTIONS TO</b> ) <b>DEPARTMENT OF PUBLIC WORKS'</b> ) <b>PRIVILEGE LOG; MOTION TO</b> ) <b>COMPEL PRODUCTION OF</b> ) <b>DOCUMENTS</b> )
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ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

ANITA P. ARRIOLA declares:

1. I am the attorney for Core Tech International Corp. ("CTI"), appellant in the above-captioned case. I make this declaration in support of Appellant Core Tech International Corp.'s Objections to Department of Public Works' Privilege Log; Motion to Compel Production of Documents. I have personal knowledge of the facts contained herein and if called as a witness I could and would testify competently thereto.
  
2. On behalf of CTI, I submitted two Sunshine Act requests to the Department of Public Works ("DPW"), the first on September 25, 2017 and the second on November 27, 2017. True and correct copies of the Sunshine Act requests are attached hereto as Exhibit A.

3. In response to the first Sunshine Act request, DPW sent me several CDs containing hundreds of emails between DPW and Parsons Transportation Group, Federal Highway Administration, and other third parties. In response to the second Sunshine Act request, DPW sent me the same several CDs containing the same emails between DPW and Parsons Transportation Group, Federal Highway Administration, and other third parties. Sometime in November 2017 DPW delivered four (4) CDs which they asserted were part of the procurement record in this case. The same hundreds of emails between DPW and Parsons Transportation Group, Federal Highway Administration, and other third parties which were previously provided to me DPW's responses to our Sunshine Act requests were also provided to me as part of the procurement record.

4. DPW did not provide a privilege log for any of the documents produced in response to the two Sunshine Act requests. DPW did produce a privilege log for the four (4) CDs provided to me, *see* Attorney/Client Confidential Communication Log Sheet filed herein on November 3, 2017, but that log did not assert privilege over the many emails produced as part of the procurement record or the documents produced in response to the two Sunshine Act requests.

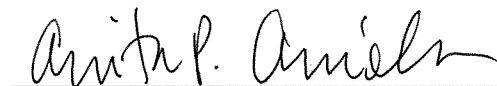
5. Attached hereto as Exhibit B are numerous emails dated from 2016 to 2017 which DPW produced in response to the two Sunshine Act requests and as part of the procurement record. All of these emails were contained in a CD entitled "David Yao". The emails attached hereto as Exhibit B are only a small portion of the emails produced by DPW but they are representative of the communications between Mr. Keeler, DPW and PTG regarding detailed legal advice and comments from Mr. Keeler about DPW's notice to the surety concerning termination of the CTI Contract, drafting of the Notice of Termination/Default; drafting of the Final Demand to Complete Project; and numerous other communications in which Mr. Keeler opines about communications to CTI and about the Project generally. All of these emails were produced without objection by DPW.

6. DPW is now attempting to withhold several of the emails already produced, including those dated: 03-15-17; 03-29-17; 08-18-17; and 08-21-17. Yet DPW produced several other emails in Exhibit B which relate to the same subject matter and for which no privilege log was provided.

7. These emails in Exhibit B are of the same type listed in DPW's Attorney/Client Log which DPW is now refusing to disclose.

I declare under penalty of perjury under the laws of Guam that the foregoing is true and correct.

Dated this 26<sup>th</sup> day of December, 2017.



**ANITA P. ARRIOLA**

# **EXHIBIT**

**A**

JOAQUIN C. ARRIOLA MARK E. COWAN  
ANITA P. ARRIOLA JOAQUIN C. ARRIOLA, JR.

Law Office of  
**ARRIOLA COWAN & ARRIOLA**

Calvo-Arriola Building  
259 Martyr Street, Suite 201  
Hagatna, Guam 96910  
Mailing Address:  
PO Box X Hagatna, Guam 96932

Telephone: 671-477-9730/33  
Facsimile: 671-477-9734  
E-Mail:  
arriolalaw@arriolacowan.com

September 25, 2017

**VIA HAND-DELIVERY**

Ms. Arlene U. Pierce  
Deputy Director  
Department of Public Works  
Government of Guam  
542 North Marine Corps Drive  
Tamuning, Guam 96913

**RE: Sunshine Act Request**

Dear Ms. Pierce:

This firm represents Core Tech International Corporation. Pursuant to the Sunshine Reform Act of 1999 (5 G.C.A. §§ 10101 *et seq.*), we hereby request that you and the Department of Public Works, Government of Guam, provide this office with legible copies of the documents (whether maintained in a printed or an electronic format) described in the attached Exhibit A.

We believe that the documents identified in Exhibit A are available to us and to other members of the public under the Sunshine Reform Act of 1999, as amended ("the Act"). They are not exempted from required disclosure under that Act (see 5 G.C.A. § 10108). We believe that you have possession, custody or control of some or all of the documents identified in Exhibit A. If you do not have possession, custody or control of all of the documents identified above, we request prompt notice of the current location of those documents that are not presently within your possession, custody or control. My client agrees to pay reasonable costs of copying the documents, however we prefer to obtain electronic copies of such documents.

If any portion of this request is deemed denied, we request a detailed statement of the reasons for the withholding and an index or similar statement of the nature of the documents withheld. We would be willing to discuss specific instances of redaction or claims of exemption in advance of a final decision by the Office of the Attorney General of Guam or the Superior Court of Guam. In the event of redactions, we request that, as required by 5 G.C.A. § 10103(d), the Department of Public Works cite the exemptions in law which require the information to be redacted.

We look forward to your response within four (4) working days of your receipt of this request (see 5 G.C.A. § 10103 (d)).

Very truly yours,

  
ANITA P. ARRIOLA

## EXHIBIT A

### *Definitions*

"DPW" means the Department of Public Works, Government of Guam, its employees, representatives, agents, attorneys, and consultants.

"Documents" includes, but is not limited to, handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any written, recorded, or graphic matter however produced or reproduced, including, but not limited to, documents stored in or retrievable by computer, memoranda, reports, studies, analyses, contracts, agreements, checks, charts, graphs, indices, data sheets, computer disks, data processing cards or tapes, notes, post-its, work papers, entries, letters, telegrams, telecopies (including facsimiles), internal memoranda, advertisements, brochures, circulars, catalogs, tapes, records, bulletins, papers, books, pamphlets, accounts, calendars, diaries, electronic mail (or "e-mail"), and instant messaging. The term "document" or "documents" shall also include any carbon or photographic or any other copies, reproductions, or facsimiles of any original, and shall mean the original and any copy or reproduction or facsimile that is in any way different from the original.

"FHWA" means Federal Highway Administration, its employees, representatives, agents, attorneys, and consultants.

"Project" means the Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement (Design-Build) Project No. GU-DAR-T101(001).

"PTG" means Parsons Transportation Group, Inc., its employees, representatives, agents, attorneys, and consultants.

### *Documents to be Produced*

1. All documents relating to, referring to, or concerning the Project.
2. All documents relating to, referring to, or comprising communications between DPW and PTG concerning the Project.
3. All documents relating to, referring to, or comprising communications between DPW and FHWA concerning the Project.
4. All documents relating to, referring to, or comprising communications between and among DPW management, employees and staff concerning the Project.
5. All documents relating to, referring to, or comprising contracts or agreements between DPW and FHWA concerning the Project.
6. All documents relating to, referring to, or comprising contracts or agreements between DPW and PTG concerning the Project.
7. All documents relating to, referring to, or evidencing payments to PTG concerning the Project.

JOAQUIN C. ARRIOLA MARK E. COWAN  
ANITA P. ARRIOLA JOAQUIN C. ARRIOLA, JR.

**Law Office of  
ARRIOLA COWAN & ARRIOLA**

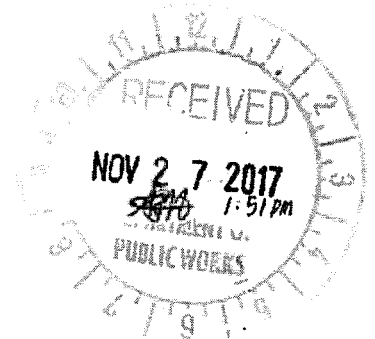
Calvo-Arriola Building  
259 Martyr Street, Suite 201  
Hagatna, Guam 96910  
Mailing Address:  
PO Box X Hagatna, Guam 96932

Telephone: 671-477-9730/33  
Facsimile: 671-477-9734  
E-Mail:  
[arriolalaw@arriolacowan.com](mailto:arriolalaw@arriolacowan.com)

November 27, 2017

**VIA HAND-DELIVERY**

Mr. Andrew Leon Guerrero  
Deputy Director  
Department of Public Works  
Government of Guam  
542 North Marine Corps Drive  
Tamuning, Guam 96913



**RE: Sunshine Act Request**

Dear Mr. Leon Guerrero:

This firm represents Core Tech International Corporation. Pursuant to the Sunshine Reform Act of 1999 (5 G.C.A. §§ 10101 *et seq.*), we hereby request that you and the Department of Public Works, Government of Guam, provide this office with legible copies of the documents (whether maintained in a printed or an electronic format) described in the attached Exhibit A.

We believe that the documents identified in Exhibit A are available to us and to other members of the public under the Sunshine Reform Act of 1999, as amended ("the Act"). They are not exempted from required disclosure under that Act (see 5 G.C.A. § 10108). We believe that you have possession, custody or control of some or all of the documents identified in Exhibit A. If you do not have possession, custody or control of all of the documents identified above, we request prompt notice of the current location of those documents that are not presently within your possession, custody or control. My client agrees to pay reasonable costs of copying the documents, however we prefer to obtain electronic copies of such documents.

If any portion of this request is deemed denied, we request a detailed statement of the reasons for the withholding and an index or similar statement of the nature of the documents withheld. We would be willing to discuss specific instances of redaction or claims of exemption in advance of a final decision by the Office of the Attorney General of Guam or the Superior Court of Guam. In the event of redactions, we request that, as required by 5 G.C.A. § 10103(d), the Department of Public Works cite the exemptions in law which require the information to be redacted.

We look forward to your response within four (4) working days of your receipt of this request (see 5 G.C.A. § 10103 (d)).

Very truly yours,

  
ANITA P. ARRIOLA

## **EXHIBIT A**

### *Definitions*

**"Bond"** means the Performance and Payment Bond No. 9060033 for the Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement Project No. GU-NH-0001(014) and Project No. GU-DAR-0001(014).

**"DPW"** means the Department of Public Works, Government of Guam, its employees, representatives, agents, attorneys, and consultants.

**"Documents"** includes, but is not limited to, handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any written, recorded, or graphic matter however produced or reproduced, including, but not limited to, documents stored in or retrievable by computer, memoranda, reports, studies, analyses, contracts, agreements, checks, charts, graphs, indices, data sheets, computer disks, data processing cards or tapes, notes, post-its, work papers, entries, letters, telegrams, telecopies (including facsimiles), internal memoranda, advertisements, brochures, circulars, catalogs, tapes, records, bulletins, papers, books, pamphlets, accounts, calendars, diaries, electronic mail (or "e-mail"), text messages, and instant messaging. The term "document" or "documents" shall also include any carbon or photographic or any other copies, reproductions, or facsimiles of any original, and shall mean the original and any copy or reproduction or facsimile that is in any way different from the original.

**"FHWA"** means Federal Highway Administration, its employees, representatives, agents, attorneys, and consultants.

**"Final Demand"** means the Final Demand to Complete Project dated June 13, 2017 from DPW to CTI.

**"Mr. Keeler"** means Thomas Keeler, Assistant Attorney General, his employees, representatives, agents, co-counsel, and attorneys working with or under him.

**"Notice of Termination"** means the Notice of Termination/Default of Contract dated August 23, 2017 from DPW to CTI.

**"Person"** means a natural person, individual, corporation, partnership, limited liability company, limited liability partnership, law firm, or other legal or non-legal entity.

**"Project"** means the Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement (Design-Build) Project No. GU-DAR-T101(001).

**"PTG"** means Parsons Transportation Group, Inc., its employees, representatives, agents, attorneys, and consultants.



*Documents to be Produced*

1. All documents relating to, referring to, or comprising communications between Mr. Keeler and DPW concerning the Project.
2. All documents relating to, referring to, or comprising communications between Mr. Keeler and FHWA concerning the Project.
3. All documents relating to, referring to, or comprising communications between Mr. Keeler and PTG concerning the Project.
4. All documents relating to, referring to, or comprising communications between Mr. Keeler and any person concerning the Project.
5. All documents relating to, referring to, or comprising communications between Mr. Keeler and DPW concerning the Final Demand.
6. All documents relating to, referring to, or comprising communications between Mr. Keeler and FHWA concerning the Final Demand.
7. All documents relating to, referring to, or comprising communications between Mr. Keeler and PTG concerning the Final Demand.
8. All documents relating to, referring to, or comprising communications between Mr. Keeler and any person concerning the Final Demand.
9. All documents relating to, referring to, or comprising communications between Mr. Keeler and DPW concerning the Notice of Termination.
10. All documents relating to, referring to, or comprising communications between Mr. Keeler and FHWA concerning the Notice of Termination.
11. All documents relating to, referring to, or comprising communications between Mr. Keeler and PTG concerning the Notice of Termination.
12. All documents relating to, referring to, or comprising communications between Mr. Keeler and any person concerning the Notice of Termination.
13. All documents relating to, referring to, or comprising communications between Mr. Keeler and any person concerning the Bond.

# **EXHIBIT**

# **B**

**From:** [Moretto, John](#)  
**To:** [Work](#); [felix.benavente@dpw.guam.gov](mailto:felix.benavente@dpw.guam.gov); [Linda Ibanez](#); [Lanning, Michael](#); [Takara, Richelle \(FHWA\)](#); [Yao, David](#); [Lehman, Derrick](#); [Parsons, GuamPWDocControl](#); [Jacqueline R. Taitano](#); [Isidro C. Duarosan](#); [francis.gumataotao](#)  
**Subject:** FW: LTR\_DPW-CTI\_Surety Route 1 8\_26June2017\_JM\_TK\_ML.doc Default letter to CTI Route 1/8 Intersection Improvements  
**Date:** Tuesday, August 22, 2017 1:05:44 PM  
**Attachments:** [LTR\\_DPW-CTI\\_Surety Route 1 8\\_26June2017\\_JM\\_TK\\_ML\\_002.doc](#)  
**Importance:** High

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Kin,

I received some additional comments from Tom and Richelle regarding the emailed attachment from below (my email from Monday August 21<sup>st</sup>, 2017 at 10:45 am). Please discard that letter and use the attachment to this email instead.

Sorry for the changes. All other parts of the email below are appropriate.

Regards,  
John Moretto

**From:** Moretto, John  
**Sent:** Monday, August 21, 2017 10:45 AM  
**To:** 'Work' <[joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)>; 'felix.benavente@dpw.guam.gov' <[felix.benavente@dpw.guam.gov](mailto:felix.benavente@dpw.guam.gov)>; 'Linda Ibanez' <[Linda.Ibanez@publicworks.guam.gov](mailto:Linda.Ibanez@publicworks.guam.gov)>; Lanning, Michael <[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)>; 'Takara, Richelle (FHWA)' <[Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)>; Yao, David <[David.Yao@parsons.com](mailto:David.Yao@parsons.com)>; Lehman, Derrick <[Derrick.Lehman@parsons.com](mailto:Derrick.Lehman@parsons.com)>; Parsons, GuamPWDocControl <[GuamPWDocControl@parsons.com](mailto:GuamPWDocControl@parsons.com)>; 'Jacqueline R. Taitano' <[jacqueline.taitano@dpw.guam.gov](mailto:jacqueline.taitano@dpw.guam.gov)>; 'Isidro C. Duarosan' <[isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov)>; francis.gumataotao <[francis.gumataotao@galaidegroup.com](mailto:francis.gumataotao@galaidegroup.com)>  
**Subject:** LTR\_DPW-CTI\_Surety Route 1 8\_26June2017\_JM\_TK\_ML.doc  
**Importance:** High

Kin,

Please see the attached termination letter to CTI regarding the Route 1/8 project. This letter terminates the contract, asks CTI to leave the project, and states that we are notifying the surety of CTI's Performance and Payment Bond of this termination. Please forward this letter for review and signature by the Deputy Director if you approve.

I received input from both Tom Keeler and Mike Lanning on the letter.

Another letter to the surety is required and will be sent out for review by tomorrow. Also, a cost and schedule letter for CTI on this project will be sent out for review and signature. However, each letter is standalone and doesn't require a specific sequence.

This letter doesn't have any attachments.

Best Regards,

John Moretto



The Honorable  
**Eddie Baza Calvo**  
Governor

The Honorable  
**Ray Tenorio**  
Lieutenant Governor



VIA HAND DELIVERY AND CERTIFIED MAIL

Ms. Conchita Bathan  
Chief Executive Officer  
Core Tech International Corporation  
388 South Marine Corps Drive  
Suite 400  
Tamuning, Guam 96913

**Re: Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement**  
**Project No. GU-DAR-T101(001)**  
**Notice of Termination/Default of Contract**  
Surety: Fidelity and Deposit Company of Maryland and Zurich American Insurance Company  
Bond No.: 9060033  
Amount of Bond: \$ 16,384,500.00

Ms. Bathan:

It is the finding of the Government of Guam that Core Tech International Corporation (CTI) has breached its contractual obligations with respect to the Route 1/Route 8 Intersection Improvements and Agana Bridges Replacements Contract dated September 30, 2011, by performing those obligations negligently, in violation of Federal and Guam law, and in failing to timely prosecute the construction work and correct deficiencies in the work. This includes, but is not limited to, evidence of the following:

1. **Section 108.01 – Commencement, Prosecution and Completion of Work** obligates contractor to “(a) commence work immediately after the issuance of the Notice to Proceed; (b) prosecute the Work diligently; and (c) complete the entire Work and make Work ready for use within the Contract time specified in Subsection 108.04, including all design, construction, final clean-up of the premises, and final acceptance.”
2. **Formal Contract Article 1 (a) Contract Time.**
3. **FP-03 Subsection 107.01 Laws to be observed, including the American with Disabilities Act (ADA).**
4. **FP-03 Subsection 155.01/FAR Sections 52.236-15 Schedules for Construction Contracts.**
5. **FAR subsection 52.249-10 Default, (Construction); 5 GCA, Chapter 5, § 5501**
6. **Article I.3 of the Required Contract Provisions (RCP) Federal-Aid Construction Contract.**
7. **Plans and Specifications, Project No. GU-DAR-T101(001)**

Since August 25, 2016, the date CTI achieved substantial completion, DPW has requested completion of the final punch list items constructed out of project specifications (work that is in nonconformance with the requirements of the contract). Despite numerous meetings and requests for remedy, CTI has shown no substantial progress on a design plan for these deficiencies, and absolutely no progress regarding the physical correction of the project nonconforming elements.

These deficiencies include but are not limited to the nonconforming sidewalk, driveway, and pedestrian ramp slopes. CTI was made aware of these deficiencies formally via a Non-Conformance Report dated June 12, 2014. CTI has made numerous attempts to minimize the corrective work required for the

sidewalk, driveway, and pedestrian ramps, which as of the date of this letter do not comply with the plans, specifications and ADA requirements.

On June 16, 2017 CTI received a Final Demand letter from DPW instructing them to submit a plan and timeline to correct the project deficiencies, and proposed a joint meeting. CTI's June 23, 2017 response requested an additional two (2) to three (3) weeks to provide the requested plan and timeline. DPW then notified CTI via letter that they had until July 24, 2017 to provide the requested information. DPW's contract officer offered to meet once again with CTI in hopes of a resolution. However, CTI has failed to respond and provide the promised plan and timeline, nor have they agreed to a meeting.

Therefore, effective upon receipt of this Notice of Termination, and pursuant to its rights under the Contract and the laws of Guam, the Government does hereby TERMINATE the same, together with CTI's right to proceed with said Contract and the work thereunder. The Government is notifying the surety who issued CTI's Performance and Payment Bond of this termination and default of the Contract.

DPW is preparing a final assessment regarding CTI's project time extension and change order request. A letter regarding the results of this review will be sent to CTI within the week.

CTI is hereby ordered to peacefully surrender and leave the Project site. In addition, CTI is further ordered to protect and preserve any property in its possession in which the Government has an interest, and to transfer title and deliver to the Government, who shall take possession of and shall utilize such materials, appliances, and plants as may be on the site of the work, or CTI's yard and which are necessary to its eventual completion. This includes any completed construction and any such information, and contract rights (Construction Materials) as CTI has specifically produced or specifically acquired for the performance of the terminated part of the Contract. DPW inspectors shall be on the premises to ensure the thorough transfer of Construction Materials and the safe removal of all CTI personnel/equipment.

Any attempt to act or perform otherwise than as ordered herein shall be construed as being intentionally hostile, and may subject CTI to criminal prosecution.

Thank you for your cooperation.

DEPARTMENT OF PUBLIC WORKS,

**FELIX C. BENAVENTE**

Cc: Elizabeth Barrett-Anderson, Guam Attorney General  
Richelle Takara, FHWA

jblaz/keeler

**From:** Tom Keeler  
**To:** [Moretto, John](#); [Work](#); [felix.benavente@dpw.guam.gov](mailto:felix.benavente@dpw.guam.gov); [Linda Ibanez](#); [Lanning, Michael](#); [Yao, David](#); [Parsons, GuamPWDocControl](#); [Jacqueline R. Taitano](#); [Isidro C. Duarosan](#); [Takara, Richelle \(FHWA\)](#)  
**Subject:** RE: 08-21-17 Notice to Surety\_DY JM.doc Route 1/8 Intersection Improvements letter to Surety  
**Date:** Tuesday, August 22, 2017 12:10:48 PM  
**Attachments:** [08-22-17 Finalized letter to Surety.doc](#)

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John,

Thanks for your work on this. The only item to correct is changing the word "exercised" in the 2nd line of the 2nd full paragraph on page 2 to "exercising". The change is made on the attached letter. Thanks again.

Tom

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From: Moretto, John [John.Moretto@parsons.com]  
Sent: Tuesday, August 22, 2017 11:59 AM  
To: Work; [felix.benavente@dpw.guam.gov](mailto:felix.benavente@dpw.guam.gov); [Linda Ibanez](#); [Lanning, Michael](#); [Yao, David](#); [Tom Keeler](#); [Parsons, GuamPWDocControl](#); [Jacqueline R. Taitano](#); [Isidro C. Duarosan](#); [Takara, Richelle \(FHWA\)](#)  
Subject: 08-21-17 Notice to Surety\_DY JM.doc Route 1/8 Intersection Improvements letter to Surety

Kin,

Please find attached a letter to the Surety company regarding the default/termination of Route 1/8 with CTI. This letter notifies the surety that DPW is submitting a formal tender of claim against the Performance and Payment Bond for the contract. Please forward this letter for review and signature by the Deputy Director if you approve.

This is a companion letter to the earlier letter (under review/signature now) to CTI notifying them of default on the contract.

Tom Keeler and Richelle Takara have provided input into the attached letter (original draft from Tom).

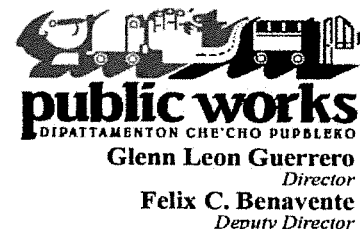
This letter doesn't have any attachments. Please let me know if you have any questions.

Best Regards,  
John Moretto  
671-488-4507



*The Honorable*  
**Eddie Baza Calvo**  
*Governor*

*The Honorable*  
**Ray Tenorio**  
*Lieutenant Governor*



**Glenn Leon Guerrero**

*Director*

**Felix C. Benavente**  
*Deputy Director*

**VIA FACSIMILE NO. 671/648-5373, HAND DELIVERY  
AND CERTIFIED MAIL**

Mr. H. George Takagi  
President  
Takagi & Associates, Inc.  
Suite 200 Flame Tree Plaza  
540 Pale San Vitores Rd.  
Tumon, Guam

**Re: Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement**

Project No. GU-NH-0001(014) and Project No. GU-DAR-0001(014)

Surety: Fidelity and Deposit Company of Maryland & Zurich  
American Insurance Company

Bond No.: 9060033

Amount of Bond: \$16,384,500.00

Dear Mr. Takagi:

The Government of Guam, through the Department of Public Works ("DPW"), is submitting this letter as a formal tender of claim against the full amount of the above-referenced Performance and Payment Bond issued by Fidelity and Deposit Company of Maryland & Zurich American Insurance Company ("Surety") to Core Tech International Corporation ("CTI"). A copy of the Bond is enclosed herewith.

On or about September 30, 2011, CTI entered into a written Design-Build Contract with the Government wherein it agreed to design and perform construction work on the project identified as the *Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement Project* ("Project"). The Federal Highway Administration ("FHWA") fully funded the Project.

Under the terms of the Contract, the Project completion date was due within 784 days from the **Notice to Proceed, which CTI received on October 4, 2011**. Substantial Completion was accomplished on August 25, 2016. As of August 26, 2016, there were numerous closeout items needed to achieve Final Acceptance with two (2) major groups of items remaining. The first group of items CTI was required to address are the various drainage issues.

The other group of items required CTI to address the Project's sidewalks, driveways, and pedestrian ramps that are non-compliant with both the Americans with Disabilities Act ("ADA") and Project Plans and Specifications. DPW's initial survey indicated that over eighty percent (80%) of the Project sidewalks are ADA non-compliant while CTI has acknowledged that nearly sixty per cent (60%) fail to comply with the Federal Law. Although the ADA non-complaint



sidewalks and sidewalk ramps are listed on the Final Inspection Punch List, this was done as an accommodation to CTI. This work is in fact defective work, not a closeout item.

CTI has ignored its obligation to diligently complete the remaining work and to correct the ADA non-compliant sidewalks and sidewalk ramps. On June 16, 2017 CTI received a 10-day Final Demand letter from the Government instructing them to submit a plan and timeline to correct Project deficiencies. CTI's June 23, 2017 response requested an additional two (2) to three (3) weeks to provide the requested plan and timeline. The Government notified CTI that the deadline was extended to Monday, July 24, 2017, to provide the requested information. CTI failed to respond and provide the promised plan and timeline.

Because of CTI's non-performance and breaches under the Contract, the Government is exercising its right to immediately terminate the Contract with CTI effective August 22, 2017. By this letter, the Government now hereby claims and demands that the Surety immediately commence performing its obligations as set forth and articulated in its Bond No. 9060033. These include the obligation to:

- Promptly remedy the default; or
- Promptly complete the Contract in accordance with its terms and obligations; or
- Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by the Government and Surety of the lowest responsive and responsible bidder, arrange for a contract between such bidder and the Government. Make available as work progresses, sufficient funds to pay the cost of completion less the balance of the Contract price, but not exceeding, including other costs and damages for which the Surety may be liable.

At all times the Government expressly reserves the rights to supplement this letter and this claim by furnishing one or more supplemental notices or proofs of loss as the details of CTI's defective and substandard performance continue to be discovered.

It is requested that the parties personally meet as soon as possible and in no event later than three (3) business days after receipt of this letter to further discuss this matter. Please call me at 646-3131, or Joaquin Blaz at 649-3128, to schedule a time and date for our meeting.

Thank you for your prompt attention to this matter.

Sincerely,

Felix C. Benavente  
Deputy Director

Cc: Attorney General of Guam  
Richelle Takara, Territorial Representative, FHWA

**From:** Moretto, John  
**To:** Work; felix.benavente@dpw.guam.gov; Linda Ibanez; Lanning, Michael; Yao, David; Tom Keeler; Parsons, GuamPWDocControl; Jacqueline R. Taitano; Isidro C. Duarosan; Takara, Richelle (FHWA)  
**Subject:** 08-21-17 Notice to Surety\_DY JM.doc Route 1/8 Intersection Improvements letter to Surety  
**Date:** Tuesday, August 22, 2017 11:59:54 AM  
**Attachments:** 08-21-17 Notice to Surety\_DY JM.doc

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Kin,

Please find attached a letter to the Surety company regarding the default/termination of Route 1/8 with CTI. This letter notifies the surety that DPW is submitting a formal tender of claim against the Performance and Payment Bond for the contract. Please forward this letter for review and signature by the Deputy Director if you approve.

This is a companion letter to the earlier letter (under review/signature now) to CTI notifying them of default on the contract.

Tom Keeler and Richelle Takara have provided input into the attached letter (original draft from Tom).

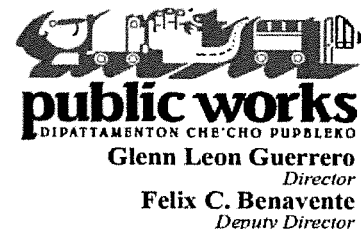
This letter doesn't have any attachments. Please let me know if you have any questions.

Best Regards,  
John Moretto  
671-488-4507



The Honorable  
**Eddie Baza Calvo**  
Governor

The Honorable  
**Ray Tenorio**  
Lieutenant Governor



**Glenn Leon Guerrero**

Director

**Felix C. Benavente**  
Deputy Director

**VIA FACSIMILE NO. 671/648-5373, HAND DELIVERY  
AND CERTIFIED MAIL**

Mr. H. George Takagi  
President  
Takagi & Associates, Inc.  
Suite 200 Flame Tree Plaza  
540 Pale San Vitores Rd.  
Tumon, Guam

**Re: Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement**  
Project No. GU-NH-0001(014) and Project No. GU-DAR-0001(014)  
Surety: Fidelity and Deposit Company of Maryland & Zurich  
American Insurance Company  
Bond No.: 9060033  
Amount of Bond: \$16,384,500.00

Dear Mr. Takagi:

The Government of Guam, through the Department of Public Works ("DPW"), is submitting this letter as a formal tender of claim against the full amount of the above-referenced Performance and Payment Bond issued by Fidelity and Deposit Company of Maryland & Zurich American Insurance Company ("Surety") to Core Tech International Corporation ("CTI"). A copy of the Bond is enclosed herewith.

On or about September 30, 2011, CTI entered into a written Design-Build Contract with the Government wherein it agreed to design and perform construction work on the project identified as the *Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement Project* ("Project"). The Federal Highway Administration ("FHWA") fully funded the Project.

Under the terms of the Contract, the Project completion date was due within 784 days from the **Notice to Proceed, which CTI received on October 4, 2011**. Substantial Completion was accomplished on August 25, 2016. As of August 26, 2016, there were numerous closeout items needed to achieve Final Acceptance with two (2) major groups of items remaining. The first group of items CTI was required to address are the various drainage issues.

The other group of items required CTI to address the Project's sidewalks, driveways, and pedestrian ramps that are non-compliant with both the Americans with Disabilities Act ("ADA") and Project Plans and Specifications. DPW's initial survey indicated that over eighty percent (80%) of the Project sidewalks are ADA non-compliant while CTI has acknowledged that nearly sixty per cent (60%) fail to comply with the Federal Law. Although the ADA non-complaint

sidewalks and sidewalk ramps are listed on the Final Inspection Punch List, this was done as an accommodation to CTI. This work is in fact defective work, not a closeout item.

CTI has ignored its obligation to diligently complete the remaining work and to correct the ADA non-compliant sidewalks and sidewalk ramps. On June 16, 2017 CTI received a 10-day Final Demand letter from the Government instructing them to submit a plan and timeline to correct Project deficiencies. CTI's June 23, 2017 response requested an additional two (2) to three (3) weeks to provide the requested plan and timeline. The Government notified CTI that the deadline was extended to Monday, July 24, 2017, to provide the requested information. CTI failed to respond and provide the promised plan and timeline.

Because of CTI's non-performance and breaches under the Contract, the Government is exercised its right to immediately terminate the Contract with CTI effective August 22, 2017. By this letter, the Government now hereby claims and demands that the Surety immediately commence performing its obligations as set forth and articulated in its Bond No. 9060033. These include the obligation to:

- Promptly remedy the default; or
- Promptly complete the Contract in accordance with its terms and obligations; or
- Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by the Government and Surety of the lowest responsive and responsible bidder, arrange for a contract between such bidder and the Government. Make available as work progresses, sufficient funds to pay the cost of completion less the balance of the Contract price, but not exceeding, including other costs and damages for which the Surety may be liable.

At all times the Government expressly reserves the rights to supplement this letter and this claim by furnishing one or more supplemental notices or proofs of loss as the details of CTI's defective and substandard performance continue to be discovered.

It is requested that the parties personally meet as soon as possible and in no event later than three (3) business days after receipt of this letter to further discuss this matter. Please call me at 646-3131, or Joaquin Blaz at 649-3128, to schedule a time and date for our meeting.

Thank you for your prompt attention to this matter.

Sincerely,

Felix C. Benavente  
Deputy Director

Cc: Attorney General of Guam  
Richelle Takara, Territorial Representative, FHWA

**From:** [Moretto, John](#)  
**To:** [Joaquin R. Blaz](#)  
**Cc:** [Tom Keeler](#); [Lanning, Michael](#); [Takara, Richelle \(FHWA\)](#); [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [Alves, Maria Rosario](#); [Parsons, GuamPWDocControl](#); [Yao, David](mailto:Yao, David); [linda.ibanez@publicworks.guam.gov](mailto:linda.ibanez@publicworks.guam.gov); [jacqueline.taitano@dpw.guam.gov](mailto:jacqueline.taitano@dpw.guam.gov); [felix.benavente@dpw.guam.gov](mailto:felix.benavente@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [frances@galaidegroup.com](mailto:frances@galaidegroup.com)  
**Subject:** RE: LTR\_DPW-CTI\_Final Demand letter  
**Date:** Wednesday, June 07, 2017 11:02:22 AM  
**Attachments:** [LTR\\_DPW-CTI\\_Final Demand to Complete Project\\_5June2017\\_\(JM3\\_DY2\).doc](#)

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Kin,

Please find attached the Final Demand letter to CTI regarding the Route 1/8 project. This letter references another letter sent to CTI last month concerning the sidewalk cross slopes on this project, so the subject should be fresh in the team's mind.

The attached letter was reviewed by Mike Lanning and Tom Keeler. In the letter, we request that CTI complete the remaining corrective work and provide a plan to address the concerns with the nonconforming elements of the project. We provide a brief review of the project milestones, as well as a list of project events related to the sidewalk issues. Finally, we notify CTI that they have 10 days to submit a plan to fix the items.

If the letter is acceptable please forward for review and signature by the Deputy Director.

Regards,  
John Moretto  
671-488-4507



*The Honorable*  
**Eddie Baza Calvo**  
*Governor*

*The Honorable*  
**Ray Tenorio**  
*Lieutenant Governor*



Ms. Conchita Bathan  
Chief Executive Officer  
Core Tech International Corporation  
388 South Marine Corps Drive  
Suite 400  
Tamuning, Guam 96913

**Re: Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement  
Project No. GU-DAR-T101(001)  
Final Demand to Complete Project**

Dear Ms. Bathan:

The Department of Public Works (“DPW”) requests that Core Tech International Corporation (“CTI”) complete the subject project’s outstanding work and provide a plan to address the nonconforming elements of the contract within 10 days of receipt of this letter. Further details regarding the project, including details of the remaining work to be completed, the project’s NTP and Substantial Completion date, project duration, and a timeline of project events are provided below.

On August 16, 2011, DPW and CTI entered into a Design-Build Contract (“Contract”) for the above referenced project (“Project”). The Contract provided for the Project to be completed in 784 calendar days of DPW’s Notice to Proceed, which CTI received on October 4, 2011. The Contract included a provision for assessment of liquidated damages in the amount of \$3,300 per day following the completion date, until Substantial Completion was achieved, at which time liquidated damages would be reduced to \$660 per day. The Contract includes a provision where the completion date may be extended by Change Order for justifiable delays or modifications that affect critical path.

Substantial Completion was achieved on August 25, 2016. As of August 26, 2016, there were numerous closeout items needed to achieve Final Acceptance with two (2) major groups of items remaining. The first of these items requires CTI to address various drainage issues. DPW requests CTI provide a plan to address this work within 10 days of receipt of this letter.

The other outstanding item DPW requires CTI to address is the Project’s sidewalks, driveways, and pedestrian ramps that are non-compliant with the Americans with Disabilities Act (“ADA”). DPW’s initial survey indicated that over 80% of the Project sidewalks are ADA non-compliant while CTI has acknowledged that nearly 60% fail to comply with the Federal Law.

Below is a list of project events related to the ADA non-compliant sidewalks and sidewalk ramps on the Project. The list is intended to highlight key dates concerning the Project sidewalks and is not considered all inclusive:

- April 2013: DPW provided CTI with an updated Open Issues/Deficiencies List.

- October 17, 2013: CTI was notified of ADA and ponding issues at the driveway, sidewalk and wall at the Route 8 residence between Sta. 3+65 and 4+40.
- June 12, 2014: DPW issued Non-Conformance Report (“NCR”) to CTI on ADA deficiencies for the sidewalk.
- August 11, 2014: Parsons Transportation Group (“PTG”) provided CTI with the sidewalk survey data performed by DPW’s project inspectors showing 83.1% of the sidewalk cross-slope as being non-compliant.
- October 9, 2014: CTI submitted its survey of the sidewalk cross-slopes that acknowledged 58.2% of the sidewalk panels are non-compliant. This is significantly less than the 83.1% as determined by DPW.
- November 21, 2014: DPW and PTG met with CTI to discuss the non-compliance. DPW requested CTI to submit a proposed procedure to correct the non-compliance issues by December 1, 2014 for DPW’s review and approval prior to proceeding with any corrective work.
- November 10, 2015: DPW and CTI met on-site with Director Ben Servino, Guam Department of Integrated Services for Individuals with Disabilities (“DISID”) to review the non-compliant sidewalk cross slope. Following the meeting Director Servino instructed CTI to comply with the contract requirements.
- April, 26, 2016: At CTI’s request, PTG held a site review meeting with CTI’s new field management team to clarify the non-compliance. During this meeting, Mr. Robert Marks, CTI’s new Project Manager, mentioned that CTI was considering grinding the non-compliant areas to bring the 4-inch thick sidewalk into conformance. Grinding may be a potential solution; however, PTG and CTI agreed that the grinding may create a non-compliant surface for slip resistance and visual appearance. If CTI wishes to pursue grinding as a possible solution, it was suggested that a test area be ground for DPW’s review and approval. This suggestion was not an agreement that removal or replacement of the non-compliant sidewalk panels would not be necessary. Refer to DPW’s letter dated May 25, 2016 for details on the discussion.
- May 25, 2016: DPW’s letter to CTI noted that it had yet to receive any proposed resolutions to the ADA deficiencies.
- August 31, 2016: DPW issued a letter requesting an update for the proposed ADA resolution and the completion schedule for the outstanding work CTI committed to submitting by August 17, 2016 during the August 3, 2016 Construction Progress Meeting.
- September 21, 2016: The parties held a Construction Progress Meeting. The minutes memorialized that CTI had only submitted proposed resolution for the driveways and temporary traffic control plans to perform the work at pedestrian ramps. The meeting minutes document that CTI was still working on finalizing the proposed plans for pedestrian ramps and sidewalk slopes.

- September 26, 2016: DPW provided CTI with a Punch List resulting from the parties' final inspection held on August 17, 2016. The Punch List was a consolidation of the following:
  1. Unresolved items from the updated Open Issues/Deficiencies List provided to CTI in December 2013. This list was periodically updated during the Project.
  2. Unresolved items from the Open Issues List presented during the March 12, 2015 meeting between PTG and CTI's senior management.
  3. More than 60 deficiencies identified during the Final Inspection of the Route 1, Route 8 and Bridge 1 portion of the Project.
  
- November 8, 2016: CTI submitted its proposed plan to grind the 4-inch thick sidewalk to bring all non-compliant cross-slope into compliance. The proposed plan indicated that 52.6% of the sidewalk panels are non-compliant.
  
- December 12, 2016: DPW completed its review and rejected the proposed plan for the following reasons:
  - Proposed resolution required grinding more than 2 inches in some areas to bring the 4-inch thick sidewalk cross-slope into compliance. This effectively reduces the strength and durability of the sidewalk. Maximum allowed grinding is 1/2-inch deep. For an 8-foot wide sidewalk, grinding would only be allowed for non-compliant cross-slopes up to 2.5%.
  - Non-compliant sidewalk panels on the bridge contains epoxy coated reinforcing steel. Reinforcing steel was installed with the minimum required concrete cover. Grinding would reduce the concrete cover to less than the minimum required, thereby creating an additional non-compliance.
  - Numerous non-compliant sidewalk panels abut a vertical concrete surface such as the bridge parapet wall or concrete curb. The proposed resolution does not address grinding of the panel sections immediately adjacent to the vertical concrete surface due to the limitations of the grinding equipment.
  - Numerous panels identified to be non-compliant in CTI's sidewalk survey submitted on October 9, 2015 were not identified as non-compliant in the proposed resolution.
  - Proposed resolution does not address sidewalk continuity with adjacent surfaces and ride smoothness and surface texture in the direction of travel after grinding.
  
- December 2016: CTI conducted a second on-site meeting with DISID Director Servino in December 2016. Neither DPW nor PTG was notified of the meeting. During the December 19, 2016 Construction Progress Meeting, CTI informed PTG that Director Servino will perform a review of the sidewalk cross-slope and issue a findings report. CTI also reported that during this site meeting, Director Servino measured and determined that the transition ramp from the sidewalk to the driveway crossing as installed was acceptable.

DPW doubts whether Director Servino ever made such a statement. His responsibility with DISID is to enforce ADA compliance, and not to issue waivers.



- January 13, 2017: CTI conducted a third on-site meeting with DISID Director Servino with DPW and PTG. The purpose of the meeting was for Director Servino to review and verify the measurements for the non-compliant cross-slopes. Director Servino informed the group that he would provide recommendations to DPW based on his findings. Director Servino indicated that the project is Federally funded and compliance with Federal regulation is required.
- March 27, 2017: CTI issued a letter to DPW including, among other items, a February 23, 2017 written opinion from DISID Director Servino. CTI relied on Mr. Servino's opinion in resubmitting a revised proposed resolution to address the non-compliant ADA cross-slopes. DPW responded by a May 26, 2017 letter noting that Director Servino's opinion was irrelevant in determining the acceptance of the sidewalk cross-slopes in conformance with the contract requirements and ADA. DPW once again informed CTI that all sidewalk panels must meet ADA Standards for Accessible Design issued by the Department of Justice.
- May 26, 2017: CTI held a demonstration to determine the feasibility of using portable grinding/scarifier tools to correct sidewalk cross slope. These tools were to remove a specified depth of concrete from a test slab at one of CTI's satellite locations. The demonstration showed that the proposed method is not viable, with little to no control of the grinding depth and produced a smooth finish that does not provide a slip resistant surface similar to the broom finish required for sidewalk surfaces. In addition, the machines were not able to grind the entire panel surface (approximate 5' wide X 5' long) over the 2.5-hour test period. From the results of this demonstration, it appears that grinding continues to not be a feasible option.

DPW wants to reiterate that the Project is fully funded by the Department of Defense and overseen by the Federal Highway Administration ("FHWA") who is not authorized to pay for work that does not meet contract requirements, including the ADA. DPW does not have the authority to waive ADA requirements and cannot accept CTI's non-conforming sidewalk work.. Further, the FHWA has informed DPW that it will not waive ADA requirements and requires CTI to comply with their contractual obligations.

Although the ADA non-compliant sidewalks and sidewalk ramps are listed on the Final Inspection Punch List, DPW considers them defective work, not a closeout item. CTI has been on formal notice of the need to correct the defective concrete work since June 12, 2014. Since that time CTI has failed or otherwise refused to take corrective action needed to bring it in compliance with contract terms and ADA requirements mandated by Federal Law. It appears CTI's efforts have been more focused on attempting to obtain a waiver than correcting the non-compliant sidewalks.

This serves to notify CTI that they have 10 days from receipt of this letter to submit a plan acceptable to DPW and the FHWA to 1) correct all drainage issues; and 2) bring all Project sidewalks, driveways and pedestrian ramps into full compliance with its contractual obligations and ADA requirements. CTI's proposal shall also include a deadline to complete all remaining punch list work, understanding that liquidated damages continues to be incurred.

CTI should contact DPW *immediately* if they believe additional time is needed or to coordinate a meeting on the subject.

If CTI fails or otherwise elects to not submit an acceptable proposal as discussed herein, DPW will review the options and contact CTI shortly thereafter.

Please contact my office if you have any questions.

Sincerely,

**FELIX C. BENAVENTE**

Cc: Elizabeth Barrett-Anderson, Guam Attorney General (*via email only*)  
Crispin Bensan, DPW  
Tom Keeler, GAG  
Richelle Takara, FHWA  
Michael Lanning, PTG  
John Moretto, PTG  
David Yao, PTG  
Eun Ho, CTI  
Edwin K.C. Ching, CTI  
Anita P. Arriola, AC&A  
Henry Taitano, CTI  
Robert Marks

IDuarosan/TKeeler/JBlaz

**From:** Tom Keeler  
**To:** [Moretto, John; joaquin.blaz](mailto:Moretto, John; joaquin.blaz)  
**Cc:** [Takara, Richelle \(FHWA\); 'Isidro C. Duarosan'; Alves, Maria Rosario; Parsons, GuamPWDocControl; Yao, David; linda.ibanez@publicworks.guam.gov; jacqueline.taitano@dpw.guam.gov; Lanning, Michael; felix.benavente@dpw.guam.gov; crispin.bensan@dpw.guam.gov](mailto:Takara, Richelle (FHWA); 'Isidro C. Duarosan'; Alves, Maria Rosario; Parsons, GuamPWDocControl; Yao, David; linda.ibanez@publicworks.guam.gov; jacqueline.taitano@dpw.guam.gov; Lanning, Michael; felix.benavente@dpw.guam.gov; crispin.bensan@dpw.guam.gov)  
**Subject:** RE: Route 1/Route 8 Response to March 27, 2017 letter from CTI on sidewalk slopes/ADA  
**Date:** Friday, May 19, 2017 3:42:58 PM

---

I'll print and initial off. Kin, please confirm via email that you approve of the letter. The Deputy Director is in all day training. Looks like the letter won't go out until Monday. Will update, as appropriate. Please touch base if any questions. Thanks. Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
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Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i0l5dC7c6hei2-DGOkZX8XbNb7RHaDuJiAqJpLLIU&m=40j4EkGAFter-K\\_nkZkj\\_-1Vu2wYwq3PK7uzgZij7xw&s=NccNAJzI5cqEtjLBxKYFO7MgXE4Clr3K2tC862XJXJ8&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i0l5dC7c6hei2-DGOkZX8XbNb7RHaDuJiAqJpLLIU&m=40j4EkGAFter-K_nkZkj_-1Vu2wYwq3PK7uzgZij7xw&s=NccNAJzI5cqEtjLBxKYFO7MgXE4Clr3K2tC862XJXJ8&e=)

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---

From: Moretto, John [[John.Moretto@parsons.com](mailto:John.Moretto@parsons.com)]  
Sent: Friday, May 19, 2017 2:57 PM  
To: [joaquin.blaz](mailto:joaquin.blaz)  
Cc: Takara, Richelle (FHWA); 'Isidro C. Duarosan'; Alves, Maria Rosario; Parsons, GuamPWDocControl; Yao, David; Tom Keeler; [linda.ibanez@publicworks.guam.gov](mailto:linda.ibanez@publicworks.guam.gov); [jacqueline.taitano@dpw.guam.gov](mailto:jacqueline.taitano@dpw.guam.gov); Lanning, Michael; [felix.benavente@dpw.guam.gov](mailto:felix.benavente@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov)  
Subject: RE: Route 1/Route 8 Response to March 27, 2017 letter from CTI on sidewalk slopes/ADA

Kin,  
After revisions by Richelle, Tom and Mike, please find attached the response to CTI's March 27, 2017 letter. See email below for additional detail.

If the letter is acceptable please forward for review and signature by the Deputy Director.

Included in this email is the original CTI March 27, 2017 letter, this document is for reference only.

Regards,  
John Moretto

From: Moretto, John  
Sent: Friday, May 19, 2017 8:41 AM  
To: 'Joaquin Blaz' <joaquin.blaz@dpw.guam.gov>  
Cc: 'Takara, Richelle (FHWA)' <Richelle.TAKARA@dot.gov>; 'Isidro C. Duarosan' <isidro.duarosan@dpw.guam.gov>; Alves, Maria Rosario <MariaRosario.Alves@parsons.com>; Parsons, GuamPWDocControl <GuamPWDocControl@parsons.com>; Yao, David <David.Yao@parsons.com>; 'Tom Keeler' <tkeeler@guamag.org>; 'Linda Ibanez' <linda.ibanez@publicworks.guam.gov>; 'Jacqueline Taitano' <jacqueline.taitano@dpw.guam.gov>; Lanning, Michael <Michael.Lanning@parsons.com>; 'Felix Benavente' <felix.benavente@dpw.guam.gov>; 'Crispin Bensen' <crispin.bensan@dpw.guam.gov>  
Subject: Route 1/Route 8 Response to March 27, 2017 letter from CTI on sidewalk slopes/ADA

Kin,

The attached word file is a response to CTI's March 27, 2017 letter regarding ADA requirements on Route 1/Route 8 (sidewalk cross slopes and running slopes).

This letter responds to CTI's proposal that 3% cross slopes are acceptable from DISID and Director Benito Servino (they are not acceptable per contract). The letter reiterates our previous comments to CTI's proposed resolution for the nonconforming portions of the project, and notes that none of the proposals from CTI address all parts of the non-compliance.

If the letter is acceptable please forward for review and signature by the Deputy Director.

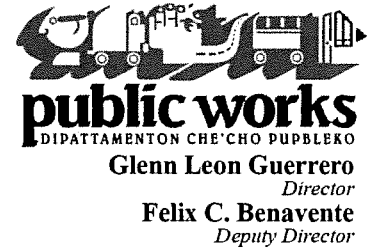
Included in this email is the original CTI March 27, 2017 letter, this document is for reference only.

Best Regards,  
John Moretto  
Office # 671-648-1066  
Cell# 671-488-4507



*The Honorable*  
**Eddie Baza Calvo**  
*Governor*

*The Honorable*  
**Ray Tenorio**  
*Lieutenant Governor*



Mr. Robert Marks  
Project Manager  
Core Tech International Corporation  
388 South Marine Corps Drive  
Suite 400  
Tamuning, GU 96913

**Ref: Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement  
Project No. GU-DAR-TI01(001)  
Sidewalk Cross-Slopes**

Dear Mr. Marks,

The Department of Public Works (DPW) acknowledges the receipt of Core Tech International Corporation's (CTI) letter dated March 27, 2017 transmitting an opinion from Director Benito S. Servino of the Guam Department of Integrated Services for Individuals with Disabilities (DISID) on the acceptability of the sidewalk slopes as installed on the referenced project. As part of the letter, CTI included a revised proposal to resolve the non-compliant American with Disability Act (ADA) cross-slopes based on Director Servino's opinion. In addition, CTI resubmitted Submittal 398 for DPW's review, comments are noted below for this document.

#### **Contract Requirement - Cross Slope 2%**

Per the Project Contract (see SOW-5 line 2, SOW-8 [Conformed] line 19, 20), the Design-Builder shall design and construct the project in accordance with FP-03, combined with the requirements of the subject contract and all referenced manuals and publications, including the ADA Standards for Accessible Design.

The 2010 ADA Standards subsection 403.03 limits the maximum slopes of walking surfaces as follows: "The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48." This equates to a maximum running slope of 5% and a maximum cross slope of 2%, which is consistent with the requirements shown in the DPW standard plans provided as part of the Request for Proposal.

On January 13, 2017 DPW and CTI held a site meeting with Director Servino. At the start of the meeting Director Servino informed the group that he will provide DPW with a recommendation for acceptability of the sidewalk cross-slopes. The recommendation will not overrule the ADA requirements but will provide guidance on acceptability. Director Servino also indicated that the project is Federally funded and compliance with Federal regulation is required.

DPW reviewed the February 23, 2017 letter from Director Servino and determined that his response is an opinion which has no relevance to CTI's contractual obligations with DPW or CTI's obligations to comply with the ADA standards. Director Servino's opinion is irrelevant in the determination of the acceptance of the sidewalk cross-slopes in conformance with contract requirements. Further, Director Servino's opinion directly conflicts with his earlier comments that CTI is obligated to comply with the ADA and Federal Law in its work on the Project. *See Review of Non-Compliant Sidewalks, Driveways, and Pedestrian Ramps with the Guam Department of Integrated Services for Individuals with Disabilities Meeting Notes dated January 13, 2017.*

Therefore, CTI is required to address all cross slopes that are greater than 2%.

### Comments on Resubmittal of Submittal No. 398

CTI's March 27, 2017 resubmittal of Submittal No. 398, is not acceptable. It did not address our review comments on CTI's November 8, 2016 proposed solutions: Submittals 615.027-01 (CTI Transmittal 395) – Route 1 northbound, 615.028-01 (CTI Transmittal 395-1) – Route 1 southbound, 615.029-01 (CTI Transmittal 395-2) – Route 8 eastbound, and 615.030-01 (CTI Transmittal 395-3) – Route 8 westbound.

The following are some of DPW's relevant review comments as stated in prior subject submittal responses:

- Proposed resolution requiring grinding of more than 2 inches deep in some areas to bring the 4-inch thick sidewalk cross-slope into compliance is not acceptable. This effectively reduces the strength and durability of the sidewalk. Maximum allowed grinding is 1/2-inch deep for sidewalks. For an 8-foot wide sidewalk, grinding would only be allowed for non-compliant cross-slopes up to 2.5%.
- Non-compliant sidewalk panels on the bridge contains epoxy coated reinforcing steel. Reinforcing steel was installed with the minimum required concrete cover. Grinding would reduce the concrete cover to less than the minimum required, thereby creating an additional non-compliance.
- Numerous non-compliant sidewalk panels abut a vertical concrete surface such as the bridge parapet wall or concrete curb. The proposed resolution does not address grinding of the panel sections immediately adjacent to the vertical concrete surface due to the limitations of the grinding equipment.
- Numerous panels identified to be non-compliant in CTI's sidewalk survey submitted on October 9, 2015 were not identified as non-compliant in the proposed resolution.
- Proposed resolution does not address sidewalk continuity with adjacent surfaces and smoothness and surface texture in the direction of travel after grinding.

Please note that CTI's survey submitted on October 9, 2015, and proposed resolutions submitted on November 8, 2016 and March 27, 2017 show significantly lower quantities of sidewalk panels that are non-compliant compared to the surveys performed by DPW. It has been and still is DPW's position that all sidewalk panels must meet ADA requirements.

Further, the proposal presented in CTI's letter dated March 27, 2017 does not address the non-compliance to the ADA requirements at the driveways, the transition panels between the sidewalk and the driveways, or the pedestrian ramps for street crossings.

DPW would like to resolve this issue quickly and proposes a meeting between PTG, DPW, and CTI be held within 7 calendar days after receipt of this letter to discuss any questions CTI may have regarding the contents of this letter and help bring closure to this issue.

Should you have any questions or need additional information, please contact Mr. Crispin Bengan, Project Engineer, at 649-3115 with Department of Public Works or Mr. John Moretto, Construction Manager, at 648-1066 with Parsons Transportation Group.

Sincerely,

### FELIX C. BENAVENTE

Cc: Crispin Bengan, DPW  
Richelle Takara, FHWA  
Michael Lanning, PTG  
John Moretto, PTG  
Eun Ho, CTI  
Conchita Bathan, CTI  
Edwin K.C. Ching, CTI  
Anita P. Arriola, AC&A  
Henry Taitano, CTI

**From:** Tom Keeler  
**To:** Takara, Richelle (FHWA); Moretto, John; joaquin.blaz  
**Cc:** "Isidro C. Duarosan"; Alves, Maria Rosario; Parsons, GuamPWDocControl; Yao, David; linda.ibanez@publicworks.guam.gov; jacqueline.taitano@dow.guam.gov; Lanning, Michael; felix.benavente@dpw.guam.gov; crispin.bensan@dpw.guam.gov  
**Subject:** RE: Route 1/Route 8 Response to March 27, 2017 letter from CTI on sidewalk slopes/ADA  
**Date:** Friday, May 19, 2017 2:12:53 PM

---

Richelle,

Thank you for the comments.

John and others,

I am fine and agree with Richelle's revisions. Comments?

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DG0kZX8XbNb7RHaDuJiAqJpLLIU&m=UoAxsMIT3Zwft1O43eDkhqVBSzDUvZEVfnpztmXqil0&s=ndNX2E6RL820qwUG4o\\_5HsIK5mQuzbxlkn\\_HSFmjhj6c&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DG0kZX8XbNb7RHaDuJiAqJpLLIU&m=UoAxsMIT3Zwft1O43eDkhqVBSzDUvZEVfnpztmXqil0&s=ndNX2E6RL820qwUG4o_5HsIK5mQuzbxlkn_HSFmjhj6c&e=)

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---

**From:** Takara, Richelle (FHWA) [Richelle.TAKARA@dot.gov]  
**Sent:** Friday, May 19, 2017 11:44 AM  
**To:** Moretto, John; joaquin.blaz  
**Cc:** 'Isidro C. Duarosan'; Alves, Maria Rosario; Parsons, GuamPWDocControl; Yao, David; Tom Keeler; linda.ibanez@publicworks.guam.gov; jacqueline.taitano@dpw.guam.gov; Lanning, Michael; felix.benavente@dpw.guam.gov; crispin.bensan@dpw.guam.gov  
**Subject:** RE: Route 1/Route 8 Response to March 27, 2017 letter from CTI on sidewalk slopes/ADA

I am struggling with this letter. Attached is suggested concept changes. I say concept because the yellow highlights give a thought of what should be said but the words are not quite right.

I think the letter needs to be broken up into two parts. In which the first part has a conclusion before starting the second part.

I am not sure if the comments being made in this letter are comments that were previously given and that we are merely reiterating it for CTI's convenience.

Richelle

**From:** Moretto, John [mailto:John.Moretto@parsons.com]  
**Sent:** Thursday, May 18, 2017 12:41 PM  
**To:** joaquin.blaz <joaquin.blaz@dpw.guam.gov>  
**Cc:** Takara, Richelle (FHWA) <Richelle.TAKARA@dot.gov>; 'Isidro C. Duarosan' <isidro.duarosan@dpw.guam.gov>; Alves, Maria Rosario <MariaRosario.Alves@parsons.com>; Parsons, GuamPWDocControl <GuamPWDocControl@parsons.com>; Yao, David <David.Yao@parsons.com>; Tom Keeler <tkeeler@guamag.org>; linda.ibanez@publicworks.guam.gov; jacqueline.taitano@dpw.guam.gov; Lanning, Michael <Michael.Lanning@parsons.com>; felix.benavente@dpw.guam.gov; crispin.bensan@dpw.guam.gov  
**Subject:** Route 1/Route 8 Response to March 27, 2017 letter from CTI on sidewalk slopes/ADA

Kin,

The attached word file is a response to CTI's March 27, 2017 letter regarding ADA requirements on Route 1/Route 8 (sidewalk cross slopes and running slopes).

This letter responds to CTI's proposal that 3% cross slopes are acceptable from DISID and Director Benito Servino (they are not acceptable per contract). The letter reiterates our previous comments to CTI's proposed resolution for the nonconforming portions of the project, and notes that none of the proposals from CTI address all parts of the non-compliance.

If the letter is acceptable please forward for review and signature by the Deputy Director.

Included in this email is the original CTI March 27, 2017 letter, this document is for reference only.

Best Regards,  
John Moretto  
Office # 671-648-1066  
Cell# 671-488-4507

**From:** Tom Keeler  
**To:** Moretto, John; Lanning, Michael; joaquin.blaz  
**Cc:** Yao, David; Alves, Maria Rosario  
**Subject:** RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project  
**Date:** Thursday, May 11, 2017 3:48:51 PM

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John,

Thanks. As the viability of grinding will be a major item in dispute in any litigation I strongly recommend that the response to CTI's March 27, 2017 letter address such. I am not well versed with the specifics however recommend memorializing CT's suggestion/proposal, what the agreed to conditions were (e.g., comparable situation/condition of sidewalk, test being conducted off-site, DPW being allowed to observe test, etc.). It is very important that DPW memorialize the fact that CT was offered the opportunity to perform testing which, for whatever reason, it failed to perform. CT's inaction only serves to buttress DPW's position that the proposed grinding would not comply with contract specs and the ADA.

Please contact me if any questions. Thanks.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i0I5dC7c6hei2-DGOkZX8XbNb7RHaDujIAqJpLLiU&m=pVkJKaXoLriA0KfTg4JnhRfPAcE36aoxydYSSRA17r6w&s=TxfvKPyS-iPs3gq-HeKAzddCpWqD4uIe3jC-YH1HNU&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i0I5dC7c6hei2-DGOkZX8XbNb7RHaDujIAqJpLLiU&m=pVkJKaXoLriA0KfTg4JnhRfPAcE36aoxydYSSRA17r6w&s=TxfvKPyS-iPs3gq-HeKAzddCpWqD4uIe3jC-YH1HNU&e=)

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---

From: Moretto, John [John.Moretto@parsons.com]  
Sent: Thursday, May 11, 2017 1:21 PM  
To: Tom Keeler; Lanning, Michael; joaquin.blaz  
Cc: Yao, David; Alves, Maria Rosario  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom,  
We had a weekly meeting with CTI earlier this week on Tuesday.

They did not complete the grinding test section as promised. In fact, they could not give me a forecast date for the test.

During the meeting, we discussed possible solutions to several of the ramps, driveways and sidewalk end points. They agreed to make drawing changes and send them to us by Friday.

The Tuesday discussion could solve some of the issues if they follow through; but for the remainder of the work they are going on the premise that 3% cross slope is acceptable for the sidewalk repairs.

In the meeting I referred them to their contract for ADA requirements including sidewalk cross slope, and mentioned they will receive a response to their last letter shortly.

Regards,  
John Moretto

-----Original Message-----  
From: Tom Keeler [mailto:tkeeler@guamag.org]  
Sent: Thursday, May 11, 2017 10:53 AM  
To: Lanning, Michael <Michael.Lanning@parsons.com>; joaquin.blaz <joaquin.blaz@dpw.guam.gov>  
Cc: Moretto, John <John.Moretto@parsons.com>; Yao, David <David.Yao@parsons.com>; Alves, Maria Rosario <MariaRosario.Alves@parsons.com>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Mike,

Also, wasn't CT going to perform an off site test? If so, has this been arranged under comparable circumstances and with DPW's participation? Does it serve any purpose to mention?

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General



590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: [tkeeler@guamag.org](mailto:tkeeler@guamag.org)  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrY1dfx1q10&r=XGm9BjpEbZPY4gf1u-hfYkP9I33Q3ehBALa5GWZBICI&m=uV2NLeifOU6fjC6QoEycJODtiwXoCOAsJMu9r83yQ&s=-A4ske3fHpkBTCAINhbBYwF5D0cW8hflnmSTu9GM1g0&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrY1dfx1q10&r=XGm9BjpEbZPY4gf1u-hfYkP9I33Q3ehBALa5GWZBICI&m=uV2NLeifOU6fjC6QoEycJODtiwXoCOAsJMu9r83yQ&s=-A4ske3fHpkBTCAINhbBYwF5D0cW8hflnmSTu9GM1g0&e=)

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---

From: Tom Keeler  
Sent: Thursday, May 11, 2017 10:48 AM  
To: Lanning, Michael; joaquin.blaz  
Cc: Moretto, John; Yao, David; Alves, Maria Rosario  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Mike,

My apologies for the delay in getting back to you. Attached are a few comments to the draft. These, and other comments, are as follows:

1. Consider adding a new bullet point on page 1 reciting that the current proposal does not significantly differ from earlier proposals to grind the sidewalk, which were rejected for many of the reasons stated herein, as well as in earlier correspondence.
2. Re Mr. Servino's section, I added some proposed language. Again, include the 1st language if you think it adds anything. As for the 2nd comment I thought Mr. Servino had stated in a meeting or in a letter/email that CT was obligated to comply with its contractual obligations with DPW and the ADA. If my recollection is correct DPW should consider adding it as such directly conflicts with his "opinion".
3. Per our call yesterday consider adding a closing sentence inviting Core Tech to meet with the Deputy Director. I am working on a separate letter to CT and plan on including an invitation to meet with Felix.

Please contact me if any questions. Thanks.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: [tkeeler@guamag.org](mailto:tkeeler@guamag.org)  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrY1dfx1q10&r=XGm9BjpEbZPY4gf1u-hfYkP9I33Q3ehBALa5GWZBICI&m=uV2NLeifOU6fjC6QoEycJODtiwXoCOAsJMu9r83yQ&s=-A4ske3fHpkBTCAINhbBYwF5D0cW8hflnmSTu9GM1g0&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrY1dfx1q10&r=XGm9BjpEbZPY4gf1u-hfYkP9I33Q3ehBALa5GWZBICI&m=uV2NLeifOU6fjC6QoEycJODtiwXoCOAsJMu9r83yQ&s=-A4ske3fHpkBTCAINhbBYwF5D0cW8hflnmSTu9GM1g0&e=)

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---

From: Lanning, Michael [[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)]  
Sent: Wednesday, May 03, 2017 4:02 PM  
To: Tom Keeler  
Cc: Moretto, John; Yao, David; Alves, Maria Rosario  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom,

Attached is the latest version of the ADA letter to CoreTech based on their letter that was received on March 24, 2017 from Mr. Marks. I have also attached the letter/documents that were sent out by Mr. Marks for your reference.

Let me know if you want to make any changes or additions.

Mike

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

From: Tom Keeler [<mailto:tkeeler@guamag.org>]  
Sent: Thursday, April 13, 2017 4:19 PM  
To: Yao, David <[David.Yao@parsons.com](mailto:David.Yao@parsons.com)>  
Cc: Lanning, Michael <[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

David and Mike,

Do you know when DPW intends on finalizing the response?

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
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Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=X08J4E61x01jU0yUAfkoOtsW7M8G1TRbn8-6M8xZYg0&m=ayKzoV4ztRa9KjFNp7I7Em-611-Y2KkmU8AS-gfRgw&s=z-hlH6loXAe4JJFr3wmvWsqDzRQSHpLiHr2xqQB\\_Gs&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=X08J4E61x01jU0yUAfkoOtsW7M8G1TRbn8-6M8xZYg0&m=ayKzoV4ztRa9KjFNp7I7Em-611-Y2KkmU8AS-gfRgw&s=z-hlH6loXAe4JJFr3wmvWsqDzRQSHpLiHr2xqQB_Gs&e=)

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---

From: Yao, David [David.Yao@parsons.com]  
Sent: Thursday, April 13, 2017 4:15 PM  
To: Tom Keeler  
Cc: Lanning, Michael  
Subject: FW: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom,

As requested.

David Yao, LEED AP  
Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913 david.yao@parsons.com <<mailto:john.doe@parsons.com>> - P: +1 671.648.1061 M: +1 671.488.4203

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| [Twitter](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_ParsonsCorp&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rlGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwJhIriBrfKZFLrGZqU0si4k0&e=>) <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_twitter.com\\_ParsonsCorp&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=iZNIh6dnFYPIlyq\\_2-DmjpfMBmIHuB7rlGd\\_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU\\_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwJhIriBrfKZFLrGZqU0si4k0&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_ParsonsCorp&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rlGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwJhIriBrfKZFLrGZqU0si4k0&e=>)>  
| [Facebook](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_parsonscorporation&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rlGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnEIR5XfqTV8qgTS6iKitqecVbnxHw&e=>) <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.facebook.com\\_parsonscorporation&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=iZNIh6dnFYPIlyq\\_2-DmjpfMBmIHuB7rlGd\\_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU\\_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnEIR5XfqTV8qgTS6iKitqecVbnxHw&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_parsonscorporation&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rlGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnEIR5XfqTV8qgTS6iKitqecVbnxHw&e=>)>

[email-tagline-envision-more-black.png]

From: Yao, David  
Sent: Sunday, April 09, 2017 4:18 PM  
To: Lanning, Michael <[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Mike,

Please see attached edits.

Thank you,

David Yao, LEED AP  
Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913 david.yao@parsons.com <<mailto:john.doe@parsons.com>> - P: +1 671.648.1061 M: +1 671.488.4203

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[email-tagline-envision-more-black.png]

From: Lanning, Michael  
Sent: Friday, April 07, 2017 12:56 PM  
To: Yao, David <David.Yao@parsons.com<mailto:David.Yao@parsons.com>>  
Subject: FW: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

David,

Need to have you take another crack at the CoreTech letter regarding the ADA sidewalk slopes. I have made some edits to the letter and have some comments on the second page.

Mike

From: Lanning, Michael  
Sent: Thursday, April 06, 2017 5:12 PM  
To: Yao, David <David.Yao@parsons.com<mailto:David.Yao@parsons.com>>; Tom Keeler <tkeeler@guamag.org<mailto:tkeeler@guamag.org>>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom,

Attached is where we are at now with the response letter to CoreTech on their ADA sidewalk letter. We can go over it tomorrow after GTG. I don't think we should reference anything other than the 2010 DOJ information for accessibility.

Mike

From: Yao, David  
Sent: Friday, March 31, 2017 8:49 AM  
To: Tom Keeler <tkeeler@guamag.org<mailto:tkeeler@guamag.org>>; Lanning, Michael <Michael.Lanning@parsons.com<mailto:Michael.Lanning@parsons.com>>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom/Mike,

Please see my comments below in red.

Attached is a copy of the meeting minutes from the site review meeting with DISID held on January 13, 2017.

David Yao, LEED AP

Construction Contract Administrator

590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913

david.yao@parsons.com<mailto:david.yao@parsons.com> - P: +1 671.648.1061 M: +1 671.488.4203

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

From: Tom Keeler [<mailto:tkeeler@guamag.org>]  
Sent: Wednesday, March 29, 2017 6:58 PM  
To: Felix Benavente <felix.benavente@dpw.guam.gov<mailto:felix.benavente@dpw.guam.gov>>; Richelle.TAKARA@dot.gov<mailto:Richelle.TAKARA@dot.gov>; joaquin.blaz <joaquin.blaz@dpw.guam.gov<mailto:joaquin.blaz@dpw.guam.gov>>; Sagrado F. Bilong <sagrado.bilong@dpw.guam.gov<mailto:sagrado.bilong@dpw.guam.gov>>; Lanning, Michael <Michael.Lanning@parsons.com<mailto:Michael.Lanning@parsons.com>>; Yao, David <David.Yao@parsons.com<mailto:David.Yao@parsons.com>>  
Subject: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Folks,

Attached hereto is a copy of Mr. Robert Marks, Core Tech, March 27, 2017 letter concerning the above referenced project. Enclosed with Mr. Marks letter are the following:

1. February 23, 2017 letter from Mr. Benito Servino, Department of Integrated Services for Individuals with Disabilities (DISID).

2. 8 color coded sheets purportedly identifying sidewalks sections that Core Tech acknowledges are non conforming.

3. A Procedure plan for bringing the acknowledged non conforming side walks into conformance, with conformance being measured by Mr. Servino's opinion (i.e., February 23, 2017 letter).

4. A picture of equipment and a proposed environmental protection plan for protecting the grinding activity, which are enclosures to Item 3's Procedure Plan.

The proposed grinder was rejected and the product data for a recommended equipment was provided.

Mr. Servino's letter raises any number of issues. Some of these include:

1. Mr. Servino's opinion is, I believe, for the most part irrelevant. Core Tech contracted to provide sidewalks that are required to conform to the Plans and Specification and ADA requirements. The work is also subject to FHWA's approval. I am surprised that DISID would interject itself in this matter. Per the site discussion, Mr. Servino indicated that the site inspection was for him to provide a recommendation to DPW for acceptance of the sidewalk cross-slopes and not to overrule the ADA requirements. See attached meeting minutes.

2. The Pacific ADA Center's comments also are not controlling. I note however that PAC's comments are qualified (i.e., are subject to conventional industry tolerances EXCEPT WHERE THE REQUIREMENT IS STATED AS A RANGE WITH SPECIFIC MINIMUM AND MAXIMUM END POINTS." Thus, PAC's comments probably don't apply to the project. The PAC comments confirm that the ADA cross-slope requirement is a maximum value and is not subject to construction tolerance. The 2010 ADA Standards states "The cross slope of walking surfaces shall not be steeper than 1:48." A conversion to percent is not provided as part of the Standards. The 2010 ADA Standard sub-section 403.3 is attached for your convenience (due to the standard being a protected document, a screen shot of the page was provided).

3. The University of Texas' Center of Transportation's "study" can be disregarded. Frankly, I don't understand why it was cited as any type of authority. The study was performed in 2001 to determine the maximum cross-slope based on various attributes of disabled persons and the physical site conditions.

4. Core Tech and DPW's inspection of Project sidewalks differ substantially. DPW can reasonably rely on its inspections as it conducted an additional inspection for quality assurance purposes. Also, I assume the color coded sheets are based on Core Tech's inspections. The sheets need to be double checked against DPW's inspections. Based on a quick review, the color coded sheets are a revision to the proposed sidewalk resolution submitted on November 8, 2016 with only the panels with a cross-slope greater than 3.0% highlighted.

5. It is my understanding that DPW previously expressed concerns with Core Tech's proposed plan to grind sidewalks. Am I correct in assuming these concerns remain current? That is correct. The required sidewalk thickness is 4-inches. The review comments to the 11/8/16 submittal allowed Core Tech to grind a maximum of ½ inches to being the sidewalk cross-slope into compliance. This would allow grinding for cross-slopes between 2.0% and 2.5% for the 8-foot wide sidewalk. Slopes beyond 2.5% would require full replacement.

6. I discussed Mr. Marks letter briefly with Mike Lanning this afternoon. He noted that the ADA statute contains language such as "shall not exceed". This does not appear to provide DPW and FHWA any latitude to compromise on the non conforming sidewalks. I plan to research the issue further. Also, DPW is still working under a US District Court Order to correct earlier work that violated the ADA. I will review the Order again and get back to you on any specific provisions that apply to the current project. A copy of the 2010 ADA Standards subsection 403.3 is provided for your convenience.

In closing, I question Mr. Servino's involvement as well as what, if any, weight should be given to his "opinion". Nonetheless Mr. Servino references to the 2010 ADA Standards and other legitimate cites warrant review. I was hoping we could review Mr. Marks letter and enclosures following this week's GTG meeting. As the meeting was cancelled possibly we can schedule a telephone conference call early next week to discuss.

Please forward this message and attachments to anyone that I may have missed. Please also contact me if any questions. Thanks.

Tom

Saina Ma'ase,

Si Thomas P. Keeler

Assistant Attorney General

Office of the Attorney General

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Email: [tkeeler@guamag.org](mailto:tkeeler@guamag.org)<<mailto:tkeeler@guamag.org>>

Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xiYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxlq10&r=N8i05dC7c6hei2-DGOkZX8XbNb7RHHaDuJiaqJpLLIU&m=jlscp44GRkTigm-CJVR47S4n5hh12VsgmQp07IiU7GI&s=Yv0FBjs6f9IikG8Y-PTy2-NdGh3Do4fvkUNJHRKQcX4&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xiYRe0sCRVM8_LWH54joYF7EKmrYIdfxlq10&r=N8i05dC7c6hei2-DGOkZX8XbNb7RHHaDuJiaqJpLLIU&m=jlscp44GRkTigm-CJVR47S4n5hh12VsgmQp07IiU7GI&s=Yv0FBjs6f9IikG8Y-PTy2-NdGh3Do4fvkUNJHRKQcX4&e=)

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**From:** Moretto, John  
**To:** Tom Keeler; Lanning, Michael; joaquin.blaz  
**Cc:** Yao, David; Alves, Maria Rosario  
**Subject:** RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project  
**Date:** Thursday, May 11, 2017 1:21:30 PM

---

Tom,  
We had a weekly meeting with CTI earlier this week on Tuesday.

They did not complete the grinding test section as promised. In fact, they could not give me a forecast date for the test.

During the meeting, we discussed possible solutions to several of the ramps, driveways and sidewalk end points. They agreed to make drawing changes and send them to us by Friday.

The Tuesday discussion could solve some of the issues if they follow through; but for the remainder of the work they are going on the premise that 3% cross slope is acceptable for the sidewalk repairs.

In the meeting I referred them to their contract for ADA requirements including sidewalk cross slope, and mentioned they will receive a response to their last letter shortly.

Regards,  
John Moretto

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

**From:** Tom Keeler [mailto:tkeeler@guamag.org]  
**Sent:** Thursday, May 11, 2017 10:53 AM  
**To:** Lanning, Michael <Michael.Lanning@parsons.com>; joaquin.blaz <joaquin.blaz@dpw.guam.gov>  
**Cc:** Moretto, John <John.Moretto@parsons.com>; Yao, David <David.Yao@parsons.com>; Alves, Maria Rosario <MariaRosario.Alves@parsons.com>  
**Subject:** RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Mike,

Also, wasn't CT going to perform an off site test? If so, has this been arranged under comparable circumstances and with DPW's participation? Does it serve any purpose to mention?

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
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Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYldfxlq10&r=XGm9BjpEbZPY4gflf-ufYkP9l33Q3ehBALa5GWZBICl&m=uV2NLeifOU6fjC16QoEycJODtiwXoCOAsjMu9r83yQ&s=-A4ske3fHpkBTCAlnhbBYwF5D0cW8hflnmSTu9GM1g0&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAw&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=XGm9BjpEbZPY4gflf-ufYkP9l33Q3ehBALa5GWZBICl&m=uV2NLeifOU6fjC16QoEycJODtiwXoCOAsjMu9r83yQ&s=-A4ske3fHpkBTCAlnhbBYwF5D0cW8hflnmSTu9GM1g0&e=)

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---

**From:** Tom Keeler  
**Sent:** Thursday, May 11, 2017 10:48 AM  
**To:** Lanning, Michael; joaquin.blaz  
**Cc:** Moretto, John; Yao, David; Alves, Maria Rosario  
**Subject:** RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Mike,

My apologies for the delay in getting back to you. Attached are a few comments to the draft. These, and other comments, are as follows:

1. Consider adding a new bullet point on page 1 reciting that the current proposal does not significantly differ from earlier proposals to grind the sidewalk, which were rejected for many of the reasons stated herein, as well as in earlier correspondence.
2. Re Mr. Servino's section, I added some proposed language. Again, include the 1st language if you think it adds anything. As for the 2nd comment I thought Mr. Servino had stated in a meeting or in a letter/email that CT was obligated to comply with its contractual obligations with DPW and the ADA. If my recollection is correct DPW should consider adding it as such directly conflicts with his "opinion".
3. Per our call yesterday consider adding a closing sentence inviting Core Tech to meet with the Deputy Director. I am working on a separate letter to CT and plan on including an invitation to meet with Felix.

Please contact me if any questions. Thanks.

Tom

Saina Ma'ase,

Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org

Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAw&c=Nwf-](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAw&c=Nwf-)

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From: Lanning, Michael [Michael.Lanning@parsons.com]  
Sent: Wednesday, May 03, 2017 4:02 PM  
To: Tom Keeler  
Cc: Moretto, John; Yao, David; Alves, Maria Rosario  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom,

Attached is the latest version of the ADA letter to CoreTech based on their letter that was received on March 24, 2017 from Mr. Marks. I have also attached the letter/documents that were sent out by Mr. Marks for your reference.

Let me know if you want to make any changes or additions.

Mike

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

From: Tom Keeler [mailto:tkeeler@guamag.org]  
Sent: Thursday, April 13, 2017 4:19 PM  
To: Yao, David <David.Yao@parsons.com>  
Cc: Lanning, Michael <Michael.Lanning@parsons.com>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

David and Mike,

Do you know when DPW intends on finalizing the response?

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
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[pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYldfxlq10&r=X08J4E61x01jU0yUAfkoOtSw7M8G1TRbn8-6M8xZYg0&m=ayKzoV4ztRa9KjFNp7I7Em-6I1-Y2KkmU8AS-gfIrgw&s=z-hlH6loXaE4JJf3wmvWsqDzRQSHpLiHr2xqQB\\_Gs&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=X08J4E61x01jU0yUAfkoOtSw7M8G1TRbn8-6M8xZYg0&m=ayKzoV4ztRa9KjFNp7I7Em-6I1-Y2KkmU8AS-gfIrgw&s=z-hlH6loXaE4JJf3wmvWsqDzRQSHpLiHr2xqQB_Gs&e=)

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---

From: Yao, David [David.Yao@parsons.com]  
Sent: Thursday, April 13, 2017 4:15 PM  
To: Tom Keeler  
Cc: Lanning, Michael  
Subject: FW: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom,

As requested.

David Yao, LEED AP  
Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913 david.yao@parsons.com <mailto:john.doe@parsons.com> - P: +1 671.648.1061 M: +1 671.488.4203

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From: Yao, David  
Sent: Sunday, April 09, 2017 4:18 PM  
To: Lanning, Michael <Michael.Lanning@parsons.com>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Mike,

Please see attached edits.

Thank you,

David Yao, LEED AP  
Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913 david.yao@parsons.com<<mailto:john.doc@parsons.com>> - P: +1 671.648.1061 M: +1 671.488.4203

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From: Lanning, Michael  
Sent: Friday, April 07, 2017 12:56 PM  
To: Yao, David <David.Yao@parsons.com<<mailto:David.Yao@parsons.com>>>  
Subject: FW: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

David,

Need to have you take another crack at the CoreTech letter regarding the ADA sidewalk slopes. I have made some edits to the letter and have some comments on the second page.

Mike

From: Lanning, Michael  
Sent: Thursday, April 06, 2017 5:12 PM  
To: Yao, David <David.Yao@parsons.com<<mailto:David.Yao@parsons.com>>>; Tom Keeler <[tkeeler@guamag.org](mailto:tkeeler@guamag.org)<<mailto:tkeeler@guamag.org>>>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom,

Attached is where we are at now with the response letter to CoreTech on their ADA sidewalk letter. We can go over it tomorrow after GTG. I don't think we should reference anything other than the 2010 DOJ information for accessibility.

Mike

From: Yao, David  
Sent: Friday, March 31, 2017 8:49 AM  
To: Tom Keeler <[tkeeler@guamag.org](mailto:tkeeler@guamag.org)<<mailto:tkeeler@guamag.org>>>; Lanning, Michael <Michael.Lanning@parsons.com<<mailto:Michael.Lanning@parsons.com>>>  
Subject: RE: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Tom/Mike,

Please see my comments below in red.

Attached is a copy of the meeting minutes from the site review meeting with DISID held on January 13, 2017.



David Yao, LEED AP

Construction Contract Administrator

590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913

david.yao@parsons.com <<mailto: david.yao@parsons.com>> - P: +1 671.648.1061 M: +1 671.488.4203

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

From: Tom Keeler [<mailto:tkceeler@guamag.org>]

Sent: Wednesday, March 29, 2017 6:58 PM

To: Felix Benavente <<mailto:felix.benavente@dpw.guam.gov>>; Richelle.TAKARA@dot.gov <<mailto:Richelle.TAKARA@dot.gov>>;

joaquin.blaz <<mailto:joaquin.blaz@dpw.guam.gov>>; Sagrado F. Bilong

<<mailto:sagrado.bilong@dpw.guam.gov>>; Lanning, Michael

<<mailto:Michael.Lanning@parsons.com>>; Yao, David <<mailto:David.Yao@parsons.com>>>

Subject: DPW & Core Tech - Route 1/8 Bridges Reconstruction Project

Folks,

Attached hereto is a copy of Mr. Robert Marks, Core Tech, March 27, 2017 letter concerning the above referenced project. Enclosed with Mr. Marks letter are the following:

1. February 23, 2017 letter from Mr. Benito Servino, Department of Integrated Services for Individuals with Disabilities (DISID).
2. 8 color coded sheets purportedly identifying sidewalks sections that Core Tech acknowledges are non conforming.
3. A Procedure plan for bringing the acknowledged non conforming side walks into conformance, with conformance being measured by Mr. Servino's opinion (i.e., February 23, 2017 letter).
4. A picture of equipment and a proposed environmental protection plan for protecting the grinding activity, which are enclosures to Item 3's Procedure Plan.

The proposed grinder was rejected and the product data for a recommended equipment was provided.

Mr. Servino's letter raises any number of issues. Some of these include:

1. Mr. Servino's opinion is, I believe, for the most part irrelevant. Core Tech contracted to provide sidewalks that are required to conform to the Plans and Specification and ADA requirements. The work is also subject to FHWA's approval. I am surprised that DISID would interject itself in this matter. Per the site discussion, Mr. Servino indicated that the site inspection was for him to provide a recommendation to DPW for acceptance of the sidewalk cross-slopes and not to overrule the ADA requirements. See attached meeting minutes.

2. The Pacific ADA Center's comments also are not controlling. I note however that PAC's comments are qualified (i.e., are subject to conventional industry tolerances EXCEPT WHERE THE REQUIREMENT IS STATED AS A RANGE WITH SPECIFIC MINIMUM AND MAXIMUM END POINTS." Thus, PAC's comments probably don't apply to the project. The PAC comments confirm that the ADA cross-slope requirement is a maximum value and is not subject to construction tolerance. The 2010 ADA Standards states "The cross slope of walking surfaces shall not be steeper than 1:48." A conversion to percent is not provided as part of the Standards. The 2010 ADA Standard sub-section 403.3 is attached for your convenience (due to the standard being a protected document, a screen shot of the page was provided).

3. The University of Texas' Center of Transportation's "study" can be disregarded. Frankly, I don't understand why it was cited as any type of authority. The study was performed in 2001 to determine the maximum cross-slope based on various attributes of disabled persons and the physical site conditions.

4. Core Tech and DPW's inspection of Project sidewalks differ substantially. DPW can reasonably rely on its inspections as it conducted an additional inspection for quality assurance purposes. Also, I assume the color coded sheets are based on Core Tech's inspections. The sheets need to be double checked against DPW's inspections. Based on a quick review, the color coded sheets are a revision to the proposed sidewalk resolution submitted on November 8, 2016 with only the panels with a cross-slope greater than 3.0% highlighted.

5. It is my understanding that DPW previously expressed concerns with Core Tech's proposed plan to grind sidewalks. Am I correct in assuming these concerns remain current? That is correct. The required sidewalk thickness is 4-inches. The review comments to the 11/8/16 submittal allowed Core Tech to grind a maximum of 1/2 inches to bring the sidewalk cross-slope into compliance. This would allow grinding for cross-slopes between 2.0% and 2.5% for the 8-foot wide sidewalk. Slopes beyond 2.5% would require full replacement.

6. I discussed Mr. Marks letter briefly with Mike Lanning this afternoon. He noted that the ADA statute contains language such as "shall not exceed". This does not appear to provide DPW and FHWA any latitude to compromise on the non conforming sidewalks. I plan to research the issue further. Also, DPW is still working under a US District Court Order to correct earlier work that violated the ADA. I will review the Order again and get back to you on any specific provisions that apply to the current project. A copy of the 2010 ADA Standards subsection 403.3 is provided for your convenience.

In closing, I question Mr. Servino's involvement as well as what, if any, weight should be given to his "opinion". Nonetheless Mr. Servino references to the 2010 ADA Standards and other legitimate cites warrant review. I was hoping we could review Mr. Marks letter and enclosures following this week's GTG meeting. As the meeting was cancelled possibly we can schedule a telephone conference call early next week to discuss.

Please forward this message and attachments to anyone that I may have missed. Please also contact me if any questions. Thanks.

Tom

Saina Ma'ase,

Si Thomas P. Keeler

Assistant Attorney General

Office of the Attorney General

590 South Marine Corps Dr.

Ste. 706, ITC Bldg.

Tamuning, Guam 96931

Tel. No.: (671) 475-3324

Fax No.: (671) 472-2493

Email: [tkeeler@guamag.org](mailto:tkeeler@guamag.org)<<mailto:tkeeler@guamag.org>>

Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkZX8XbN7RHADuJiAqJpLLIU&m=jIscp44GRkTigm-CJVR47S4n5hh12V\\$gmOp07IiU7Gi&s=Yv0FBjs6f9IikG8Y-PTy2-NdGh3Do4fvkUNJHRKQcX4&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkZX8XbN7RHADuJiAqJpLLIU&m=jIscp44GRkTigm-CJVR47S4n5hh12V$gmOp07IiU7Gi&s=Yv0FBjs6f9IikG8Y-PTy2-NdGh3Do4fvkUNJHRKQcX4&e=)

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**From:** Tom Keeler  
**To:** Takara, Richelle (FHWA); Lanning, Michael; Yao, David; joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Parsons, GuamPWDocControl; Moretto, John  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance  
**Date:** Thursday, May 04, 2017 7:55:54 AM

---

Richelle,

Thanks for the comments. I believe the reference to other states compliance with slope requirements pertinent and will incorporate into a revised draft. Am working today on a brief but hope to provide a revised Draft letter to Core Tech by Monday, May 8, 2017.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYldfxlq10&r=N8i0L5dC7c6hei2-DGOkZX8Xbnb7RHaDujiAqJpLLIU&m=W-3jVvqsvGLuPiv6mkeh5eYaOk\\_bCpDav6tkV63XU&s=44iIS6Htxu\\_B66yVX\\_3-Bui2K2FPqSsUb-r98DN97rl&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=N8i0L5dC7c6hei2-DGOkZX8Xbnb7RHaDujiAqJpLLIU&m=W-3jVvqsvGLuPiv6mkeh5eYaOk_bCpDav6tkV63XU&s=44iIS6Htxu_B66yVX_3-Bui2K2FPqSsUb-r98DN97rl&e=)

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---

**From:** Takara, Richelle (FHWA) [Richelle.TAKARA@dot.gov]  
**Sent:** Thursday, May 04, 2017 4:07 AM  
**To:** Lanning, Michael; Tom Keeler; Yao, David; joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Parsons, GuamPWDocControl; Moretto, John  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

There is a statement in the January 13, 2017 portion:

Further, Director Servino indicated that the project is Federally funded and compliance with Federal regulation is required. DPW has yet to receive a recommendation letter on the sidewalk cross-slopes from Director Servino, nor does it expect to.

Should this be changed as we now have a letter from DISID?

Also, I thought there was some discussion of issuing a statement of Technical Infeasibility for portions of the project. Technically infeasible is defined by ADAG as "Something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements." An example that is relevant to a roadway is "meeting slope requirements on existing developed sites located on steep terrain where necessary re-grading and other design solutions are not feasible."

Attached is an example of a form used by Michigan DOT. I saw other states using this form. I think California uses a different one but I didn't like it. There may be other out there that you Guam can use.

I am thinking the list that we have needs to remove these portions before we write a final letter... just a thought.

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

**From:** Lanning, Michael [mailto:Michael.Lanning@parsons.com]  
**Sent:** Tuesday, May 02, 2017 7:54 PM  
**To:** Takara, Richelle (FHWA); Tom Keeler; Yao, David; joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Parsons, GuamPWDocControl; Moretto, John  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

Richelle,

Just following up on your review of the attached letter. We did not get comments back from you based your email below. The attached version has some minor changes based on comments from Tom.

Let me know if you have any questions.

Mike

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

**From:** Takara, Richelle (FHWA) [mailto:Richelle.TAKARA@dot.gov]  
**Sent:** Friday, March 17, 2017 10:57 AM  
**To:** Tom Keeler <tkeeler@guamag.org>; Yao, David <David.Yao@parsons.com>; joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario <MariaRosario.Alves@parsons.com>; tarasantos89@gmail.com; Lanning, Michael <Michael.Lanning@parsons.com>; Parsons, GuamPWDocControl <GuamPWDocControl@parsons.com>

Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

My brain is not working right now... The letter is a bit confusing and complicated... I will need to look at this on Monday.

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

From: Tom Keeler [mailto:tkeeper@guamag.org]

Sent: Wednesday, March 15, 2017 3:12 PM

To: Yao, David; joaquin.blaz@dpw.guam.gov

Cc: isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquingoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; Takara, Michelle (FWA); Lanning, Michael; Parsons, GuamPWDocControl

Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

Folks,

Attached is a proposed Draft letter to Core Tech. David Yao and Mike Lanning reviewed an earlier draft and submitted substantial comments that have been incorporated into the current draft. I am hoping to discuss the draft following tomorrow's GTG meeting. Please submit any proposed revisions or comments at your earliest possible convenience. Thanks.

Tom

Saina Ma'ase,

Si Thomas P. Keeler

Assistant Attorney General

Office of the Attorney General

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Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=X08J4E61x01jU0yUAfkoOtsW7M8G1TRbn8-6M8xZYg0&m=qcdRUSY2E3APDR6PnjXb0URJqkFXzM\\_GOig15a6gJSQ&s=uEuae6r6xbUgUG5QuDXHRYqE7Uun\\_DDtyOEiWjneGcwM&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=X08J4E61x01jU0yUAfkoOtsW7M8G1TRbn8-6M8xZYg0&m=qcdRUSY2E3APDR6PnjXb0URJqkFXzM_GOig15a6gJSQ&s=uEuae6r6xbUgUG5QuDXHRYqE7Uun_DDtyOEiWjneGcwM&e=)

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---

From: Yao, David [David.Yao@parsons.com]

Sent: Tuesday, February 21, 2017 12:47 PM

To: joaquin.blaz@dpw.guam.gov

Cc: isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquingoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; Tom Keeler; Richelle.TAKARA@dot.gov; Lanning, Michael; Parsons, GuamPWDocControl

Subject: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

Kin,

Attached is the letter to CTI on the ADA non-compliance.

If acceptable, please forward for review and signature by the deputy director.

There are no attachments to the letter.

Thank you,

David Yao, LEED AP

Construction Contract Administrator

590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913 david.yao@parsons.com<mailto:john.doc@parsons.com> - P: +1 671.648.1061 M: +1 671.488.4203

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[email-tagline-envision-more-black.png]

**From:** Lanning, Michael  
**To:** Takara, Richelle (FHWA)  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; Alyes, Maria Rosario; Tom Keeler; joaquin.blaz@dpw.guam.gov; Yao, David  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance - Final Demand Letter  
**Date:** Friday, April 07, 2017 1:32:11 PM  
**Attachments:** 03-16-17 Revised draft letter to Core Tech re Route 1 and 8 Close Out - ....doc

---

Richelle,

There have been some minor edits to the letter since your email below. Do you have any comments.

Mike

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

From: Takara, Richelle (FHWA) [mailto:Richelle.TAKARA@dot.gov]  
Sent: Friday, March 17, 2017 10:57 AM  
To: Tom Keeler <tkeeler@guamag.org>; Yao, David <David.Yao@parsons.com>; joaquin.blaz@dpw.guam.gov  
Cc: isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario <MariaRosario.Alves@parsons.com>; tarasantos89@gmail.com; Lanning, Michael <Michael.Lanning@parsons.com>; Parsons, GuamPWDocControl <GuamPWDocControl@parsons.com>  
Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

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To: Yao, David; joaquin.blaz@dpw.guam.gov  
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Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

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Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
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Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIqI0&r=X08J4E61x0IjU0yUAfkoOtSw7M8G1TRbn8-6M8xZYg0&m=qcdRUSY2E3APDR6PnjXb0URlqKfXzM\\_GOigI5a6gjSQ&s=uEuae6r6xbUgUG5QuDXHRyqE7U\\_n\\_DDtyOEiWjneGcwM&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIqI0&r=X08J4E61x0IjU0yUAfkoOtSw7M8G1TRbn8-6M8xZYg0&m=qcdRUSY2E3APDR6PnjXb0URlqKfXzM_GOigI5a6gjSQ&s=uEuae6r6xbUgUG5QuDXHRyqE7U_n_DDtyOEiWjneGcwM&e=)

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From: Yao, David [David.Yao@parsons.com]  
Sent: Tuesday, February 21, 2017 12:47 PM  
To: joaquin.blaz@dpw.guam.gov  
Cc: isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; Tom Keeler; Richelle.TAKARA@dot.gov; Lanning, Michael; Parsons, GuamPWDocControl  
Subject: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

Kin,

Attached is the letter to CTI on the ADA non-compliance.

If acceptable, please forward for review and signature by the deputy director.

There are no attachments to the letter.

Thank you,

David Yao, LEED AP

Construction Contract Administrator

590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913 david.yao@parsons.com<mailto:john.doe@parsons.com> - P: +1 671.648.1061 M: +1 671.488.4203

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[email-tagline-envision-more-black.png]

**From:** Tom Keeler  
**To:** [Felix Benavente](#); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [joaquin.blaz](#); [Sagrado F. Bilong](#); [Lanning, Michael](#); [Yao, David](#)  
**Subject:** DPW & Core Tech - Route 1/8 Bridges Reconstruction Project  
**Date:** Wednesday, March 29, 2017 6:58:35 PM  
**Attachments:** [03-27-17 Letter from Mr. Marks with enclosures re Non-Conforming Sidewalks.pdf](#)

---

Folks,

Attached hereto is a copy of Mr. Robert Marks, Core Tech, March 27, 2017 letter concerning the above referenced project. Enclosed with Mr. Marks letter are the following:

1. February 23, 2017 letter from Mr. Benito Servino, Department of Integrated Services for Individuals with Disabilities (DISID).
2. 8 color coded sheets purportedly identifying sidewalks sections that Core Tech acknowledges are non conforming.
3. A Procedure plan for bringing the acknowledged non conforming side walks into conformance, with conformance being measured by Mr. Servino's opinion (i.e., February 23, 2017 letter).
4. A picture of equipment and a proposed environmental protection plan for protecting the grinding activity, which are enclosures to Item 3's Procedure Plan.

Mr. Servino's letter raises any number of issues. Some of these include:

1. Mr. Servino's opinion is, I believe, for the most part irrelevant. Core Tech contracted to provide sidewalks that are required to conform to the Plans and Specification and ADA requirements. The work is also subject to FHWA's approval. I am surprised that DISID would interject itself in this matter.
2. The Pacific ADA Center's comments also are not controlling. I note however that PAC's comments are qualified (i.e., are subject to conventional industry tolerances EXCEPT WHERE THE REQUIREMENT IS STATED AS A RANGE WITH SPECIFIC MINIMUM AND MAXIMUM END POINTS." Thus, PAC's comments probably don't apply to the project.
3. The University of Texas' Center of Transportation's "study" can be disregarded. Frankly, I don't understand why it was cited as any type of authority.
4. Core Tech and DPW's inspection of Project sidewalks differ substantially. DPW can reasonably rely on its inspections as it conducted an additional inspection for quality assurance purposes. Also, I assume the color coded sheets are based on Core Tech's inspections. The sheets need to be double checked against DPW's inspections.
5. It is my understanding that DPW previously expressed concerns with Core Tech's proposed plan to grind sidewalks. Am I correct in assuming these concerns remain current?
6. I discussed Mr. Marks letter briefly with Mike Lanning this afternoon. He noted that the ADA statute contains language such as "shall not exceed". This does not appear to provide DPW and FHWA any latitude to compromise on the non conforming sidewalks. I plan to research the issue further. Also, DPW is still working under a US District Court Order to correct earlier work that violated the ADA. I will review the Order again and get back to you on any specific provisions that apply to the current project.

In closing, I question Mr. Servino's involvement as well as what, if any, weight should be given to his "opinion". Nonetheless Mr. Servino references to the 2010 ADA Standards and other legitimate cites warrant review. I was hoping we could review Mr. Marks letter and enclosures following this week's GTG meeting. As the meeting was cancelled possibly we can schedule a telephone conference call early next week to discuss.

Please forward this message and attachments to anyone that I may have missed. Please also contact me if any questions. Thanks.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: [tkeeler@guamag.org](mailto:tkeeler@guamag.org)

Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i0I5dC7c6hei2-DGOkZX8XbNb7RHADuJiAqJpLLIU&m=jlscp44GRkTigm-CJVR47S4n5hh12VSGmQp07IiU7GI&s=Yv0FBjs6f9IikG8Y-PTy2-NdGh3Do4fvkUNJHRKQcX4&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i0I5dC7c6hei2-DGOkZX8XbNb7RHADuJiAqJpLLIU&m=jlscp44GRkTigm-CJVR47S4n5hh12VSGmQp07IiU7GI&s=Yv0FBjs6f9IikG8Y-PTy2-NdGh3Do4fvkUNJHRKQcX4&e=)

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# CORE TECH INTERNATIONAL CORPORATION

General Contractor  
388 South Marine Corps Drive, Suite 400 Tamuning, Guam 96913  
Phone: (671) 473-5000 . Fax: (671) 473-5500  
Email: main@coretechintl.com

## Letter of Transmittal

TO: PARSON

Parson Transportation Group Inc.

590 South Marine Corps Drive, ITC Bldg. Suite 403

DATE	27-Mar-17	REF:	398
ATTENTION:	David Yao		
THRU:			
RE:	Route 8, Route 1 Intersection Improvements and Agaña Bridges Replacement Project No. GU-DAR-T101(001)		

WE ARE SENDING YOU  Enclosed  Under separate cover via \_\_\_\_\_ the following items:

- |  |                                       |   |   |
|--|---------------------------------------|---|---|
| <input type="checkbox"/> Shop drawings             | <input type="checkbox"/> Calculations | <input type="checkbox"/> Addendum       | <input type="checkbox"/> Erection drawings  |
| <input checked="" type="checkbox"/> Letter         | <input type="checkbox"/> Change Order | <input type="checkbox"/> Specifications | <input type="checkbox"/> Product Literature |
| <input checked="" type="checkbox"/> Data as listed | <input type="checkbox"/> Plans        | <input type="checkbox"/> Samples        | <input type="checkbox"/> _____              |

COPIES	DATE	NO.	DESCRIPTION
1	03/27/17	1	Ben Servino's letter - Cross slopes on the concrete sidewalks
1	03/27/17	2	Rob Marks letter
1	03/27/17	3	Sidewalk Drawings
1	03/27/17	4	Procedure plan for driveways & sidewalks in excess of 3% slope with BMP's attachment

TRANSMITTED AS CHECKED BELOW:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> FOR APPROVAL | <input type="checkbox"/> APPROVED AS NOTED                  | <input type="checkbox"/> FOR BIDS DUE            |
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| <input type="checkbox"/> AS REQUESTED            | <input type="checkbox"/> RETURN _____ COPY STAMPED RECEIVED |  |

REMARKS:

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 MAR 27 2017  
 PE 4:41 PM  
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 Sign Name Here

**Roberto C. Patawaran**  
PRINT NAME / TITLE

PRINT NAME / TITLE



Benito "Ben" Servino  
DIRECTOR

# Department of Integrated Services for Individuals with Disabilities

Dipåtamenton Programa Para I Maninutet  
Government of Guam



Eddie Baza Calvo  
GOVERNOR

Ray Tenorio  
LIEUTENANT GOVERNOR

February 23, 2017

DISID Ref. No. 1702-2446

**TO:** Mr. Robert Marks  
CoreTech

**SUBJECT:** Cross-slopes on the concrete sidewalks along Route 1, Marine Corps Drive

Dear Mr. Marks:

I apologize for not providing you with my research findings regarding measurement tolerances for cross-slopes sooner. Our office is understaffed and other important matters have required my attention.

I also needed time to review the ADA Accessibility Guidelines (ADAAG) and Public Rights of Way Accessibility Guidelines (PROWAG) along with submitting an inquiry with the Pacific ADA Center in Oakland, CA and to review the documents that was provided me from the Center of Transportation Research at the University of Texas at Austin regarding experimental research that was conducted in order to develop maximum and desirable limits for sidewalk cross slopes.

Below, is the response I received from the Pacific ADA Center which provides technical assistance, training, education and written materials regarding the Americans with Disabilities Act (ADA).

"All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points. Conventional industry tolerances recognized by this provision include those for field conditions and those that may be a necessary consequence of a particular manufacturing process. Recognized tolerances are not intended to apply to design work. The 2010 ADA Standards at section 403.3 pertain to the maximum allowable running and cross slopes. The running slope of walking surfaces shall not be steeper than 1:20 (5%). The cross slope of walking surfaces shall not be steeper than 1:48 (2.08%)."

I also have reviewed the Center of Transportation Research at the University of Texas study which recommended greater than a 2% slope be allowed. The research results suggest that cross slopes as high as 10 percent are accessible to a wide variety of people with disabilities however 6 percent is the maximum cross slope for designs that accommodate elderly manual wheelchair users under adverse main slope conditions. The implementation recommendation state that sidewalk cross slopes should be limited to 4 percent where feasible and it should not exceed 10 percent where mitigating factors exist. These research findings and implementation recommendations were shared with the U.S. Access Board for consideration, but have not been approved or included within the guidelines.


My review of the Public Rights of Way Accessibility Guidelines (PROWAG) R302.3 stated that the continuous clear width of pedestrian access routes shall be 1.2 m (4.0 ft) minimum, exclusive of the width of the curb and apply to sidewalks and other pedestrian circulation paths, pedestrian street

238 Archbishop FC Flores St., DNA Building, Ste 702, Hagåtña, Guam 96910  
Phone: 475-4646 · TDD: 477-9183 · Fax: 477-2892

crossings and at-grade rail crossings, and pedestrian overpasses and underpasses and similar structures. Where sidewalks are wider than 1.2 m (4.0 ft), only a portion of the sidewalk is required to comply with the requirements in R302.3 through R302.7. Except as provided in R302.6.1 and R302.6.2, the cross slope of pedestrian access routes shall be 2% maximum and apply to sidewalks and other pedestrian circulation paths, pedestrian street crossings and at-grade rail crossings, and pedestrian overpasses and underpasses and similar structures.

After careful review of all the information listed above and after conducting the on-site inspection and re-measurement readings of the cross slopes of the non-compliant sidewalks, driveways, and pedestrian ramps on Route 1 and Route 8 Intersection on January 13, 2016, it is my opinion that the cross slopes with measurement readings between 2.1-2.5% and 2.6-3.0% are not very significant and can be accepted tolerances due to inconsistencies of the measurement readings which may be caused by variances in equipment calibrations and imperfections within the concrete surfaces. However, cross slopes that have measurement readings between 3.1-3.5 % and 3.6-4.0% and those greater than 4.1% would need to be addressed.

Sincerely,



Benito S. Servino, M.S.  
Director, DISID

Cc: **David Yao**  
Parson Construction Contract Administrator



## CORE TECH INTERNATIONAL CORPORATION

388 South Marine Corps Drive, Suite 400, Tamuning, Guam 96913  
T 671 473 5000 • F 671 473 5500 • www.coretechintl.com • main@coretechintl.com

---

March 27, 2017

Parsons Transportation Group  
590 Marine Corps Drive  
Suite 604  
Tamuning, Guam 96913  
Attn: David Yao

Dear Mr. Yao,

Core Tech International (CTI) has consulted with the Guam Department of Integrated Services and Individuals with Disability (DISID) regarding the allowable tolerance for sidewalk cross slopes on this project. Specifically CTI spoke with Ben Servino, Director of DISID and conducted multiple site walks with him taking various cross slope measurements. The final site walk was on January 13, 2017 and was attended by David Yao (PTG) and Chris Cilione (DPW) in addition to Robert Marks (CTI) and Robert Patawaran (CTI).

Based on these site walks, measurements taken during the site walks, and other research Mr. Servino has performed he produced the attached letter. The letter states that in his opinion, the "cross slopes with measurement readings between 2.1-2.5% and 2.6-3.0% are not very significant and can be accepted tolerances due to inconsistencies of the measurement readings which may be caused by variances in equipment calibrations and imperfections within the concrete surfaces. However, cross slopes that have measurement readings between 3.1-3.5 % and 3.6-4.0% and those greater than 4.1% would need to be addressed."

Based on Mr. Servino's observations and recommendations CTI is resubmitting Submittal No. 398 with a revised limit of only grinding sidewalks with cross slopes over 3.0%. This Submittal contains Mr. Servino's letter, revised Procedures for Sidewalk and Driveway Grinding Work, and revised drawings indication the locations grinding will take place. Grinding will now be performed in areas with a cross slope of over 3.0 percent.

Sincerely,

Robert Marks for  
Core Tech International





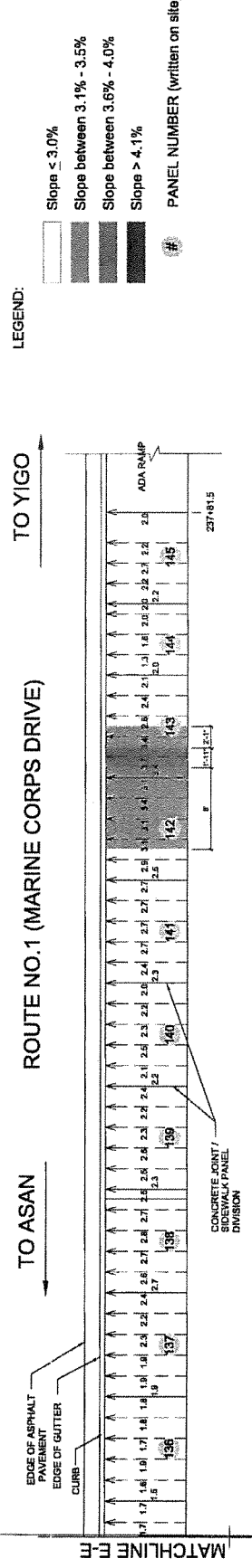
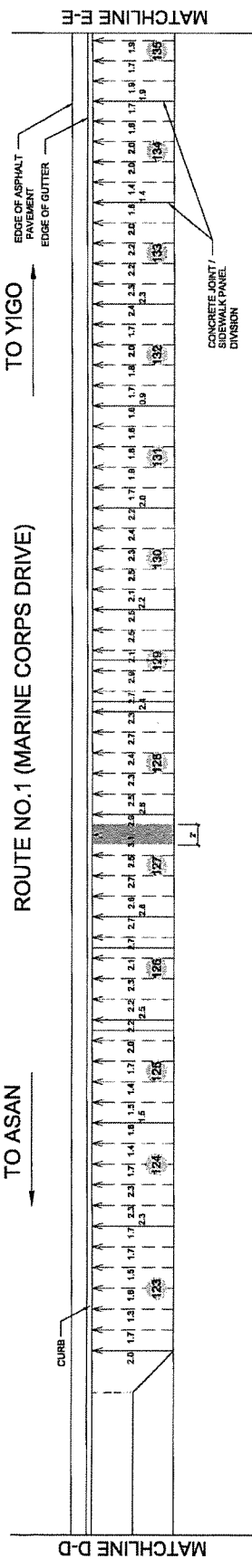
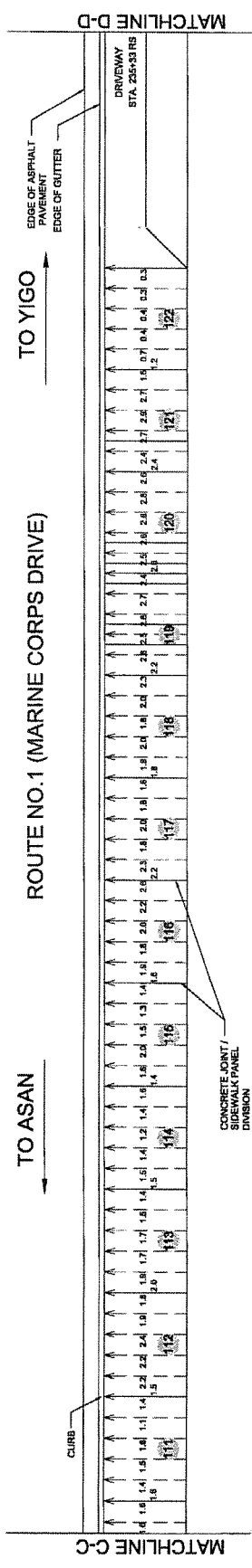
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 BRIDGE REPLACEMENT  
 AGANA, GUAM

CONTRACTOR  
 CORE TECH INTERNATIONAL  
 CORPORATION  
 MARK DATE DESCRIPTION

DATE 08-02-2017  
 DRAWN BY: G.Y.S/O.P.B.  
 CHECKED BY: R.F./M.D.  
 SUPV. BY:

SHEET TITLE  
**CONCRETE SIDEWALK**  
 s/s: 229+04.5 - sta.237+61.5 RS

SHEET NUMBER  
 SHEET 2 OF 2



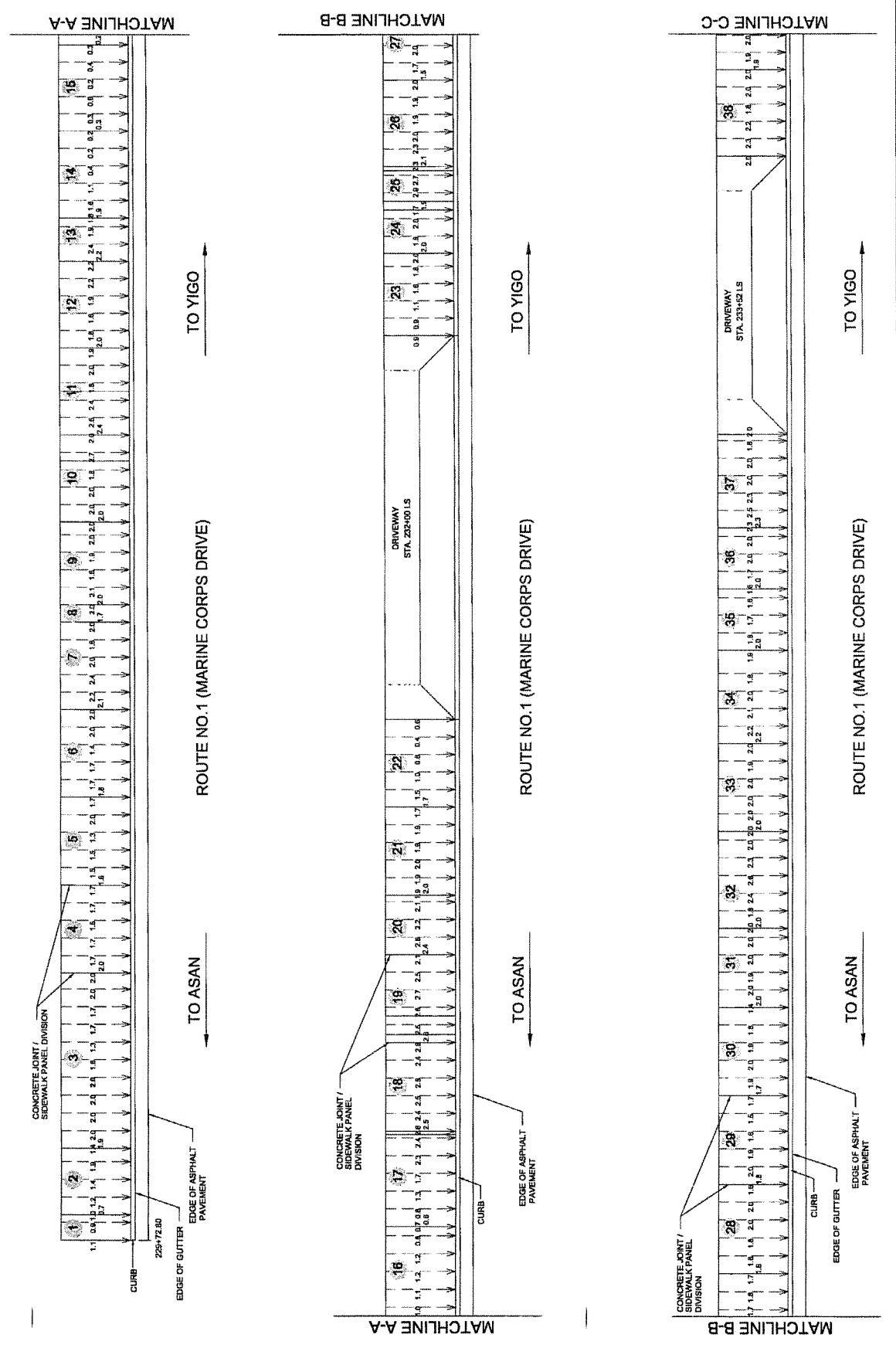
LEGEND:

- Slope ≤ 3.0%
- Slope between 3.1% - 3.5%
- Slope between 3.6% - 4.0%
- Slope > 4.1%
- PANEL NUMBER (written on site)

CONCRETE JOINT / SIDEWALK PANEL DIVISION

**LEGEND:**  Slope < 3.0%  
 Slope between 3.1% - 3.5%  
 Slope between 3.6% - 4.0%  
 Slope > 4.1%

# PANEL NUMBER (written on site)



**CONCRETE JOINT / SIDEWALK PANEL DIVISION**

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**CONCRETE JOINT / SIDEWALK PANEL DIVISION**

**CONCRETE JOINT / SIDEWALK PANEL DIVISION**






PROJECT TITLE	ROUTE 1/A INTERSECTION IMPROVEMENTS AND AGANA BRIDGES REPLACEMENT
AGANA, GUAM	

DATE	09-09-2017
DRAWN BY	G.Y.S/OJ/B
CHECKED BY	R.P/M/D
SUPV. BY	

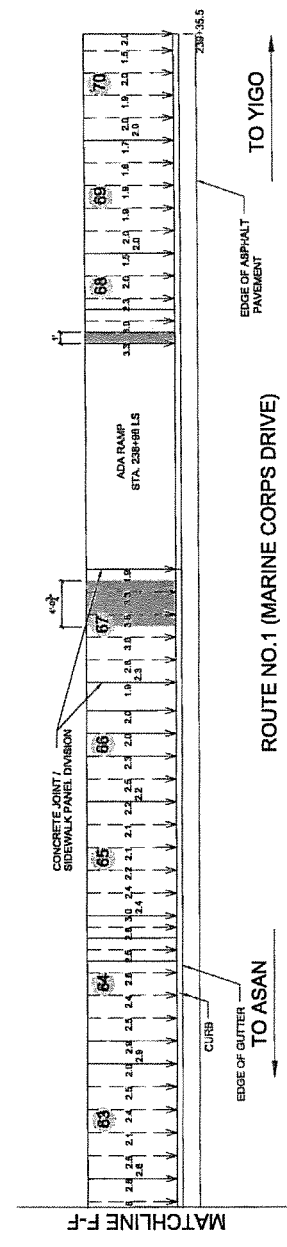
MARK	DATE	DESCRIPTION

CONTRACTOR	CORE TECH INTERNATIONAL CORPORATION
SHEET TITLE	CONCRETE SIDEWALK
	Sta. 228+72.80 LS - Sta. 239+35.5 LS

SHEET NUMBER	
--------------	--

**LEGEND:**

- Slope  $\leq$  3.0%
- Slope between 3.1% - 3.5%
- Slope between 3.6% - 4.0%
- Slope  $>$  4.1%
- PANEL NUMBER (written on site)



ROUTE NO.1 (MARINE CORPS DRIVE)



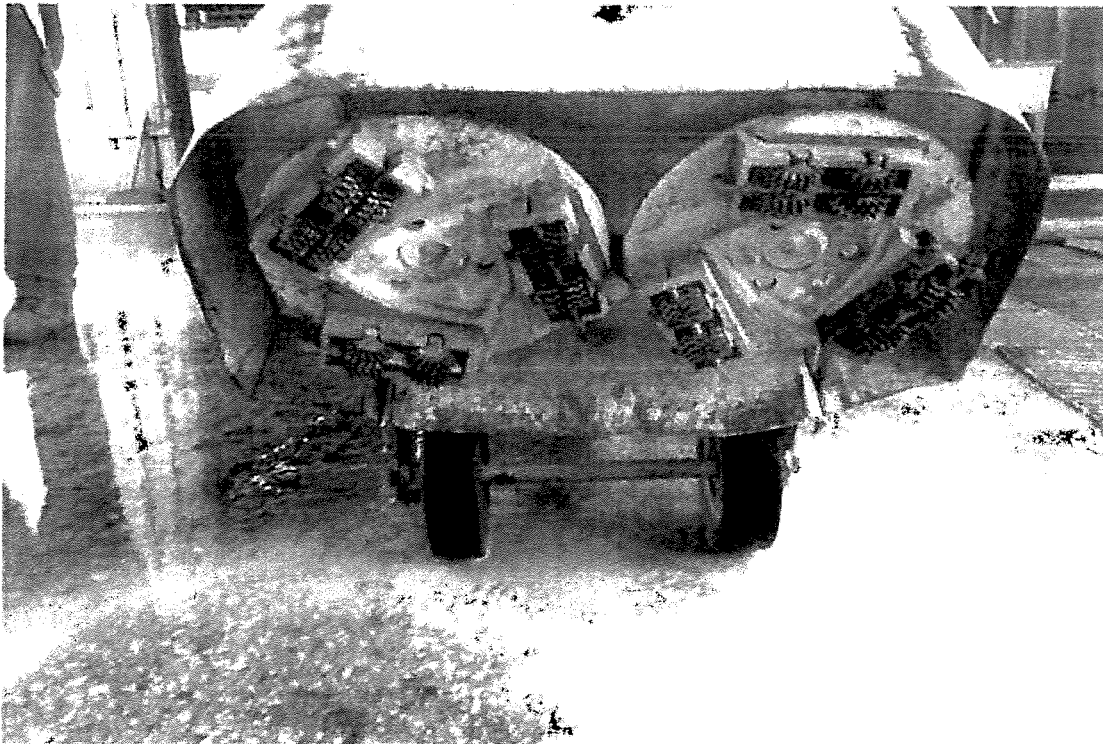


### **Procedure plan - Driveway & Sidewalk in Excess of 3.0% Slope**

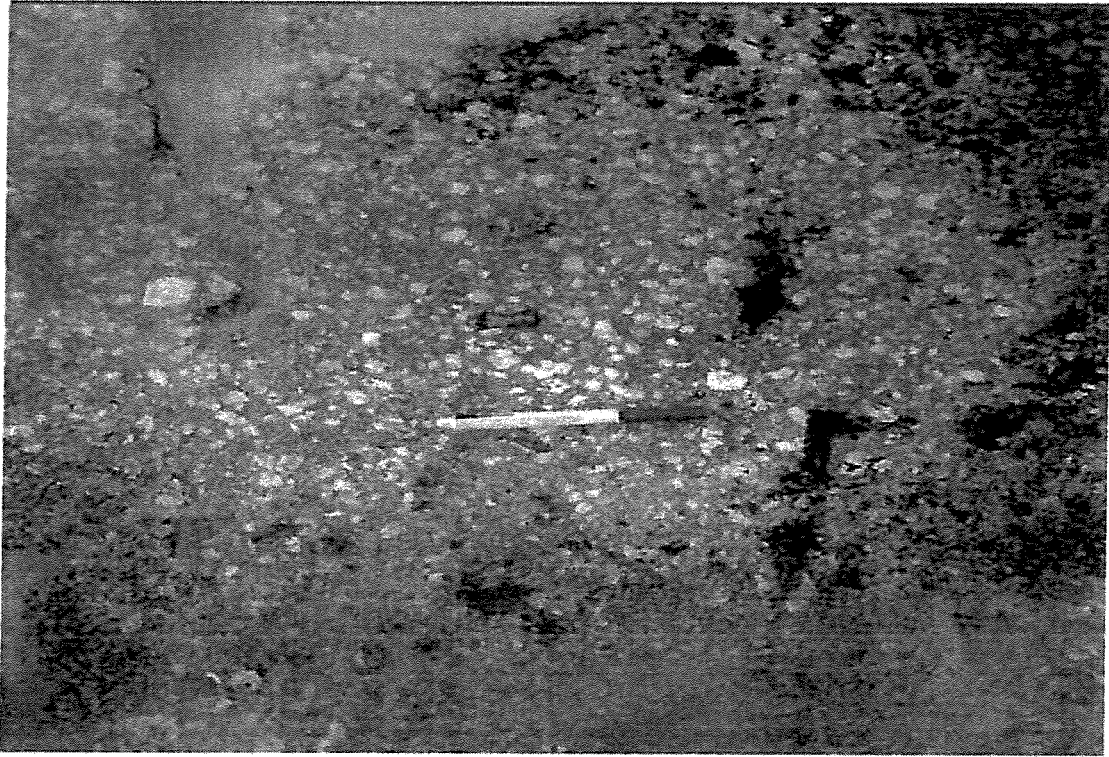
1. Set up the temporary/portable berm to the perimeter of the area.
  2. Set up TTCP.
  3. Grind the concrete using floor grinder machine or other similar machine for all those in excess of 3.0% slope. (see below floor grinding machine image, grinding insert teeth, & texture finish).
  4. After grinding, ensure the smoothness, slope is within the 3.0% (min.) (see texture finished below).
  5. Clean the areas using pressure washing (water blasting machine).
  6. Environmental control for dust & rainwater.
    - 6.1. Make sure that the dust vacuum is installed and working properly.
    - 6.2. Contaminated water/rain water has to be trapped and pump into the container.
    - 6.3 Please see attached drawing re: BMP's.
  7. Cleaning of the target area has to be done after grinding, utilizing the vacuum system on the possible means to make it safe pedestrian and the environment.
  8. Collected contaminated water has to be disposed properly. Use drums to collect water, contact Detry for disposal.
-



Grinding machine (3Hp)



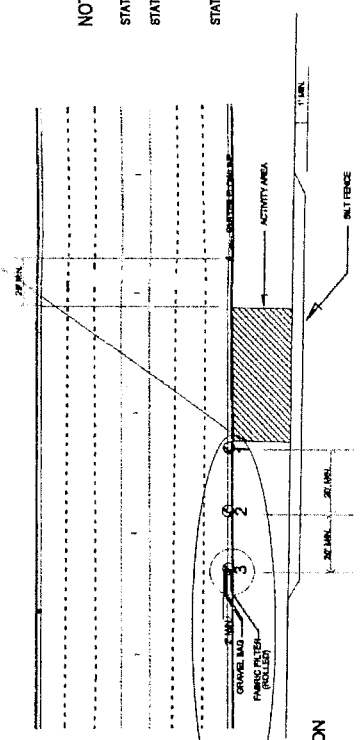
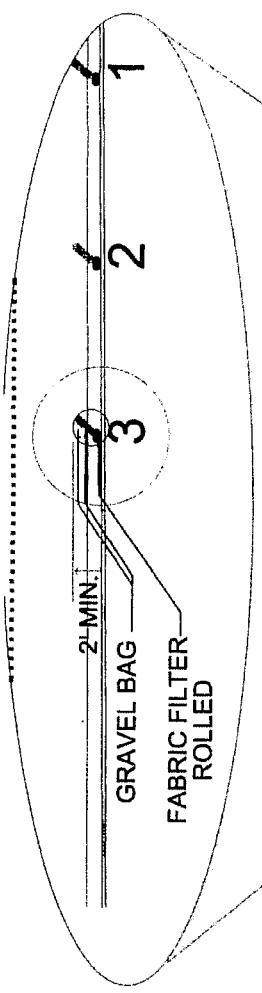
grinding (insert) teeth



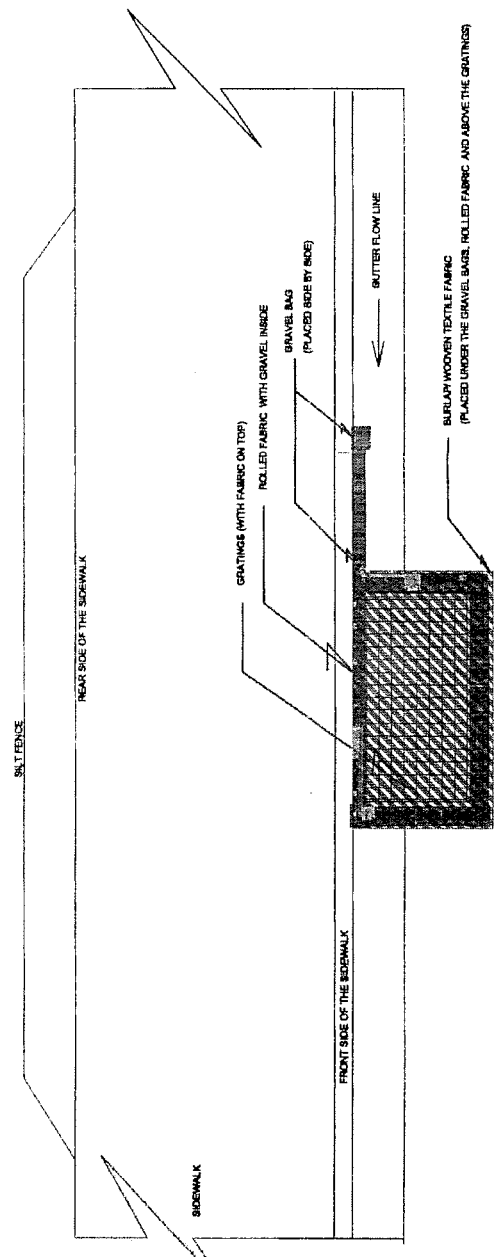
Texture finish of grinded concrete

**NOTE:**

STATION 1: FILTER THE CONTAMINATED WATER. MANUALLY SCOPE THE SOLID PARTICLES FROM THE WATER.  
 STATION 2: CAPTURE THE CONTAMINATED WATER THRU A VACUUM PUMP OR THE FLOOR DRAIN PUMP OR ANY OTHER POSSIBLE WAY TO RECYCLE IN A SEWAGE CONTAINER. THE CONTAMINATED MATERIAL HAS TO BE DISPOSED PROPERLY OUTSIDE THE WORK AREA.  
 STATION 3: IN CASE THERE IS RUN OR OVERFLOW WATER, FILTER THE EXCESS WATER BEFORE IT GOES TO THE DRAIN INLETS.



PROPOSED ENVIRONMENTAL PROTECTION FOR THE SIDEWALK GRINDING ACTIVITY



PROPOSED BMP FOR THE INLET (TYPE 2A)



**From:** Tom Keeler  
**To:** Yao, David; joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarnosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; Richelle.TAKARA@dot.gov; Lanning, Michael; Parsons, GuamPWDocControl  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance  
**Date:** Thursday, March 16, 2017 11:12:15 AM  
**Attachments:** 03-16-17 Revised draft letter to Core Tech re Route 1 and 8 Close Out - 10 day Notice.doc

---

Folks,

Attached is a proposed Draft letter to Core Tech. David Yao and Mike Lanning reviewed an earlier draft and submitted substantial comments that have been incorporated into the current draft. I am hoping to discuss the draft following tomorrow's GTG meeting. Please submit any proposed revisions or comments at your earliest possible convenience. Thanks.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i0I5dC7c6hei2-DGOkZX8XbN67RHaDufiAqJpLLIU&m=nKn-fige7jgEZko4PuZl\\_pdVYMLxWyG8AYF0ZBDTZG4&s=6U9L4DnupPNqgtQyfcBvVJot\\_7u41HVw8hV-mqooSeE.&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i0I5dC7c6hei2-DGOkZX8XbN67RHaDufiAqJpLLIU&m=nKn-fige7jgEZko4PuZl_pdVYMLxWyG8AYF0ZBDTZG4&s=6U9L4DnupPNqgtQyfcBvVJot_7u41HVw8hV-mqooSeE.&e=)

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---

**From:** Yao, David [David.Yao@parsons.com]  
**Sent:** Tuesday, February 21, 2017 12:47 PM  
**To:** joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarnosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; Tom Keeler; Richelle.TAKARA@dot.gov; Lanning, Michael; Parsons, GuamPWDocControl  
**Subject:** GU-DAR-TI01 (001) - Route 1/8 Intersection - ADA Non-Compliance

Kin,

Attached is the letter to CTI on the ADA non-compliance.

If acceptable, please forward for review and signature by the deputy director.

There are no attachments to the letter.

Thank you,

David Yao, LEED AP  
Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913  
david.yao@parsons.com<mailto:john.doe@parsons.com> - P: +1 671.648.1061 M: +1 671.488.4203

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| [Twitter](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_ParsonsCorp&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNlh6dnFYPIlyq_2-DmjppFBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTiGS3BUxvV00BEGOU_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwJhIriBrfKZFLrGZqU0si4k0&e=>)<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_twitter.com\\_ParsonsCorp&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=iZNlh6dnFYPIlyq\\_2-DmjppFBmIHuB7rIGd\\_TCe7N6M&m=98igw8OxyFTiGS3BUxvV00BEGOU\\_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwJhIriBrfKZFLrGZqU0si4k0&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_ParsonsCorp&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNlh6dnFYPIlyq_2-DmjppFBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTiGS3BUxvV00BEGOU_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwJhIriBrfKZFLrGZqU0si4k0&e=>)>  
| [Facebook](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_parsonscorporation&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNlh6dnFYPIlyq_2-DmjppFBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTiGS3BUxvV00BEGOU_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnEfr5XfqTV8qgTS6KitqecVbnxHw&e=>)<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.facebook.com\\_parsonscorporation&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=iZNlh6dnFYPIlyq\\_2-DmjppFBmIHuB7rIGd\\_TCe7N6M&m=98igw8OxyFTiGS3BUxvV00BEGOU\\_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnEfr5XfqTV8qgTS6KitqecVbnxHw&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_parsonscorporation&d=BQMFaQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=iZNlh6dnFYPIlyq_2-DmjppFBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTiGS3BUxvV00BEGOU_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnEfr5XfqTV8qgTS6KitqecVbnxHw&e=>)>

[email-tagline-envision-more-black.png]



*The Honorable*  
**EDDIE BAZA CALVO**  
*Governor*

*The Honorable*  
**RAY S. TENORIO**  
*Lieutenant Governor*



**DRAFT – March 16, 2017**

Ms. Conchita Bathan  
Chief Executive Officer  
Core Tech International \_\_\_\_  
388 South Marine Corps Drive  
Suite 400  
Tamuning, Guam 96913

**Re: Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement  
Project No. GU-DAR-T101(001)  
Final Demand to Complete Project**

Dear Ms. Bathan:

On August 16, 2011 the Department of Public Works (“DPW”) and Core Tech International Corporation (“CTI”) entered into a Design-Build Contract (“Contract”) for the above referenced project (“Project”). The Contract provided for the Project to be completed in 784 calendar days of DPW’s Notice to Proceed, which CTI received on October 4, 2011. The Contract included a liquidated damages provision requiring CTI to pay \$3,300 per month following the completion date, as may be extended by Change Order, until Substantial Completion was achieved, at which time liquidated damages would be reduced to a daily charge of \$660.

Substantial Completion was achieved on August 25, 2016. As of August 26, 2017 there were a number of close out items needed to achieve Final Acceptance with two (2) major items remaining. The first of these items requires CTI to replace non-compliant permanent traffic control signs and correct the installation that does not meet the DPW Standards provided as part of the Request for Proposal (“RFP”). DPW does not understand the delay in completing the signage and estimates that this can be completed within 10 days receipt of this letter.

The other outstanding item DPW demands CTI address is the Project’s sidewalks, driveways, and pedestrian ramps that are non-compliant with the Americans with Disabilities Act (“ADA”). As discussed in further detail herein, DPW initial survey indicates that over 80% of the Project sidewalks are ADA non-compliant while CTI has acknowledged that nearly 60% fail to comply with the Federal Law.

Below is a list of events related to the ADA non-compliant sidewalks and sidewalk ramps

on the Project. The list is intended to high light key dates concerning the Project sidewalks and is not considered all inclusive. These events are as follows:

- April 2013: DPW provided CTI with an updated Open Issues/Deficiencies List.
- June 12, 2014: DPW issued Non-Conformance Report (“NCR”) to CTI on ADA deficiencies for the sidewalk.
- August 11, 2014: Parsons Transportation Group (“PTG”) provided CTI with the sidewalk survey data performed by DPW’s project inspectors showing 83.1% of the sidewalk cross-slope as being non-compliant.
- October 9, 2014: CTI submitted its survey of the sidewalk cross-slopes that acknowledged 58.2% of the sidewalk panels are non-compliant. This is significantly less than the 83.1% as determined by DPW.
- November 21, 2014: DPW and PTG met with CTI to discuss the non-compliance. DPW requested CTI to submit a proposed procedure to correct the non-compliance issues by December 1, 2014 for DPW’s review and approval prior to proceeding with any corrective work.
- November 10, 2015: DPW and CTI met on-site with Director Ben Servino, Guam Department of Integrated Services for Individuals with Disabilities (“DISID”) to review the non-compliant sidewalk cross slope. Following the meeting Director Servino instructed CTI to comply with the contract requirements.
- April, 26, 2016: At CTI’s request, PTG held a site review meeting with CTI’s new field management team to clarify the non-compliance. During this meeting, Mr. Robert Marks, CTI’s new Project Manager, mentioned that CTI was considering grinding the non-compliant areas to bring the 4-inch thick sidewalk into conformance. Grinding may be a potential solution; however, PTG and CTI agreed that the grinding may create a non-compliant surface for slip resistance and visual appearance. If CTI wishes to pursue grinding as a possible solution, it was suggested that a test area be ground for DPW’s review and approval. This suggestion was not an agreement that removal or replacement of the non-compliant sidewalk panels would not be necessary. (Ref. DPW letter dated 05/25/16).
- May 25, 2016: DPW’s letter to CTI noted that it had yet to receive any proposed resolutions to ADA deficiencies.

- August 31, 2016: DPW issued a letter requesting an update for the proposed ADA resolution and the completion schedule for the outstanding work CTI committed to submitting by August 17, 2016 during the August 3, 2016 Construction Progress Meeting.
- September 21, 2016: The parties held a Construction Progress Meeting. The minutes memorialized that CTI had only submitted proposed resolution for the driveways and temporary traffic control plans to perform the work at pedestrian ramps. The meeting minutes document that CTI was still working on finalizing the proposed plans for pedestrian ramps and sidewalk slopes.
- September 26, 2016: DPW provided CTI with a Punch List resulting from the parties final inspection. The Punch List was a consolidation of the following:
  1. Unresolved items from the Open Issues/Deficiencies List initially provided to CTI in December 2013 that was periodically updated during the course of the Project.
  2. Unresolved items from the Open Issues List presented during the March 12, 2015 meeting between PTG and CTI's senior management.
  3. In excess of 60 deficiencies noted during the Final Inspection of the Route 1, Route 8 and Bridge 1 portion of the Project. 09-26-16 letter.
- November 8, 2016: CTI submitted its proposed plan to grind the 4-inch thick sidewalk to bring all non-compliant cross-slope into compliance. The proposed plan indicated that 52.6% of the sidewalk panels are non-compliant.
- December 12, 2016: DPW completed its review and rejected the proposed plan for the following reasons:
  - The proposed plan required more than 2 inches of grinding in some areas to bring the 4-inch thick sidewalk cross-slope into compliance. This effectively reduces the strength and durability of the sidewalk;
  - The plan did not address the sidewalk continuity with adjacent surfaces or ride smoothness in the direction of travel;
  - Locations of the non-compliant panels are inconsistent with the CTI's survey information submitted on October 9, 2014;
  - The proposed plan did not address the reduction of the concrete cover for the reinforced sidewalk panels at the bridge.

- December 2016: CTI conducted a second on-site meeting with DISID Director Servino in December 2016. Neither DPW nor PTG was notified of the meeting. During the December 19, 2016 Construction Progress Meeting, CTI reported to DPW that Director Servino will perform a review of the sidewalk cross-slope and issue a findings report. CTI also reported that during this site meeting, Director Servino measured and determined that the transition ramp from the sidewalk to the driveway crossing as installed was acceptable.
- DPW doubts whether Director Servino ever made this such a statement. His responsibility with DISID is to enforce ADA compliance, and not to issue waivers.
- January 13, 2017: CTI conducted a third on-site meeting with DISID Director Servino with DPW and PTG. The purpose of the meeting was for Director Servino to review and verify the measurements for the non-compliant cross-slopes. Director Servino informed the group that he will provide recommendations to DPW based on his findings. The recommendations will not overrule the ADA requirements issued by the Department of Justice, but will provide guidance on acceptability. Further, Director Servino indicated that the project is Federally funded and compliance with Federal regulation is required. DPW has yet to receive a recommendation letter on the sidewalk cross-slopes from Director Servino, nor does it expect to. Furthermore, DPW is the party responsible for accepting or rejecting the non-conforming sidewalk work. DPW has not, and will not, accept any sidewalk work that fails to meet Project specifications. Second, the Project is fully funded by the Department of Defense and overseen by the Federal Highway Administration (“FHWA”) who is not authorized to pay for work that does not meet contract requirements, including the ADA. Finally, even if DPW were inclined to accept CTI’s non-conforming sidewalk work, which it isn’t, it does not have the authority to waive ADA requirements. ADA requirements are established by law and are strictly enforced. In 2001 then Governor Carl T. C. Gutierrez, then DPW Director Joseph W. Duenas and DPW were sued for alleged violations of sidewalks and public road access. *See, Roland L.G. Taimanglo vs. Carl T.C. Gutierrez, in his capacity as Governor of Guam, et.al.*, U.S. District Court Civil Case No. 01-00047. Under the terms of a November 15, 2004 Settlement Agreement DPW continues to perform remediation on non-compliance with the ADA and file bi-annual reports with the District Court.

In early August 2016 CTI committed to submitting a schedule to complete the close-out items. As with similar contractual obligations to provide acceptable schedules throughout the Project, CTI has yet to submit a close out schedule. CTI has failed to submit a close out schedule despite regular follow-up requests by DPW.

DPW does not consider it appropriate to call the ADA non-compliant sidewalks and sidewalk ramps a "close out" item. CTI has been on formal notice of the need to correct the defective concrete work since June 12, 2014. Since that time CTI has failed or otherwise refused to take corrective action needed to bring it in compliance with contract terms and ADA requirements mandated by Federal Law. It appears CTI's efforts have been more focused on attempting to obtain a waiver than correcting the non-compliant sidewalks.

This serves to notify CTI that it has 10 days from receipt of this letter to 1) complete the past due signage work; and 2) submit a plan acceptable to DPW and the FHWA for how to bring all Project sidewalks, driveways and pedestrian ramps into full compliance with its contractual obligations and ADA requirements. CTI's proposal is also required to provide a firm deadline for completing all outstanding items.

If CTI fails or otherwise elects to not submit a proposal as discussed herein, DPW intends on terminating the Contract, completing the Project in conformance with the Contract's plans and specifications and the ADA requirements. The cost of completing the Project will be deducted from the contract value.

Please contact my office if you have any questions.

Sincerely,

FELIX C. BENAVENTE

Cc: Elizabeth Barrett-Anderson, Guam Attorney General (*via email only*)

**From:** [Lanning, Michael](#)  
**To:** [Yao, David](#); [Tom Keeler](#); [joaquin.blaz](#)  
**Subject:** RE: DPW & Route 1/8 Bridges Reconstruction Project  
**Date:** Thursday, March 16, 2017 9:53:34 AM  
**Attachments:** [LTR DPW-CTI Final Demand to Complete Project 14MAR2017 DY ML.doc](#)

---

Tom,

See attached with some minor edits from what David had provided earlier. The dollar value for the last paragraph needs to be checked before we can put it in.

Mike

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

From: Yao, David  
Sent: Wednesday, March 15, 2017 11:45 PM  
To: Tom Keeler <[tkeeler@guamag.org](mailto:tkeeler@guamag.org)>; Lanning, Michael <[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)>; [joaquin.blaz](mailto:joaquin.blaz@dpw.guam.gov)  
<[joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)>  
Subject: RE: DPW & Route 1/8 Bridges Reconstruction Project

All,

Please see attached edit.

Also attached is the default notification to CTI's surety.

Thank you,

David Yao, LEED AP  
Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913 [david.yao@parsons.com](mailto:david.yao@parsons.com) - P: +1 671.648.1061 M: +1 671.488.4203

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

From: Tom Keeler [<mailto:tkeeler@guamag.org>]  
Sent: Wednesday, March 15, 2017 12:43 PM  
To: Lanning, Michael <[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)>; Yao, David <[David.Yao@parsons.com](mailto:David.Yao@parsons.com)>; [joaquin.blaz](mailto:joaquin.blaz@dpw.guam.gov)  
<[joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)>  
Subject: DPW & Route 1/8 Bridges Reconstruction Project

Confidential Attorney/Client Privileged Communication

Gents,

Attached is a ROUGH DRAFT letter to Core Tech. The letter is intended to place Core Tech on notice that it has 10 days to complete Project signage and submit an acceptable plan and timetable to correct all ADA non-compliant sidewalks and sidewalk ramps. I don't consider it critical to reference dates of letters, etc. in the bullet pointed items. The primary purpose of the bullet points is to document Core Tech's lack of diligence on the Project. After DOA purged my computer I lost my electronic files. As such, feel free to add information to the first few paragraphs, as

you deem appropriate. I also want to insert the date of DPW's letter to Core Tech's bonding company putting it on notice of default. Please provide me another copy of the letter when providing comments to the draft.

I am limiting this message to the 3 of you. Once in receipt of your comments I intend on forwarding the draft to others, including Richelle.

Please note that this is a PRIVILEGED communication. Parsons does not need to maintain a copy. I will maintain a copy in my Project log for confidential communications.

Please contact me if you have any questions. Thanks.

Tom

Saina Ma'ase,

Si Thomas P. Keeler

Assistant Attorney General

Office of the Attorney General

590 South Marine Corps Dr.

Ste. 706, ITC Bldg.

Tamuning, Guam 96931

Tel. No.: (671) 475-3324

Fax No.: (671) 472-2493

Email: [tkeeler@guamag.org](mailto:tkeeler@guamag.org)

Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i0l5dC7c6hei2-DGOkZX8XbNb7RHaduJiAqJpLLIU&m=4iDvgUU-XdFDyej3aJEkJF9R5rhvmqkiHSmExrUzKJU&s=14DdStI7wCF2jypPZyi-lbsjdQq54ee7PsDIlZbke90&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i0l5dC7c6hei2-DGOkZX8XbNb7RHaduJiAqJpLLIU&m=4iDvgUU-XdFDyej3aJEkJF9R5rhvmqkiHSmExrUzKJU&s=14DdStI7wCF2jypPZyi-lbsjdQq54ee7PsDIlZbke90&e=)

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The Honorable  
EDDIE BAZA CALVO  
Governor

The Honorable  
RAY S. TENORIO  
Lieutenant Governor



Director  
FELIX C. BENAVENTE  
Deputy Director

**DRAFT – March 17, 2017**

Ms. Conchita Bathan  
Chief Executive Officer  
Core Tech International Corporation  
388 South Marine Corps Drive  
Suite 400  
Tamuning, Guam 96913

**Re: Route 1/Route 8 Intersection Improvements and Agana Bridges Replacement  
Project No. GU-DAR-T101(001)  
Final Demand to Complete Project**

Dear Ms. Bathan:

On August 16, 2011, the Department of Public Works (“DPW”) and Core Tech International Corporation (“CTI”) entered into a Design-Build Contract (“CONTRACT”) for the above referenced project (“Project”). The Contract provided for the Project to be completed in \_\_\_\_\_784\_\_\_\_\_ calendar days of DPW’s Notice to Proceed, which CTI received on October 4, 2011. The Contract included a liquidated damages provision requiring CTI to pay \$3,300 per month following the completion date, as may be extended by Change Order, until Substantial Completion was achieved, at which time liquidated damages would be reduced to a daily charge of \$660.

Substantial Completion was achieved on August 25, 2016. As of August 26, 2016~~7~~, there were a number of close-out items needed to achieve ~~Full Completion~~Final Acceptance, ~~two (2) of which remain outstanding~~with two major items remaining. The first of these items requires CTI to ~~complete installation of remaining Project signage~~replace non-compliant permanent traffic control signs and correct the installation that does not meet the DPW Standards provided as part of the Request for Proposal (RFP). DPW does not understand the delay in completing the signage and estimates that ~~such~~this can be completed within 10 days receipt of this letter.

The other outstanding item DPW demands CTI address is the Project’s sidewalks, driveways, and pedestrian ramps that are non-compliant with the Americans with Disabilities Act & Rehabilitation Act (“ADA”). As discussed in further detail herein, DPW’s initial survey estimates that ~~68%~~indicates over 80% of the Project sidewalks are ADA non-compliant while CTI has acknowledged that ~~nearly 54~~60% fail to comply with the Federal Law.

Below is a list of events related to the ADA non-compliant sidewalks and sidewalk ramps on the Project. The list is intended to high-light key dates concerning the Project sidewalks and is -not considered all inclusive. These events are as follows:

- ~~December-April 2013: DPW provided CTI with an updated Open Issues/Deficiencies List, which has been updated periodically.~~
- ~~June 12, 2014: DPW notified CTI of ADA deficiencies DPW issued Non-Conformance Report (NCR) 12 to CTI on ADA deficiencies for the sidewalk. On June 14<sup>th</sup> DPW, CTI and PTG met to discuss the non-compliance. DPW requested that CTI submit a proposed procedure to correct the non-compliant slope issues by December 1, 2014.~~
- August 11, 2014: Parsons Transportation Group (PTG) provided CTI with the sidewalk survey data performed by DPW's project inspectors showing 83.1% of the sidewalk cross-slope as being non-compliant.
- ~~October 9, 2014: CTI submitted its assessment-survey of the sidewalk cross-slopes acknowledged that 58.2% -of the sidewalk panels are non-compliant. This is significantly less than the 83.1% as determined by PTG. Date? DPW.~~
- November 21, 2014: DPW and PTG met with CTI to discuss the non-compliance. DPW requested CTI to submit a proposed procedure to correct the non-compliance issues by December 1, 2014 for DPW's review and approval prior to proceeding with any corrective work.
- ~~October 10, 2015: CTI submitted a survey acknowledging that Fifty-Four percent (54%) of the Project sidewalks were non-compliant with both the approved plans and ADA requirements.~~
- ~~November 10, 2015: DPW and CTI met on-site with Director Ben Servino, Guam Department of Integrated Services for Individuals with Disabilities ("DISID") to review the non-compliant sidewalk cross slope. Following the meeting Director Servino instructed CTI to comply with the contract requirements.~~
- ~~Subsequent to the November 1, 2015 meeting CTI's proposed solution was to grind the 4" thick sidewalk. DPW rejected this proposal due to concerns that remaining thickness would not be sufficient. ELABORATE CITE~~
- ~~CTI performed no work to address the ADA non-compliant sidewalks~~

from late 2015 to \_\_\_\_\_

- April 29, 2016: At CTI's request, PTG held a site review meeting with CTI's new field management team to clarify the non-compliance. During this meeting, Mr. Robert Marks, CTI's new Project Manager, mentioned that CTI is considering grinding the non-compliant areas to bring the 4-inch thick sidewalk into conformance. Grinding may be a potential solution; however, PTG and CTI agreed that the grinding may create a non-compliant surface for slip resistance and visual appearance. If CTI wishes to pursue grinding as a possible solution, it was suggested that a test area be ground for DPW's review and approval. This suggestion was not an agreement that removal or replacement of the non-compliant sidewalk panels would not be necessary. (Ref. DPW letter dated 5/25/16)
- May 25, 2016: DPW's letter to ~~wrote~~ CTI ~~noting~~ noted that it had yet to receive any proposed resolutions to ADA deficiencies.
- June 21, 2016: DPW's letter to CTI noted that per prior discussions between Mr. Marks and Mr. David Yao, PTG, CTI planned to submit and obtain approval on the proposed resolution for the ADA deficiencies prior to the end of the Festival of Pacific Arts (FestPac) so that work can commence immediately following FestPac. FestPac ended on June 4, 2016. DPW has yet to receive any proposed resolution to the ADA deficiencies.
- August 31, 2016: DPW issued a letter ~~follows~~ requesting an update for the proposed ADA resolution and the completion schedule for the outstanding work CTI committed to submitting by August 17, 2016 during the ~~up on parties~~ August 3, 2016 Construction Progress Mmeeting wherein CTI agreed to submit a schedule to complete the remaining work.
- September 21, 2016: The parties held a Construction Progress Meeting. The minutes memorialized that CTI had only submitted proposed resolution for the driveways and temporary traffic control plans to perform the work at pedestrian ramps. The meeting minutes documented that CTI was still working on finalizing the proposed plans for pedestrian ramps and sidewalk slopes.
- September 26, 2016: DPW provided CTI with a Punch List resulting from the parties final inspection. The Punch List was a consolidation of the following:
  1. Unresolved items from the Open Issues/Deficiencies List initially provided to CTI in December 2013 that was periodically updated during the course of the Project.
  2. Unresolved items from the Open Issues List presented during

the March 12, 2015 meeting between PTG and CTI's senior management.

3. In excess of 60 deficiencies noted during the Final Inspection of the Route 1, Route 8 and Bridge 1 portion of the Project. 09-26-16 letter.

- November 8, 2016: CTI submitted its proposed plan to grind the 4-inch thick sidewalk to bring all non-compliant cross-slope into compliance. The proposed plan indicated 52.6% of the sidewalk panels are non-compliant.
- December 12, 2016: DPW completed its review and rejected the proposed plan for the following reasons:
  - The proposed plan required more than 2 inches of grinding in some areas to bring the 4-inch thick sidewalk cross-slope into compliance. This effectively reduces the strength and durability of the sidewalk;
  - The plan did not address the sidewalk continuity with adjacent surfaces or ride smoothness in the direction of travel;
  - Locations of the non-compliant panels are inconsistent with the CTI's survey information submitted on October 9, 2014;
  - The proposed plan did not address the reduction of the concrete cover for the reinforced sidewalk panels at the bridge.
- December 2016: CTI conducted a second on-site meeting with DISID Director Servino in December 2016. Neither DPW nor PTG was notified of the meeting. During the December 19, 2016 Construction Progress Meeting, CTI subsequently reported to DPW that Director Servino "that the sidewalk appears to be acceptable as installed" will perform a review of the sidewalk cross-slope and issue a findings report. CTI also reported that during this site meeting, Director Servino measured and determined that the transition ramp from the sidewalk to the driveway crossing as installed were acceptable, and that he would issue a letter with his determination.  
CITE

DPW doubts whether Director Servino ever made this such a statement. His responsibility with DISID is to enforce ADA compliance, and not to issue waivers. DPW has never received the referenced letter from Director Servino, nor does it expect to. Furthermore, whether or not such a letter issued is irrelevant. First, DPW is the party responsible for accepting or rejecting the non-conforming sidewalk work. DPW has not, and will not, accept any sidewalk work that fail to meet Project specifications. Furthermore the Project is funded by the FHWA that is not authorized to pay for work that does not meet contract requirements, including the ADA. Finally, even if DPW were inclined to accept CTI's non-conforming sidewalk work, which it isn't, it does not have the authority to

~~waive ADA requirements. ADA requirements are established by law and are strictly enforced. In 2001 then Governor Carl T. C. Gutierrez, then DPW Director Joseph W. Duenas and DPW were sued for alleged violations of sidewalks and public road access. See, Roland L.G. Taimanglo vs. Carl T.C. Gutierrez, in his capacity as Governor of Guam, et.al., U.S. District Court Civil Case No. 01-00047. Under the terms of a November 15, 2004 Settlement Agreement DPW continues to perform remediation on non-compliance with the ADA and file bi-annual reports with the District Court.~~

- January 13, 2017: CTI conducted a third on-site meeting with DISID Director Servino with DPW and PTG. The purpose of the meeting was for Director Servino to review and verify the measurements for the non-compliant cross-slopes. Director Servino informed the group that he will provide recommendations to DPW based on his findings. The recommendations will not overrule the Americans with Disabilities Act (ADA) issued by the Department of Justice, but will provide guidance on acceptability. Further, Director Servino indicated that the project is Federally funded and compliance with Federal regulation is required. DPW has yet to receive a recommendation letter on the sidewalk cross-slopes from Director Servino, nor does it expect to. Furthermore, whether or not such a letter is issued is irrelevant. First, DPW is the party responsible for accepting or rejecting the non-conforming sidewalk work. DPW has not, and will not, accept any sidewalk work that fail to meet Project specifications. Second, the Project is funded by the Department of Defense (DOD) and overseen by the Federal Highway Administration (FHWA) who is not authorized to pay for work that does not meet contract requirements, including the ADA. Finally, even if DPW were inclined to accept CTI's non-conforming sidewalk work, which it isn't, it does not have the authority to waive ADA requirements. ADA requirements are established by law and are strictly enforced. In 2001 then Governor Carl T. C. Gutierrez, then DPW Director Joseph W. Duenas and DPW were sued for alleged violations of sidewalks and public road access. See, Roland L.G. Taimanglo vs. Carl T.C. Gutierrez, in his capacity as Governor of Guam, et.al., U.S. District Court Civil Case No. 01-00047. Under the terms of a November 15, 2004 Settlement Agreement DPW continues to perform remediation on non-compliance with the ADA and file bi-annual reports with the District Court.

~~In late-early August 2016, CTI agreed-committed to submitting a schedule to complete the close-out items. As with similar contractual obligations to provide acceptable schedules throughout the Project, CTI has yet to submit a close out schedule. CTI has failed to submit a close out schedule despite regular follow-up requests by DPW.~~

DPW does not consider it appropriate to call the ADA non-compliant sidewalks and sidewalk ramps a "close-out" item. CTI has been on formal notice of the need to correct the defective concrete work since June 12, 2014. Since that time CTI has failed or otherwise refused to take corrective action needed to bring it in compliance with contract terms and ADA requirements mandated by Federal Law. It appears CTI's efforts have been more focused on attempting to obtain a waiver than correcting the non-compliant sidewalks.

This serves to notify CTI that it has 10 days from receipt of this letter to 1) complete the past due signage work; and 2) submit a plan acceptable to DPW and the FHWA for how to bring all Project sidewalks, driveways and sidewalk-pedestrian ramps into full compliance with its contractual obligations and ADA requirements. CTI's proposal is also required to provide a firm deadline for completing all outstanding items.

If CTI fails or otherwise elects to not submit a proposal as discussed herein, DPW intends on terminating the Contract and \_\_\_\_\_ deduct \$xxx.xx from the contract value.

Please contact my office if you have any questions.

Sincerely,

FELIX C. BENAVENTE

Cc: Elizabeth Barrett-Anderson, Guam Attorney General (*via email only*)

**From:** Tom Keeler  
**To:** Takara, Richelle (FHWA); Yao, David; joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; Lanning, Michael; Parsons, GuamPWDocControl  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Invoice 33  
**Date:** Friday, February 17, 2017 8:50:46 AM

---

If there is it would be good to reference such in David's letter. Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYldfxlq10&r=N8i015dC7c6hei2-DGOkZX8XbN7RHaduJiaqJpLLIU&m=5AwGrF\\_tW3UIFuMZob9Y4-KrWmKB\\_Exgc3pYvAcA2-8&s=mBcFAwOVtC8VLwzCcxARMqd08YouA0kCKcKF8DvzN70&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=N8i015dC7c6hei2-DGOkZX8XbN7RHaduJiaqJpLLIU&m=5AwGrF_tW3UIFuMZob9Y4-KrWmKB_Exgc3pYvAcA2-8&s=mBcFAwOVtC8VLwzCcxARMqd08YouA0kCKcKF8DvzN70&e=)

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**From:** Takara, Richelle (FHWA) [Richelle.TAKARA@dot.gov]  
**Sent:** Friday, February 17, 2017 6:32 AM  
**To:** Yao, David; joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; Tom Keeler; Lanning, Michael; Parsons, GuamPWDocControl  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Invoice 33

Is there any part of Invoice 33 that we can process or redline then process?

**From:** Yao, David [mailto:David.Yao@parsons.com]  
**Sent:** Wednesday, February 15, 2017 8:08 PM  
**To:** joaquin.blaz@dpw.guam.gov  
**Cc:** isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; tarasantos89@gmail.com; tkeeler@guamag.org; Takara, Richelle (FHWA); Lanning, Michael; Parsons, GuamPWDocControl  
**Subject:** GU-DAR-TI01 (001) - Route 1/8 Intersection - Invoice 33

Kin,

Attached is a letter to CTI requesting that they submit Invoice 33 with the necessary corrections.

If acceptable, please forward for review and signature by the deputy director.

There is one attachment to the letter.

Thank you,

David Yao, LEED AP  
Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913  
david.yao@parsons.com <mailto:john.doc@parsons.com> - P: +1 671.648.1061 M: +1 671.488.4203

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| [Twitter](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_ParsonsCorp&d=BQMfAQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwjHlriBrfKZFLrGZqU0si4k0&e=>) <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_twitter.com\\_ParsonsCorp&d=BQMfAQ&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYldfxlq10&r=iZNIh6dnFYPIlyq\\_2-DmjpfMBmIHuB7rIGd\\_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU\\_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwjHlriBrfKZFLrGZqU0si4k0&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_ParsonsCorp&d=BQMfAQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=ZA0eWpLHALG5opp15alwjHlriBrfKZFLrGZqU0si4k0&e=)>  
| [Facebook](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_parsonscorporation&d=BQMfAQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnrE5XfqtV8qgTS6IKitqeqeVbnxHw&e=>) <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.facebook.com\\_parsonscorporation&d=BQMfAQ&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYldfxlq10&r=iZNIh6dnFYPIlyq\\_2-DmjpfMBmIHuB7rIGd\\_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU\\_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnrE5XfqtV8qgTS6IKitqeqeVbnxHw&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_parsonscorporation&d=BQMfAQ&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYldfxlq10&r=iZNIh6dnFYPIlyq_2-DmjpfMBmIHuB7rIGd_TCe7N6M&m=98igw8OxyFTtGS3BUxvV0OBEGOU_4VdnJFCmNS3GWsE&s=UcmPD4yGVpnWpnrE5XfqtV8qgTS6IKitqeqeVbnxHw&e=)>

[email-tagline-envision-more-black.png]

**From:** Tom Keeler  
**To:** Anderson, Buster; joaquin.blaz@dpw.guam.gov  
**Cc:** Richelle.TAKARA@dot.gov; isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com; Lanning, Michael; Parsons, GuamPWDocControl; Linda Ibanez; Jacqueline R. Taitano  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Response to CTI Nov 25, 2016 Letter Regarding Invoice 33  
**Date:** Wednesday, December 07, 2016 8:44:09 AM

---

Buster,

The letter looks good.

Tara,

Unless otherwise instructed please finalize letter and start processing for signing by the Deputy. Please provide a copy once served on Core Tech. Thanks.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
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Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkzX8XbNb7RHaduJiAqJpLLIU&m=xWkD6qLzimMeyNLQ2VLvels7th9cmS69rX2NO\\_VsOjY&s=wuravwS87J3aiN5eG4kS7Ki7o6TI1Z573mBR41WDm2o8&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkzX8XbNb7RHaduJiAqJpLLIU&m=xWkD6qLzimMeyNLQ2VLvels7th9cmS69rX2NO_VsOjY&s=wuravwS87J3aiN5eG4kS7Ki7o6TI1Z573mBR41WDm2o8&e=)

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---

**From:** Anderson, Buster [Buster.Anderson@parsons.com]  
**Sent:** Wednesday, December 07, 2016 8:14 AM  
**To:** joaquin.blaz@dpw.guam.gov  
**Cc:** Richelle.TAKARA@dot.gov; isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com; Tom Keeler; Lanning, Michael; Parsons, GuamPWDocControl; Linda Ibanez; Jacqueline R. Taitano  
**Subject:** GU-DAR-TI01 (001) - Route 1/8 Intersection - Response to CTI Nov 25, 2016 Letter Regarding Invoice 33

Kin,

Attached is letter to CTI responding to their November 25th letter regarding invoice 33. The letter was revised to incorporate Tom's comments. Mike has reviewed and concurred with this revised letter.

If acceptable please forward for review and signature by the deputy director.

There are six attachments to the letter.

Thanks,

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066  
Cell# (671) 488-0524  
Fax # (671) 646-0678  
Buster.Anderson@Parsons.com<<mailto:David.Titzel@Parsons.com>>



**From:** Tom Keeler  
**To:** [Anderson, Buster; joaquin.blaz@dpw.guam.gov](mailto:Anderson.Buster;joaquin.blaz@dpw.guam.gov)  
**Cc:** [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); [Lanning, Michael](mailto:Lanning, Michael); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl); [Linda Ibanez](mailto:Linda Ibanez); [Jacqueline R. Taitano](mailto:Jacqueline R. Taitano)  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Response to CTI Nov 25, 2016 Letter Regarding Invoice 33  
**Date:** Monday, December 05, 2016 11:09:35 AM

---

Buster,

I am reviewing and will have a few proposed changes. I expect to provide these later today.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
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590 South Marine Corps Dr.  
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Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkZX8XbNb7RH8aDuJiAqJpLLIU&m=-ilo1vbRfankDAqWGloFbz4TztE-RBG61l4f\\_-7nuBw&s=fONJ\\_pM1Ool4mqztMwdAUxfWvWalzj\\_btxyKliZbgM4&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIFAg&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkZX8XbNb7RH8aDuJiAqJpLLIU&m=-ilo1vbRfankDAqWGloFbz4TztE-RBG61l4f_-7nuBw&s=fONJ_pM1Ool4mqztMwdAUxfWvWalzj_btxyKliZbgM4&e=)

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---

From: Anderson, Buster [[Buster.Anderson@parsons.com](mailto:Buster.Anderson@parsons.com)]  
Sent: Friday, December 02, 2016 5:52 PM  
To: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); [Tom Keeler](mailto:Tom Keeler); [Lanning, Michael](mailto:Lanning, Michael); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl); [Linda Ibanez](mailto:Linda Ibanez); [Jacqueline R. Taitano](mailto:Jacqueline R. Taitano)  
Subject: GU-DAR-TI01 (001) - Route 1/8 Intersection - Response to CTI Nov 25, 2016 Letter Regarding Invoice 33

Kin,

Attached is letter to CTI responding to their November 25th letter regarding invoice 33. Mike has reviewed and his comments incorporated.

If acceptable please forward for review and signature by the deputy director.

There are two attachments to the letter.

Thanks,

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066  
Cell# (671) 488-0524  
Fax # (671) 646-0678  
Buster.Anderson@Parsons.com<<mailto:David.Titzel@Parsons.com>>

**From:** Tom Keeler  
**To:** Anderson, Buster; joaquin.blaz@dpw.guam.gov  
**Cc:** Richelle.TAKARA@dot.gov; isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves\_Maria\_Rosario; Yao\_David; tarasantos89@gmail.com; Lanning, Michael; Parsons, GuamPWDocControl; Linda Ibanez  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Request for Electronic Schedule File  
**Date:** Wednesday, November 02, 2016 10:17:42 AM

---

Buster, thanks the letter looks good.

Tara, barring other comments, please print and process for signature.

Tom

Saina Ma'ase,  
Si Thomas P. Keeler  
Assistant Attorney General  
Office of the Attorney General  
590 South Marine Corps Dr.  
Ste. 706, ITC Bldg.  
Tamuning, Guam 96931  
Tel. No.: (671) 475-3324  
Fax No.: (671) 472-2493  
Email: tkeeler@guamag.org  
Website: [https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8\\_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkZX8XbNb7RHaDuJiAqJpLLIU&m=TqKV\\_e15OG8pk6pdeyPEDggtOtk1MJipAldfD4kYsqg&s=ebcTp0XBQbDsDljWrskPWCsxKSt\\_IDKO-B9kOC50k9I&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.guamag.org&d=CwIF-g&c=Nwf-pp4xtYRe0sCRVM8_LWH54joYF7EKmrYIdfxIq10&r=N8i015dC7c6hei2-DGOkZX8XbNb7RHaDuJiAqJpLLIU&m=TqKV_e15OG8pk6pdeyPEDggtOtk1MJipAldfD4kYsqg&s=ebcTp0XBQbDsDljWrskPWCsxKSt_IDKO-B9kOC50k9I&e=)

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---

**From:** Anderson, Buster [Buster.Anderson@parsons.com]  
**Sent:** Wednesday, November 02, 2016 6:59 AM  
**To:** joaquin.blaz@dpw.guam.gov  
**Cc:** Richelle.TAKARA@dot.gov; isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com; Tom Keeler; Lanning, Michael; Parsons, GuamPWDocControl; Linda Ibanez  
**Subject:** GU-DAR-TI01 (001) - Route 1/8 Intersection - Request for Electronic Schedule File

Kin,

Attached is letter to CTI requesting electronic schedule file for review of CTI's Time Extension and Request for Change Order letter dated September 16, 2016. Have asked for these verbally but have not received.

If acceptable please forward for review and signature by the deputy director.

There are no attachments to the letter.

Thanks,

Buster

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066  
Cell# (671) 488-0524  
Fax # (671) 646-0678  
Buster.Anderson@Parsons.com<<mailto:David.Titzel@Parsons.com>>

**From:** Tom Keeler  
**To:** [Takara, Richelle \(FHWA\); Anderson, Buster; joaquin.blaz@dpw.guam.gov](mailto:Takara, Richelle (FHWA); Anderson, Buster; joaquin.blaz@dpw.guam.gov)  
**Cc:** [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); [Lanning, Michael](mailto:Lanning, Michael); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl)  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Final Inspection and Bridge 2 Partial Acceptance Inspection Punch Lists  
**Date:** Thursday, September 15, 2016 7:42:44 AM

---

I agree, noting earlier communications would be very useful. Tom

---

From: Takara, Richelle (FHWA) [Richelle.TAKARA@dot.gov]  
Sent: Thursday, September 15, 2016 3:17 AM  
To: Anderson, Buster; [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); Tom Keeler; [Lanning, Michael](mailto:Lanning, Michael); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl)  
Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Final Inspection and Bridge 2 Partial Acceptance Inspection Punch Lists

Can you identify the items that were previously pointed out to CTI as the project progressed?

Richelle Takara, FHWA  
808.541.2311

---

From: Anderson, Buster <[Buster.Anderson@parsons.com](mailto:Buster.Anderson@parsons.com)>  
Sent: Tuesday, September 13, 2016 8:20:55 PM  
To: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); [tkeeler@guamag.org](mailto:tkeeler@guamag.org); [Takara, Richelle \(FHWA\); Lanning, Michael; Parsons, GuamPWDocControl](mailto:Takara, Richelle (FHWA); Lanning, Michael; Parsons, GuamPWDocControl)  
Subject: GU-DAR-TI01 (001) - Route 1/8 Intersection - Final Inspection and Bridge 2 Partial Acceptance Inspection Punch Lists

Kin,

Attached is a letter to CTI providing the final punch list and the Bridge 2 punch list with remaining items. Mike's comments are already incorporated in the attached letter

If acceptable please forward for review and signature by the deputy director.

There are three attachments to the letter.

Thanks,

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403

Tamuning, GU 96913, Guam

Office # (671) 648-1066

Cell# (671) 488-0524

Fax # (671) 646-0678

Buster.Anderson@Parsons.com<<mailto:David.Titzel@Parsons.com>>

**From:** Tom Keeler  
**To:** [Anderson, Buster](mailto:Anderson, Buster)  
**Cc:** [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [jsidro.duarosan@dpw.guam.gov](mailto:jsidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); [tkeeler@guamag.org](mailto:tkeeler@guamag.org); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [Lanning, Michael](mailto:Lanning, Michael); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl)  
**Subject:** Re: GU-DAR-TI01 (001) - Route 1/8 Intersection - Completion Schedule and Proposed Resolutions  
**Date:** Monday, August 29, 2016 8:33:19 AM

---

Buster, I revisited the letter and it is good to go.

Tara, please print and process for the deputy's signature.

Thanks.

Tom

On Sat, Aug 27, 2016 at 2:16 PM, Tom Keeler <[tpkeeler@gmail.com](mailto:tpkeeler@gmail.com)> wrote:

Buster, all looks good however would appreciate discussing an item or two before finalizing.  
Thanks. Tom

On Fri, Aug 26, 2016 at 3:00 PM, Anderson, Buster <[Buster.Anderson@parsons.com](mailto:Buster.Anderson@parsons.com)> wrote:

Kin,

Per Richelle's request at the GTG meeting today, an email was sent to Rob today requesting a completion schedule that was to be submitted on Aug 17 and proposed resolutions. Mike proposed that we also provide CTI with letter on this. Attached is this letter.

If acceptable please forward for review and signature by the deputy director.

There are no attachments to the letter.

Thanks,

**Houston "Buster" Anderson**  
Construction Manager  
**PARSONS**

**Parsons Transportation Group Inc.**

590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066

Cell# (671) 488-0524  
Fax # (671) 646-0678  
Buster.Anderson@Parsons.com

--

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**From:** Tom Keeler  
**To:** [Anderson, Buster](mailto:Anderson, Buster)  
**Cc:** [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); Yao, David; Lanning, Michael; [Parsons, GuamPWDocControl](mailto:Parsons.GuamPWDocControl)  
**Subject:** Re: GU-DAR-TI01 (001) - Route 1/8 Intersection - Transmit CO-11  
**Date:** Saturday, August 27, 2016 2:36:11 PM

---

Folks,

As I have advised for the past year or so communicationws on the Route 1/8 Project warrant careful review. Please call to discuss. Tx.

Tom

On Thu, Aug 25, 2016 at 3:42 PM, Anderson, Buster <[Buster.Anderson@parsons.com](mailto:Buster.Anderson@parsons.com)> wrote:

Kin,

Attached is a letter transmitting CO-11 for CTI's signature. This CO is for costs for standby time (1.5 hours) due to unexploded ordnance. Mike and Richelle have concurred with CO-11.

If acceptable please forward for review and signature by the deputy director.

There is one attachment to the letter. Tara, I will bring the original attachment to you tomorrow morning.

Thanks,

**Houston "Buster" Anderson**

*Construction Manager*

**PARSONS**

**Parsons Transportation Group Inc.**

590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # [\(671\) 648-1066](tel:6716481066)



Cell# (671) 488-0524  
Fax # (671) 646-0678  
[Buster.Anderson@Parsons.com](mailto:Buster.Anderson@Parsons.com)

--

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**From:** Tom Keeler  
**To:** [Yao, David](#)  
**Cc:** [Joaquin R. Blaz](#); [Richelle.TAKARA@dot.gov](#); [Isidro C. Duarosan](#); [Crispin B. Bengan](#) ([crispin.bengan@dpw.guam.gov](mailto:crispin.bengan@dpw.guam.gov)); [Parsons, GuamPWDocControl](#); [Lanning, Michael](#); [Jolyn Aquiningoc](#); [J Manibusan](#); [Alves, Maria Rosario](#); [Anderson, Buster](#); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); Tom Keeler  
**Subject:** Re: GU-DAR-TI01 (001) - Route 1/8 Intersection - Change Order 10 - Acceptance of Route 1/8 HMA Friction Course Paved on 5/11/14 and 5/18/16  
**Date:** Tuesday, August 23, 2016 5:04:41 PM  
**Attachments:** [image001.png](#)

---

My only question is whether it is appropriate to reference the reason for the modification. If the modification was an accommodation to CTI to facilitate resolution of an outstanding item then such should be referenced. Otherwise letter looks good. Tom

On Monday, August 22, 2016, Yao, David <[David.Yao@parsons.com](mailto:David.Yao@parsons.com)> wrote:

Kin,

Please see attached cover letters transmitting Change Order 10 to CTI for the acceptance of Route 1/Route 8 HMA friction course.

There is one attachment (CO 10) with the letter. A full package will be delivered to DPW today as the change order has colored pages.

If acceptable please forward to Felix for signature and distribution.

Thank you,

**David Yao, LEED AP**

Construction Contract Administrator  
590 S. Marine Corps Dr., Suite 403, Tamuning, GU 96913  
[david.yao@parsons.com](mailto:david.yao@parsons.com) - P: +1 671.648.1061 M: +1 671.488.4203

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**From:** Tom Keeler  
**To:** [Anderson, Buster](mailto:Anderson_Buster)  
**Cc:** [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves.Maria.Rosario); [Yao, David](mailto:Yao.David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); [tkeeler@guamag.org](mailto:tkeeler@guamag.org); [Lanning, Michael](mailto:Lanning.Michael); [Parsons, GuamPWDocControl](mailto:Parsons.GuamPWDocControl)  
**Subject:** Re: GU-DAR-TI01 (001) - Route 1/8 Intersection - Private Property Access  
**Date:** Tuesday, August 09, 2016 4:50:37 PM

---

Buster,

The letter makes a number of factual conclusions. Are we certain these are indeed correct? Do we know what, if any, efforts Core Tech made to notify the property owner?

I don't know however if there is any doubt sentences such as

"Additionally, CTI shut down the water supply to the Rex Construction building in order to repair a water leak from where CTI had tied into the water supply line for site water during construction."

might better read:

"DPW is further advised that CTI shut down the water supply to the Rex Construction building in order to repair a water leak from ... "

Again, the letter is fine if DPW is able to make all statements as a fact. If instead the department is relying on Rex Const.'s representations the wording needs to be slightly revised. Thanks.

Tom

On Tue, Aug 9, 2016 at 4:28 PM, Anderson, Buster <[Buster.Anderson@parsons.com](mailto:Buster.Anderson@parsons.com)> wrote:

Kin,

Attached is a letter to CTI informing them of failure to notify property owner of works affecting their property during the weekend of July 16-17.

If acceptable please forward for review and signature by the deputy director.

There is one attachment to the letter.

Thanks,

**Houston "Buster" Anderson**

*Construction Manager*

**PARSONS**

**Parsons Transportation Group Inc.**

590 South Marine Corps Drive, Suite 403

Tamuning, GU 96913, Guam

Office # (671) 648-1066

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Buster.Anderson@Parsons.com

--

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**From:** Tom Keeler  
**To:** Anderson, Buster; [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
**Cc:** [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); Alves, Maria Rosario; Yao, David; [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); Lanning, Michael; Parsons, GuamPWDocControl  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Certified Payroll Issues  
**Date:** Wednesday, July 13, 2016 4:34:46 PM

---

Buster,

Thanks, I think the revised draft is much more appropriate, particularly at this stage of the project. The revised draft makes it easier for all concerned to follow DPW's ongoing concerns with the lack of proper documentation, related delays and other matters.

Tara, if no other comments, please finalize the revised letter on DPW letterhead and route for the Deputy Director's signature. Please provide me a copy once signed by the Deputy. As the Deputy is off island this week is Arlene going to sign for him?  
Thanks.

Tom

---

From: Anderson, Buster [[Buster.Anderson@parsons.com](mailto:Buster.Anderson@parsons.com)]  
Sent: Wednesday, July 13, 2016 3:41 PM  
To: Tom Keeler; [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); Alves, Maria Rosario; Yao, David; [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); Lanning, Michael; Parsons, GuamPWDocControl  
Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Certified Payroll Issues

Tom,

As per our conversation this morning, attached is suggested revised letter. It includes more than the 3 or 4 examples you mentioned.

Let me know if you have any questions.

Thanks,

Buster

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

From: Tom Keeler [[mailto:tkeeler@guamag.org](mailto:mailto:tkeeler@guamag.org)]  
Sent: Wednesday, July 13, 2016 9:08 AM  
To: Anderson, Buster; [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); Alves, Maria Rosario; Yao, David; [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); Lanning, Michael; Parsons, GuamPWDocControl  
Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Certified Payroll Issues

Tara, please hold off printing.

Buster, I will call shortly to discuss. Thanks.

Tom

---

From: Anderson, Buster [Buster.Anderson@parsons.com]  
Sent: Wednesday, July 13, 2016 8:20 AM  
To: joaquin.blaz@dpw.guam.gov  
Cc: Richelle.TAKARA@dot.gov; isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com; Tom Keeler; Lanning, Michael; Parsons, GuamPWDocControl  
Subject: GU-DAR-TI01 (001) - Route 1/8 Intersection - Certified Payroll Issues

Kin,

Attached is a follow up letter to CTI requesting status of payroll issues previously presented to them. If acceptable please forward for review and signature by the deputy director.

There is no attachment to the letter.

Thanks,

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066  
Cell# (671) 488-0524  
Fax # (671) 646-0678  
Buster.Anderson@Parsons.com<<mailto:David.Titzel@Parsons.com>>

**From:** Tom Keeler  
**To:** [Anderson, Buster; joaquin.blaz@dpw.guam.gov](mailto:Anderson, Buster; joaquin.blaz@dpw.guam.gov)  
**Cc:** [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [Lanning, Michael](mailto:Lanning, Michael); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl)  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Resumption of Work After FestPac  
**Date:** Wednesday, July 06, 2016 5:40:04 PM

---

Thanks again Buster.

Tara, please print and process for the director's signature. Please provide a copy once signed. Thanks.

Tom

---

From: Anderson, Buster [Buster.Anderson@parsons.com]  
Sent: Wednesday, July 06, 2016 4:22 PM  
To: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [jolyn.aquiningoc@dpw.guam.gov](mailto:jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Yao, David](mailto:Yao, David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com); Tom Keeler; [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [Lanning, Michael](mailto:Lanning, Michael); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl)  
Subject: GU-DAR-TI01 (001) - Route 1/8 Intersection - Resumption of Work After FestPac

Kin,

Attached is a letter requesting schedule from CTI for resumption of work after FeatPac as you requested at the last GTG meeting. Mike has already reviewed and his comments incorporated.

If acceptable please forward for review and signature by the deputy director.

There are no attachments to the letter.

Thanks,

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066  
Cell# (671) 488-0524  
Fax # (671) 646-0678  
[Buster.Anderson@Parsons.com](mailto:Buster.Anderson@Parsons.com)<<mailto:David.Titzel@Parsons.com>>



**From:** Tom Keeler  
**To:** [Felix Benavente](#); [joaquin.blaz](#); [Lanning, Michael](#); [Anderson, Buster](#); [Yao, David](#); [Richelle.TAKARA@dot.gov](#)  
**Subject:** DPW & Route 1/Route 8 - Underside of Bridge 2 Deck Beams  
**Date:** Wednesday, April 27, 2016 3:26:47 PM  
**Attachments:** [04-26-16 Letter from Attorney Ching to AAG Keeler re Route 1-8 Bridge 2 Deck Beams.pdf](#)

---

Folks,

Attached is a copy of Core Tech's 4-26-16 letter, less enclosures (you already have), re the above Project addressing the underside of bridge 2 deck beams. The letter was delivered to the AG's office yesterday. I picked it up today and had Sara stamp receive it for DPW as of today's date. Unless otherwise instructed I'll provide the letter and enclosures to Mike tomorrow.

I'll also shoot off a brief email to Mr. Ching advising that the letter has been forwarded on to DPW and its consultants to prepare a response.

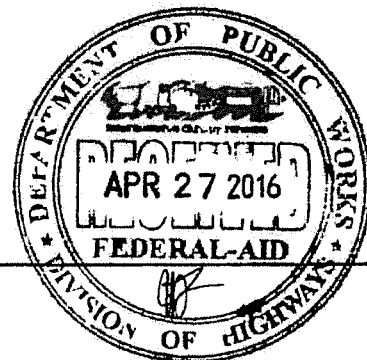
Please contact me if any questions. Thanks.

Tom



## CORE TECH INTERNATIONAL

388 South Marine Corps Drive, Suite 400, Tamuning, Guam 96913  
T 671 473 5000 • F 671 473 5500 • www.coretechintl.com • main@coretechintl.com



April 26, 2016

Attention: Thomas Keeler, Esq.  
Assistant Attorney General  
Solicitors Division  
590 S. Marine Corps Drive  
Ste. 706  
Tamuning, Guam 96913

Re: Route 1/Route 8 Intersection Improvements & Agana Bridge Replacement  
Project No. GU-DAR-T101(001)  
Underside of Bridge 2 Deck Beams  
April 4, 2016 Letter from DPW, Felix Benavente

Dear Mr. Keeler,

This is in response to the letter of April 4, 2016 from Mr. Felix Benavente, DPW. Several weeks ago, I drafted this letter addressed directly to Mr. Felix Benavente addressing the issues raised in his April 4, 2016 letter to Core Tech. However, that was prior to my understanding that you are the proper legal representative of DPW. Under the rules of ethics, I must direct my letter to you. I apologize for any confusion in communications. Attached hereto is a copy of the April 4, 2016 letter for your convenience.

In any event, the following are Core Tech's reply to the issues raised by Mr. Benavente's April 4, 2016 letter:

A. Crazing in the bridge's deck beams

Core Tech International ("CTI" or "we", or words of similar meaning) disputes and denies DPW's statement that CTI did not construct the deck beams according to the plans and specifications. Despite repeated CTI's requests, DPW has failed and refused to provide a report or professional opinion from a qualified structural engineer concerning the crazing (our structural engineers have determined that the appropriate term is "crazing," and not "cracks" as suggested by DPW) on the bridge beams. All we have received are editorial comments with no historical or scientific backup. In one response DPW mentioned that its position is based on DPW's inspections with FHWA engineers (see DPW's August 4,

2015 and February 17, 2016, also stamped February 18, 2016, letters attached), and in its April 4, 2016 letter, DPW identified its PB engineers; but DPW has consistently failed to provide written opinion by any structural engineers to substantiate DPW's position. Please provide written responses from structural engineers; such response must state its rational or scientific backup for DPW's position. Without a proper report or opinion by qualified engineers, we cannot respond to DPW's statement that the crazing "will adversely impact the lifespan of the bridge and will require additional maintenance." Further, please provide the specific plans and specifications that DPW claims were not followed by CTI. DPW's repeated refusal to provide a report or the basis for DPW's claim of non-conforming work is an impediment to a prompt resolution of this matter. In furtherance to our efforts to settle this matter, please note that our records indicate that DPW's representative approved and signed its approval of the beams.

DPW had attached to its April 4, 2016 letter, the resumes of W. Jeffrie Wilson and Mark E. Hirota and asked whether or not such resumes are acceptable. Since they do not have any specific certifications or degrees in structural engineering, we cannot make a determination whether their qualifications are acceptable without knowing or reviewing any of their past written opinions, or review of their specific opinions and the bases for DPW's position.

As previously stated, DPW said its opinions were from FHWA engineers. We then asked for the qualifications of the FHWA engineers and whether or not they were structural engineers. DPW has not given us any information or answer. Guam law requires a person who holds himself out to be a structural engineer must direct educational courses and must pass a specialized exam. Guam issues a specialized license for structural engineers. To give a specific opinion on a structural condition, a person should have specialized structural training at a minimum. The resumes of Mr. Wilson and Mr. Hirota do not indicate the necessary training, licenses or certifications. More importantly, section 104.02 of the FP-03 provides that while DPW's inspectors may inspect CTI's work, they "are not authorized to alter or waive contract requirements, issue instructions contrary to the contract, act as foreman for the Contractor, or direct the Contractor's operations." By claiming that CTI failed to construct the deck beams in accordance with the contract plans and specification **without any evidentiary support**, we believe that DPW inspectors have acted beyond the scope of their authority under section 104.02.

In my March 7, 2016 letter I pointed out that the DPW's suggested treatment of the crazing could cause more problems and **it is now a matter of public record** that we have provided DPW with a copy of our structural engineers' opinion recommending that the beams remain in their current condition. In spite of our structural engineers' position, DPW has rejected our proposal without grounds supported by any structural engineer. If DPW continues to insist that we treat the crazing as suggested by DPW's engineers, will DPW and its engineers indemnify CTI in the event of any damages or injuries caused by such treatment? Also, please note that any warranties that may exist will then be negated as a result of the work being required by DPW.

**B. Parallel transverse cracks in the bridge's deck beams.**

In your letter of April 4, DPW has claimed for the first time that the deck beams have "parallel transverse cracks" that are "cause for concern." As with the "crazing" issue, DPW has failed to

provide a report by a qualified engineer that these transverse cracks are any cause for concern. Please provide CTI with a report signed by a qualified engineer so that we can respond appropriately.

C. Partial acceptance inspection and list of outstanding work.

CTI denies that it has caused delay in completion of the Project and further denies that time and liquated damages should be assessed against it.

D. Need for extension of time. This matter is being discussed by the parties in the settlement discussions.

Very truly yours,

  
EDWIN K.W. CHING

Attachments from Felix Benavante: April 4, 2016  
August 4, 2015  
February 17, 2016, also stamped February 18, 2016

Cc: Robert Marks, yokomarks@hotmail.com  
Ho Sang Eun  
Henry Taitano  
Anita Arriola, Esq.  
David Yao, PTG  
Glenn Leon Guerrero, DPW, Director  
Felix Benavente  
Mark Calvo, Chief of Staff, Governor's Office

**From:** Tom Keeler  
**To:** TARALYN Santos; Felix Benavente; joaquin.blaz; Lanning, Michael; Anderson, Buster; Yao, David  
**Subject:** FW: DPW & Route 1/Route 8  
**Date:** Wednesday, April 27, 2016 8:34:49 AM  
**Attachments:** LTR DPW-CTI Supplemental Letter to Arriola\_26APR2016 rt.docx

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Richelle, tx, appreciate the input.

Tara, please finalize the attached letter with Richelle's changes and process for the deputy's signature. His title should be included in the letter. I would appreciate a signed copy for my records. Thanks.

Tom

---

From: Richelle.TAKARA@dot.gov [Richelle.TAKARA@dot.gov]  
Sent: Wednesday, April 27, 2016 5:42 AM  
To: Michael.Lanning@parsons.com; Tom Keeler; felix.benavente@dpw.guam.gov; joaquin.blaz@dpw.guam.gov; Buster.Anderson@parsons.com; David.Yao@parsons.com  
Subject: RE: DPW & Route 1/Route 8

I made a few minor suggested changes...

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

From: Lanning, Michael [mailto:Michael.Lanning@parsons.com]  
Sent: Monday, April 25, 2016 6:25 PM  
To: Tom Keeler; Felix Benavente; joaquin.blaz; Takara, Richelle (FHWA); Anderson, Buster; Yao, David  
Subject: RE: DPW & Route 1/Route 8

Tom,

See attached letter to Arriola with edits from Dave Yao and myself.

Kin and Richelle....any comments.

Mike

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

From: Tom Keeler [mailto:tkeeler@guamag.org]  
Sent: Monday, April 25, 2016 4:00 PM  
To: Felix Benavente; joaquin.blaz; Richelle.TAKARA@dot.gov; Lanning, Michael; Anderson, Buster; Yao, David  
Subject: DPW & Route 1/Route 8

Folks,

Attached is a DRAFT letter to Core Tech's counsel, Anita Arriola. I am concerned with CT's ability to understand what is being provided by DPW and think it reasonable to memorialize what sums are available, and what CT needs to do, before DPW can process payment. The letter is self explanatory. Please provide edits and comments, as you deem appropriate. Thanks.

Tom

**From:** Tom Keeler  
**To:** [Lanning, Michael](mailto:Lanning.Michael); "[joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)"  
**Cc:** "[Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)"; [Felix Benavente](#); [Anderson, Buster](#); [Yao, David](#); [Alves, Maria Rosario](#); [J Manibusan](#); [jacqueline.taitano@dpw.guam.gov](mailto:jacqueline.taitano@dpw.guam.gov); [francis.gumataotao@galaidegroup.com](mailto:francis.gumataotao@galaidegroup.com); [TARALYN Santos](#)  
**Subject:** RE:  
**Date:** Friday, April 22, 2016 2:31:28 PM

---

Mike,

Thanks.

Kin,

All looks good, please forward on for processing/signing.

Tom

---

From: Lanning, Michael [[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)]  
Sent: Friday, April 22, 2016 10:34 AM  
To: '[joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)'  
Cc: '[Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)'; [Felix Benavente](#); [Tom Keeler](#); [Anderson, Buster](#); [Yao, David](#); [Alves, Maria Rosario](#); [J Manibusan](#); [jacqueline.taitano@dpw.guam.gov](mailto:jacqueline.taitano@dpw.guam.gov); [francis.gumataotao@galaidegroup.com](mailto:francis.gumataotao@galaidegroup.com); [TARALYN Santos](#)  
Subject:

Kin,

Attached is a letter to CoreTech regarding the claim letter from Arriola Cowan & Arriola that was received on April 15, 2016. The letter informs CoreTech that DPW can take no action on the claim letter since it does not conform to the contract requirements for submitting a claim.

Please review, if acceptable route for review and signature by the deputy director.

Jackie/Joey.....There are three attachments that need to be included with the letter.

Let me know if you have any questions.

Mike

**From:** Tom Keeler  
**To:** [Lanning, Michael](mailto:Lanning, Michael)  
**Cc:** [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); Yao, David; Anderson, Buster; Ingvarsson, Kristina; [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)  
**Subject:** RE: Route 1/8 CoreTech Potential Invoice Amount  
**Date:** Wednesday, April 20, 2016 10:47:47 AM

---

Mike,

Thanks, this works fine, particularly considering the waiver language that is included in the attachment. Thanks.

Tom

---

From: Lanning, Michael [[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)]  
Sent: Wednesday, April 20, 2016 9:53 AM  
To: Tom Keeler  
Cc: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); Yao, David; Anderson, Buster; Ingvarsson, Kristina; [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

Tom,

See attached....it this what you had in mind for the revision to the 3rd paragraph.

Mike

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

From: Tom Keeler [[mailto:tkeeler@guamag.org](mailto:mailto:tkeeler@guamag.org)]  
Sent: Wednesday, April 20, 2016 9:06 AM  
To: Lanning, Michael  
Cc: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); Yao, David; Anderson, Buster; Ingvarsson, Kristina; [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

Mike,

Called but missed you at the office. It appears the government is attempting to assist CoreTech in processing the current payment. If so, my only suggestion is to insert (e.g., ....., ....., etc.) in the 2nd sentence of the draft. Thus, the sentence would read "The other documentation (e.g. ...., ....., etc.) required by ...

Again, assuming I am reading the draft correctly, this will document the information missing from CoreTech's invoice. Please contact me if any questions. Thanks.

Tom

---

From: Lanning, Michael [[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)]



Sent: Tuesday, April 19, 2016 4:55 PM  
To: Tom Keeler  
Cc: joaquin.blaz@dpw.guam.gov; Yao, David; Anderson, Buster; Ingvarsson, Kristina; Richelle.TAKARA@dot.gov  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

Tom,

Attached for your review/comments is a letter to CoreTech regarding their invoicing that was discussed at the April 15, 2015 meeting. Also attached is a pdf of the invoice attachment that CoreTech would be requested to submit as supporting information for the invoice. Please take a look at the pdf....there is a spot for CoreTech to sign on that as well.

Call me if you have any questions.

Mike

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

From: Richelle.TAKARA@dot.gov [<mailto:Richelle.TAKARA@dot.gov>]  
Sent: Tuesday, April 19, 2016 4:26 PM  
To: Lanning, Michael; Ingvarsson, Kristina  
Cc: joaquin.blaz@dpw.guam.gov; Yao, David; Anderson, Buster  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

Please check the invoice period. Also in the actual letter 2nd paragraph change process to processed.  
Send to Tom for review.

Richelle Takara, FHWA  
808.541.2311

---

From: Lanning, Michael  
Sent: Monday, April 18, 2016 7:00:06 PM  
To: Takara, Richelle (FHWA); Ingvarsson, Kristina  
Cc: joaquin.blaz@dpw.guam.gov; Yao, David; Anderson, Buster  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

Richelle,

Attached is the updated invoice backup with LD's modified for the time durations when CoreTech was working on the DAR and FHWA project. I added a signature line on the sheet for CoreTech to sign. Let me know if you have any other comments.

Mike Lanning  
Guam Program Manager  
Parsons  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive ITC Building, Ste 403 5 Tamuning, Guam 96913  
671-648-1060 (Office)  
671-486-8204 (Cell)  
671-646-0678 (Fax)  
[www.parsons.com](http://www.parsons.com)<<http://www.parsons.com>>

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

From: Richelle.TAKARA@dot.gov [mailto:Richelle.TAKARA@dot.gov]  
Sent: Tuesday, April 19, 2016 11:51 AM  
To: Ingvarsson, Kristina; Lanning, Michael  
Cc: joaquin.blaz@dpw.guam.gov; Yao, David; Anderson, Buster  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

Great

Richelle Takara, FHWA  
808.541.2311

---

From: Ingvarsson, Kristina  
Sent: Monday, April 18, 2016 3:40:57 PM  
To: Takara, Richelle (FHWA); Lanning, Michael  
Cc: joaquin.blaz@dpw.guam.gov; Yao, David; Anderson, Buster  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

The LD will be redirected as we discussed on the phone and based on a schedule time basis instead of percentage this will not change the Total amount due but will most likely put DAR side in positive again.

The total amount to be paid will also be equal or higher than the number that was discussed last Friday with CoreTech.

Kit

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

From: Richelle.TAKARA@dot.gov [mailto:Richelle.TAKARA@dot.gov]  
Sent: Tuesday, April 19, 2016 10:53 AM  
To: Lanning, Michael  
Cc: joaquin.blaz@dpw.guam.gov; Ingvarsson, Kristina; Yao, David; Anderson, Buster  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

I need to look closer at the situation. However from the Contractor point of view he doesnt know or care about funding sources. We may need to pay out of FHWA funds to cover DAR. Which is allowed.

I think we need to figure a way to pay them everything they are owed ignoring the funding source issue.

Richelle Takara, FHWA  
808.541.2311

---

From: Lanning, Michael  
Sent: Monday, April 18, 2016 1:35:56 PM  
To: Takara, Richelle (FHWA)  
Cc: Joaquin R. Blaz; Ingvarsson, Kristina; Yao, David; Anderson, Buster  
Subject: Route 1/8 CoreTech Potential Invoice Amount

Richelle,

Need to have some input from you on the CoreTech Invoice amount for the period ending March 31, 2016.

Attached is the potential invoice amounts broken down by funding source. As depicted in the attachment the DAR portion is showing a negative amount of \$224K due to schedule withholdings and liquidated damages. The retainage amount on the DAR is also not enough to cover the schedule withholdings and liquidated damages which was eventually going to happen anyway.

To come up with the just over \$2M for the invoice we would have to deduct the negative DAR amount from the FHWA amount. I don't think that this is advisable from a funding source perspective.

I think that we should just process an invoice for the FHWA amounts only at \$2.3M. However, this will not provide a payment on our books for the asphalt pavement since it is all under the DAR portion.

For background...we have broken down the LD's by percent of DAR portion and FHWA portion. Other options were looked at but this seemed to be the most reasonable approach.

Thoughts, comments, suggestions?

Mike

**From:** Tom Keeler  
**To:** [Lanning, Michael](mailto:Lanning, Michael)  
**Cc:** [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Yao, David](mailto:Yao, David); [Anderson, Buster](mailto:Anderson, Buster); [Ingvarsson, Kristina](mailto:Ingvarsson, Kristina); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)  
**Subject:** RE: Route 1/8 CoreTech Potential Invoice Amount  
**Date:** Wednesday, April 20, 2016 9:06:17 AM

---

Mike,

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Tom

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Sent: Tuesday, April 19, 2016 4:55 PM  
To: Tom Keeler  
Cc: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Yao, David](mailto:Yao, David); [Anderson, Buster](mailto:Anderson, Buster); [Ingvarsson, Kristina](mailto:Ingvarsson, Kristina); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)  
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Tom,

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Sent: Tuesday, April 19, 2016 4:26 PM  
To: Lanning, Michael; Ingvarsson, Kristina  
Cc: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Yao, David](mailto:Yao, David); [Anderson, Buster](mailto:Anderson, Buster)  
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Richelle Takara, FHWA

808.541.2311

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Mike Lanning  
Guam Program Manager  
Parsons  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive ITC Building, Ste 403 5 Tamuning, Guam 96913  
671-648-1060 (Office)  
671-486-8204 (Cell)  
671-646-0678 (Fax)  
www.parsons.com<<http://www.parsons.com>>

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From: Richelle.TAKARA@dot.gov [<mailto:Richelle.TAKARA@dot.gov>]  
Sent: Tuesday, April 19, 2016 11:51 AM  
To: Ingvarsson, Kristina; Lanning, Michael  
Cc: joaquin.blaz@dpw.guam.gov; Yao, David; Anderson, Buster  
Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

Great

Richelle Takara, FHWA  
808.541.2311

---

From: Ingvarsson, Kristina  
Sent: Monday, April 18, 2016 3:40:57 PM  
To: Takara, Richelle (FHWA); Lanning, Michael  
Cc: joaquin.blaz@dpw.guam.gov; Yao, David; Anderson, Buster  
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From: Richelle.TAKARA@dot.gov [<mailto:Richelle.TAKARA@dot.gov>]  
Sent: Tuesday, April 19, 2016 10:53 AM

To: Lanning, Michael

Cc: joaquin.blaz@dpw.guam.gov; Ingvarsson, Kristina; Yao, David; Anderson, Buster

Subject: RE: Route 1/8 CoreTech Potential Invoice Amount

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Richelle Takara, FHWA  
808.541.2311

---

From: Lanning, Michael

Sent: Monday, April 18, 2016 1:35:56 PM

To: Takara, Richelle (FHWA)

Cc: Joaquin R. Blaz; Ingvarsson, Kristina; Yao, David; Anderson, Buster

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To come up with the just over \$2M for the invoice we would have to deduct the negative DAR amount from the FHWA amount. I don't think that this is advisable from a funding source perspective.

I think that we should just process an invoice for the FHWA amounts only at \$2.3M. However, this will not provide a payment on our books for the asphalt pavement since it is all under the DAR portion.

For background...we have broken down the LD's by percent of DAR portion and FHWA portion. Other options were looked at but this seemed to be the most reasonable approach.

Thoughts, comments, suggestions?

Mike

**From:** Tom Keeler  
**To:** Lanning, Michael; "joaquin.blaz@dpw.guam.gov"; "Richelle.TAKARA@dot.gov"  
**Cc:** Yao, David; Anderson, Buster  
**Subject:** RE: Route 1/8 - Arriola Claim Letter  
**Date:** Sunday, April 17, 2016 12:35:50 PM

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Folks,

Ms. Arriola's letter was addressed to me. While there appears to be little hope that the parties can settle all outstanding disputes I consider it in the interest of all parties to settle as many items as possible. Mike's letter is fine however I am not certain it does anything to bring the parties closer to a resolution. Again, while technically correct, all the draft letter does is notify CoreTech that it failed (again) to follow the proper procedures, and thus is rejected. The draft does nothing to address the substance of CoreTech's letter. I think addressing the merits is appropriate and demonstrates that the department is interested in doing more than just knocking out a form response. Ms. Arriola is both a friend and colleague. If the department is interested in trying to narrow the scope of the Route 1/8 disputes I recommend that I be given an opportunity to prepare a draft response that would both notify CoreTech that the April 15, 2016 letter does not constitute a proper claim while also addressing, even if only on a preliminary basis, DPW's position on a couple of the major issues. If this is acceptable I would advise contact Ms. Arriola early Monday that CoreTech can expect a formal response later in the week. Assuming I am able to meet with David Yao and others from Parsons sometime Tuesday (my calendar is currently wide open) I would expect to provide a draft response by cob Wednesday.

In closing, based on my limited understanding of the project, it appears there are a number of items that the parties should be able to resolve short of litigation. Thanks.

Tom

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From: Lanning, Michael [Michael.Lanning@parsons.com]  
Sent: Friday, April 15, 2016 6:15 PM  
To: 'joaquin.blaz@dpw.guam.gov'; 'Richelle.TAKARA@dot.gov'; Tom Keeler  
Cc: Yao, David; Anderson, Buster  
Subject: Route 1/8 - Arriola Claim Letter

Kin, Richelle and Tom,

Attached is the draft response to the Arriola Cowan & Arriola letter.

Let me know if you have any comments.

Mike

**From:** Tom Keeler  
**To:** [Lanning, Michael; joaquin.blaz@dpw.guam.gov](mailto:Lanning, Michael; joaquin.blaz@dpw.guam.gov)  
**Cc:** [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov](mailto:Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com](mailto:Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)  
**Subject:** RE: GU-DAR-TI01(001) Route 1/8 Intersection - Out of specification pavement  
**Date:** Friday, April 08, 2016 3:14:53 PM

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Tara,

Please print and process for the deputy director's signature. Again, please provide me a stamped received copy for my records. Thanks.

Tom

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From: Lanning, Michael [[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)]  
Sent: Friday, April 08, 2016 2:56 PM  
To: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov](mailto:Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com](mailto:Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); Tom Keeler  
Subject: RE: GU-DAR-TI01(001) Route 1/8 Intersection - Out of specification pavement

Kin,

Attached is the revised letter to CoreTech addressing Richelle's comments. I have also reattached all of the exhibits that will need to be sent along with the letter. There is one additional exhibit this time (Exhibit 5) which shows the \$\$ value of the reduced price for the pavement.

If acceptable, please route for review and signature by the director.

Tara....There are now 5 exhibits that will need to be included with the letter. We will get the 4 copies of the exhibits down to you for inclusion with the letter.

Let me know if you have any questions.

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

From: Tom Keeler [<mailto:tomkeeler@guamag.org>]  
Sent: Friday, April 08, 2016 11:00 AM  
To: Lanning, Michael; [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)  
Cc: [isidro.duarosan@dpw.guam.gov](mailto:isidro.duarosan@dpw.guam.gov); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov); [Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov](mailto:Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov); [joe@galaidegroup.com](mailto:joe@galaidegroup.com); [Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com](mailto:Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)  
Subject: RE: GU-DAR-TI01(001) Route 1/8 Intersection - Out of specification pavement

Acknowledged. Will await further instructions. Tom

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From: Lanning, Michael [[Michael.Lanning@parsons.com](mailto:Michael.Lanning@parsons.com)]  
Sent: Friday, April 08, 2016 10:44 AM  
To: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov)



Cc: isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com; Tom Keeler; Richelle.TAKARA@dot.gov  
Subject: RE: GU-DAR-TI01(001) Route 1/8 Intersection - Out of specification pavement

Tara - Tom....hold off on printing the CoreTech letter.

Just got off the phone with Richelle and we will be making some changes regarding how much the reduced payment would be in \$\$.

Mike

From: Lanning, Michael  
Sent: Friday, April 08, 2016 10:25 AM  
To: joaquin.blaz@dpw.guam.gov  
Cc: isidro.duarosan@dpw.guam.gov; crispin.bensan@dpw.guam.gov; Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov; joe@galaidegroup.com; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com; tkeeler@guamag.org; 'Richelle.TAKARA@dot.gov'  
Subject: RE: GU-DAR-TI01(001) Route 1/8 Intersection - Out of specification pavement

Kin,

Attached is the revised letter to CoreTec incorporating Richelle's comments and one other minor revision for consistency regarding the smoothness language for the control strip.

If there are no further comments, please route for review and signature by the director.

Richelle...with the 0.89 pay factor applied to all of the production pavement would result in a deductive amount of \$44,958.52.

Tara....the color copies of the exhibits to the letter will be coming down later this morning.

Mike

From: Richelle.TAKARA@dot.gov<<mailto:Richelle.TAKARA@dot.gov>> [<mailto:Richelle.TAKARA@dot.gov>]  
Sent: Friday, April 08, 2016 3:49 AM  
To: Lanning, Michael; joaquin.blaz@dpw.guam.gov<<mailto:joaquin.blaz@dpw.guam.gov>>  
Cc: isidro.duarosan@dpw.guam.gov<<mailto:isidro.duarosan@dpw.guam.gov>>; crispin.bensan@dpw.guam.gov<<mailto:crispin.bensan@dpw.guam.gov>>; Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov<<mailto:jolyn.aquiningoc@dpw.guam.gov>>; joe@galaidegroup.com<<mailto:joe@galaidegroup.com>>; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com<<mailto:tarasantos89@gmail.com>>; tkeeler@guamag.org<<mailto:tkeeler@guamag.org>>  
Subject: RE: GU-DAR-TI01(001) Route 1/8 Intersection - Out of specification pavement

I made a few minor edits in the letter.

Can you tell me the delta in the payment with the reduced payment?

From: Lanning, Michael [<mailto:Michael.Lanning@parsons.com>]  
Sent: Wednesday, April 06, 2016 7:34 PM  
To: joaquin.blaz@dpw.guam.gov<<mailto:joaquin.blaz@dpw.guam.gov>>  
Cc: Takara, Richelle (FHWA); isidro.duarosan@dpw.guam.gov<<mailto:isidro.duarosan@dpw.guam.gov>>; crispin.bensan@dpw.guam.gov<<mailto:crispin.bensan@dpw.guam.gov>>; Parsons, GuamPWDocControl; jolyn.aquiningoc@dpw.guam.gov<<mailto:jolyn.aquiningoc@dpw.guam.gov>>; joe@galaidegroup.com<<mailto:joe@galaidegroup.com>>; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com<<mailto:tarasantos89@gmail.com>>; tkeeler@guamag.org<<mailto:tkeeler@guamag.org>>  
Subject: GU-DAR-TI01(001) Route 1/8 Intersection - Out of specification pavement

Kin,

Attached is a letter to CoreTec responding to their letter of January 15, 2016 regarding the pavement on the project that does not meet specification requirements. The letter indicates that the pavement placed would be accepted at a reduce price as determined by statistical evaluation.

If acceptable, please route for review and signature by the director.

Tara... there are 4 exhibits (attached pdf's) that need to be sent along with the letter. The exhibits should be printed in color. Let me know if you need to have us bring down the color copies.

Let me know if you have any questions.

Mike

**From:** Tom Keeler  
**To:** [Anderson, Buster; joaquin.blaz@dpw.guam.gov](mailto:Anderson_Buster;joaquin.blaz@dpw.guam.gov)  
**Cc:** [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [Isidro C. Duarosan](mailto:Isidro.C.Duarosan); [Crispin B. Bensan \(crispin.bensan@dpw.guam.gov\)](mailto:Crispin.B.Bensan@dpw.guam.gov); [Parsons, GuamPWDocControl](mailto:Parsons.GuamPWDocControl); [Lanning, Michael](mailto:Lanning.Michael); [Jolyn Aquiningoc](mailto:Jolyn.Aquiningoc); [J Manibusan](mailto:J.Manibusan); [Alves, Maria Rosario](mailto:Alves.Maria.Rosario); [Yao, David](mailto:Yao.David); [tarasantos89@gmail.com](mailto:tarasantos89@gmail.com)  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Final Determination of Cracked Beams at Bridge 2  
**Date:** Friday, February 12, 2016 4:47:25 PM

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Buster,

Thanks.

Tara,

Please finalize with inserting the word "prior" before the words "review and approval" at the end of both numbered items 1 & 2. Once finalized please process for the deputy's signature. Thanks.

Tom

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From: Anderson, Buster [Buster.Anderson@parsons.com]  
Sent: Friday, February 12, 2016 4:31 PM  
To: joaquin.blaz@dpw.guam.gov  
Cc: Richelle.TAKARA@dot.gov; Isidro C. Duarosan; Crispin B. Bensan (crispin.bensan@dpw.guam.gov); Parsons, GuamPWDocControl; Lanning, Michael; Jolyn Aquiningoc; J Manibusan; Alves, Maria Rosario; Yao, David; tarasantos89@gmail.com; Tom Keeler  
Subject: GU-DAR-TI01 (001) - Route 1/8 Intersection - Final Determination of Cracked Beams at Bridge 2

Kin,

This letter provides DPW direction to repair beams at Bridge 2 by March 31.

There is no attachment with this letter.

Please review and if acceptable forward for signature by Felix. With Felix off island please have someone sign for him.

Thanks,

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066  
Cell# (671) 488-0524  
Fax # (671) 646-0678  
[Buster.Anderson@Parsons.com](mailto:Buster.Anderson@Parsons.com)<<mailto:David.Titzel@Parsons.com>>

**From:** Tom Keeler  
**To:** [Anderson, Buster](mailto:Anderson, Buster)  
**Cc:** [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl); [Lanning, Michael](mailto:Lanning, Michael); [TARALYN Santos](mailto:TARALYN Santos); [J Manibusan](mailto:J Manibusan); [Yao, David](mailto:Yao, David); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Isidro C. Duarosan](mailto:Isidro C. Duarosan); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov)  
**Subject:** RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Inspection of the Underside of Bridge 2 Deck Beams  
**Date:** Tuesday, February 09, 2016 8:35:08 AM

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Buster,

Thanks.

Tara,

Please print and process for the deputy's signature. Please provide me a file copy once signed and delivered to Core Tech. Thanks.

Tom

---

From: Anderson, Buster [[Buster.Anderson@parsons.com](mailto:Buster.Anderson@parsons.com)]  
Sent: Monday, February 08, 2016 8:52 AM  
To: Tom Keeler  
Cc: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl); [Lanning, Michael](mailto:Lanning, Michael); [TARALYN Santos](mailto:TARALYN Santos); [J Manibusan](mailto:J Manibusan); [Yao, David](mailto:Yao, David); [Alves, Maria Rosario](mailto:Alves, Maria Rosario); [Isidro C. Duarosan](mailto:Isidro C. Duarosan); [crispin.bensan@dpw.guam.gov](mailto:crispin.bensan@dpw.guam.gov)  
Subject: RE: GU-DAR-TI01 (001) - Route 1/8 Intersection - Inspection of the Underside of Bridge 2 Deck Beams

Tom,

Your comments have been incorporated. If acceptable, please have Tara process the attached letter for Felix's signature. There is no attachment with this letter.

Thanks,

Buster

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From: Tom Keeler [<mailto:tpkeeler@gmail.com>]  
Sent: Monday, January 18, 2016 1:16 PM  
To: Anderson, Buster  
Cc: [joaquin.blaz@dpw.guam.gov](mailto:joaquin.blaz@dpw.guam.gov); [Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov); [Parsons, GuamPWDocControl](mailto:Parsons, GuamPWDocControl); [Lanning, Michael](mailto:Lanning, Michael)  
Subject: Re: GU-DAR-TI01 (001) - Route 1/8 Intersection - Inspection of the Underside of Bridge 2 Deck Beams

Buster,

The letter is fine as drafted however correspondence and communications are best prepared in anticipation that Core Tech International Inc. (CTI) will be filing a claim notwithstanding the government's October 1, 2014 notification that it is in default. I thought it might be appropriate to reiterate the problems that warranted the joint inspection. While I can't recall the details the department might want to add a sentence to the end of the 4th paragraph to read something as follows:

As you are aware the Bridge 2 deck beams have been a focus of concern for DPW and the Federal Highway Administration (FHWA) since they were cast. Contract specifications Section \_\_ required that the deck beams be \_\_\_\_\_. Notwithstanding CTI deviated from contract specifications in casting the beams in 2 (3?) different methods with the 6 (?) that were subject to the joint inspection

having hairline fractures (is this the right term?). DPW subsequently consulted with FHWA, which had its own engineers inspect the beams this past summer, on whether the beams conformed to contract specifications and ultimately decided that the while the hairline fractures did not impact the structural integrity of the bridge they did adversely impact its lifespan and would require additional maintenance.

Consider adding sentence to end of 5th paragraph

Considering the government's above described concern with the hairline fractures since the time of casting Mr. Marks characterization that the joint inspection was a witch hunt is troubling at best.

Finally, DPW already responded to Mr. Ching's letter of November 6, 2015, which misstated the parties late October meeting and facts concerning the bridge beams, right? If yes nothing else is needed. If not, then it may be reference in the current response.

In closing, the letter is fine as drafted however I think it best to provide the basic background information explaining the government's concern with the hairline fractures. Please let me know how you want to proceed so that Tara can be advised on finalizing the letter.

Please contact me if you have any questions regarding this matter.

On Mon, Jan 18, 2016 at 8:08 AM, Anderson, Buster  
<Buster.Anderson@parsons.com<<mailto:Buster.Anderson@parsons.com>>> wrote:  
Kin,

This letter addresses the attempt to view and document status of underside deck beam cracking prior to equipment live loading at Bridge 2.

There is no attachment with this letter.

Please review and if acceptable forward for signature by Felix.

Thanks,

Houston "Buster" Anderson  
Construction Manager  
PARSONS  
Parsons Transportation Group Inc.  
590 South Marine Corps Drive, Suite 403  
Tamuning, GU 96913, Guam  
Office # (671) 648-1066<tel:%28671%29%20648-1066>  
Cell# (671) 488-0524<tel:%28671%29%20488-0524>  
Fax # (671) 646-0678<tel:%28671%29%20646-0678>  
Buster.Anderson@Parsons.com<<mailto:David.Titzel@Parsons.com>>

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