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|---|---|
| **From:** | Tahir, Nadeem (FTA) |
| **To:** | Carranza, Edward (FTA); Zelasko, Elizabeth (FTA); Marler, Renee (FTA); Luu, Catherine (FTA); Rogers, Leslie (FTA) |
| **CC:** | VanWyk, Christopher (FTA); Zusman, Nancy-Ellen (FTA); Matley, Ted (FTA); Sukys, Raymond (FTA); Bausch, Carl (FTA); Borinsky, Susan (FTA) |
| **Sent:** | 4/23/2010 6:29:36 AM |
| **Subject:** | RE: WOFH DB Contract - Test Shafts- & Other questions related to HI project |

I am concerned that we are creating new rules and I am not being impatient but talking from 40 years of experience working with FTA as a grantee and the last almost five as an FTA staffer.

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**From:** Carranza, Edward (FTA)
**Sent:** Thu 4/22/2010 8:57 PM
**To:** Tahir, Nadeem (FTA); Zelasko, Elizabeth (FTA); Marler, Renee (FTA); Luu, Catherine (FTA); Rogers, Leslie (FTA)
**Cc:** VanWyk, Christopher (FTA); Zusman, Nancy-Ellen (FTA); Matley, Ted (FTA); Sukys, Raymond (FTA); Bausch, Carl (FTA); Borinsky, Susan (FTA)
**Subject:** RE: WOFH DB Contract - Test Shafts- & Other questions related to HI project

Nadeem: Please air patience as we address this one. I'm back in the office on Friday.

Susan/Carl - sorry I missed catching up with you two today while I was walking the halls of FTA (through all the kids and "earth day" activities). I did catch up with Beth, Alex and Joe for a bit.

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**From:** Tahir, Nadeem (FTA)
**Sent:** Thu 4/22/2010 6:54 PM
**To:** Zelasko, Elizabeth (FTA); Marler, Renee (FTA); Luu, Catherine (FTA); Rogers, Leslie (FTA); Carranza, Edward (FTA)
**Cc:** VanWyk, Christopher (FTA); Zusman, Nancy-Ellen (FTA); Matley, Ted (FTA); Sukys, Raymond (FTA); Bausch, Carl (FTA); Borinsky, Susan (FTA)
**Subject:** Re: WOFH DB Contract - Test Shafts- & Other questions related to HI project

How do we tell them not to do PE when we have authorized them to do PE. Actually I have another question and that is: did the 4f and 106 analysis and archeological analysis determine any potential archeological artifacts or any such known history at the locations where the PE soil sampling is being proposed or is this a policy and programmatic issue. Thanks.

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**From**: Zelasko, Elizabeth (FTA)
**To**: Marler, Renee (FTA); Luu, Catherine (FTA); Tahir, Nadeem (FTA); Rogers, Leslie (FTA); Carranza, Edward (FTA)
**Cc**: VanWyk, Christopher (FTA); Zusman, Nancy-Ellen (FTA); Matley, Ted (FTA); Sukys, Raymond (FTA); Bausch, Carl (FTA); Borinsky, Susan (FTA)
**Sent**: Thu Apr 22 17:30:16 2010
**Subject**: RE: WOFH DB Contract - Test Shafts- & Other questions related to HI project

I would recommend that the City not move forward with their drilling plans until after the PA is signed by the signatories and invited signatories. I think it would add to a level of distrust with the consulting parties and make the task of completing the 106 process more difficult than it needs to be.

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**From:** Marler, Renee (FTA)
**Sent:** Thursday, April 22, 2010 3:42 PM
**To:** Luu, Catherine (FTA); Tahir, Nadeem (FTA); Rogers, Leslie (FTA); Carranza, Edward (FTA)
**Cc:** VanWyk, Christopher (FTA); Zelasko, Elizabeth (FTA); Zusman, Nancy-Ellen (FTA); Matley, Ted (FTA); Sukys, Raymond (FTA)
**Subject:** RE: WOFH DB Contract - Test Shafts- & Other questions related to HI project

Nadeem and Cathy, Please proceed to ask the grantee to respond to the PMOC findings re the eligibility of the InfraConsult contract, including the absence of federal clauses and compliance with requirements for competitive procurement. If the

contract supports the project, it should be federally eligible regardless of the source of funds. You may also ask what steps they intend to take to bring the contract into compliance.

Thanks for raising this concern.

We still need to confer on NTP#1C drilling and the PA. Ted and Ray ?

Renee

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**From:** Zusman, Nancy-Ellen (FTA)
**Sent:** Thursday, April 22, 2010 12:17 PM
**To:** Marler, Renee (FTA); Sukys, Raymond (FTA); Matley, Ted (FTA); Luu, Catherine (FTA); Tahir, Nadeem (FTA)
**Cc:** VanWyk, Christopher (FTA); Zelasko, Elizabeth (FTA)
**Subject:** RE: WOFH DB Contract - Test Shafts- & Other questions related to HI project

Go ahead and ask.

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**From:** Marler, Renee (FTA)
**Sent:** Thursday, April 22, 2010 2:00 PM
**To:** Zusman, Nancy-Ellen (FTA); Sukys, Raymond (FTA); Matley, Ted (FTA); Luu, Catherine (FTA); Tahir, Nadeem (FTA)
**Cc:** VanWyk, Christopher (FTA); Zelasko, Elizabeth (FTA)
**Subject:** FW: WOFH DB Contract - Test Shafts- & Other questions related to HI project

All,

I advised Jesse that I did not have authority to approve the City's issuance of NTP#1C and he indicated this response was what he expected based upon our earlier conversation and FTA's letter on the NTP. However, other concerns remain.

Specifically, the drilling of a 7ft diameter and 70-120 ft deep shaft may trigger some public concerns, and trigger protocols under the draft PA. The work is scheduled to begin in May and the PA may not be final by then. This needs to be looked into.

On a separate issue, the PMOC has found that HNL's project management support consultant contract with InfraConsult LLC is locally funded and is does not contain federal clauses. The Region's view is that this contract is part of the Federal project and must be federally eligible. While we cite lack of fed clauses as a problem I also wonder whether this was a competitive procurement. Note "The PMOC stated that PMSC budget/cost of this contract is $11M ( 2 years) and the new contract ( issued in 11/2009) costs (Not to exceed) $ 36.7 M ( 5 years contract). The $2M contract work was performed before PE approval ." I suggest we ask the grantee advise us on the Federal eligibility of this contract.

Renee

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**From:** Luu, Catherine (FTA)
**Sent:** Thursday, April 15, 2010 3:29 PM
**To:** Marler, Renee (FTA)
**Cc:** Jones, Sigrid (FTA); Carranza, Edward (FTA); Matley, Ted (FTA); Tahir, Nadeem (FTA); Sukys, Raymond (FTA); Nguyen, Kim (FTA)
**Subject:** FW: WOFH DB Contract - Test Shafts- & Other questions related to HI project

Renee,
Per the PMOC, Jesse Souki of Corporation Counsel will call you to discuss their intent to issue NTP #1C ( see the scope below per the PMOC email). I think it would be beneficial for you to know the request in advance of the phone call. Per the PMOC opinion below, the PMOC believes the scope of NTP #1C meets the criteria of the PE activities.

Questions/concerns:
a) Even though the PMOC believes that the scope of NTP #1c meets the criteria of the PE activities; however, the contractor ( kiewitt) will need to mobilize the rigs which the public might think the activities related to construction activities.
b) Can the activities in NTP #1C be approved/performed before obtaining a PA agreement?
c) If during drilling ( full diameter of the shaft is 7 foot and the depth to be drilled 70'-120') the contractor may encounter any artifacts& in addition to disposal of spoil… then what will be the contractor plan? should the activities may need to be addressed/discussed in a plan to be submitted to FTA for review before getting FTA concurrence for the proceeding NTP 1C?

OTHER QUESTION:
Per discussion with the PMOC and the PSR contractor, we found out that the Project Management Support Consultant (PMSC) contract ( InfraConsult LLC) has not been considered as part of the Federal project by the City. FTA region 9 thinks that this contract shall be part of the Federal project.. Please advise us whether this contract shall be included in the federal project cost and if it is, then will FTA tell the Grantee. In addition, if the contract must be part of the federal cost, then all applicable federal clauses should be included in the contract. The PMOC stated that PMSC budget/cost of this contract is $11M ( 2 years) and the new contract ( issued in 11/2009) costs ( Note to exceed) $ 36.7 M ( 5 years contract). The $2M contract work was performed before PE approval .

Thanks
Cathy.

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**From:** Tahir, Nadeem (FTA)
**Sent:** Thursday, April 15, 2010 10:34 AM
**To:** 'Timothy.Mantych@jacobs.com'; Luu, Catherine (FTA)
**Cc:** Carranza, Edward (FTA); 'William.TSiforas@jacobs.com'; Nguyen, Kim (FTA); Rogers, Leslie (FTA)
**Subject:** Re: WOFH DB Contract - Test Shafts

I fully agree with the PMOC assessment that this is engineering activity. Thanks.

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**From**: Mantych, Timothy <Timothy.Mantych@jacobs.com>
**To**: Luu, Catherine (FTA)
**Cc**: Carranza, Edward (FTA); Tahir, Nadeem (FTA); Tsiforas, William <William.TSiforas@jacobs.com>; Nguyen, Kim (FTA)
**Sent**: Thu Apr 15 12:57:53 2010
**Subject**: WOFH DB Contract - Test Shafts

Cathy – Per our discussion yesterday, the following summarizes the City's intent to issue an NTP #1C authorizing Kiewit to complete drilled shaft testing for the West Oahu/Farrington Highway DB Contract:

The City has authorized Kiewit to begin the geotechnical boring program under NTP #1B. This work is necessary to support the Interim Design stage, as defined in Special Provisions 4.7 (h) of the WOFH DB Contract. The City would like to authorize Kiewit to complete installation of Demonstration Shafts and Load Test Shafts since they consider this work to also be within the bounds of New Starts PE:

- Demonstration Shafts - Used to help determine optimal installation methods and refine design criteria. They are typically utilized following completion of the initial subsurface exploration program. Installation methods are developed based on preliminary data obtained from the program. Method Shafts are installed in various locations along the segment where the subsurface conditions may vary. The Method Shafts assist the designers in determining, for example, whether the production shafts will require permanent casing, and if so how deep. Such information is used to refine the design parameters. These shafts are sacrificial (abandoned below grade) and are not incorporated into the permanent guideway structure.

- Load Test Shafts - Installed once the Method Shaft installation has been completed and approved within a section of the guideway segment. These shafts are installed, statically load tested, and abandoned below grade. They are sacrificial and are not incorporated into the permanent guideway structure.

The value of these activities is $3.5M, which is based on nine (9) Demonstration Shafts and nine (9) Load Test Shafts (see

attached schedule of values). However, the City and Kiewit are discussing the need to complete only three (3) Demonstration Shafts and eight (8) Load Test Shafts. This would result in a net savings of about $1M.

It is anticipated that this work would begin in May 2010. It is the opinion of the PMOC that these Method and Load Test Shafts meet the criteria for preliminary design activities outlined in Federal Register Volume 72, No. 12 dated January 19, 2007 since the data will be used to complete the Interim Design stage. Further refinement of the drilled shafts would occur during Final Design (i.e. reinforcing requirements, drilled shaft to column connection, installation details, etc.) upon authorization from the FTA.

All activities generally identified under NTP #1 and NTP #2, as defined in the executed agreement, will have been authorized if the City issues NTP #1C. It is our understanding that Jesse Souki of Corporation Counsel will be calling Renee to discuss their intent to issue NTP #1C.

Please let me know if you have any questions or require more information.

Thanks,

**Timothy L. Mantych, P.E. (MO, IL)**
**Jacobs**
FTA PMOC Program Manager
501 North Broadway
St. Louis, MO 63102
Phone: 314.335.4454
Mobile: 314.614.1386
tim.mantych@jacobs.com

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