

RG 30 RECORDS OF THE BUREAU OF
PUBLIC ROADS

WASHINGTON OFFICE, *Entry 6*
GENERAL CORRESPONDENCE AND
RELATED RECORDS, 1912-65.

1955-1959

ALASKA-BRIDGES & STRUCTURES BY NAME 1956-59
THRU

ALASKA FOREST HWYS-GENERAL 1955-56

BOX NO.
1130

HM 1991

7/55 - 12/59

Alaska Forest Hwy's Claims

26-30

BUREAU OF PUBLIC ROADS

*F.H. Alaska
Claims*

Mr. E. H. Swick, Regional Engineer
Juneau, Alaska

April 28, 1958

C. W. Enfield, General Counsel
Washington, D. C.

Present status of claims and requests for adjustment on contract work

We wish to acknowledge your memorandum of April 18 and attachment on the above subject.

Mr. Cunningham will be in touch with you regarding these claims in the very near future, and special effort will be made to dispose of them as quickly as possible.

HEC:mb

cc: Files ✓
Chron

4/28

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. C. W. Enfield, General Counsel
Washington, D. C.

FROM : E. H. Swick, Regional Engineer
Juneau, Alaska

H E C
10
DATE: April 18, 1958

SUBJECT: Present status of claims and requests for adjustment on contract work

Enclosed is a brief statement concerning present status of claims and requests for adjustment in contract price and time for performance on contract work in Region 10.

Frequent inquiries are being received from the various contractors as to when they may expect decisions on these claims and disputes, a few of which are now a year or more old.

Enclosure

A.R.S.

PALMER-MATANUSKA HIGHWAY

Contract 14-26-002-388

Contractor: Stock & Grove, Inc., Anchorage

Documents pertinent to a request for adjustment in contract price forwarded to Washington May 13, 1957. Copy of letter from Stock & Grove requesting information as to what action has been taken on their appeal to contracting officer forwarded to Washington on February 12, 1958.

Present Status: Clearing and Stripping claim rejected by engineer (District Engineer), and an appeal made to contracting officer. Contractor evidently entitled to adjustment in excavation price because of overrun in excess of 25% if demanded.

BONIFACE ROAD

Contract 14-26-002-387

Contractor: John C. Miller

Claim for additional compensation before appeals board for Department of Commerce.

RICHARDSON G

Contract 14-04-002-50

Contractor: Morrison-Knudsen Company, Inc.

A decision was rendered on this claim by the Interior Board of Contract Appeals. At the contractor's request, the Interior Board of Contract Appeals has agreed to permit a re-hearing.

RICHARDSON G-1

Contract 14-26-002-245

Contractor: McLaughlin, Inc.

Appeal to the contracting officer from engineer's adverse decision. Appeal with pertinent information forwarded to Washington May 27, 1957, for a decision by the contracting officer.

RICHARDSON SEAL COAT

Project F-071-1(1)

Contractor: Asphalt Paving Corporation

Appeal from engineer's adverse decision made to contracting officer. Material pertinent to appeal forwarded to Washington December 9, 1957.

COPPER RIVER C

Contract 14-26-002-166

Contractors: B-E-C-K - McLaughlin

Various requests for adjustment in contract price forwarded to Washington November 14, 1956, for contracting officer's decision.

Copy of letters from contractor dated March 3 and 26, 1958, concerning above requests forwarded to Washington March 26, 1958.

KLUTINA, TONSINA AND MOOSE CREEK BRIDGES

Contract 14-26-002-359

Contractor: Pacific Construction Company

Claim for additional compensation before appeals board for Department of Commerce.

STEESE SECTION A-1

Contract 14-26-002-371

Contractor: Williams Equipment Company

Dispute over contract quantities. Request denied by District Engineer. Appeal made to contracting officer. Appeal and dispute forwarded to Washington March 15, 1957. Copy of a letter of inquiry from Williams Equipment Company, dated February 5, 1958, forwarded to Washington February 11, 1958.

DENALI HIGHWAY, SECTION B

Contract 14-26-002-352

Contractors: W. A. Smith Contracting Co., Inc.
and Brown & Root, Inc.

Request for extension of time for performance and adjustments for alleged permafrost encountered. Still at District and Regional level. Advice from Mr. Enfield requested October 14, 1957, with respect to above adjustment.

Mr. Frederick W. Clouston, Chairman
 Appeals Board for the Department of Commerce

April 21, 1950

C. W. Raffold, General Counsel
 Bureau of Public Roads

Appeal of The Pacific Construction Company re Klutina, Tonsina
 Rivers and Moose Creek Bridges, Contract No. 14-24-000-359.
 Alaska Road Commission (Department of the Interior) Third
 Judicial Division, Territory of Alaska. PA-17.

1. Reference is made to our communication to you of October 30
 1947, in regard to this case. Attached find the following documents,
 representative of the Contractor and the Bureau of Public Roads.

- a. Volume 1. (six copies) Statement of the Bureau
 of Public Roads.
- b. Volume 2. (two copies) Exhibits and Documents in
 Support of Public Roads case.
- c. Volume 3. (three copies) Briefs and Documents in
 behalf of Contractor's claim.
- d. Volume 4. (one copy) Contract.
- e. Volume 5. Files and Correspondence Folder.
- f. Volume 6. Plans in enclosed roll.

2. Of the documents forwarded, the contract, correspondence
 and files and the plans, noted as volumes 4, 5 and 6 are documents
 considered for permanent retention by the Bureau of Public Roads as
 Public Documents and are, therefore, requested to be returned to
 Public Roads after they have served such purpose as the Board may
 require.

3. The documents forwarded as Volume 2, are considered "privileged"
 information in the legal sense, being reproductions or originals of matters
 peculiarly considered as relating to the internal management of the Office
 of District and Regional Engineer, Bureau of Public Roads. This volume
 is therefore considered as being solely forwarded for the use of the Board.

4. Volume 1, the Statement of the Bureau of Public Roads, as
 prepared and collected, is believed to contain sufficient quotation of the
 text of the various exhibits in full or in essence so as to fully apprise
 the contractor of the Government's case. Two copies for the Contractor
 are attached.

See - F.H. ALASKA -
 KLUTINA, TONSINA, RIVERS +
 MOOSE - CREEK. BRIDGE -

April 21, 1958

5. In the event we can be of further assistance, please advise. Should additional information be received from the field, it will be forwarded to the Board immediately.

Attachments

1032 Stewart
4/23/58

X-Ref

Mr. Frederick W. Olmstead, Chairman,
Appeals Board for the Department of Commerce

October 30, 1957

C. W. Infield, General Counsel
Bureau of Public Roads

Appeal of Pacific Construction Company, Klutina, Tonsina Rivers
and Moose Creek Bridges, Contract 14-26-002-359

Transmitted herewith are the original and two copies of the appeal by the Pacific Construction Company from the finding of fact and determination of Public Roads in connection with the claim growing out of the Klutina River Bridge, Contract No. 14-26-002-359.

Although the contract from which the appeal arises was originally awarded under the Alaska Roads Commission, Department of the Interior, jurisdiction has been transferred to the Department of Commerce in accordance with section 107 of the Federal-Aid Highway Act of 1956, 70 Stat. 374. The Appeals Board for the Department of Commerce would therefore appear properly to have jurisdiction in this case.

The appeal dated July 10, 1957, is being taken from the Formal Determination of Fact dated June 11, 1957. The appeal is stamped on the back as having been received by Public Roads on July 15, 1957, a Monday, apparently two days in excess of the 30-day period permitted. The 30-day period commences from the date of receipt by the contractor of the Government's determination, and would end with the date when the Government actually received the appeal. Unfortunately, we have no record of when the contractor received the aforesaid determination, as it was not sent by registered mail, and furthermore, it is possible that the appeal may have been received in our Juneau office before it was stamped in. The transmission envelope was not preserved.

From the record and upon further inquiry to our Juneau office, Public Roads considers that said appeal was timely filed and will process the case on that basis unless you conclude otherwise. This will also explain the delay in forwarding the appeal to your office.

Appellant has been informed by the regional engineer on July 24, 1957, of the necessity to support the appeal with a brief and any other documents. Such instruction has not been acknowledged by the appellant. Our regional engineer has been asked to follow up on the matter in order that we can prepare the complete statement of the case for forwarding to the Appeals Board with the record.

Attachments

MPC

NHClass:jek
cc: Files (2) ✓
Legal
HECunningham
NHClass

10146

See F.H. Alaska - Klutina
Tonsina Rivers + Moose
Creek Bridge

CLAIMS REQUIRING SETTLEMENT BY THE GENERAL ACCOUNTING OFFICE

Project	Claim for			Awaiting Action by:	Status
	Final Voucher Approved	Time Ext.	Compen- sation		
Alaska Turnagain Arm Sections (C & D), (E), (F)	9/28/51 (All 3 vouchers)		X	Appeals Board	7/25/55 Contractor's reply to Appeals Board sent Andrews for comments. 9/8/55 Booth to Andrews reference your 8/19/55 memorandum all attachments, etc., not received. 9/30/55 Kaltenbach to Olm- stead, replies to questions raised by Appeals Board.
Idaho F.D.R. 282	10/29/54	X		GAO	Claim has been received by GAO and referred to BPR for recommendation. 7/27/55 Moore (Asst. Secy. Commerce) to GAO recommendations of action. Also 7/6/55 Booth to GAO recommendations.
California-Nevada AM-8	12/16/53	X		Contractor	Latest information received is claim reservation on voucher.
Kings Canyon Road A	11/29/51	X	X	GAO	4/16/54 Clark to Wirth, recommenda- tions for submission to GAO.
Watches Trace 3-M3	8/30/50		X	GAO	9/9/52 Park Service sent claim to GAO for decision. BPR recommended \$449.61 settlement.
Wisconsin 16-A, Part 2	4/22/52		X	GAO	1/15/54 F. & M. Div. sent claim GAO recommending denial
Ohio 2-E	7/30/54		X	Appeals Board	4/19/55 Kaltenbach to Olmstead, for- warded appeal. 7/22/55 Kaltenbach to Olmstead BPR statement supporting denial.
Shenandoah 2-B6, C5	12/23/54		X	Contractor	12/14/52 Clark to Spelman approved issuance of findings to contractor. 1/9/56 Findings sent contractor.
Colonial Parkway 1-D13	12/ 1/53		X	GAO	5/31/55 Further information and com- ments for N.P.S. to transmit to GAO.

CLAIMS REQUIRING SETTLEMENT BY THE GENERAL ACCOUNTING OFFICE

Claim for

<u>Project</u>	<u>Final Voucher Approved</u>	<u>Time Ext.</u>	<u>Compen- sation</u>	<u>Awaiting Action by:</u>	<u>Status</u>
Alaska Turnagain Arm Sections (C & D), (E), (F)	9/28/51 (All 3 vouchers)		X	Appeals Board	7/25/55 Contractor's reply to Appeals Board sent Andrews for comment. 9/8/55 Booth to Andrews reference your 8/19/55 memorandum all attachments, etc., not received. 9/30/55 Kaltenbach to Olmstead replies to questions raised by Appeals Board.
Idaho F.D.R. 282	10/29/54	X		GAO	Claim has been received by GAO and referred to BFR for recommendation. 7/27/55 Moore (Asst. Secy. Commerce) to GAO recommendations of action. Also 7/6/55 Booth to GAO recommendations.
California-Nevada AM-8	12/16/53	X		Contractor	Latest information received is claim reservation on voucher.
Kings Canyon Road 4	11/29/51	X	X	GAO	1/16/52 Clark to Wirth, recommenda- tions for submission to GAO.
Hatchers Tract 3-43	8/30/50		X	GAO	8/9/52 Park Service sent claim to GAO for decision. BFR recommended \$49.61 settlement.
Wisconsin 16-A, Part 2	4/22/52		X	GAO	1/15/54 F. & H. Div. sent claim GAO recommending denial
Ohio 2-E	7/30/54		X	Appeals Board	4/19/55 Kaltenbach to Olmstead, for- warded appeal. 7/22/55 Kaltenbach to Olmstead BFR statement supporting denial.
Shenandoah 2-B6, C5	12/23/54		X	Contractor	12/14/52 Clark to Spelman approved issuance of findings to contractor. 1/9/56 Findings sent contractor.
Colonial Parkway 1-D13	12/ 1/53		X	GAO	5/31/55 Further information and com- ments for H.P.S. to transmit to GAO.

CLAIMS REQUIRING SETTLEMENT BY THE GENERAL ACCOUNTING OFFICE

Project	Final Voucher Approved	Time Ext.	Claim for		Awaiting Action by:	Status
			Compen- sation			
Alaska Turnagain Arm Sections (C & D), (E), (F1)	2/28/51 (All 3 vouchers)			X	Appeals Board	7/25/55 Contractor's reply to Appeals Board sent Andrews for comments. 9/8/55 Booth to Andrews reference your 8/19/55 memorandum all attachments, etc., not received. 9/30/55 Kaltenebach to Olm- stead replies to questions raised by Appeals Board.
Idaho P.D.R. 282	10/29/51			X	GAO	Claim has been received by GAO and referred to BPR for recommendation. 7/27/55 Moore (Asst. Secy. Commerce) to GAO recommendations of action. Also 7/6/55 Booth to GAO recommendations.
California-Nevada AM-8	12/16/53			X	Contractor	Latest information received is claim reservation on voucher.
Kings Canyon Road 1	11/29/51			X	GAO	4/16/52 Clark to Virth, recommenda- tions for submission to GAO.
Hatcher Trace 3-13	8/30/50			X	GAO	2/2/52 Post Service sent claim to GAO for decision. BPR recommended \$449.61 settlement.
Wisconsin 16-A, Part 2	4/22/52			X	GAO	1/15/52 F. A. H. Mt. sent claim GAO recommending denial
Ohio 2-E	7/30/51			X	Appeals Board	4/19/55 Kaltenebach to Olmstead, for- warded appeal. 7/22/55 Kaltenebach to Olmstead BPR statement supporting denial.
Shenandoah 2-86, C5	12/23/51			X	Contractor	12/14/52 Clark to Spelman approved issuance of findings to contractor. 1/9/56 Findings sent contractor.
Colonial Parkway 1-113	12/ 1/53			X	GAO	5/31/55 Further information and com- ments for W.P.S. to transmit to GAO.

CLAIMS REQUIRING SETTLEMENT BY THE GENERAL ACCOUNTING OFFICE

Claim for

<u>Project</u>	<u>Final Voucher Approved</u>	<u>Time Ext.</u>	<u>Compen- sation</u>	<u>Awaiting Action by:</u>	<u>Status</u>
Alaska Turnagain Area Sections (C & D), (E), (F1)	9/28/51 (All 3 vouchers)		X	Appeals Board	7/25/55 Contractor's reply to Appeals Board sent Andrews for comments. 9/8/55 Booth to Andrews reference your 8/19/55 memorandum all attachments, etc., not received. 9/30/55 Kaltentbach to Olm- stead replied to questions raised by Appeals Board.
Idaho F.D.R. 282	10/29/54	X		GAO	Claim has been received by GAO and referred to BPR for recommendation. 7/27/55 Moore (Asst. Secy. Commerce) to GAO recommendations of action. Also 7/6/55 Booth to GAO recommendations.
California-Nevada AM-8	12/16/53	X		Contractor	Latest information received is claim reservation on voucher.
Kings Canyon Road 4	11/29/51	X	X	GAO	4/16/51 Clark to Virth, recommenda- tions for submission to GAO.
Matches Trace 3-13	8/30/50		X	GAO	9/9/52 Park Service sent claim to GAO for decision. BPR recommended \$449.61 settlement.
Wisconsin 16-A, Part 2	4/22/52		X	GAO	1/15/54 F. & H. Div. sent claim GAO recommending denial.
Ohio 2-E	7/30/54		X	Appeals Board	4/19/55 Kaltentbach to Olmstead, for- warded appeal. 7/22/55 Kaltentbach to Olmstead BPR statement supporting denial.
Shenandoah 2-B6, 05	12/23/54		X	Contractor	12/14/52 Clark to Spelman approved issuance of findings to contractor. 1/9/56 Findings sent contractor.
Colonial Parkway 1-D13	12/ 1/53		X	GAO	5/31/55 Further information and com- ments for H.P.S. to transmit to GAO.

CLAIMS REQUIRING SETTLEMENT BY THE GENERAL ACCOUNTING OFFICE

Claim for

<u>Project</u>	<u>Final Voucher Approved</u>	<u>Time Ext.</u>	<u>Compen-sation</u>	<u>Awaiting Action by:</u>	<u>Status</u>
Alaska Turnagain Area Sections (C & D), (E), (F1)	8/28/51 (All 3 vouchers)		X	Appeals Board	7/25/55 Contractor's reply to Appeals Board sent Andrews for comments. 9/8/55 Booth to Andrews reference your 8/19/55 memorandum all attachments, etc., not received. 9/30/55 Kaltenbach to Olmstead replies to questions raised by Appeals Board.
Idaho F.D.R. 212	10/29/54	X		GAO	Claim has been received by GAO and referred to BPR for recommendation. 7/27/55 Moore (Asst. Secy. Commerce) to GAO recommendations of action. Also 7/6/55 Booth to GAO recommendations.
California-Nevada AM-8	12/16/53	X		Contractor	Latest information received is claim reservation on voucher.
Kings Canyon Road 4	11/29/51	X	X	GAO	4/16/51 Clark to Wirth, recommendations for submission to GAO.
Watches Trace 3-13	8/30/50		X	GAO	9/9/52 Park Service sent claim to GAO for decision. BPR recommended \$449.61 settlement.
Wisconsin 16-A, Part 2	6/22/52		X	GAO	1/15/54 F. & M. Div. sent claim GAO recommending denial
Ohio 2-E	7/30/54		X	Appeals Board	4/19/55 Kaltenbach to Olmstead, forwarded appeal. 7/22/55 Kaltenbach to Olmstead BPR statement supporting denial.
Shenandoah 2-B6, C5	12/23/54		X	Contractor	12/14/52 Clark to Spelman approved issuance of findings to contractor. 1/9/56 Findings sent contractor.
Colonial Parkway 1-013	12/ 1/53		X	GAO	5/31/55 Further information and comments for W.P.S. to transmit to GAO.