

Northland Constructors

of Duluth, LLC

October 1st, 2010

Serial Letter 4465.015

Mr. Brett Cahoon
Kraus-Anderson Construction Co.
3716 Oneota Street
Duluth, MN 55807

Re: Duluth Int'l Airport, Passenger Terminal Building (Civil Site Work
FAA AIP 3-27-0024-48-10, RS&H Job No 213.1882.091

Subject: Work Scope, Lean-mix Concrete

Dear Mr. Cahoon:

This letter is in response to letter from Kraus Anderson Construction (KA) dated 10/01/10, referring to over excavations, lean-mix concrete, and backfill. Northland Constructors (NC) still believes any excavation or backfill of any material outside the 1' envelop, below slab grade to be a change condition. NC also believes the use of lean-mix concrete not to be in our scope of work. We present the following information to further our position.

Section 02220 – Building Earthwork

Part 2.1 Products, No lean concrete materials are mentioned or specified in products list for building earthwork or NC's work scope

Part 3.2 Clearing and Stripping, this portion of work includes clearing and stripping "concrete and asphalt pavement layers," not including previous fill or to native soil.

Part 3.4 Excavation, Part A, Excavation work is defined as "Excavation consists of the removal and disposal of materials encountered when establishing required grade elevations for the site including footings, utilities, and all other items indicated in the drawings and specifications," no mention of geotechnical report for limits of grades.

Part 3.4 Excavation, Part E 1, "When excavation has reached required subgrade elevation," this reference is to a horizontal control required for footing elevations, makes no reference to soil conditions or recommendations of geotechnical report as you have stated was the intent.

Part 3.4 Excavation, Part E 4, "Removal of unsuitable material in excess of one foot in depth and its replacement as directed will be paid on the basis of contract conditions relative to change in work." This does not reference the geotechnical report or recommendations, simply stating that anything beyond the one foot depth shall be a change for the definition of this works scope. This provides a basis for bidders to quantify excavation and backfill quantities.

Part 3.4 Excavation, Part J 3, "Concrete is specified in Division 3" Division 3 is not listed as part of our work scope for bid item 113, Terminal Building Work.

Geotechnical Exploration

The geotechnical "report" or exploration was available to bidders at time of bid. The specification classifies and defines the limits of excavation. The geotechnical report only advises and states recommendations to the design group for the design the building. The front of the geotechnical report states the following "this report is not intended to provide sufficient information to accurately determine quantities and location of particular material." NC did not base our bid quantities off the geotechnical report, because it advises us not to do so, and further, the specification has already defined the limits of excavation at one foot below the slab.

Also, in the plans there are details that refer to the geotechnical report for the definition of engineered fill. Engineered fill is defined; "Engineered fill should be a non-organic, granular material void of frozen soil, boulders, and debris." "Engineered fill should be placed in thin loose lifts compacted to at least 95% of the maximum Modified Proctor dry density (ASTM D1557)." If areas of fill on-site meet the compaction requirements, according to the geotechnical, it can be used under floor slab areas up to the 6" cushion layer, so there will be no need to excavate to native soils under the floor slab because it meets the geotechnical requirements for "engineered fill."

There were no conversations prior to bid or award regarding soils corrections, additional excavation, or lean mix-concrete, between KA and/or the design team and NC. Our bid is based on what is specifically written in the plans and specifications. NC still believes excavation beyond the one foot envelop is a change condition and will need written directive to proceed beyond our original scope of work. We also firmly believe that the lean-mix concrete is not specified or addressed in our work scope. NC will focus our efforts in other areas of the project until we receive further direction on how to proceed.

Please contact me directly should you require additional information,

Sincerely,



Nathaniel Fox

Project Manager

Northland Constructors of Duluth, LLC