

**CLAIM 17 - Unmarked Utility Valve  
at stat 146+20 Lt. (Lake Groves Utilities)**

TO: Florida Department Of Transportation

Mr. Stanley Milton  
Project Administrator  
Metric Engineering

FROM: Ranger Construction Industries, Inc.  
1200 Elboc Way  
Winter Garden, FL 34787



Project.: SR 25/US 27, Lake County

Project No.: T-5108, 238421-1-52-01

Delivered By: [ ] Hand [x] Fax [ ] Mail

**NOTICE OF INTENT TO FILE CLAIM  
& PRELIMINARY REQUEST FOR TIME EXTENSION**

- In accordance with the pertinent sections of the Project specifications, this is notice of Ranger's intent to file a claim for:
  - ( ) Additional compensation per section 5.12.2.1 and/or
  - (x) Delay per sections 5.12.2.2 and 8-7.3.2
- If the claim includes additional compensation, your attention is directed to the following section(s) that may apply:
  - ( ) Extra Work, section 4-3.2
  - (x) Differing Site Condition(s), section 4-3.4
  - (x) Unforeseeable Work, section 4-4
  - (x) Delay sections 5-12.2.2 and 8-7.3.2

Ranger will seek a monetary adjustment to its contract as a result of these events and the Engineer is requested to keep account of these costs.

- If the claim includes delay, the delay was encountered at or about 8:00 AM PM on Jan. 24, 2007.
  - The delay: [check one]
    - (x) Is continuing
    - ( ) Was resolved by \_\_\_\_\_ AM/PM on \_\_\_\_\_, 200\_\_.

The delay encountered impacted the following controlling items of work: Grading slope, Sidewalk and Limb rock, Pouring sidewalk and handicap ramp, Setting P-Tops

SCANNED DOCUMENT  
DATE 3-12-07  
METRIC ENGINEERING, INC.  
6521797 TO  
65 4448 NOS

- The delay: [check one]
  - (x) Constitutes Active Interference
  - ( ) Does NOT Constitute Active Interference
- The circumstances of the claim are as follows: (Describe by, e.g., station number or structure. Indicate nature and cause of the delay, if applicable. Indicate nature and/or extent of any extra work, differing site condition or unforeseeable work. Describe any direction given by FDOT's representatives.)
 

On 1/24/07 at Station 146+20 FT Grading 4:1 Slope Ranger hit an unmarked lake utilities valve in the grade causing a washout. Ranger will be seeking compensation for the unforeseen costs of repairing the curb and clearing and de-sitting drainage line.

Contractor  
Signed: Carlos Socarras  
Title: Project Engineer  
Date: Jan. 26, 2007

Received By: \_\_\_\_\_  
Signed: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_, 200\_\_



CLERMONT FIELD OFFICE  
1050 US HIGHWAY 27 SOUTH  
CLERMONT, FL 34714  
PHONE: (352) 241-8982  
FAX: (352) 241-8925

January 26, 2007

Mr. Bill Bentley  
Ranger Construction Industries Inc.  
1200 Elboc Way  
Winter Garden, FL 34787

RE: Acknowledgement of claim No. 17  
FM No.: 238421-1-52-01  
FAP No. 361202P  
Contract No.: T5108  
Project Description: SR 25, from north of SR 530 to north of Boggy Marsh Road  
County: Lake  
MEIOG084

Dear Mr. Bentley:

Please be advised that Metric Engineering Inc. has received the following Claim letter and is currently under review:

<u>Claim #</u>	<u>Utility</u>	<u>Received</u>	<u>Description</u>
17	Lake Utilities Inc.	01/25/07	Utility conflict at station 146+20LT

If you have any questions please contact us.

Sincerely,

Stanley Milton  
Project Administrator

CC: Mike Neal, Ranger Construction Industries, Inc.  
William Wages, Project Engineer

SCANNED DOCUMENT  
DATE 2-2-07  
METRIC ENGINEERING, INC.  
DOC # 651579

METRIC PLAZA - CORPORATE HEADQUARTERS  
340 S.W. 136 STREET, MIAMI, FL 33186  
PHONE: SUITE 200 - TEL: SUITE 107  
PHONE: (305) 235-5098 - FAX: (305) 251-5894  
HR. & PERSONNEL FAX: (305) 235-5271  
WWW.METRICENG.COM



January 26, 2007

Mr. David Orr, P.E.  
Lake Utilities Services, Inc.  
200 Weathersfield Ave.  
Altamonte Springs, FL 32714

CLERMONT FIELD OFFICE  
1050 US HIGHWAY 27 SOUTH - SUIT  
CLERMONT, FL 34714  
PHONE: (352) 241-8982  
FAX: (352) 241-8925

RE: FM No.: 238421-1-52-01  
FAP No. 361202P  
Contract No.: T5108  
Project Description: SR 25, from north of SR 530 to north of Boggy Marsh Road  
County: Lake  
MEIOG085

Dear Mr. Orr:

Please be advised that the Florida Department of Transportation has been notified by Ranger Construction Industries, Inc., the Contractor for the above referenced project, that they intend to submit a claim for additional compensation. The claim will be based on costs incurred due to alleged failure of your company to adjust a line at station 146+20LT.

Under the terms of the Utility Relocation Agreement between your company and the Florida Department of Transportation, which is applicable to the project, your company may be responsible for additional costs to the Contractor caused by delays in adjustment of your facilities.

This office will furnish you additional information in regard to the circumstances, which caused the Contractor to claim there has been a changed condition under the contract with the Department. We will keep records to document the actual conditions, which exist during the period of the delay.

Sincerely,

Stanley Milton  
Project Administrator

CC: Bill Bentley, Ranger Construction Industries, Inc.  
Mike Neal, Ranger Construction Industries, Inc.  
Frank O'dea, District Construction Engineer  
Gary Bass, District Utility Engineer  
David Sadler, State Construction Engineer  
Fredrick Loose, District General Counsel  
Eddie Ferris, DOT Project Manager  
William Wages, Project Engineer

SCANNED DOCUMENT

DATE 2-2-07

METRIC ENGINEERING, INC.

DOC # 651680

TO/FROM

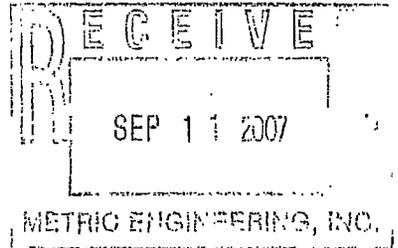
651581 UTILITY

METRIC PLAZA - CORPORATE HEADQUARTERS  
13940 S.W. 136 STREET, MIAMI, FL 33186  
DESIGN: SUITE 200 - CEI: SUITE 107  
PHONE: (305) 235-5098 - FAX: (305) 251-5894  
ACCT. & PERSONNEL FAX: (305) 235-5271  
WWW.METRICENG.COM



Sept. 6, 2007

Mr. Stanley Milton  
Project Administrator  
Metric Engineering  
1050 US Highway 27 South, Suite 11  
Clermont, Florida 34714



Re.: Project: US-27 (SR 25) Lake County  
Financial Project No.: 238421-1-52-01  
Contract No.: T-5108  
County: Lake

**Subject: Claim #17 Station 146+20LT Water Main**

Dear Mr. Milton,

As a follow up to Rangers letter dated Jan. 24, 2007 we have calculated the impacts due to the unforeseen condition related to a conflict with underground utilities.

As you are aware, this underground utility was not shown in the plans and was not located and caused a wash out, there was considerable amount of de-silting involved.

The total impact is \$2,983.26  
Comprised of Labor \$509.28 / Equipment \$194.78  
Orange Industrial De-Silt \$1,960.00

Sincerely,  
  
Carlos Socarras  
Project Engineer  
Ranger Construction Industries Inc.

**SCANNED DOCUMENT**  
**DATE 9-13-07**  
**METRIC ENGINEERING, INC.**  
**DOC # 673888 TO/FRE**  
**673889**





Project No. 3505029 Project Name / Location 27 South / 4th Avenue Weather Light snow Day MTWTFSS Date 1-21-  
 Owner FDOT Supervisor E Vasquez Report No

PC	CRAFT CODE	EMPLOYEE NUMBER	NAME	OP	COST CODES					TIME	
					7001	4001	3101			START	STOP
	123615	30805	E Vasquez	1	4	4					
	530650	30801	R Lupian	2			10				
	715680	32378	M Hinchado	3	6	4					
	775810	32897	M Romero	4	6	4					
	710843	34898	B V Casas	5	6	4					
	710843	36747	J Aragoni	6	6	4					
	710843	36880	B Ferras	7	6	4					
				8							
				9							
				10							
				11							

TOTAL LABOR

EQUIPMENT NUMBER	DESCRIPTION	OP #	HRS					TOTAL HRS	
			HRS	HRS	HRS	HRS	HRS	VD	A
07 2007	F450 4x4		In All shops (Winter Garden)					8	
07 2007	330C CAT EXC		8						
07 2007	938G CAT LOADER		4	4					
33 2285	Chevy Colorado		4	4					

MATERIALS	REC'D FROM	HAULER	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL

PRODUCTION	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL
Set P-logs cleaned out inlets		2	5				7

REMARKS & NOTES: (Delays, Maintenance, Weather, Engineering, Accidents, Owner Instructions, Job Visitors, etc.)  
 Set P-logs at 5-132 and 5-133  
 cleaned out inlets 5-132, 5-133, 5-135, 5-138, 5-140  
 (330C CAT EXC, 990157 helped dirt crew load up trucks with fill dirt at Parcel 3)

Supervisor: E Vasquez Project Manager: \_\_\_\_\_  
 Page 237

Project No. *100001* Project Name/Location *11111111 - 111111* Weather *111111* Day *MTWTFSS* Date *11/11/11*  
 Owner *F.P.C.T.* Supervisor *A. 11111111* Report #

PC	LABOR CRAFT CODE	EMPLOYEE NUMBER	NAME	OP	COST CODES					START	ST
					HRS	HRS	HRS	HRS	HRS		
	111111	11111	11111111	1	8						
	111111	11111	J. 111111	2		5	6				
	111111	11111	M. 111111	3		5	2	11			
	111111	11111	P. 111111	4					10		
	111111	11111	T. 111111	5			6	11			
	111111	11111	J. EVANS	6							
	111111	11111	L. 111111	7			3	6			
	111111	11111	M. 111111	8							
	111111	11111	V. 111111	9							
				10							
				11							
TOTAL LABOR											

EQUIPMENT NUMBER	DESCRIPTION	OP #	COST CODES					TOTAL	
			HRS	HRS	HRS	HRS	HRS	UD	A
33-4361	F-150 4RY	1	8						
24-406	110 H GRADER	2		2	3	3			
44-0005	110 H GRADER	3		2	3	3			
44-0118	938 LDR	2		3	5				
44-2027	110 H GRADER	-		GRAB	11	JOB			
44-2029	110 H GRADER	-		GRAB	11	JOB			
44-2027	110 H GRADER	-		SEE IR	11	JOB			
44-2020	WATER TRUCK	8							8
44-2013	CRUM	4							8
	WATER TRUCK	4							8

MATERIALS	REC'D FROM	HAULER	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL
EMPHASIS	WATER	WE WERE	TN		126	22	111		277

PRODUCTION	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL
Excavation	CY					101	101
Backfill	CY					101	101
Gravel	CY					101	101

REMARKS & NOTES: (Delays, Maintenance, Weather, Engineering, Accidents, Owner Instructions, Job Visitors, etc.)  
 \* WANTED HADIN + BLOW 4 WAVE DUCK ON THE N. SIDE of GRAB  
 GRAB BY GRADER OTHER WIND GRAB WITH THE WAVE + WAVE  
 WITHIN 1111 IN THE GRAB  
 DE LAYS...  
 GRAB...  
 GRAB...  
 GRAB...

Project No. 3505009 Project Yours Corner's Location Yours Corner's Weather Clear RAIN Day MTWTFSS Page 1-24  
 Owner DOT Supervisor Mike Trout Report

PC	LABOR CRAFT CODE	EMPLOYEE NUMBER	NAME	OP	COST CODES					TH	
					4101	8151					
	117650	35261	Mike Trout	1			8				
	570680	35435	Jesus Ruiz	2		2.5	8				
	550680	35433	Ricky Burgos	3	13						
	716843	38375	Ge. Ocasio	4		2.5	8				
	715680	36314	Jesus Torres	5	13						
	716843	38474	Richard Ruiz	6		2.5	8				
	716843	38376	Hector Colon	7		2.5	8				
				8							
				9							
				10							
				11							
TOTAL LABOR											

EQUIPMENT NUMBER	DESCRIPTION	OP #	COST CODES					TOTAL	
			4101	8151				VD	A
33-4359	F-150H44					8			
99-0203	D-5		8						
99-0194	170 D					8			

MATERIALS	REC'D FROM	HAULER	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL
<del>LINE ROCK</del>									
<del>DIRT</del>									
<del>WEATHER</del>									

PRODUCTION	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL
Place 1st + 2nd lift 2.R. in							
F.G. 7W	5y		100X12:9				133

REMARKS & NOTES: (Delays, Maintenance, Weather, Engineering, Accidents, Owner Instructions, Job Visitors, etc.)  
 Washed out stone and slope with water. Washed out stone and slope with water. Washed out stone and slope with water. Washed out stone and slope with water.

Project No. 3505029 Project Name / Location 4 Corners 27 South Weather 74 Day MTWTFSS Date 1/24/11  
 Owner F.D.O.T. Supervisor A. Rosario Jr. Report

PC	LABOR CRAFT CODE	EMPLOYEE NUMBER	NAME	OP	COST CODES					TIME		
					2001	3101	HRS	HRS	HRS	HRS	HRS	START
	123370	33877	A. Rosario	1		3						
	519810	35911	F. Rodriguez	2	10							
	325630	36195	J. Encinas	3	10							
	710843	38413	T. P. Rodriguez	4	10							
	715680	38413	K. Ortiz	5	10							
				6								
				7								
				8								
				9								
				10								
				11								
TOTAL LABOR					40	8						

EQUIPMENT NUMBER	DESCRIPTION	OP #	COST CODES					TOTAL HR	
			HRS	HRS	HRS	HRS	HRS	VD	A
33-4305	CLY 4x4	1		8					
67-2023	IT 38' D12	3	4	4					

MATERIALS	REC'D FROM	HAULER	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL
Fill	POND 3	DIAMOND 'C'		72	18	18	1296	YDS	1296

PRODUCTION	UNIT	QTY	QTY	QTY	QTY	QTY	TOTAL
Place in 1/2" Wall Expansion And							
Place in Trench		72	18	18	1296	YDS	1296
W. Pav # 3							

REMARKS & NOTES: (Delays, Maintenance, Weather, Engineering, Accidents, Owner Instructions, Job Visitors, etc.)

Supervisor: *[Signature]* Project Manager: *[Signature]*

Weekly Report for Week Ending 1/28/2007

Contract ID: T5108

Daily Diary For: Wednesday 1/24/2007

Diary Date: Wednesday 1/24/2007

Paid on Estimate No: 0011

Charge Day: Yes

Diary Remarks	
Remark Type	Diary Remarks Text
CLMN	Potential Claim issue with water line conflict

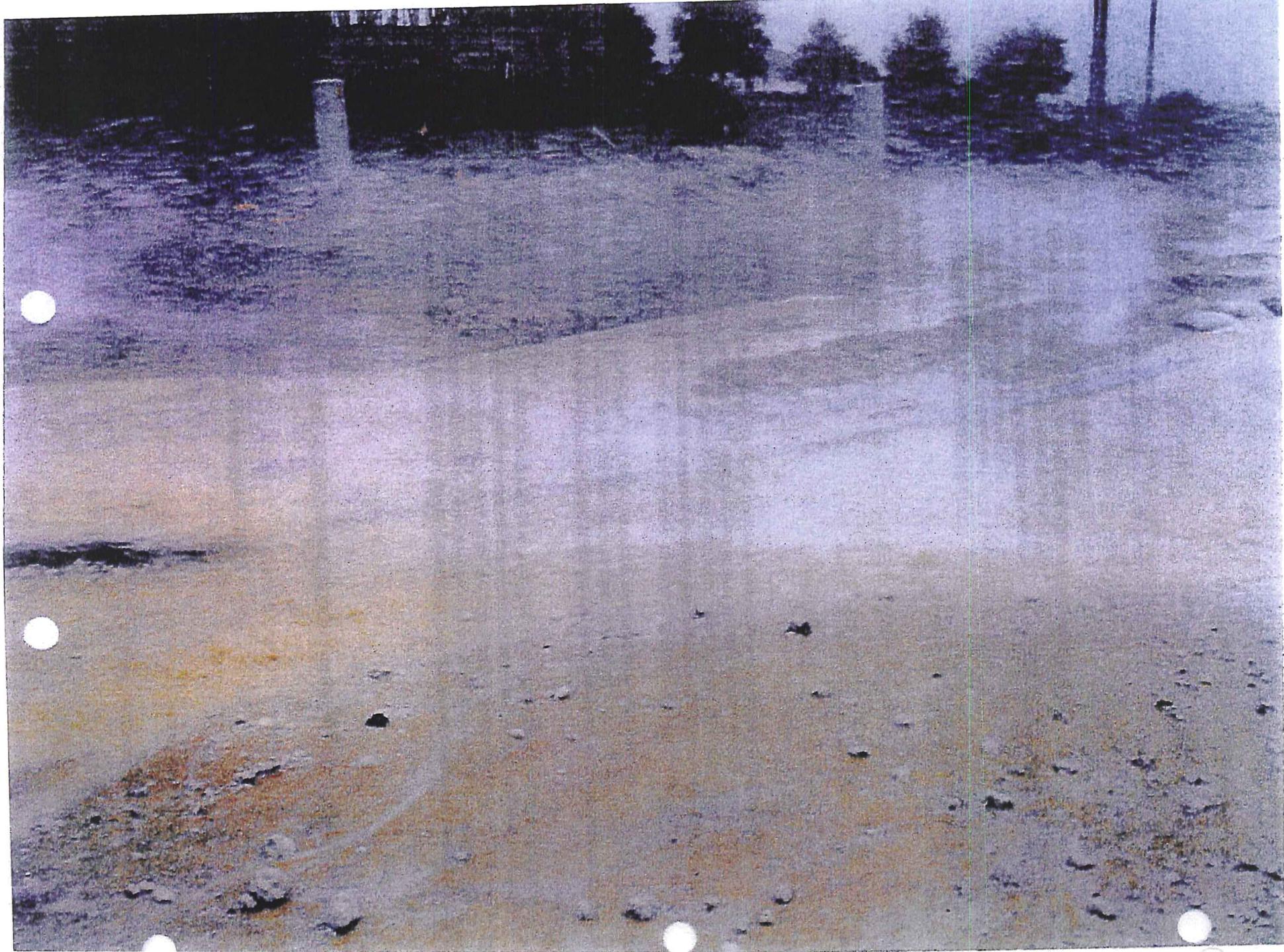


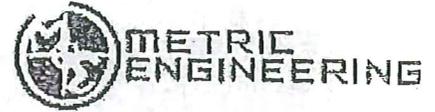












September 13, 2007

Mr. Bryan Gongre  
Lake Groves Utility  
200 Weathersfield Ave  
Altamonte Springs, FL 32714

CLERMONT FIELD OFFICE  
1060 US HIGHWAY 27 SOUTH SUITE  
CLERMONT FL 34714  
PHONE 352 241 8982  
FAX 352 241 8923

RE Claim No. 17 at station 146+20Lt  
FM No.: 238421-1-52-01  
FAP No 361202P  
Contract No T5108  
Project Description SR 25, from north of SR 530 to north of Boggy Marsh Road  
County, Lake  
MEIOG126

Dear Mr Gongre

By letter dated October 25, 2006 from Mr Stanley Milton, Project Administrator, we advise you that Ranger Construction Industries, Inc, the Department's Contractor for the above referenced project, had notified us of his intent to submit a claim for additional compensation based on costs incurred by them due to an alleged failure of your company to adjust its facilities located within the project right-of-way in a timely manner. The Department has received detail statement of claim from the Contractor

The Utility Relocation Agreement dated 03/03/05 between your company and the Department provides for direct responsibility of your company and for such Contractor claims. We, therefore, request you to respond directly to the Contractor and attempt to settle the matter with him

The Department is assessing the validity of the claim. Please notify this office within 15 days as to your position concerning this claim. If both parties agree that negotiations are progressing but a final settlement has not been reached within 60 days, then a time extension (up to 60 days, 120 days total) may be requested. If a settlement is not reached within 120 days, then the Department will seek reimbursement from your company of any monies paid by the Department to the Contractor

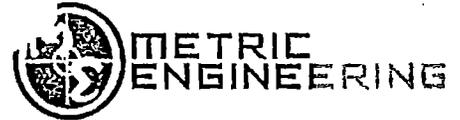
Sincerely,

Stanley Milton  
Project Administrator

CC Ed Mackiewicz, Ranger Construction  
William Wages, Project Engineer  
Gary Bass, District Utility Engineer  
David Sadler, State Construction Engineer  
Fredrick Loose, District General Counsel  
Frank O'dea, District Construction Engineer  
Eddie Ferns, DOT Project Manager

SCANNED DOCUMENT  
DATE 9-24-07  
METRIC ENGINEERING, INC.  
DOC #

METRIC PLAZA CORPORATE HEADQUARTERS  
1940 S W 136 STREET MIAMI FL 33185  
TEL 305 251 2000 FAX 305 251 2000  
UNIT 3000 MIAMI FL 33185  
LT & PERSONNEL FAX 305 251 2000  
WWW.METRICENG.COM



CLERMONT FIELD OFFICE  
 1050 US HIGHWAY 27 SOUTH - SUITE  
 CLERMONT, FL 34714  
 PHONE: (352) 241-8982  
 FAX: (352) 241-8925

October 12, 2007

Mr. Bryan Gongre  
 Lake Utility Services  
 200 Weathersfield Ave.  
 Altamonte Springs, FL 32714

RE: Claim No. 17 station 146+20 LT  
 FM No.: 238421-1-52-01  
 FAP No. 361202P  
 Contract No.: T5108  
 Project Description: SR 25, from north of SR 530 to north of Boggy Marsh Road  
 County: Lake  
 MEIOG135

Dear Mr. Gongre:

By letter dated September 13, 2007 we advised your company that Ranger Construction Company, the Department's Contractor for the above referred project, has submitted a detailed statement of claim for additional compensation based on cost incurred by him due to failure of your company to adjust its facilities located with the project right-of-way in a timely manner.

We have received notification on October 9, 2007 that your company has not reached an agreement with the Contractor on a settlement, we intend to proceed with the negotiation of a settlement with the Contractor on this claim.

Please be advised that representatives of the Department and Contractor will meet at 2:00 P.M. on October 17, 2007 at 1050 US Hwy 27 south, suite 11, Clermont, FL 34714 to negotiate a tentative settlement of this claim. As you may be ultimately responsible for the costs to the Department resulting from this claim, we urge your attendance at this meeting.

Sincerely,

Stanley Milton  
 Project Administrator

CC: Ed Mackiewicz, Ranger Construction  
 William Wages, Project Engineer  
 Gary Bass, District Utility Engineer  
 Fredrick Loose, District General Counsel  
 Eddie Ferris, DOT Project Manager

SCANNED DOCUMENT  
 DATE 10-19-07  
 METRIC ENGINEERING, INC.  
 DOC # 678298  
 678302

**LAKE UTILITY SERVICES, INC.**

AND AFFILIATED COMPANIES  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FLORIDA 32714

CORPORATE OFFICES:  
2335 Sanders Road  
Northbrook, Illinois 60062  
Telephone: 847-498-6440

Telephone: 407-869-1919  
Florida: 800-272-1919  
Fax: 407-869-6961  
[florida@ulwater.com](mailto:florida@ulwater.com)

October 3, 2007

Mr. Ed Mackiewicz  
Ranger Construction Industries, Inc.  
1200 Elboc Way  
Winter Garden, FL 34787

RE: Claim #17 Station 146+20 LT Lake Groves

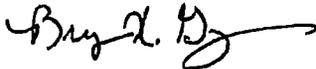
Dear Mr. Mackiewicz:

In regards to the above referenced matter, please refer to my previous letter dated March 13, 2007. The Utility's position has not changed and further requests that this matter be dropped due to the rapid response by Utility personnel and insignificant impact to the project.

Thank you in advance for your time and consideration. If you should have any questions, I can be reached directly at 407.869.8588, extension 226.

Sincerely,

LAKE UTILITY SERVICES, INC.



Bryan K. Gongre  
Regional Manager

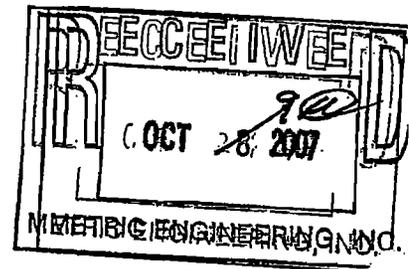
Cc: Stanley Milton, Metric Engineering  
Bill Coates, Project Manager, LUSI

SCANNED DOCUMENT

DATE 10-16-07

METRIC ENGINEERING, INC.

DOC # 677770 T/FK  
677771 Clair



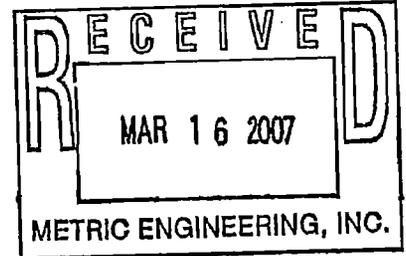
**LAKE UTILITY SERVICES, INC.**  
AND AFFILIATED COMPANIES  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FLORIDA 32714

CORPORATE OFFICES:  
2335 Sanders Road  
Northbrook, Illinois 60062  
Telephone: 847-498-6440

Telephone: 407-869-1919  
Florida: 800-272-1919  
Fax: 407-869-6961  
[florida@uiwater.com](mailto:florida@uiwater.com)

March 13, 2007

Mr. Stanley Milton  
Metric Engineering  
1050 U.S. Highway 27 South - Suite 11  
Clermont, FL 34714



RE: SR 25 from SR 530 to Boggy Marsh Road  
Lake County  
MEIOG085

Dear Mr. Milton:

This office has received your correspondence dated January 26, 2007 regarding the above referenced project and a claim by the Department's contractor for additional compensation.

The referenced station number is where an 8" stub out water main was struck by the contractor on January 24, 2007 while preparing the ingress to the Greater Groves subdivision. Our crews arrived immediately and shut down the affected water main. I am informed by my staff that this event may have affected your contractor for a maximum of 2 hours.

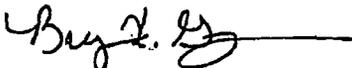
Based upon the circumstances surrounding this matter and the negligible amount of time involved, I can find no reason why Lake Utility Services, Inc. would be subject to such action.

Please make note to forward all future correspondence regarding this project to my attention.

If I can be of further assistance or you require additional information, please contact me directly at 407.869.8588, extension 226.

Sincerely,

LAKE UTILITY SERVICES, INC.

  
Bryan K. Gongre  
Regional Manager

Cc: Bill Coates, P.M., LUSI

Page 1 of 1  
Metric.ClaimResponLtr.031307

SCANNED DOCUMENT

DATE 3-27-07

METRIC ENGINEERING, INC.

DOC # 656041

656042

656043

TO/FROM  
Claim  
Utility

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
SUPPLEMENTAL AGREEMENT

700-010-45  
CONSTRUCTION  
05/04  
Page 1 of 1

No 5 (SMCO 022)

Contract No T5108

Date October 25, 2007

Road No(s) SR 25 (US 27) Federal Aid Project No(s) 3612 025P

Fin Proj ID 23842115201

This agreement entered into on October 25, 2007, such an agreement to be effective on the last date of execution by a party hereto, by and between the State of Florida Department of Transportation, "Department", and Ranger Construction Industnes, Inc., "Contractor", and United States Fidelety & Guaranty Co., "Surety", the same being supplementary to Contract T5108 by and between the parties aforesaid, dated September 15, 2005, for the construction or improvement of the road(s) and bridge(s) assigned the project number(s) shown above, in Lake Count(y)(ies) Florida

(1) The Department hereby intends to amend the Contract by  
Add Pay Item 9999 3 Utility Calim #s 15, 17, 20 & 21, Qty 1 LS @ \$18,339 51

Reason Settlement of Claim Issues Issue # 15 Waterline Conflict (STA 122+40 LT), Issue # 8" Water Line Stub in conflict with slope grading (STA 146+20), Issue # 20 12 Water Line in conflict with drainage pipe operations (STA 156+00) and Issue # 21 Sewer line Conflict with pipe laying operations (STA 159+00 +/-)  
Revised Plan Sheet Nos NA

(2) The quantities to be paid shall be determined as provided in the Standard Specification, Edition of 2004  
The quantities so determined shall be paid at the unit prices stated on the attached sheets

(3) It is further agreed that this supplemental agreement shall not alter or change in any manner the force and effect of the original Contract No T5108, including and previous amendments therelo, except insofar as the same is altered and amended by this supplemental agreement

(4) The Department and the Contractor agree that the contract time adjustment and sum agreed to in the Supplemental Agreement constitute a full and complete settlement of the matters set forth herein, including all direct and indirect costs for equipment, manpower, materials, overhead, profit and delay relating to the issues set forth in the Supplemental Agreement This settlement is limited to and applies to any claims arising out of or on account of the matters described and set forth in this Supplemental Agreement

Granted Time this Agreement 0 Days

Net Change in Contract this Agreement Increase \$ \$18,339 51 Decrease \$ \_\_\_\_\_  
No Change

Approved By  
[Signature]  
BY Name William R Wages  
Title Senior Project Engineer  
Date 10-31-07

Executed By  
[Signature] (SEAL)  
Contractor  
BY Name Mark Velette  
Title Vice President  
Date 10/31/07

Executed By  
[Signature]  
Secretary or Designee  
BY Name Frank J O'Dea, P E  
Title District Construction Engineer  
Date \_\_\_\_\_

ATTEST  
[Signature] 10/31/07  
Asst Secretary Date

NOT REQUIRED (SEAL)  
Surety

[Signature]  
Attorney, Department of Transportation, Legal Review  
BY Name \_\_\_\_\_  
Date \_\_\_\_\_

BY NOT REQUIRED  
Florida Licensed Insurance Agent Date

SCANNED DOCUMENT  
DATE  
METRIC ENGINEERING, INC.  
DOC # - - -

Rpt-ID RCOCORPT

Florida

Date 10/29/2007

User cn508gd

Department of Transportation

Page 1 of 1

Change Order Report

Contract ID T5108  
 Change Order Nbr 022 Force Acct ID 0  
 Change Order Type Supplemental Agreement  
 CO Description SA 5 Settlement of Utility Claims  
 Zero Dollar Change Order No

Project Nbr	Itm Nbr	Catg	Item Code	Unit	Unit Price	Bld Qty	Prev Apprvd Qty	Curr CO Qty	Curr Apprvd Qty	Amount of Change	
23842115201	0588	0200	9999 3	LS	\$18,339.51	0	0	1	0	This Chng \$18,339.51	
Item Description				CO Item Description							
GENERIC CONTRACT CHANGE(S/M ONLY)				SA 5 Settlement of Utility Claims							
Supplemental Description1		Add Pay Item 9999 3 Utility Calims #s 15,17,20 & 21								Prev Revised \$0.00	
Supplemental Description2		Qty 1 LS @ \$18,339.51								New Revised \$18,339.51	
										Bld Contract \$0.00	
										Net Change \$18,339.51	
										Pct Change	
Total Value for Change Order 022						= \$18,339.51					

## Entitlement Analysis

Financial No.: 238421-1-52-01  
Contract No.: T5108

Date Prepared: 10/12/2007  
CEI Consultant: Metric Engineering, Inc.  
SPE / RE Signature: \_\_\_\_\_

### Description of Change:

Add a pay item for the settlement of Utility Claims #'s 15, 17, 20 and 21 for which the Utility's are not in agreement.

### Entitlement Analysis:

In an effort to solve and mitigate the outstanding issues afore mentioned the attached documentation support justifies the additional compensation for the issues. There is sufficient evidence the contractor was impacted at the periods of the stated issues interference with the progression of the construction activities. Pay claims at the following prices #15 @ \$ 8,316.00, #17 @ \$ 2,983.26, #20 @ \$ 3,159.00, and #21 @ \$ 3,881.25 (Eng. est.).

Buckslip Code: N/A

### Time Extension Analysis:

N/A

### Premium Cost Analysis:

No premium cost should be applied. The Designer could not have reasonably anticipated the issues involved.

## Entitlement Analysis

Financial No.: 238421-1-52-01  
Contract No.: T5108

Date Prepared: 10/3/2007  
CEI Consultant: Metric Engineering, Inc.  
SPE / RE Signature:

### Description of Change:

Issue Claim # 17, Lake Utility Services, Inc.'s 8" stub out of the water line is in conflict with slope grading operations at station 146+20 at Greater Groves Blvd. on left roadway. The conflicting issue was on January 24, 2007 and appear to last one day.

### Entitlement Analysis:

Ranger Construction Industries, Inc. has been impacted by Lake Utility Services, Inc.'s failure to relocate its utility to the proper location and elevation prior to the construction of the project. Ranger is entitled to down time expenses for mitigating the impact to keep the project progressing.

Buckslip Code: N/A

### Time Extension Analysis:

N/A

### Premium Cost Analysis:

No premium cost associated with this claim.

**COST ESTIMATE FOR  
INCREASE, DECREASE OR ALTERATION IN THE WORK (Spec. 4-3.2)**

FIN#: 238421-1-52-01 Contract #: T5108 Fed Proj. #: 3612025P  
 Point of Contact (Name/Phone #): Stanley Milton 362-241-8982  
 Email Address: smilton@metriceno.com  
 Estimate Prepared By: Everett Bass,  
 Company: Metric Engineering, Inc.

\_\_\_\_\_  
 Signature Date  
 \*\*\*\*\*

CONTRACTOR		Ranger Construction Industries, Inc. - Issue # 20	
a) LABOR and BURDEN	\$		1,386.64
b) MATERIALS AND SUPPLIES	\$		-
c) EQUIPMENT	\$		1,658.76
d) INDIRECT COST, EXPENSES, AND PROFIT	\$		532.94
	\$		<u>3,578.34</u>
SUB-CONTRACTOR		0	
a) LABOR and BURDEN	\$		-
b) MATERIALS AND SUPPLIES	\$		-
c) EQUIPMENT	\$		-
d) INDIRECT COST, EXPENSES, AND PROFIT	\$		-
	\$		<u>-</u>
SUB-CONTRACTOR		0	
a) LABOR and BURDEN	\$		-
b) MATERIALS AND SUPPLIES	\$		-
c) EQUIPMENT	\$		-
d) INDIRECT COST, EXPENSES, AND PROFIT	\$		-
	\$		<u>-</u>
SUB-CONTRACTOR		0	
a) LABOR and BURDEN	\$		-
b) MATERIALS AND SUPPLIES	\$		-
c) EQUIPMENT	\$		-
d) INDIRECT COST, EXPENSES, AND PROFIT	\$		-
	\$		<u>-</u>
SUB-CONTRACTOR		0	
a) LABOR and BURDEN	\$		-
b) MATERIALS AND SUPPLIES	\$		-
c) EQUIPMENT	\$		-
d) INDIRECT COST, EXPENSES, AND PROFIT	\$		-
	\$		<u>-</u>
SUB-CONTRACTOR		0	
a) LABOR and BURDEN	\$		-
b) MATERIALS AND SUPPLIES	\$		-
c) EQUIPMENT	\$		-
d) INDIRECT COST, EXPENSES, AND PROFIT	\$		-
	\$		<u>-</u>
SUB-CONTRACTOR		0	
a) LABOR and BURDEN	\$		-
b) MATERIALS AND SUPPLIES	\$		-
c) EQUIPMENT	\$		-
d) INDIRECT COST, EXPENSES, AND PROFIT	\$		-
	\$		<u>-</u>
<b>TOTAL COST OF INCREASE, DECREASE OR ALTERATION IN THE WORK</b>			<b>\$ 3,578.34</b>

**COST ESTIMATE FOR  
INCREASE, DECREASE OR ALTERATION IN THE WORK (Spec. 4-3.2)**

FIN#: 238421-1-52-01 Contract #: T5108 Fed Proj. #: 3612025P  
 Point of Contact (Name/Phone #): Stanley Milton 352-241-8982  
 Email Address: smilton@metriceng.com  
 Estimate Prepared By: Everett Bass,  
 Company: Metric Engineering, Inc.

**CONTRACTOR:** Ranger Construction Industries, Inc. - Issue # 20

**a) LABOR and BURDEN**

LABOR	TIME	UNIT	RATE	BURDEN (%)	LABOR plus BURDEN SUB- TOTAL
Foreman (4)	12.00	Hr	\$ 32.50	40.49%	\$ 547.91
Labors (6)	18.00	Hr	\$ 13.00	40.49%	\$ 328.75
Loader Operator (3)	9.00	Hr	\$ 14.50	40.49%	\$ 183.34
Backhoe Operator (2)	6.00	Hr	\$ 20.00	40.49%	\$ 168.59
Vib. Roller Operator	3.00	Hr	\$ 14.50	40.49%	\$ 61.11
Motor Grader Operator	3.00	Hr	\$ 23.00	40.49%	\$ 96.94
					\$ -
					\$ -
					\$ -

**TOTAL LABOR and BURDEN \$ 1,386.64**

**b) MATERIALS AND SUPPLIES**

MATERIAL	QTY.	UNIT	RATE	SUB-TOTAL
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -

**TOTAL MATERIALS AND SUPPLIES \$ -**

**COST ESTIMATE FOR  
INCREASE, DECREASE OR ALTERATION IN THE WORK (Spec. 4-3.2)**

FIN#: 238421-1-52-01 Contract #: T5108 Fed Proj. #: 3812025P  
 Point of Contact (Name/Phone #): Stanley Milton 352-241-8982  
 Email Address: smilton@metriceng.com  
 Estimate Prepared By: Everett Bass,  
 Company: Metric Engineering, Inc.

**c) EQUIPMENT**

EQUIPMENT	OPERATING		STAND-BY / IDLE		SUB-TOTAL
	FHWA Rate w/ Adjustments	HRS	50% of Ownership Cost w/ Adjustments	HRS	
Pickups (2)	\$ 14.15	6.00			\$ 84.90
938G Cat Loader	\$ 56.61	9.00			\$ 509.49
Excavator Cat 330L 96	\$ 118.04	6.00			\$ 708.24
140 H Cat Grader	\$ 66.67	3.00			\$ 200.01
IR Vib Roller	\$ 52.04	3.00			\$ 156.12
					\$ -
					\$ -
					\$ -
					\$ -

**TOTAL EQUIPMENT \$ 1,658.76**

**d) INDIRECT COST, EXPENSES, AND PROFIT (1) or (2), whichever is greater)**

(1) 17.5% of the sum of a), b), & c) above: \$ 532.94  
 (1)(i) BOND: For any additional bond for the additional or unforeseen work, the Contractor shall provide clear and convincing proof that the bond has actually been provided and paid for a separate bond premium for such additional or unforeseen work.  
 (1)(ii) SUBCONTRACTOR MARKUP:  
 Subcontractor Cost for Extra Work: \$ -  
 First \$50,000 10% \$ -  
 Over \$50,000 5% \$ -  
 \$ 532.94

**(2) Average overhead per day:**

A	Original Contract Amount	\$	22,042,884.62
B	Original Contract Time		650
C	8%		
D =	$\frac{A \times C}{B}$	\$	2,712.97

Calendar days of entitlement that are in excess of the first 10 cumulative entitlement calendar days for the contract:

\$ -

**TOTAL INDIRECT COST, EXPENSES, AND PROFIT \$ 532.94**

Weekly Report for Week Ending 1/28/2007

Contract ID: T5108

Daily Inspection Report By Hornbeck, William For 1/24/2007

Weather Information

High Temperature: 0 F Morning Conditions:  
 Low Temperature: 0 F Afternoon Conditions:

DWR Remarks

Remark Type	DWR Remark Text
Claim Issues	while grading radius area 146+05-146+35 ft primes slope crew struck a 3" ductal iron water pipe, crew on site 1 superintendent, 1 foreman, 3 skilled and 2 semi-skilled, equipment at site 2 ford f150 pick up, 1 cat 430d combo hoe. time was 8:00am to 10:30 am. lake grove utilities responded to site and capped off water line, utility will move water line out of contractors way, time on site 8:30am to 10:30am personal on site 4 skilled, equipment used 4 chevy pick ups. all lt rdwy sr25 us27
Contractor Operations	ranger ;slope crew, grade back slope for new sidewalk pads and sod 146+50-146+35 & 145+18-144+80 ft, assist roadway crews leveling and balancing 2nd lift of limerock.  rdwy sr25 us27  mot crew continue general clean up 32+00-100+00
SubContractor Operations	bobs barricades, crew on site servicing mot, all lt rdwy sr25 us27

Contractor Equipment On Site And/Or Active

Eq ID	Equipment Description	Total Qty On Site	Qty Used Today	Hrs Used Today
Contractor ID:	Contractor Name:			

Contractor Personnel On Site

Contractor ID:	Contractor Name:	Supervisor/Forman Name	Hours Worked
VF592098662002	RANGER CONSTRUCTION INDUSTRIES, INC.	Superintendent, Day	10.00
		<b>Total Hours Reported:</b>	<b>10.00</b>

Contractor Variable Labor On Site

Contractor ID	Contractor Name	Variable Labor Type/Personnel Name	Number on Site	Hours Worked
VF59209866200	RANGER CONSTRUCTION INDUSTRIES, IN	Foreman, Day	2.00	20.00
VF59209866200	RANGER CONSTRUCTION INDUSTRIES, IN	Semi Skilled, Day	5.00	10.00
VF59209866200	RANGER CONSTRUCTION INDUSTRIES, IN	Skilled, Day	4.00	10.00
		<b>Total Hours Reported:</b>		<b>130.00</b>