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October 1st, 2010

Mr. Nathaniel Fox
Northland Constructors of Duluth, LLC
4843 Rice Lake Road
Duluth, MN 55803

Project: Duluth International Airport, Passenger Terminal Replacement – BP-1 WS2.10

Subject: Response to Work Scope and Lean-mix Concrete requirement letter

Dear Mr. Fox:

In response to the letter from Northland Constructors (NC) dated 9/30/10 regarding work scope and lean mix concrete. Kraus Anderson Construction (KA) has consulted with the Structural Engineer and the Architect of record for the "Project" to draw the following conclusions.

Excavation (Section 02220, Part 3.4,)

Subpart E (ADDITIONAL EXCAVATION) - The intent of this section is relevant to areas that differ from the information within the Geotechnical reports for removals of soils as required to required elevations. It is not for the purpose as described with NC's letter.

Item # 1 uses the term "REQUIRED SUBGRADE ELEVATIONS" . By definition, the required elevation is determined thru the Geotechnical reports and not necessarily the bottom of footing elevations. Item # 4 refers to the excavation more than 1ft beyond original – is based on different conditions to those outlined in the geotechnical reports.

Plan sheet S002 (2nd paragraph under CONVENTIONAL FOOTINGS area)

This section specifically calls out that "All topsoil, fill and deposits must be removed below the footings and/or within the building area TO THE DEPTHS AS INDICATED IN THE GEOTECHNICAL ENGINEERING REPORT ..."

Backfill and Fill (Section 02220, Part 3.5,)

The intent of this section is to clarify the backfill requirements, which was written specifically based on information within the Geotechnical reports.

Subpart C. (Backfill at Specific Locations) – Based on the information above, the project requires all fill to be removed. Item # 1 specifically states the use of lean-mix concrete PER THE ADDENDUM to the Project Geotechnical report... The lean mix concrete responsibility of work scope 2.10 because it's solely dependent upon the SUBGRADE ELEVATIONS. It is entirely NC's responsibility for means and methods of completing work required within the Contract. NC's is required to excavate to undisturbed native soil and place lean concrete mix as required per the 1:1 area of influence requirements.

In Summary, The Geotechnical reports for the project were made available to all bidders on the WS2.10 scope and clearly state that all fill must be removed. This requirement is verified throughout the project documents and cannot be avoided. NC's had discussions with KA prior to the bid opening and prior to award of the contract specifically regarding the soils reports and the soils corrections identified within. Thus any requests for changes in contract conditions for identified fill materials and the use of lean-mix concrete are hereby denied.

Please feel free to call me to discuss the schedule of this work so as to not impact the project schedule any further.

Thank you,



Brett Cahoon
Project Manager
Kraus-Anderson Construction Company

Cc: John Hippchen, RS&H
Thomas Chambers, RS&H
Craig Bursch, MBJ Consulting Engineers