



# NEVADA COUNTY TRANSPORTATION COMMISSION

TAB 98

Grass Valley • Nevada City • Nevada County • Truckee

File: 1200.4

February 22, 2013

Senator Mark DeSaulnier, Chair  
Senate Transportation Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Dear Senator DeSaulnier:

In your comments during the California Transportation Foundation Forum held January 29, 2013, you indicated that you would like to receive examples of how water quality requirements have impacted transportation projects. The Nevada County Transportation Commission recently reviewed a request from Caltrans District 3 for supplemental funds for the SR 49/La Barr Meadows Road Widening project. The total budget for construction of this project was \$9.6 million. In explaining the need for the supplemental funds, Caltrans staff noted that more than \$322,000 of contract change orders was needed to meet recently adopted Stormwater Pollution Prevention Plan (SWPPP) requirements.

The bid for this project was awarded on May 28, 2010. On July 1, 2010, the new National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance (Order no. 2009-0009-DWQ), Construction General Permit (CGP) went into effect. This required the Project Engineer to execute a contract change order because the Central Valley Regional Water Quality Control Board requested that Caltrans recalculate the project's risk level. The new calculation increased the Risk Level (RL) from RL-1 to RL-2. To comply with the new CGP requirements based on the RL-2 determination, the following requirements were added to the project:

- Provide a water pollution control manager who meets the requirements of the qualified SWPPP developer specified in the new CGP.
- Amend the project SWPPP to include the new CGP risk level requirements.
- Prepare a Construction Site Monitoring Program that specifies sampling and analyses methods and include it in the project SWPPP.
- Perform and document weekly stormwater site inspections year-round. (*Weekly year-round inspections were required without any recognition of the fact that with a Mediterranean climate, Nevada County experiences lengthy periods of time with no rain events.*)
- Collect and analyze stormwater discharge samples for turbidity and pH for qualifying rain events.
- Submit Rain Event Action Plans (REAPs) 48 hours before a qualifying rain event (0.5" precipitation storm) or a storm event (0.1" precipitation in a 24-hour period), both having a precipitation forecast greater than 50%.

The more stringent stormwater requirements mandated by this CGP have increased costs by \$322,500 to date, and costs continue to accumulate at \$15,000 per month. Also, drainage modifications related to the CGP cost \$197,000, which brought the total of both of these items to more than one-half million dollars of additional cost to the project.

It is our understanding that even though Caltrans implemented extraordinary measures to meet the turbidity requirements imposed by the state regulations, they were unable to achieve the required standards. Some members of the Nevada County Transportation Commission noted that Caltrans had essentially been sent on "a fool's errand" because achieving the required turbidity levels with Nevada County red clay soil would be impossible.

It is our hope that the State Legislature will take note of the fiscal impacts of the stormwater requirements adopted in 2010 and set about revising them to achievable and fiscally reasonable levels based on the conditions in the project locality.

Sincerely,



Lawrence A. Jostes  
Chairman

cc: Pamela Creedon, Executive Director, CVRWQCB  
Malcolm Dougherty, Director, Caltrans  
Senator Ted Gaines, First Senate District  
Jody Jones, Director, Caltrans District 3



COMMISSION

# NEVADA COUNTY TRANSPORTATION COMMISSION

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February 22, 2013

File:1200.4

Joseph Tavaglione, Chair  
California Transportation Commission  
1120 "N" Street, Room 2233 (MS-52)  
Sacramento, CA 95814

**SUBJECT: NCTC Action Regarding Caltrans Request for Additional Funds for SR 49/La Barr Meadows Road Widening Project**

Dear Chairman Tavaglione:

At a special meeting held on February 15, 2013, the Nevada County Transportation Commission (NCTC) reviewed the attached memo from Caltrans District 3 to Norma Ortega, dated January 14, 2013. In reviewing the memo, it was noted that over \$500,000 of the projected cost overrun was the direct result of expenditures required to meet new stormwater regulations for control of turbidity of runoff water from the project. The stormwater requirements were put in place after the award of the construction contract. While it is recognized that these expenditures were not within Caltrans control, communication of this type of information to project stakeholders is essential to the successful completion of the project and to maintaining an ongoing relationship with funding partners. Also it is important that state authorities understand that such regulations come with a significant cost, and demand additional funds that might otherwise be spent on sorely needed transportation projects.

After lengthy discussion with Caltrans District 3 staff and deliberation between the Commissioners, a motion that included the following directives was adopted:

- Caltrans should complete the project with alternative funding so that NCTC does not incur any additional costs above those previously programmed.
- Decline support for the request for additional funds, and send a letter to the California Transportation Commission recommending denial of the request for supplemental funds.
- To clarify that NCTC's decision not to support the request for additional funds does not reflect dissatisfaction with the project, but rather disappointment in, and frustration with, the lack of communication about the financial status of the project during the period of time that the project was under construction.

The delay of communication to NCTC about these issues was so late as to be offensive to NCTC as a funding partner. During their deliberation, Commissioners noted that prior to this event, in September 2011, Caltrans District 3 staff came to NCTC after having over expended right-of-way funding on the Dorsey Drive Interchange project by \$1.3 million. This information came on the

heels of a report at the July 2011 NCTC meeting where Caltrans staff indicated that there might be savings in the right-of-way component of the project. Shocked at the magnitude of the cost of the overrun and the "after-the-fact" notification by Caltrans, NCTC felt that it was imperative to send strong direction that this kind of action would not be tolerated a second time.

During the discussion of the SR 49/La Barr Meadows Road project, Caltrans staff stated that information indicating potential cost overruns was identified as early as the spring of 2012. Because of the experience with the cost overrun on the Dorsey Drive Interchange project, and based on the understanding that declining any additional funds for the SR 49/La Barr Meadows Road project will leave the project in a safe and operable condition, NCTC felt the need to express to Caltrans that failure to communicate in a timely manner is not acceptable. Since Caltrans failed to notify NCTC in a timely matter of these additional costs, it seems logical that Caltrans should be required to provide the funds to complete the project in accordance with the approved plans.

If you need any further information regarding NCTC's position on this matter, please contact NCTC's Executive Director, Daniel Landon, at 530-265-3202 or email [dlandon@nccn.net](mailto:dlandon@nccn.net).

Sincerely,



Lawrence A. Jostes  
Chairman

enclosure

cc: Andre Boutros, Acting Executive Director, CTC  
Governor Edmund G. Brown Jr.  
Assemblyman Brian Dahle  
Malcom Dougherty, Director, Caltrans  
Senator Ted Gaines  
Jody Jones, Director, Caltrans District 3  
Senator Jim Nielsen

**M e m o r a n d u m**

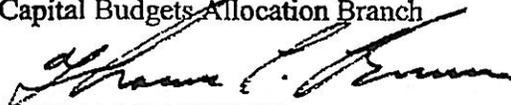
*Flex your power!  
Be energy efficient!*

**To:** MS. NORMA ORTEGA  
Chief Financial Officer

**Date:** Jan 14, 2013

Attention: Ms. Arletha Orozco  
Capital Budgets Allocation Branch

**File:** 03-Nev-49 KP 9.7/R11.2  
03-2A690  
EFIS ID: 0300000293  
STIP 20.XX.721.000  
09/10 FY-STIP

  
**From:** THOMAS BRANNON  
Deputy District Director  
District 3 Program/Project Management

**Subject:** Request for Additional Funds

I recommend that Budgets submit a request to the California Transportation Commission to vote an additional \$840,000 for the above project. Following are details supporting this request:

PROJECT LOCATION

In Nevada County near Grass Valley from 0.6 KM north of Alta Sierra Drive to 0.9 KM south of Wellswood Way

PROJECT DESCRIPTION

The project consists of constructing a 2.0-km (1.25-mi) segment of SR 49 by widening, relocating, and signalizing the intersection of La Barr Meadows Road and SR 49. To provide adequate storage and left-turn movement, the intersection is relocated to the south of the existing location and the highway widened from two to five lanes in the vicinity of the new intersection.

FINANCIAL STATUS OF CONTRACT

This project was programmed in the STIP and funded with CMLA, IIP, RIP, ARRA. CTC vote in Jan 2010 and awarded May 2010 for \$9,607,000.

## REASONS FOR COST INCREASE

There are four primary items that lead to cost overruns on this project. These items include a new Construction General Permit (CGP) for storm water discharges, drainage system modifications, increased traffic handling and a low crude oil index at time of bid. Three of these four primary items are considered unforeseen and could not have been prevented. In addition, forty-two contract change orders have been written over a two year period to address normal contract issues.

**New Construction General Permit** - A new National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance (Order No. 2009-0009-DWQ), Construction General Permit (CGP) went into effective Jul 1, 2010. This project was awarded on May 28, 2010.

This project was required to execute a contract change order because the Central Valley Regional Water Quality Control Board requested Caltrans recalculate the project's risk level. The new calculation increased the Risk Level (RL) from RL-1 to RL-2. To comply with the new CGP requirements based on the RL-2 determination the project added the following requirements:

- Provide a water pollution control manager who meets the requirements of the qualified SWPPP developer specified in the new CGP.
- Amend the project SWPPP to include the new CGP risk level requirements.
- Prepare a Construction Site Monitoring Program that specifies sampling and analyses methods and include it in the project SWPPP.
- Perform and document weekly stormwater site inspections year-round.
- Collect and analyze stormwater discharge samples for turbidity and pH for qualifying rain events;
- Submit Rain Event Action Plans (REAPs) 48 hours before a qualifying rain event (0.5" precipitation storm) or a storm event (0.1" precipitation in 24-hour period) both having a precipitation forecast greater than 50 percent.

The more stringent stormwater requirements mandated by this CGP have increased costs by \$322,500 to date. Costs continue at \$15,000 per month.

**Drainage Modifications** - During construction several drainage systems have experienced erosion problems on and off State Right of Way. The project soil classification being lean clay (Uniform Soil Classification; CL) coupled with the new stringent turbidity and pH discharge criteria resulted in many drainage modifications. A collaborative effort between the Resident Engineer, CT Stormwater Coordinator, CT Hydraulics and our Water Pollution Control Manager took place. They mutually agreed on the most economical solution to mitigate these areas of concern. Below is a partial list of necessary drainage modifications:

- Drainage Diversion: DS-9, DS-14, DS-16, DS-18, DS-20, DS-26, DS-27, DS-34, DS-36.
- Water Detention: DS-7.
- Drainage System Fortification: DS-7, DS-37, DS-38, DS-40, DS-41, DS43, DS-45.

The implemented drainage changes were necessary to meet the new CGP and minimize/slow run-off onto adjacent private property. These changes increased construction costs by \$197,000.

**Increased Traffic Handling** - This project constructs a new signalized intersection including two frontage roads to eliminate cross traffic from local residents and four mobile home facilities. The project plans specified the signalized intersection to be operational in the last stage of construction. During the early stages of construction it became evident that traffic wasn't flowing through the intersection and frontage roads adequately, and changes needed to be implemented to achieve a serviceable intersection. Due to increased local pressure, the Resident Engineer met with the PDT, local stakeholders and County officials and determined it was prudent to improve traffic handling through the project. It was mutually determined to signalize the intersection as soon as possible using contract change orders.

The traffic handling improvements implemented to improve safety through the un-signalized intersection and frontage roads for three stages of construction increased costs by \$178,000.

**Low Crude Oil Index @ Bid** - The crude oil index to compensate the contractor or credit the State for adjustments in crude oil cost fluctuations is based on the crude oil index at time of bid opening. This project bid when the index was relatively low at 426.00. Asphalt paving occurred when the index was as high as 598.4 (Aug-Oct 2012). Supplemental funds of \$85,000 were provided, however the crude oil index adjustment is currently totaling \$218,000. This leaves a shortfall of \$133,000.

**Other Contract Change Orders** - Not including the major increases listed above, the project has written forty-two typical contract change orders (CCO's) over a two year period. The combined expenditures for these CCO's totals \$445,700. For more information see below under "Justification For Request".

### JUSTIFICATION FOR REQUEST

Caltrans stakeholders should not receive a partially completed construction project because of unforeseen and uncontrollable issues that developed during the life of this contract.

The project development team (PDT) could not have forecasted the increased cost impacts resulting from the new Construction General Permit, indirect drainage system modifications, and high future Crude Oil Index values. These three unforeseen changes increased costs by

\$652,500, which is seventy-two percent of the projects allotted contingency and supplemental funds.

Below is a more detailed justification for each of the four primary issues and other expenditures leading to the cost over-run:

**New Construction General Permit** – Headquarters issued CPD 10-9, “Implementation of New Construction General Permit Risk Levels 2 & 3” on Jul 30, 2010. It was generally thought by all to have minimal costs associated with the contract change order. LaBarr Meadows was one of the first projects in District 3 to implement the change. After much wrangling a contract change order was executed at an estimated cost of \$238,037. The project has allotted \$45,000 in supplemental funds for additional water pollution control. Current stormwater extra work associated with this change is \$322,500 to date. UNFORESEEN.

Cost = \$322,500

**Drainage Modifications** - Due to the more stringent water pollution control requirements implemented by the new CGP many drainage systems needed to be modified to control soil erosion. A total of sixteen contract change orders have been executed to mitigate soil erosivity. A total item increase and extra work increase of \$27,527 and 169,473 respectively. UNFORESEEN.

Cost = \$197,000

**Increased Traffic Handling** - The planned signalization of the new intersection in the last stage of construction may have been a successful strategy for another project. But, this project has four adjacent mobile home parks that are populated with mostly elderly residents. The State’s traffic handling plan was not suited for this community. The Resident Engineer met with the PDT, local stakeholders and County officials and determined it was prudent to improve traffic handling through the project. This item was difficult to identify during project inception. The important thing is the stakeholders were accommodated and project safety was improved.

Cost = \$178,000

**Low Crude Oil Index @ Bid** - The crude oil index at time of bid opening was relatively low at 426.00. The predominate asphalt paving occurred when the index was as high as 598.4 (Aug-Oct 2012). The project allotted \$85,000 in supplemental funds. Current crude oil index expenditures are \$218,000. UNFORESEEN.

Cost = \$218,000

**Four Primary Expenditures = \$915,500**

**Other Typical Contract Change Orders** – Forty-two contract change orders have been written over a two year period to address typical project issues totaling \$445,700. These forty-two typical contract change orders can be further broken down into the following twelve groups:

Partnering, Underground Utility Conflicts, Man-made Buried Objects, Temporary Lighting, Unsuitable Material, Signing Omissions & Changes, Architectural Treatment, QC/QA, Driveway & County Road Conforms, NOPC Resolution, ADA Modifications and MBGR Increases. See attachment called “LaBarr CCO Summary” for more details.

**Typical CCO Expenditures = \$445,700**

**Future Contract Change Orders** – The Resident Engineer has identified some additional project needs. To bring the project to full delivery, additional stormwater expenditures totaling \$85,000 is needed. Additional traffic handling costs associated with Stage 4 paving and delineation is needed at a cost of \$15,000. A few more drainage systems should be fortified at an estimated cost of \$50,000. Also, there are a few existing contract change orders that need supplements to finish the original scoped extra work, which totals \$74,100.

**Future CCO Expenditures = \$224,100**

|                                       |                    |
|---------------------------------------|--------------------|
| <b>Summary of Extra Work:</b>         |                    |
| Four Primary Expenditures:            | \$ 915,000         |
| Typical CCO Expenditures:             | \$ 445,700         |
| Future CCO Expenditures:              | \$ 224,100         |
| <b>Total:</b>                         | <b>\$1,584,800</b> |
| <b>Contingency &amp; Supp. Funds:</b> | <b>\$ 907,900</b>  |
| <b>Extra Work Shortfall:</b>          | <b>\$ 676,900</b>  |

**Contract Items** – The contract has current *Item* expenditures totaling \$7,982,975, which is 95% of the Engineer’s Estimate (\$8,393,579). To fully deliver the project as planned by the PDT, final expenditures are estimated to total \$8,595,790, which is 2.4% over the Engineer’s Estimate. This results in a \$202,200 shortfall. The one significant *Item* over-run was Hot Mix Asphalt, which was seven percent greater than the Engineer’s Estimate totaling \$184,250. The other *Item* over-runs are mostly stormwater and drainage items.

**Contract Item Shortfall = \$202,200**

**Item Adjustments & NOPC Resolution** – Item adjustments for this project are minimal. The Resident Engineer expects two items to be adjusted at a cost of \$15,700. There are two Notices of Potential Claims (NOPC) that need to be resolved before contract acceptance. One is for impacts

due to traffic handling modifications associated with signaling the new intersection earlier than specified in the contract. The other is for rejected asphalt due to poor paving grades. The worst scenario if both NOPC's were lost would cost the State \$54,000.

**Item Adjustment & NOPC Shortfall = \$69,700**

**State Furnished Materials** – The contract has a State Furnished Materials surplus. The project allotment totals \$305,500. The project has used \$188,100 to date. This provides a surplus of \$117,400.

**State Furnished Materials Surplus = \$117,400**

**Summary of Justification Request:**

|                                       |                   |
|---------------------------------------|-------------------|
| Extra Work Shortfall:                 | \$ (676,900)      |
| Contract Item Shortfall:              | \$ (202,200)      |
| Item Adj. & NOPC Shortfall:           | \$ (69,700)       |
| <u>State Furnished Mat'l Surplus:</u> | <u>\$ 117,400</u> |
| Funding Request:                      | \$ (831,400)      |

For these reasons listed above, the Department requests supplemental funds in the amount of \$840,000 to deliver the originally scoped project to the community that does not require excessive maintenance costs.

If the funding is denied, the project can still be delivered but it needs to be scoped back as described in the **Funding Alternatives** below.

**DESCRIBE FUNDING ALTERNATIVES DISCUSSED BY THE DISTRICT SUPPLEMENTAL FUNDS REQUEST COMMITTEE:**

Based on the current project status, the project development team (PDT) discussed the three following feasible alternatives:

- 1) **Eliminate Rubberized Open Graded Asphalt / Eliminate Permanent Delineation / Eliminate Culvert Liners / Eliminate All Extra Work:** Cost: \$0.00. Pros – cheapest solution. Cons – Project is not delivered as planned. Several items of work need to be eliminated and some necessary extra work is not performed. Major items eliminated include RHMA (OG), permanent thermoplastic delineation and culvert pipeliners. Extra work not addressed include miscellaneous drainage system fortification. **NOT RECOMMENDED.**
- 2) **Eliminate Culvert Liners / Eliminate All Extra Work:** Cost: \$616,000.00. Pros – Rubberized Open Graded Asphalt and permanent delineation is constructed. Cons – Project is not delivered as planned. Several items of work need to be eliminated and some necessary extra

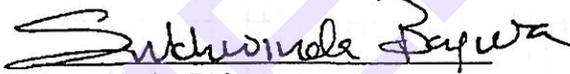
work is not performed. Major item eliminated include culvert pipeliners. Extra work not addressed include miscellaneous drainage system fortification. NOT RECOMMENDED.

3) **Complete Project as Originally Planned:** Cost \$840,000.00. Pros – Project is delivered as planned. Final asphalt surface is RHMA (OG), which is quieter and safer during inclement weather. Final delineation is thermoplastic, which has more longevity than traditional striping paint. Problematic drainage systems will be fortified, which will minimize future maintenance costs. Cons – Most expensive alternative. RECOMMENDED.

The PDT chose alternative 3 because it meets our commitment to our stakeholders. The recommended alternative will cost \$840,000.

This \$840,000.00 budget augmentation will allow the Resident Engineer to deliver the full scope of this project as intended at bid time. There are no significant claims or risks that could hinder delivery. At the conclusion of this project Construction will discuss with the PDT lessons learned to help minimize future omissions of this nature.

APPROVAL RECOMMENDED:



Sukhwinder Bajwa  
Project Manager

cc: Lynnette Spadorcio (Area Construction Manger) North region Construction Office  
David Catania (Area Construction Engineer) Arshad Iqbal (Project Engineer)  
Martin Clark (Resident Engineer) Formoli Nesar (Design Senior)  
Winder Bajwa (Project Manger)  
Thomas Brannon (DDD – Division of Prog/Proj Mgmt. (SFP))

Attachments

CTC Supplementary Vote Request  
LaBarr CCO Summary

| DATE                             | AMOUNT   | DESCRIPTION | AMOUNT    | DESCRIPTION  | AMOUNT    | DESCRIPTION | AMOUNT        | DESCRIPTION   | AMOUNT        | DESCRIPTION   | AMOUNT     | DESCRIPTION                                 | AMOUNT                                       | DESCRIPTION |
|----------------------------------|----------|-------------|-----------|--------------|-----------|-------------|---------------|---------------|---------------|---------------|------------|---|--|-------------|
| 5/23/2011                        |          |             | 70,000.00 | \$ 70,000.00 | 0.00      | 70,000.00   | \$ 457,671.00 | \$ 380,250.00 | \$ 157,000.00 | 170,000.00    | 185,000.00 | Additional Traffic Control to Irish Project |  |             |
| 11/10/2011                       |          |             | 43,000.00 | \$ 27,000.00 | 0.00      | 45,000.00   | \$ 440,271.00 | \$ 352,650.00 | \$ 157,000.00 |               | 760.00     | 760.00                                      |  |             |
| 4/28/2011                        | 3400.00  |             | 5,000.00  | \$ 5,000.00  | 0.00      | 5,000.00    | \$ 457,671.00 | \$ 376,250.00 | \$ 157,000.00 |               | 230,000.00 | 270,000.00                                  | Additional SWPPP to Irish Project            |             |
| 4/28/2011                        |          |             | 31,928.00 | 208,112.00   | 15,000.00 | 3,400.00    | 238,037.00    | \$ 231,234.00 | \$ 380,250.00 | \$ 157,000.00 |            |   |  |             |
| 8/4/2011                         | 6157.56  | (17719.00)  | 0.00      | 0.00         | 0.00      | 0.00        | \$ 231,234.00 | \$ 380,250.00 | \$ 157,000.00 |               |            |   |  |             |
| 11/16/2012                       | 2760.00  |             | 4,180.00  | 6,607.67     | 0.00      | 9,667.67    | \$ 234,163.83 | \$ 380,250.00 | \$ 157,000.00 |               | 6,667.67   | 6,667.67                                    |  |             |
| 4/18/2011                        |          |             | 15,000.00 | 15,000.00    | 0.00      | 15,000.00   | \$ 240,893.83 | \$ 380,250.00 | \$ 157,000.00 |               |            |   |  |             |
| 4/28/2011                        |          |             | 10,000.00 | 0.00         | 0.00      | 10,000.00   | \$ 240,893.83 | \$ 348,250.00 | \$ 157,000.00 |               | 4,913.00   | 4,913.00                                    |  |             |
| 11/18/2011                       |          |             | 1,200.00  | 0.00         | 0.00      | 1,200.00    | \$ 230,473.83 | \$ 348,250.00 | \$ 157,000.00 |               | 1,583.68   | 1,583.68                                    |  |             |
| 7/18/2012                        |          |             | 3,110.00  | 0.00         | 0.00      | 3,110.00    | \$ 227,363.83 | \$ 348,250.00 | \$ 157,000.00 |               | 4,309.30   | 4,309.30                                    |  |             |
| 11/8/2012                        |          |             | 7,200.00  | 0.00         | 0.00      | 7,200.00    | \$ 33,363.83  | \$ 348,250.00 | \$ 157,000.00 |               | 94,000.00  | 94,000.00                                   | Additional Adjustment for OGAC               |             |
| 6/20/2011                        |          |             | 5,000.00  | 7,200.00     | 0.00      | 11,000.00   | \$ 28,363.83  | \$ 338,050.00 | \$ 157,000.00 |               | 110,000.00 | 133,500.00                                  |  |             |
| 5/23/2011                        |          |             | 28,080.43 | 0.00         | 0.00      | 28,080.43   | \$ 17,833.40  | \$ 338,050.00 | \$ 157,000.00 |               | 6,108.00   | 6,108.00                                    |  |             |
| 11/8/2012                        | 2760.00  | (20143.00)  | 2,201.00  | 0.00         | 0.00      | 2,201.00    | \$ 24,806.64  | \$ 338,050.00 | \$ 157,000.00 |               | 567.80     | 567.80                                      |  |             |
| 4/17/2012                        |          |             | 15,000.00 | 0.00         | 0.00      | 15,000.00   | \$ 7,605.54   | \$ 338,050.00 | \$ 157,000.00 |               | 27,629.87  | 27,629.87                                   |  |             |
| 7/18/2012                        |          |             | 5,000.00  | 0.00         | 0.00      | 5,000.00    | \$ 2,605.54   | \$ 338,050.00 | \$ 157,000.00 |               | 4,773.82   | 4,773.82                                    |  |             |
| 8/1/2011                         |          |             | 5,000.00  | 0.00         | 0.00      | 5,000.00    | \$ 2,394.48   | \$ 338,050.00 | \$ 157,000.00 |               | 18,775.00  | 20,000.00                                   | Additional BMP Maintenance to Irish Proj     |             |
| 11/10/2011                       |          |             | 4,000.00  | 0.00         | 0.00      | 4,000.00    | \$ 2,394.48   | \$ 338,050.00 | \$ 157,000.00 |               | 2,776.56   | 2,776.56                                    |  |             |
| 8/1/2011                         |          |             | 0.00      | 0.00         | 0.00      | 0.00        | \$ 8,394.48   | \$ 334,050.00 | \$ 157,000.00 |               | 3,671.59   | 3,671.59                                    |  |             |
| 11/15/2011                       |          |             | 0.00      | 0.00         | 0.00      | 0.00        | \$ 8,394.48   | \$ 334,050.00 | \$ 157,000.00 |               | 4,000.00   | 4,000.00                                    |  |             |
| CCO NOT USED                     |          |             | 0.00      | 0.00         | 0.00      | 0.00        | \$ 8,394.48   | \$ 334,050.00 | \$ 157,000.00 |               | 8,637.65   | 8,637.65                                    |  |             |
| 12/8/2011                        |          |             | 18,100.00 | 0.00         | 0.00      | 18,100.00   | \$ 28,494.48  | \$ 334,050.00 | \$ 157,000.00 |               | 18,519.00  | 18,519.00                                   | Reject CRN 102 0                             |             |
| 11/10/2011                       |          |             | 3,000.00  | 0.00         | 0.00      | 3,000.00    | \$ 29,494.48  | \$ 334,050.00 | \$ 157,000.00 |               | 2,050.82   | 2,050.82                                    |  |             |
| 4/18/2012                        |          |             | 5,000.00  | 0.00         | 0.00      | 5,000.00    | \$ 34,494.48  | \$ 334,050.00 | \$ 157,000.00 |               | 2,168.48   | 2,168.48                                    |  |             |
| 1/11/2012                        |          |             | 30,000.00 | 0.00         | 0.00      | 30,000.00   | \$ 64,494.48  | \$ 334,050.00 | \$ 157,000.00 |               | 30,000.00  | 30,000.00                                   |  |             |
| 7/18/2012                        |          |             | 21,710.00 | 0.00         | 0.00      | 21,710.00   | \$ 86,204.48  | \$ 334,050.00 | \$ 157,000.00 |               | 21,708.28  | 21,708.28                                   |  |             |
| 11/10/2011                       |          |             | 500.00    | 0.00         | 0.00      | 500.00      | \$ 68,704.48  | \$ 334,050.00 | \$ 157,000.00 |               | 488.62     | 488.62                                      |  |             |
| 11/10/2011                       |          |             | 5,000.00  | 0.00         | 0.00      | 5,000.00    | \$ 91,704.48  | \$ 334,050.00 | \$ 157,000.00 |               | 5,847.80   | 5,847.80                                    |  |             |
| 1/11/2012                        |          |             | 40,000.00 | 0.00         | 0.00      | 40,000.00   | \$ 131,704.48 | \$ 334,050.00 | \$ 157,000.00 |               | 14,195.98  | 14,195.98                                   |  |             |
| 1/5/2012                         |          |             | 4,000.00  | 0.00         | 0.00      | 4,000.00    | \$ 135,704.48 | \$ 334,050.00 | \$ 157,000.00 |               | 4,000.00   | 4,000.00                                    |  |             |
| 3/20/2012                        |          |             | 16,500.00 | 0.00         | 0.00      | 16,500.00   | \$ 152,204.48 | \$ 334,050.00 | \$ 157,000.00 |               | 18,607.93  | 18,607.93                                   |  |             |
| 11/10/2011                       |          |             | 5,000.00  | 0.00         | 0.00      | 5,000.00    | \$ 167,204.48 | \$ 334,050.00 | \$ 157,000.00 |               | 3,813.91   | 3,813.91                                    |  |             |
| 11/11/2012                       |          |             | 28,000.00 | 0.00         | 0.00      | 28,000.00   | \$ 185,204.48 | \$ 334,050.00 | \$ 157,000.00 |               | 48,233.05  | 48,233.05                                   |  |             |
| 7/18/2012                        |          |             | 20,235.00 | 0.00         | 0.00      | 20,235.00   | \$ 205,439.48 | \$ 334,050.00 | \$ 157,000.00 |               |            |   |  |             |
| 12/8/2011                        | 1000.00  |             | 18,150.00 | 0.00         | 0.00      | 18,150.00   | \$ 223,589.48 | \$ 334,050.00 | \$ 157,000.00 |               | 44,267.83  | 44,267.83                                   |  |             |
| 10/17/2012                       |          |             | 26,120.00 | 0.00         | 0.00      | 26,120.00   | \$ 249,689.48 | \$ 334,050.00 | \$ 157,000.00 |               |            |   |  |             |
| 1/3/2012                         |          |             | 7,500.00  | 0.00         | 0.00      | 7,500.00    | \$ 257,189.48 | \$ 334,050.00 | \$ 157,000.00 |               | 8,358.29   | 8,358.29                                    |  |             |
| 2/2/2012                         |          |             | 16,000.00 | 0.00         | 0.00      | 16,000.00   | \$ 273,189.48 | \$ 334,050.00 | \$ 157,000.00 |               | 10,459.44  | 10,459.44                                   |  |             |
| FINAL ITEM 52                    | 24350.00 | (17,100.00) | 16,870.00 | 81,490.00    | 1,089.00  | 88,369.00   | \$ 190,696.60 | \$ 334,050.00 | \$ 157,000.00 |               | 28,360.00  | 28,360.00                                   |  |             |
| 4/2/2012                         |          |             | 1,089.00  | 0.00         | 0.00      | 1,089.00    | \$ 191,785.66 | \$ 334,050.00 | \$ 157,000.00 |               | 1,089.00   | 1,089.00                                    |  |             |
| CANCEL CCO                       |          |             | 0.00      | 0.00         | 0.00      | 0.00        | \$ 191,785.66 | \$ 334,050.00 | \$ 157,000.00 |               |            |   |  |             |
| 4/16/2012                        |          |             | 12,129.00 | 0.00         | 0.00      | 12,129.00   | \$ 203,914.66 | \$ 334,050.00 | \$ 157,000.00 |               | 4,043.00   | 4,043.00                                    |  |             |
| 4/18/2012                        |          |             | 19,662.72 | 0.00         | 0.00      | 19,662.72   | \$ 223,577.38 | \$ 334,050.00 | \$ 157,000.00 |               | 23,854.24  | 23,854.24                                   |  |             |
| 11/8/2012                        |          |             | 6,957.13  | 0.00         | 0.00      | 6,957.13    | \$ 219,334.51 | \$ 334,050.00 | \$ 157,000.00 |               | 8,957.13   | 8,957.13                                    |  |             |
| 11/8/2012                        |          |             | 5,000.00  | 0.00         | 0.00      | 5,000.00    | \$ 220,084.51 | \$ 334,050.00 | \$ 157,000.00 |               | 45,000.00  | 45,000.00                                   |  |             |
| 11/30/2012                       | 3388.50  |             | 6,500.00  | 0.00         | 0.00      | 6,500.00    | \$ 228,453.01 | \$ 334,050.00 | \$ 157,000.00 |               | 5,000.00   | 5,000.00                                    |  |             |
| 11/30/2012                       | 7370.00  |             | 6,500.00  | 0.00         | 0.00      | 6,500.00    | \$ 312,323.01 | \$ 334,050.00 | \$ 157,000.00 |               | 6,234.66   | 6,234.66                                    |  |             |
| 8/6/2012                         |          |             | 0.00      | 0.00         | 0.00      | 0.00        | \$ 321,285.51 | \$ 334,050.00 | \$ 157,000.00 |               |            |   |  |             |
| 11/8/2012                        |          |             | 10,000.00 | 0.00         | 0.00      | 10,000.00   | \$ 331,285.51 | \$ 334,050.00 | \$ 157,000.00 |               | 6,000.00   | 6,000.00                                    | RESCIND 0104/13                              |             |
| 10/31/2012                       |          |             | 5,000.00  | 0.00         | 0.00      | 5,000.00    | \$ 336,285.51 | \$ 334,050.00 | \$ 157,000.00 |               | 5,000.00   | 5,000.00                                    |  |             |
| 10/31/2012                       |          |             | 2,500.00  | 0.00         | 0.00      | 2,500.00    | \$ 338,785.51 | \$ 334,050.00 | \$ 157,000.00 |               | 2,500.00   | 2,500.00                                    |  |             |
| 10/31/2012                       |          |             | 3,000.00  | 0.00         | 0.00      | 3,000.00    | \$ 343,785.51 | \$ 334,050.00 | \$ 157,000.00 |               | 5,000.00   | 5,000.00                                    |  |             |
| POTENTIAL RESCIND CCO            |          |             | 0.00      | 0.00         | 0.00      | 0.00        | \$ 343,785.51 | \$ 334,050.00 | \$ 157,000.00 |               | 8,500.00   | 8,500.00                                    |  |             |
| 8/4/2012                         |          |             | 3,417.49  | 0.00         | 0.00      | 3,417.49    | \$ 347,203.00 | \$ 334,050.00 | \$ 157,000.00 |               | 3,417.49   | 3,417.49                                    |  |             |
| 8/4/2012                         |          |             | 11,997.92 | 0.00         | 0.00      | 11,997.92   | \$ 359,200.92 | \$ 334,050.00 | \$ 157,000.00 |               | 11,997.92  | 11,997.92                                   |  |             |
| 10/31/2012                       |          |             | 10,000.00 | 0.00         | 0.00      | 10,000.00   | \$ 369,200.92 | \$ 334,050.00 | \$ 157,000.00 |               | 11,500.00  | 11,500.00                                   | Additional Earthwork to Complete Project     |             |
| 10/31/2012                       |          |             | 3,000.00  | 0.00         | 0.00      | 3,000.00    | \$ 372,200.92 | \$ 334,050.00 | \$ 157,000.00 |               | 8,000.00   | 8,000.00                                    |  |             |
| CANCEL CCO PERFORMED BY STATE-FG | 800.00   |             | 1,200.00  | 0.00         | 0.00      | 1,200.00    | \$ 374,200.92 | \$ 334,050.00 | \$ 157,000.00 |               |            |   |  |             |
| CANCEL CCO, NOT USED             |          |             | 0.00      | 0.00         | 0.00      | 0.00        | \$ 374,200.92 | \$ 334,050.00 | \$ 157,000.00 |               |            |   |  |             |
| 10/31/2012                       |          |             | 2,000.00  | 0.00         | 0.00      | 2,000.00    | \$ 376,200.92 | \$ 334,050.00 | \$ 157,000.00 |               | 4,136.00   | 4,136.00                                    |  |             |
| 11/8/2013                        |          |             | 2,150.00  | 0.00         | 0.00      | 2,150.00    | \$ 378,350.92 | \$ 334,050.00 | \$ 157,000.00 |               |            |   |  |             |
| 10/25/2012                       |          |             | 8,624.00  | 0.00         | 0.00      | 8,624.00    | \$ 379,835.92 | \$ 334,050.00 | \$ 157,000.00 |               | 7,000.00   | 7,000.00                                    |  |             |
| 10/25/2012                       | 6824.00  |             | 6,500.00  | 0.00         | 0.00      | 6,500.00    | \$ 417,185.92 | \$ 334,050.00 | \$ 157,000.00 |               | 43,636.00  | 43,636.00                                   |  |             |
| 11/30/2012                       |          |             | 10,000.00 | 0.00         | 0.00      | 10,000.00   | \$ 423,695.92 | \$ 334,050.00 | \$ 157,000.00 |               | 9,000.00   | 10,000.00                                   | Additional Earthwork to Complete Project     |             |
| 10/31/2012                       | 24790.00 |             | 7,500.00  | 0.00         | 0.00      | 7,500.00    | \$ 468,475.92 | \$ 334,050.00 | \$ 157,000.00 |               | 8,000.00   | 10,000.00                                   | Additional Drainage Work to Complete Project |             |
| 11/30/2012                       | 15080.00 |             | 15,080.00 | 0.00         | 0.00      | 15,080.00   | \$ 483,975.92 | \$ 334,050.00 | \$ 157,000.00 |               | 7,500.00   | 7,500.00                                    | Additional Drainage Work to Complete Project |             |
| 11/30/2012                       |          |             | 22,500.00 | 0.00         | 0.00      | 22,500.00   | \$ 491,055.92 | \$ 334,050.00 | \$ 157,000.00 |               | 8,500.00   | 8,500.00                                    | Additional Drainage Work to Complete Project |             |
| 11/30/2012                       |          |             | 2,500.00  | 0.00         | 0.00      | 2,500.00    | \$ 513,555.92 | \$ 334,050.00 | \$ 157,000.00 |               | 25,000.00  | 25,000.00                                   | Additional MSGR to Complete Project          |             |
| 11/30/2012                       |          |             | 44,334.78 | 0.00         | 0.00      | 44,334.78   | \$ 560,390.70 | \$ 334,050.00 | \$ 157,000.00 |               | 4,000.00   | 4,000.00                                    |  |             |
| 11/30/2012                       |          |             | 15,000.00 | 0.00         | 0.00      | 15,000.00   | \$ 675,390.70 | \$ 334,050.00 | \$            |               |            |   |  |             |