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COURT OF CLAIMS  
OF OHIO

**IN THE COURT OF CLAIMS OF OHIO**

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**TRANSAMERICA BUILDING COMPANY,  
INC.,**

**Plaintiff,**

v.

**OHIO SCHOOL FACILITIES  
COMMISSION,  
nka Ohio Facilities Construction Commission,**

**Defendant.**

Case No. 2013-00349

Judge McGrath

Referee Wampler

**PLAINTIFF TRANSAMERICA'S OBJECTIONS  
TO THE DECISION OF THE REFEREE**

Pursuant to Ohio Civ. Rule 53, Plaintiff TransAmerica Building Company, Inc. ("TransAmerica") respectfully sets forth the following objections to the Decision of the Referee issued in this case on October 1, 2014.

**INTRODUCTION:**

The Referee properly found that TransAmerica's Counts One, Two, Three of TransAmerica's Amended Complaint, which arose from the OSFC's breach of contract, and Count Seven, which arose from the OSFC's negligence on the Project, were not barred by the applicable statute of limitations codified in R.C. 2743.16(A). However, the Referee improperly analyzed Counts Four (Fraud), Five (Fraud in the Inducement), and Six (Negligent Misrepresentation) of the Amended Complaint, and held that those parts of TransAmerica's claim against the OSFC were barred by R.C. 2743.16(A). In making this latter determination, the Referee erred in at least the following respects.

**ON COMPUTER**

**Objection No. 1:** TransAmerica's fraud and fraud-related claims did not accrue until at least July of 2011, when TransAmerica had a "reasonable opportunity to discover" that the OSFC and its agents' promises to fix the problems created by the defective bid documents were in fact fraudulent.

Underlying this dispute is the OSFC's decision, in late 2010, to issue for bid a flawed and defective set of construction plans. Under R.C. §153.01, the OSFC was required to issue "full and accurate plans" and "details to scale and full-sized, so drawn and represented as to be easily understood." However, far from "full and accurate" or "easily understood," when the Project began in early 2011, the OSFC had only secured a partial building permit with a correction letter that noted "incomplete plans." The bid documents were so flawed that Joe Rice, the Construction Manager on the Project, described the drawings as "garbage" and "useless trash" in an email sent only a few short weeks after the OSFC issued its Notice to Proceed in early December of 2010:

**From:** Rice, Joe <Joe.Rice@bovislendlease.com>  
**Sent:** Wednesday, December 29, 2010 3:50 PM  
**To:** Keith, Clayton <Clayton.Keith@bovislendlease.com>  
**Cc:** Kirlangitis, Karin <Karin.Kirlangitis@bovislendlease.com>; Pattillo, Patrick <Patrick.Pattillo@bovislendlease.com>; LeMar, Lisa <Lisa.LeMar@bovislendlease.com>  
**Subject:** New drawings

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Clay,

Although I find the mistakes in these new drawings amusing it's a complete waste of my time to continue. Title blocks are changed, incorrect delta numbers being used, few if any changes clouded and on page A106 half of drawing is missing. If GBCI audits our paper usage for printing these useless drawings we'll never be LEED certified. At this rate we'll have to plant a forest to make up for the senseless killing of trees to print this garbage. Just to make sure you understand how I really feel about these drawings I would like to request that no additional drawings are allowed to be produced or issued for this project. Berardi needs to answer the RFI's with sketches and stop creating more work for us with this useless trash!

Happy New Year!!!

(See Exhibit B of TransAmerica's Response to MSJ)<sup>1</sup>. In fact, the OSFC did not obtain a full building permit until almost two years later, in July of 2012. (See Exhibit A of Objections, Bill Koniewich Second Affidavit, dated October 10/14/2014, ¶¶ 3-4).

On June 14, 2013, TransAmerica filed this action in the Ohio Court of Claims to recover from the OSFC the damages it suffered on the Project. Among its seven total claims, TransAmerica asserted Counts Four (Fraud), Five (Negligent Misrepresentation), and Six (Fraud in the Inducement) of its Amended Complaint, based on the fraudulent and fraud-related conduct of the OSFC, which TransAmerica expects to prove in court. However, in its recent decision, the Referee at the Ohio Court of Claims held that Counts Four, Five, and Six of the Amended Complaint should not proceed to trial as they are barred by R.C. 2743.16(A). That statute requires "civil actions against the state" to be "commenced no later than two years after the date of accrual of the cause of action." R.C. 2743.16(A).

However, in analyzing Counts Four, Five, and Six of the Amended Complaint, the Referee erred by misinterpreting the facts TransAmerica alleged in its Amended Complaint. In its three-page analysis on the issue of whether TransAmerica's "Fraud Claims" were filed within the statute of limitations, the Referee held that because the Project was released for bid in late 2010—more than two years before TransAmerica filed its formal complaint on June 14, 2013—and because TransAmerica realized by January 10, 2011 that the bid documents were defective

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<sup>1</sup> TransAmerica attached Exhibit B to its Memorandum in Opposition but the Referee sustained the OSFC's objection as to its admissibility for the purpose of ruling on the Motion for Summary Judgment. Exhibit B was also discussed in the depositions of Richard Hickman, Executive Director for the OSFC, and Madison Dowlen, Project Administrator for the OSFC, which were previously filed with this Court, and neither state representative questioned its authenticity. Furthermore, Exhibit B and the remaining exhibits are expected to be further authenticated at trial by the various witnesses, including those from the OSFC, and its agents LL, and SHP. Lastly, TransAmerica notes many of the exhibits that the Referee found inadmissible for the purpose of ruling on the Motion for Summary Judgment, which were attached to the affidavit of Bill Koniewich, were created during the course of Project and are deemed a public record. See *State ex rel. Cincinnati Enquirer v. Krings* 93 Ohio St.3d 654, 758 N.E.2d 1135 (Ohio, 2001). Thus these documents are properly authenticated and a hearsay exception under Evid. R. 901.

and were causing delays on the Project, that TransAmerica's fraud and related claims are barred by the two-year statute of limitations. (See Decision, Page 12).

But, as described at length below, this analysis misinterprets TransAmerica's claims and ignores evidence in the record. Contrary to the Referee's Decision, the evidence in this case raises a genuine issue of material fact as to whether the OSFC and its agents perpetrated fraud on TransAmerica not only by issuing for bid defective construction documents, but also by repeatedly promising, over an eight month period at the start of the project, that the OSFC and its agents would provide an updated and fully-coordinated "Construction Set" to remedy the many problems caused by the defective bid documents. The evidence shows that the OSFC and its agents promised frequently and continually throughout the eight month period at the start of the Project that they would fix those problems.<sup>2</sup> TransAmerica relied on those promises to its detriment, when the OSFC and its agent's assurances turned out to be self-serving, fraudulent, misrepresentations.

The fundamental flaw of the Referee's Decision is that it simply fails to distinguish the act of making repeated misrepresentations from the initial act of bidding out defective bid documents. These two acts are different and both serve as an independent basis for TransAmerica's fraud and fraud-related claims. TransAmerica concedes that its fraud-related claims associated with the OSFC's decision to bid defective construction documents accrued earlier in the Project, when TransAmerica first recognized that the bid documents were flawed and would cause delay and extensive cost. (See Decision, Page 12). However, TransAmerica's fraud-related claims associated with the OSFC and its agents' misrepresentations at the

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<sup>2</sup> One example of such representations is shown in Lend Lease's March 1, 2011 email described below, in which Clay Keith, the OSFC's Construction Manager on the Project, writes: while "not responsible or obligated to provide contractors updated or revised drawings," SHP "had committed to perform this service to help clarify questions that have come up regarding both the Addenda and post bid questions submitted by your company immediately after award of contract." (See Exhibit H of Response to MSJ, Keith Letter).

beginning of the project are different. Under applicable Ohio law, these claims could not have accrued until TransAmerica discovered, or should have discovered, that the OSFC and its agents' representations were in fact fraudulent.

To summarize the argument that follows, the evidence in this case proves that Counts Four, Five, and Six of TransAmerica's Amended Complaint did not accrue until September of 2012, when the Lend Lease ("LL"), the OSFC's agent, first recommended that TransAmerica's Certified Claim be denied in its entirety. At the very earliest, TransAmerica's fraud and fraud-related claims accrued on July 18, 2011, when the OSFC finally revealed in a weekly construction meeting that the promised "Construction Set" would not be issued.

TransAmerica did know, nor did it "have reason to believe," that the OSFC's promises were fraudulent until LL denied TransAmerica's Certified Claim in September of 2012. This was after TransAmerica began to receive responses to its public records requests in June of 2012, which brought to light the many problems with the plans and specifications that LL and SHP discussed internally but concealed from TransAmerica, including the failure to obtain the proper approvals from the plans examiner until after construction started. (See Exhibit A of Objections, Bill Koniewich Second Affidavit, ¶ 7). It was only after TransAmerica's Certified Claim came into question, and after TransAmerica reviewed the responses from its public records request, that TransAmerica realized the OSFC was unwilling to make good on its promises. At the very earliest, TransAmerica's fraud and fraud-related claims accrued on July 18, 2011, when the OSFC finally revealed in a weekly construction meeting that the promised "Construction Set" would not be issued.

The key to understanding the Referee's error is understand that, by bidding out defective bid documents, the OSFC merely introduced the problems at issue in this lawsuit. It was only by

repeatedly misrepresenting that those problems would be fixed that the OSFC ensured that TransAmerica suffered extensive damages. If TransAmerica had known the OSFC's promises were fraudulent, and that TransAmerica would be stuck with plans once described as "garbage" and "useless trash," TransAmerica could have stopped work until the bid documents were fixed. By stopping work, TransAmerica could have avoided the extensive delays and substantial costs it incurred from trying to build the Project with inadequate plans. However, the OSFC and its agents' repeated promises kept TransAmerica from forcing the issue. It was only the OSFC and its agents' repeated promises that caused TransAmerica to endure the extensive delays and substantial costs throughout the Project.

It is worth mentioning here that the Referee's Decision is also flawed in other respects. For one, the Referee's Decision relies on an argument not properly raised by any of the parties in this case. Despite the Referee's opinion, the OSFC did not argue that R.C. 2743.16(A) barred any of TransAmerica's fraud-related claims either in its Motion for Summary Judgment filed on April 30, 2014 or in its Reply Brief filed on May 27, 2013 (discussed below). Thus, the Referee acted *sua sponte* in applying R.C. 2743.16(A) to bar TransAmerica's fraud and fraud-related claims. As such, TransAmerica has not, before these objections, had an opportunity to address this issue. Because it is has become necessary, TransAmerica offers new evidence not already in the record from meeting minutes maintained by the OSFC. TransAmerica requests that the Court exercise its discretion to hear this evidence in determining when TransAmerica's claims accrued. *See Bourgeois v. Rite Rug Co.*, 1993 Ohio App. LEXIS 2963, 1993 WL 220733 (10<sup>th</sup> Dist 1993) ("whether to hear new evidence is clearly a matter of judicial discretion").

Second, the rule of law drawn from the Referee's Decision furthers poor public policy. The Referee's Decision would require contractors like TransAmerica to file suit on fraud and

fraud-related claims before Article 8 proceedings are complete. Indeed, in some cases, contractors would need to file suit before work on the Project is complete. This is contrary to the important purpose underlying Article 8, a standard form provision used widely in the construction industry designed to decrease (not increase) formal litigation.

Finally, the Referee's Decision is also flawed in that it is inconsistent. While the Referee held that TransAmerica's fraud and fraud-related claims are barred by the statute of limitations, Count Seven (Negligence) of TransAmerica's Amended Complaint remains intact. This is a surprising result since the negligence claim is based essentially on the same facts as the fraud, fraud in the inducement, and negligent misrepresentation claims that were dismissed. The Referee also fails to explain how TransAmerica's negligence claim, which, under Ohio law, accrued at the time of the act, could accrue later in time than TransAmerica's fraud and fraud-related claims, which, also under Ohio law, accrued at the time the fraud was or should have been discovered. This awkward result should make it clear that the Referee's analysis is not correct.

In summary, a proper reading of the evidence in this case presents a genuine issue of material fact as to whether the OSFC, through its agents, perpetrated fraud and related torts on TransAmerica by misrepresenting that the OSFC and its agents would fix the problems created by the defective bid documents, and then actively concealing the promised construction set. Since TransAmerica's fraud and related claims did not accrue until September of 2012, the Referee erred in holding that Counts Four, Five, and Six of TransAmerica's Amended Complaint are barred by R.C. 2743.16(A).

**i. The Referee Misinterpreted Transamerica's Amended Complaint.**

TransAmerica agrees with the Referee that "[i]t is well established a cause of action for fraud accrues when the fraud is discovered." See Referee's Decision, Page 12, citing *Velotta v.*

*Leo Petronzio Landscaping, Inc.*, 433 N.E.2d 147 (Ohio 1982). It is equally well established that “[n]o more than a **reasonable opportunity to discover** the fraud is required to start the period of limitation.” *Aluminum Line Prods. Co. v. Brad Smith Roofing Co.*, 671 N.E.2d 1343, 1351 (8<sup>th</sup> Dist 1996); see also *Copeland v. Delvaux*, 623 N.E.2d 569, 572 (6<sup>th</sup> Dist 1993). “Discovery is actual discovery, or what might by the exercise of due diligence have been discovered.” *Copeland*, 623 N.E.2d at 572.

Here, the Referee simply erred in applying this law to the facts of this case. As already described, contrary to the Referee’s Decision, TransAmerica’s fraud-related claims are based on more than the OSFC’s initial fraudulent act issuing for bid defective construction documents. While that first act was indeed fraudulent, and a clear breach of the OSFC’s obligations under R.C. §153.01 on public projects, the OSFC and its agents’ repeated promises in the eight month period at the start of the Project constitute their own independent basis for TransAmerica’s fraud and fraud-related claims.<sup>3</sup>

**Thus, in this case, the correct question to ask is: at what time did TransAmerica first discover, or at what time should TransAmerica have discovered, that the OSFC and its agents’ repeated promises were in fact fraudulent?**

Contrary to the Referee’s determination that TransAmerica’s fraud claims “all accrued at the latest on January 10, 2011,” (Decision, Page 12), the evidence in this case proves that the OSFC and its agents made repeated promises to TransAmerica months after January 10, 2010. Even more important, the evidence shows that TransAmerica did not know, and could not have

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<sup>3</sup> While this distinct basis for TransAmerica’s fraud-related claims may have been more clearly delineated in TransAmerica’s Amended Complaint, “[i]t is well settled that courts are obliged to **look to the underlying nature** of the cause rather than to rely on its form in the complaint.” *Patterson v. Boardman Baptist Church*, 2000 Ohio App. LEXIS 4582 (7<sup>th</sup> Dist 2000), citing *Hunter v. Shenango Furnace Co.*, 527 N.E.2d 871 (Ohio 1988). Here, the underlying nature of the cause is the OSFC and its agents’ repeated promises which were intentionally broken out of the fear that following through would create additional project costs.

known, that the repeated assurances of the OSFC and its agents were fraudulent until July 18, 2011, at the very earliest. At a minimum, the evidence in the record (described more fully below), raises a genuine issue of material fact as to when TransAmerica's claims accrued in this case. Therefore, summary judgment is inappropriate.

**ii. The evidence raises a genuine issue of material fact as to when TransAmerica's fraud and related claims accrued in this case.**

Summary judgment under Civ.R. 56 is appropriate only where: "(1) [n]o genuine issue as to any material fact remains to be litigated; (2) the moving party is entitled to judgment as a matter of law; and (3) it appears from the evidence that reasonable minds can come to but one conclusion, and viewing such evidence most strongly in favor of the party against whom the motion for summary judgment is made, that conclusion is adverse to that party." Civ.R. 56(C); *Doe v. Shaffer*, 738 N.E.2d 1243 (Ohio 2000); *Temple v. Wean United, Inc.*, 364 N.E.2d 267 (Ohio 1977). Material facts are those facts "that might affect the outcome of the suit under the governing law." *Turner v. Turner*, 617 N.E.2d 1123 (Ohio 1993). "Whether a genuine issue exists is answered by the following inquiry: does the evidence present a sufficient disagreement to require submission to a jury or is it so one-sided that one party must prevail as a matter of law?" *Id.* "The purpose of summary judgment is not to try issues of fact, but is rather to determine whether triable issues of fact exist." *Lakota Loc. Schools Dist. Bd. Of Edn. v. Brickner*, 671 N.E.2d 578 (6<sup>th</sup> Dist 1996).

It should also be remembered that because summary judgment is a procedural device that terminates litigation, it should be awarded with caution. *Osborne v. Lyles*, 587 N.E.2d 825 (Ohio 1992). "Doubts must be resolved in favor of the nonmoving party." *Murphy v. Reynoldsburg*, 604 N.E.2d 138, 140 (Ohio 1992).

In order to demonstrate that the evidence in the record raises a genuine issue of material fact as to when TransAmerica's claims accrued, the following pages lay out the various pieces of evidence that refute the Referee's central holding, that TransAmerica's fraud and related claims "all accrued at the latest on January 10, 2011," (Decision, Page 12). Taken together, this evidence proves that awarding summary judgment on Counts Four, Five, and Six was improper in this case.

*i. Koniewich's Certified Affidavit*

First, William Koniewich's Certified Affidavit, attached as Exhibit A of TransAmerica's Response to the OSFC's Motion for Summary Judgment, clearly states that:

[d]uring an eight month period, the OSFC, through its consultants, repeatedly represented or promised that an updated and coordinated set of plans would be provided to TransAmerica but never provided an updated and coordinated set of plans to TransAmerica and instead withheld those plans due to concerns it would create additional confusion and costs.

(See Exhibit A of Response to MSJ, Koniewich's Certified Affidavit, ¶35).

Koniewich's Affidavit goes on to assert that:

[w]hen it became apparent that the updated set of drawings was never going to be provided and much of the rough framing was already constructed, TransAmerica issued its Certified Claim on March 8, 2012 when it was finally able to identify, at least in part, its damages."

(See Exhibit A of Response to MSJ, Koniewich's Certified Affidavit, ¶21). Even though Koniewich's certified statements speak directly to the issue of when TransAmerica's claims accrued, notably, the Referee's Decision does not cite, distinguish, or discuss any of these certified statements. Indeed, the Referee's Decision does not discuss any of TransAmerica's assertions at all.

While it is true that "an adverse party may not rest upon the mere allegations or denials of his pleadings," Civ.R. 56(E), it is also true that, in deciding whether to award summary

judgment, “[d]oubts must be resolved in favor of the nonmoving party.” *Murphy v. Reynoldsburg*, 604 N.E.2d 138, 140 (Ohio 1992). Summary judgment should be awarded *only where* “reasonable minds can come to but one conclusion, and viewing such evidence most strongly in favor of the party against whom the motion for summary judgment is made, that conclusion is adverse to that party.” *Temple v. Wean United, Inc.*, 364 N.E.2d 267 (Ohio 1977).

Here, Koniewich’s certified affidavit, executed long before anyone suggested that TransAmerica’s fraud and related claims were untimely, is sufficient to establish a conclusion different from the Referee’s.<sup>4</sup> That is, if taken as true, Koniewich’s statements would establish that TransAmerica’s fraud and fraud-related claims did not accrue until well after the June 14, 2011 statute of limitations cut off—when TransAmerica finally became aware of the OSFC’s fraud. While the Referee was not required to accept Koniewich’s statements without question, the Referee was required to resolve doubts in favor of TransAmerica. At a minimum, Koniewich’s certified affidavit taken with the corroborating evidence described below raises serious doubt that TransAmerica’s tort claims accrued at any time before the late summer of 2011. Since “doubts must be resolved in favor of the nonmoving party” and because summary judgment is appropriate only where “reasonable minds can come to but one conclusion,” it was error for the Referee to issue summary judgment on Counts Four, Five, and Six in this case.

*ii. Twenty-eight exhibits attached to TransAmerica’s Response*

TransAmerica also attached twenty-eight total exhibits to its Response to the OSFC’s Motion for Summary Judgment which also raise a genuine issue as to when TransAmerica discovered or should have discovered that the OSFC and its agents’ promises were fraudulent.

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<sup>4</sup> This is especially true when one considers Koniewich’s certified statements in connection with all of the corroborating evidence below.

One of the OSFC's repeated promises is clearly shown in writing in the OSFC's Construction Manager's March 1, 2011 letter to TransAmerica. (See Exhibit H of Response to MSJ, Keith Letter). In that letter, Clay Keith wrote that, while "not responsible or obligated to provide contractors updated or revised drawings, [SHP] had committed to perform this service to help clarify questions that have come up regarding both the Addenda and post bid questions submitted by your company immediately after award of contract." (See Exhibit H of Response to MSJ, Keith Letter). The letter goes on to say "[t]hese updated drawings, when received do not unconditionally expose the Owner to any additional costs . . ." (See Exhibit H of Response to MSJ, Keith Letter). In other words, on March 1, 2011, the OSFC, through its agents, promised TransAmerica that it would be receiving forthcoming "updated drawings." This evidence alone undercuts the Referee's holding that TransAmerica's fraud and fraud-related claims accrued on January 10, 2011 at the latest. The OSFC and its agents continued to make promises to TransAmerica months after that date.

Another significant piece of evidence demonstrating the OSFC and its agents' repeated promises comes from the February 28, 2013 deposition of Joshua Predovich. When asked whether he thought "it was reasonable for TransAmerica to expect that [the fully-coordinated construction set] would have been provided," Predovich responded, "**[i]t was reasonable for them to expect it, yes.**" (See Exhibit D of Response to MSJ, Deposition of Predovich). This response gives rise to the inference that it was reasonable for TransAmerica to expect the conforming set precisely because the OSFC and its agents had been repeatedly promising that conforming set to TransAmerica for months.

In his deposition, Predovich also testified that there were three separate "attempts" to issue conforming plan sets on the Project—in January 2011, the second in March 2011, and the

third in May of 2011. Predovich also testified that, while these “attempts” were made, the OSFC and its agents ultimately decided in each instance that the updated plan sets would not be issued to the contractors. (See Exhibit D of Response to MSJ, Deposition of Predovich). When asked why the new plans sets were withheld from the contractors on the Project, counsel for TransAmerica and Predovich engaged in the following exchange:

- Counsel for TransAmerica: So at the end of the day the concern was, by issuing the construction set, it could expose the OSFC to additional costs, whether they’re legitimate or not; is that fair?
- Predovich: I think there was concern that it could potentially lead to confusion.
- Counsel for TransAmerica: But not additional cost?
- Predovich: There was some thought that if there was – if there was confusion about something that was issued from bid, that it was different in the construction set, it hadn’t been picked up in a RFI or proposal, that that confusion could lead to cost.
- Counsel for TransAmerica: So is it fair to say that Lend Lease was concerned that by issuing the construction set that could lead to confusion and that could lead to additional cost?
- Counsel for OSFC: Objection; asked and answered, calls for speculation.
- Counsel for TransAmerica: I just want to – what was Lend Lease telling you and the rest of the project team?
- Counsel for OSFC: Asked and answered.
- Predovich: That ultimately we weren’t going to issue the construction set. We were going to allow the contractors to work with the information they’d been given to date, that we were going to provide them the posted set that Lend Lease was keeping up.
- Counsel for TransAmerica: But the concern was from the – the concern amongst – as Lend lease made you aware was that there could be confusion. By issuing the construction set that could lead to additional cost; is that fair?
- Counsel for OSFC: Asked and answered.
- Predovich: I think that was the concern from Lend Lease’s side.

Predovich’s deposition demonstrates how the OSFC, through SHP and LL, led TransAmerica on for months as the OSFC “attempted” to release an updated construction set, which ultimately

was never provided. The deposition also shows that the updated plan sets, while available to the OSFC, were not issued to TransAmerica out of “concern that it could potentially lead to confusion” and “if there was confusion about something that was issued from bid, that it was different in the construction set, it hadn’t been picked up in a RFI or proposal, that that confusion could lead to cost.” (See Exhibit O of Response to MSJ, Deposition of Predovich) (emphasis added). In other words, the new plan sets were not issued because the OSFC and its agents were worried that the new plans would create additional cost on the Project. As the owner, that extra “cost” would have to be borne by the OSFC.

In another piece of evidence corroborating Koniewich’s certified affidavit, TransAmerica’s Project Manager, Joshua Wilhelm, emailed Clayton Keith, on April 4, 2011, reporting that “the ‘Construction Set’ of drawings is being used by the design team,” and asking “[c]an this set finally be issued for use in the field, once the dimensions are corrected from Wednesday’s meeting?” (See Exhibit L of Response to MSJ, Clayton Keith Correspondence With TransAmerica and Predovich). Of course, if the construction set had not been promised to TransAmerica, it would make little sense for TransAmerica to ask, in April of 2011, “can this set finally be issued for use in the field?”<sup>5</sup> Moreover, Wilhelm was clearly still operating under the assumption that the plans would ultimately be provided.

*iii. TransAmerica’s Amended Complaint*

Finally, the Referee’s Decision does not cite, distinguish, or discuss any of the allegations contained in TransAmerica’s Amended Complaint, which describes at length the repeated promises made by the OSFC and its agents and makes it clear that TransAmerica’s fraud-related

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<sup>5</sup> In a follow up email from Clayton Keith to Joshua Predovich, Clayton Keith writes, “I know you are working on things, but there are a lot of items that are piled up and with work happening on site I do not want to have to explain why the contractors are working and we do not have information to them that we have promised or that they need, ie the footer issue on building #1.” (See Exhibit L, Clayton Keith Correspondence With TransAmerica and Predovich).

claims are based on those repeated promises as much as the claims are based on the OSFC initial fraudulent act of bidding defective construction documents.

The Amended Complaint specifically alleges that “[d]uring an eight month period, the OSFC, through its consultants, represented or promised that an updated and coordinated set of plans would be provided to TransAmerica.” (See Amended Complaint, ¶ 77). The Amended Complaint lists several of the numerous representations by OSFC and its agents, **over a period starting “prior to receiving its Notice to Proceed” and continuing through, at a minimum, July 7, 2011.** (See Amended Complaint, ¶¶ 13, 33, 34, 36, 39, 40, 44, 45, 52). The Amended Complaint also clearly asserts that while the construction set was issued to the Plans Examiner in the late summer of 2011, the OSFC and its agents actively concealed the set from TransAmerica. (See Amended Complaint, ¶78).

Again, while a party may not rest solely on its pleadings to survive summary judgment, the pleadings in this case when viewed “most strongly in favor of” TransAmerica, taken together with the twenty-eight exhibits attached to TransAmerica’s Response to the OSFC Motion for Summary Judgment, clearly raise a genuine issue of material fact as to whether the OSFC’s fraud accrued later than the June 14, 2011 (the statute of limitations cut-off in this case). The evidence also raises a genuine issue of fact, which should be heard in trial, as to whether the OSFC perpetrated fraud and related torts on TransAmerica by repeatedly and continually promising to fix problems caused by their woefully inadequate bid documents, while intentionally doing the opposite.

*iv. Additional Evidence*

The court should consider one last source of evidence. Meeting minutes routinely kept on the Project—records kept and maintained by the OSFC’s Construction Manager—reveal that

the OSFC and its agents promised TransAmerica that it would provide an updated construction set as late as July 11, 2011 in a weekly construction meeting.

<b>Project Drawings</b>	
<b>003-002</b>	7/11/11
	- Josh P. noted that construction drawings will be issued on July 18th. A CD will be submitted to all contractors with information.

(See Exhibit A of Objections, Bill Koniewich Second Affidavit, ¶ 5).

These meeting minutes also show that the OSFC made repeated representations from March 2011 through July 2011 that an updated set of plans would be coming soon. (See Exhibit A of Objections, Bill Koniewich Second Affidavit, ¶ 5). But on July 18, 2011, TransAmerica and other contractors in attendance at the weekly progress meeting were told, for the first time, that the “Construction set of drawings will not be issued.”

<b>Project Drawings</b>	
<b>003-002</b>	7/18/11
	- Everything that is in the project drawings has been issued via PR, therefore Construction set of drawings will not be issued. Current set of post drawings will be available for those contractors that needed. Clay asked if there is anything specific that any of the contractors was waiting to get answered thru construction set? Everybody seems to be OK.
	- Madison suggested posting these sets in Prolog, Clay agreed. Madison is concern about several versions going around; this is the reason LL offered contractors to copy LL's posted sets. All contractors requested hard copies of posted set.
	- Josh W. noted they were hoping for a construction set, however there are 6 buildings being built as we speak.

(See Exhibit A of Objections, Bill Koniewich Second Affidavit, ¶ 6).

This evidence is important for two reasons. One, it provides all-but-conclusive proof that the OSFC and its agents were representing to TransAmerica throughout the project and as late as July 11, 2011, that an updated construction set would be issued to fix the problems caused by the bid documents. Two, it was not until July 18, 2011, that TransAmerica could have known that the OSFC would not make good on their repeated promises. Until July 18, 2011, the OSFC had

represented to TransAmerica that a updated construction set would be issued. Taken together, this additional evidence all but proves that the Referee's holding was incorrect: TransAmerica's fraud and fraud-related claims associated with the OSFC's repeated promises did not accrue until the late summer of 2011, at the very earliest.

This additional evidence is not already in the record because the OSFC did not properly raise a statute of limitations defense in its Motion for Summary Judgment or in its Reply Brief. Indeed, the OSFC's Motion for Summary Judgment uses less than half of one page in its Memorandum in Support to discuss R.C. 2743.16 (A) and its application to this case, with no mention whatsoever of any of TransAmerica's fraud or fraud-related claims. The January 10, 2011 date used by the Referee is not mentioned; nor does the OSFC provide any analysis of when TransAmerica's fraud or fraud-related claims accrued.<sup>6</sup> Similarly, the OSFC's Reply memorandum does not mention TransAmerica's fraud-related claims at all. While R.C. 2743.16(A) is mentioned, the OSFC discusses its statute of limitations defense **exclusively** in the context of TransAmerica's breach of contract claims.<sup>7</sup>

Therefore, TransAmerica saw no reason to include the attached meeting minutes in the record. Addressing a similar situation, the Tenth District Court of Appeals has held that a trial court, on objections to a referee's factual findings, **has broad discretion to consider evidence not already in the record given the proper circumstances.** See *Bourgeois v. Rite Rug Co.*, 1993 Ohio App. LEXIS 2963, 1993 WL 220733 (10<sup>th</sup> Dist 1993) ("whether to hear new evidence

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<sup>6</sup> Indeed, the OSFC only mentioned TransAmerica's fraud and related torts to make the assertion that the state is immune from liability for its intentional torts. This was rebutted at length by TransAmerica's Response and the Referee appeared to agree with TransAmerica, holding that the "OSFC's motion fails to shift the burden on this issue as required by Civ.R. 56...." See Decision, Page 21.

<sup>7</sup> As the Referee correctly held, the OSFC's argument in this context was incorrect: the statute of limitations does not serve as a bar to TransAmerica's breach of contract claims. Likewise, the statute of limitations does not bar TransAmerica's fraud-related claims here either, where the OSFC deliberately concealed updated construction plans that were continuously promised to TransAmerica into the late summer of 2011.

is clearly a matter of judicial discretion”), citing *Ferguson v. Ferguson*, 603 N.E.2d 391 (Ohio 1992). In that same case, the Tenth District also held that “absent a showing that the trial court abused its discretion, this court will not interfere with the trial court’s decision” to hear new evidence. *Id.* Here, the Court should exercise its discretion to consider TransAmerica’s new evidence, as this evidence offers all-but-conclusive proof on the issue of when TransAmerica’s claims accrued. The evidence is also reliable as it corroborates and is consistent with other evidence already in the record.

In conclusion, the Referee erred in issuing summary judgment on Counts Four, Five, and Six in this case. The evidence raises a genuine issue of material fact as to when TransAmerica’s fraud and related claims accrued and as to whether the OSFC perpetrated fraud and fraud-related torts in this case.

**Objection No. 2: The Referee’s Decision also ignores several other reasons why Transamerica’s fraud-related claims should not be barred by the statute of limitations in this case.**

The Court should reverse the Referee’s Decision for several other reasons. First, the Referee’s decision, if allowed to stand, furthers poor public policy in the context of construction disputes. While the Referee concluded that TransAmerica’s fraud and fraud-related claims “accrued at the latest on January 10, 2011,” (See Decision, Page 12), the Referee also concluded that TransAmerica’s breach of contract claims, in Counts One, Two, and Three of its Amended Complaint, “did not accrue until at least July 18, 2011.” (See Decision, Page 15). The Referee went on to reason that, under a different analysis, TransAmerica’s breach of contract claims did not accrue until July 10, 2012. (See Decision, Page 15). Thus, according to the Referee, TransAmerica’s breach of contract claims accrued, at a minimum, **six months later** than its fraud and fraud-related tort claims on the same Project and under the same facts.

In practice, this means TransAmerica needed to file suit on its tort claims months before the OSFC and TransAmerica attempted to resolve their dispute via the Article 8 process. This is inconsistent with the purpose of Article 8 and contrary to good public policy in general. Article 8, which is included in many public construction contracts in Ohio, requires construction participants to exhaust all administrative remedies, including informal dispute resolution, before either party is allowed to file suit in court. The process is designed to minimize formal litigation and encourage effective and efficient resolution of disputes. But here, under the Referee's decision, TransAmerica needed to file suit in the Court of Claims on its fraud and fraud-related claims months before the parties completed the Article 8 dispute resolution process.<sup>8</sup> Contrary to the goal of Article 8, the Referee's holding encourages more litigation, earlier on. Indeed, in some cases parties may be forced to file suit on tort claims not only before Article 8 informal dispute resolution is attempted—as was the case here—but sometimes even before the Project is complete. This result is inconsistent with the Article 8 and should be avoided.

The Referee's Decision is also inconsistent with the parties' contract. GC 8.3.2 explicitly states:

The date the Contractor is required to file its substantiated Certified Claim with the Commission **shall begin the statute of limitations to file a lawsuit related to the Claim.**

Thus, the parties' contract controls when the statute of limitations began to run. In G.C. 8.3.2, the parties agreed that the statute of limitations would not begin to run on the "**lawsuit related to the Claim**"<sup>9</sup> until TransAmerica was required to file its substantiated Certified Claim. The

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<sup>8</sup> The OSFC and TransAmerica first attempted mediation in May of 2013.

<sup>9</sup> While TransAmerica's fraud and related claims are distinct from its breach of contract claims against the OSFC, the fraud and related claims are still "related to" TransAmerica's certified Claim which was filled in this case in March of 2012. Both the Certified Claim and the fraud and fraud-related claims involve the same Project, similar facts, and the same disputants.

Referee concluded that TransAmerica's breach of contract claims did not accrue until July 18, 2011 (at the earliest) or July 10, 2012 (at the latest). (See Decision, Page 15). Thus, by the parties' contract, the statute of limitations for the *entire lawsuit* (including the fraud and fraud-related claims) should not have started until July 18, 2011 at the earliest. While TransAmerica's fraud and fraud-related claims are different claims from its breach of contract claims in terms of the principles of law that apply, it must be said that all of the claims are part of the same lawsuit. It must also be said that all of TransAmerica's claims are "related to the [Certified] Claim," as all of the claims involve the same Project, the same facts, and the same disputants.

Finally, it is troubling that the OSFC conditioned its participation in the May 3, 2013 mediation on TransAmerica's agreement to delay filing suit, but now turns around and claims that TransAmerica should have filed suit sooner. More troubling is the fact that the Referee barred TransAmerica's fraud-related claims, even when TransAmerica delayed filling suit solely because the OSFC was unwilling to participate in mediation unless TransAmerica agreed to that delay. (See Exhibit A of Objections, Bill Koniewich Second Affidavit, ¶ 7). A more appropriate resolution would have been to hold that the OSFC is estopped from raising statute of limitations defenses, if any existed at all. See *Helman v. EPL Prolong, Inc.*, 743 N.E.2d 484, 495 (7<sup>th</sup> Dist. 2000) ("[u]nder Ohio law, the doctrine of equitable estoppel may be employed to prohibit the inequitable use of the statute of limitations"), citing *Hutchinson v. Wenzke*, 723 N.E.2d 176, 177 (2<sup>nd</sup> Dist. 1999); *Walworth v. BP Oil Co.*, 678 N.E.2d 959, 962-963 (8<sup>th</sup> Dist. 1996); *Schrader v. Gillette*, 549 N.E.2d 218, 220-221 (11<sup>th</sup> Dist. 1988).

**Objection No. 3: The Referee's Decision provides no rationale to treat TransAmerica's negligence claim different from TransAmerica's fraud and related claims.**

The Referee, without analysis, concluded that "Counts One, Two, Three, and Seven each arise from the contract between the parties." Count Seven is TransAmerica's claim against the OSFC for Negligence. (See Amended Complaint, ¶¶ 103-108).

Since the Referee does not explain its analysis in this regard, TransAmerica is left wondering why the Referee allowed TransAmerica's negligence claim to survive the OSFC's Motion for Summary judgment while Counts Four, Five and Six did not. In Count Seven, TransAmerica alleged that the OSFC was negligent in bidding out defective bid documents, in representing to TransAmerica that those bid documents would be fixed, and in failing to properly exercise its contractual duties on the Project. (See Amended Complaint, ¶¶ 103-108). As described above, those same allegations also serve as the basis for TransAmerica's fraud, fraudulent inducement, and negligent misrepresentation claims. Thus, it is difficult to see how the Referee could have concluded that some of these claims are barred while others are not, when all of the claims are based on the same facts. If TransAmerica's negligence claim survives summary judgment, TransAmerica's other tort claims should as well.

Finally, the Referee's Decision holds that TransAmerica's fraud and fraud-related claims accrued before TransAmerica's negligence claims. But under Ohio law, negligence claims accrue upon the date of the negligent act, *see, e.g., Flagstar Bank, F.S.B. v. Airline Union's Mortg. Co.*, 947 N.E.2d 672, 674 (Ohio 2011) (statute of limitations "starts to run on the date of the alleged negligent act"), while fraud claims accrue on the date of discovery. The Referee's analysis therefore produces a strange result. Since the negligence, fraud, and fraud-related claims are all based on the same acts, one would expect the negligence claim to accrue earlier in

time. If the negligence claim survives the statute of limitations, it is clear that the fraud and fraud-related claims should as well.

## **CONCLUSION:**

Because the evidence in this case raises a genuine issue of material fact as to whether the OSFC and its agents perpetrated fraud against TransAmerica, the Referee erred in issuing summary judgment in favor of the OSFC on Counts Four, Five, and Six of TransAmerica's Amended Complaint. Under Ohio law, a fraud claim does not arise until the plaintiff either has discovered the fraud or has had reasonable opportunity to do so. In this case, TransAmerica did not learn, nor did it have reason to know, that the OSFC and its agents' repeated representations that they would fix the problems caused by the defective bid documents were fraudulent until OSFC's agent recommended that TransAmerica's certified claim be denied in September of 2012. At the very earliest, TransAmerica's fraud, fraudulent inducement, and negligent misrepresentation claims could not have accrued until July 18, 2011, when TransAmerica was first made aware that the OSFC would not be issuing the theretofore promised "Construction Set." Thus, TransAmerica's fraud-related claims accrued, at a minimum, more than one month after the June 14, 2011 statute of limitations cut-off in this case.

Alternatively, per operation of the parties' contract, the statute of limitations applicable to TransAmerica's lawsuit—which includes all of TransAmerica's tort claims—did not begin to run until July 18, 2011 (at the earliest) or July 10, 2012 (at the latest). (See Decision, Page 15). Under this analysis, TransAmerica's lawsuit was brought well within the statute of limitations period.

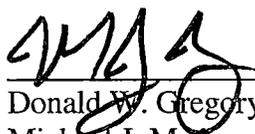
Further, the Referee's Decision furthers poor public policy. The rule of law that comes from the Referee's Decision would require contractors to file suit on fraud, fraudulent

inducement, and negligent misrepresentation claims before the contractor and the owner had the chance to complete the Article 8 informal dispute resolution process. In this case, TransAmerica would have needed to file its lawsuit months before TransAmerica and the OSFC first attempted mediation in May of 2013. Under that same rule, some contractors would be required to submit lawsuits on tort claims before work on the Project is complete. This result is contrary to the purpose of the Article 8 process in that it encourages more, not less, litigation and should be avoided.

Finally, the Referee's decision provides no rationale to treat TransAmerica's negligence claims differently from TransAmerica's fraud, fraudulent inducement, and negligent misrepresentation claims. Indeed, no reason for treating these claims differently exists: all four claims should have survived the OSFC's motion for summary judgment.

For all of these reasons, this Court should reverse the Referee's factual findings and reestablish Counts Four, Five, and Six of TransAmerica's Amended Complaint.

Respectfully submitted,



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*Attorneys for Plaintiff*

*TransAmerica Building Company, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true copy of the foregoing was served via U.S.

Mail, postage prepaid, this 15<sup>th</sup> day of October, 2014 upon:

William C. Becker, Esq.  
Craig D. Barclay, Esq.  
Jerry Kasai, Esq.  
Assistant Attorneys General  
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Michael J. Madigan

(0079377)



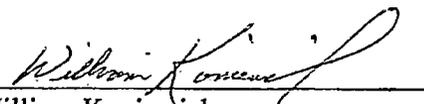
2011. The meeting minutes also show that the OSFC through its agents repeatedly promised the Construction Set to TransAmerica from March 2011 to July 2011. A true and accurate copy of those meeting minutes is attached as Exhibit 1, Pages 10-11 of 17.

6. On July 18, 2011, the OSFC, through its agents SHP and LL, revealed to TransAmerica for the first time that the promised construction set would not be issued. A true and accurate copy of those meeting minutes is attached as Exhibit 2, Page 12 of 18.

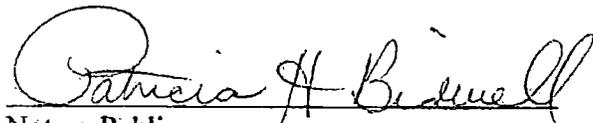
7. TransAmerica first received responses to public records requests issued to the OSFC in June of 2012. It was only through those responses that TransAmerica first began to realize the problems with the plans and specifications that LL and SHP had discussed internally but concealed from TransAmerica, including the failure to obtain the proper approvals from the plans examiner until after construction started.

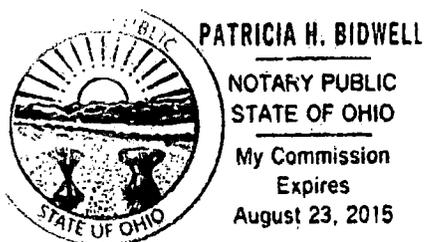
8. The OSFC through its counsel represented to TransAmerica that the OSFC's participation in the May 3, 2013 mediation was contingent on TransAmerica not filing suit in the Ohio Court of Claims until after the mediation.

FURTHER AFFIANT SAYETH NAUGHT

  
William Koniewich

The foregoing affidavit was acknowledged before me this 15 day of October, 2014, by William Koniewich, who is personally known to me and who did take an oath.

  
Notary Public  
My commission expires: 8-23-2015





# Meeting Minutes

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

OSBD - Residential Dorms  
502 Morse Road  
Columbus, Ohio 43214

Project # 55055500-c  
Tel: 614-732-5275 Fax: 614-732-5295

Lend Lease

## Weekly Progress Meeting 21

Date	Start	End	Next Meeting	Next Time	Prepared By	Company
7/11/2011	10:00 AM	11:00 AM	7/18/2011	10:00 AM	Karin Kirlangitis	Lend Lease

Purpose	Location	Next Location	General Notes
Collaboration of Project Team to Update & Coordinate the Progress of the Project	Lend Lease Site Trailer at OSD	Lend Lease Site Trailer at OSD	Agenda: 1. Safety 2. Submittals 3. RFI's 4. Schedule 5. Open Discussion

Attended By	Non-Attendees
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Lend Lease - Clay Keith  
Lend Lease - Jim Smith  
Lend Lease - Karin Kirlangitis  
TransAmerica Building Company, Inc - Joshua Wilhelm  
SHP Leading Design - Josh Predovich  
Lend Lease - Patrick Pattillo  
TP Mechanical Contractors, Inc. - Mike Kraner  
TransAmerica Building Company, Inc - Bill Koniewich  
Jutte Electric LTD - John McNeill  
Vaughn Industries, LLC - Chad Cole  
Hall Aluminum Products, Inc. - Jeff Wilson  
Ohio School Facilities Commission - Todd Hager

Hall Aluminum Products, Inc. - Chris Schwartz  
TP Mechanical Contractors, Inc. - Joel Walter  
TransAmerica Building Company, Inc - Don Ball  
TransAmerica Building Company, Inc - Steve Morley  
Vaughn Industries, LLC - Derrick Fredritz  
Ohio School Facilities Commission - Madison Dowlen  
Jutte Electric LTD - Ken Jutte  
Lend Lease - Lisa LeMar  
Jutte Electric LTD - Randy Elsas

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
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### 1. Safety

#### Old Business

#### General

001-001	7/11/11 - Jim sent email to all contractors regarding debris left all over the site; this is a safety hazard and sites need to be cleaned by the end of the working day tomorrow. - Floor boxes need to be cut off. This is currently a trip hazard. - Conduits still need to be protected. -Open ditches at OSD and OSSB are an issue. Jutte to repair today, this is an ongoing issue. -There will be two means of egress on each building. - Equipment checks from Jutte need to be received -Jim noted the list of items needed to be fixed sent last week had not been answered. Due from all contractors -OSSB#1 handrails to be installed if scaffolds are not setup. Worker was standing on the roof.					No
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**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		7/5/11 - Rebar caps are covered, electric conduits must be protected. - Jim sent a list of items to be fixed on both sites this morning					
		06/20/11 - Reminder that equipment checks must be done daily - Most open ditches have been covered, a few electrical are still outstanding - Doorways Complete - TA built ramps at doorways and scaffolding has been protected					
		06/06/11 - Contractors are getting better about placing rebar caps but still need to do consistently on a daily basis - Open ditches at all buildings need to be protected. Jutte to resolve this issue ASAP since it has been brought to their attention several times. Scaffolding to start this week and open ditches are a concern. Ditches must be filled and/or benched with plywood over all openings. - Steel diamonds where steel columns will be installed must be protected.					
		05/09/11 - All new guys should be up to speed on safety requirements for this project.					
		05/02/11 - Safety Cleanup. Site must remain clean at all the times. TA noted that everything can be deposited on the dumpster. Waste will be sorted by recycling company.					
		4/25/11 - Jim stressed the importance of making sure all equipment is working before being delivered to the site. Last week we had issues with one of the equipment's backup alarm not working. This is unacceptable and must be corrected immediately.					
		04/18/11 - Clay suggested that Howard Duarte warn visitors and students of the construction. Kids were going through OSSB site last week. - Orange fence to be installed at all excavation areas.					
		04/11/11 - All communications regarding Safety have to come thru Jim Smith.					
		3/21/11 - Make sure that gates are locked at night or when you leave the site. - No step ladders are allowed on site and all ladders must be tied off.					

**Background Checks**

001-006	7/11/11	- Jutte is waiting on information from two more workers. -TA should be submitting to LL additional Crane company information and one more roofer. -Hall Aluminum needs to submit OSHA10 information to LL as requested on 7/8/11 email.					No
	7/5/11	- Three roofers had been approved, two more expected this week - Vaughn Industries is expecting two more workers on site next week					



**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	- Jutte is expecting two more workers on site, just waiting on BCI/FBI from one of them to issue letter to LL					
	5/23/11 - Clay noted that if changes of staff/workers, new BCI/FBI checks are required. All BCI/FBI background checks are required prior working on site. All Contractors were given 30 days to complete this process prior to mobilization. Unless an emergency situation arises and staff needs to be changed, Contractors are responsible to provide information on their time.					
	04/11/11 - OSFC has a new legal counsel; audits of background checks may be scheduled.					
	3/14/11 - Subcontractors need to be listed along with employees, this information is to be provided on Prime Contractor's Company letterhead.					
	01/13/11 - All contractors reminded that background checks must be completed prior to anyone coming on site for safety orientations.					

**Site Safety Orientations**

001-007	7/11/11 - No new Safety Orientations needed this week. Jim will be out this Friday and next week, please take this in consideration. Contractors to coordinate with Clay if safety orientations are needed next week.					No
	4/4/11 - When doing Site safety orientations, certifications of approval to operate equipment are required.					
	3/14/11 - Contractors to receive sticker for hard hat after orientations. Background checks are required before orientation.					
	1/13/11 - Everyone that is working on site within the construction fenced area must go through a safety orientation prior to doing any work on site.					

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
<b>2. Submittals</b>						
<b>Old Business</b>						
<b>Submittals</b>						
001-002	7/11/11 - Jutte's samples are still outstanding. Per John, these should come by Thursday. Karin reminded John to submit the letter regarding compliance with specs/drawings as soon as possible. Per Jutte, floor boxes submittal met the specs/drawings. - Per SHP, Flooring & Painting verification samples can be considered approved. - Comer guards pricing from TA is pending. - CMU to come back today from SHP. Color selected is "Harvest"					No

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	<p>7/5/11</p> <ul style="list-style-type: none"> <li>- Jutte has Revise &amp; Resubmit samples, these two packages are due on 7/7/11. Per Jutte, floor boxes submitted met the specs. Karin suggested providing spec section and drawings information showing samples meeting design requirements for SHP/Dynamix evaluation.</li> </ul>					
	<p>6/27/11</p> <ul style="list-style-type: none"> <li>- Jutte to revise &amp; resubmit samples; John noted the samples may take up to 7 weeks to be received from supplier.</li> <li>- SHP to confirm color selection for the roof ventilators, submittal was sent two weeks ago asking to confirm color.</li> <li>- Corner guards to be clear color, Josh W to confirm cost.</li> <li>- Louver re-submittal was received by LL and processed to SHP last Thursday. Josh P to follow up.</li> <li>- TA submitted cement color selection today; Karin to log and forward to SHP.</li> </ul>					
	<p>06/20/11</p> <ul style="list-style-type: none"> <li>- Currently, only one outstanding submittal - Verification sample of interior paints and coatings from TA</li> <li>- Floorbox &amp; dimming control samples from Jutte are outstanding from SHP.</li> </ul>					
	<p>06/13/11</p> <ul style="list-style-type: none"> <li>- Missing samples received from Jutte last week. Verification samples need to be approved by SHP. Per Josh P, they went to Dynamix for approval. He will follow up with them.</li> <li>- Louver Submittals - TA re-submitted product data last Friday. LL process for SHP review and approval. This submittal is related to louvers at hollow metal doors.</li> </ul>					
	<p>06/06/11</p> <ul style="list-style-type: none"> <li>- Jutte still missing samples (260936.04 &amp; .05 and 282726.18)</li> </ul>					
	<p>5/23/11</p> <ul style="list-style-type: none"> <li>- Jutte still missing outstanding submittals, including one R&amp;R. John noted he has the information ready to submit and is waiting on Ken Jutte to provide letterhead to be used as Transmittal.</li> </ul>					
	<p>5/16/11</p> <ul style="list-style-type: none"> <li>- Jutte has 3 original submittals still outstanding from Cat B. Liquidated damages will be held until these are submitted. R&amp;R package 0072 must be submitted by 5/20/11</li> <li>- Wood Trusses / Fire Protection came back from DIC. A note should be added to read "Construction documents approval". Lend Lease to forward email to TA &amp; TP for review/resubmission.</li> </ul>					
	<p>05/09/11</p> <ul style="list-style-type: none"> <li>- Jutte has two outstanding submittals and one R&amp;R that must be submitted by 5/20/11</li> <li>- Fire Protection sent to DIC over a week ago.</li> </ul>					
	<p>4/25/11</p> <ul style="list-style-type: none"> <li>- R&amp;R from TA &amp; Jutte due on 4/19/11 are now outstanding. Lend Lease will hold payment if submittals not received by the end of the week from Jutte.</li> </ul>					
	<p>04/18/11</p> <ul style="list-style-type: none"> <li>- A new letter was issued for outstanding submittals to Jutte and TA</li> <li>- Clay noted that Jutte needs to submit all outstanding submittals by the end of the week. If not received, Lend Lease will hold payment. These submittals had been due since 2/8/11.</li> </ul>					
	<p>04/11/11</p> <ul style="list-style-type: none"> <li>- Revise &amp; Resubmit submittal packages are due from TA &amp; Jutte</li> </ul>					



**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
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Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
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**3. RFI's**

**Old Business**

**RFI's**

001-003      7/11/11      No

- 12 outstanding RFI's, several from previous weeks are still showing on this report.
- Per SHP, smoke rating RFI will be closed once PR is issued today.
- Dimensions RFI will be open until shops are received.
- Ceiling Heights PR#14 should close RFI#164.
- All RFI's related to Electrical are under Dynamix review.
- RFI #179 was issued last week by TA, door swing needs to be clarified by SHP. Shop drawings issued by Hall Aluminum (AAN) are conflicting with Hardware submittal issued by TA (AAN). Josh P. to review.
- Clarification on Windows sill is still needed. Hall to provide information to SHP.
- Clay expressed his concern about Jutte not having issues with running rough-ins above ceiling. Vaughn and TP have been asking several questions, but no questions have been received from Jutte. John McNeill confirmed that Jutte doesn't have any issues with above ceiling rough-ins.
- LL did some investigation on the EPDM roofing being discontinued; per conversation with suppliers, it was confirmed that this material has been discontinued since 1990. We'll need to upgrade material and the project will absorb the cost; however, TA should be responsible for any delays on delivery of material due to late notification on their part. SHP noted the selection will be .50mil PVC in lieu of .45mil EPDM. TA confirmed that Northcoast will be the supplier.

**7/5/11**

- The report is showing 13 outstanding RFI's. The following are critical RFI's:
- Fire smoke rating walls, SHP needs to issue PR.
- Bathroom Accessories blocking information, per Josh P this information will be issued today.
- RFI #174: SHP to answer, this will provide answer for the 3 recent RFI's received from Jutte RFI#175 thru RFI#177).
- RFI #169: per SHP, this was forwarded to Dynamix
- Brass Fittings RFI should be closed, TP found material as specified on Documents.
- Pricing requested by SHP regarding roofing (EPDM) materials will be discussed after the meeting.

**6/27/11**

- 7 RFI's outstanding. RFI #066 was clarified by TA and is now pending on action by SHP
- RFI#134r1 should be closed today. A detail was submitted to DIC; SHP is waiting on official response from DIC to issue to contractors.
- RFI# 166 OSSB#2 regarding connections to transformer needs to be answered.

**06/20/11**

- RFI #134 (Fire Smoke Rating)- re-opened - Josh P to get answered ASAP and provide detail if wall to be extended to plenum area.

**06/13/11**

- There are 6 open RFI's



**Meeting Minutes**

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Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		- #134 - Fire Rating RFI - Karin re-opened. Need clarification from SHP regarding walls/rating going all the way to ceiling. Josh P to respond and issue PR.					
		- #158 - Kitchen Dimensions - Josh P cannot answer until that package is bid. This RFI has the potential to be open for the next 90 days.					
		06/06/11					
		- Windows Sills need clarification from SHP.					
		04/04/11					
		- Karin reminded to all companies to review closed RFI's for potential impact to their scope or cost impact.					
		3/28/11					
		- Need to make sure RFI's are building / site specific. SHP concerned RFI's are not matching up.					
		3/14/11					
		- Karin reminded contractors to select her name when issuing RFI's. All RFI's should come through Karin and she will distribute to LL team or SHP's.					
		03/07/11					
		- RFI's related to New construction Dwgs have been re-opened. SHP to issue bulletins/sketches to answer these RFI's. Sketches are expected by 3/11/11					
		02/07/11					
		- Email is required from contractor if cost is related to close RFI's.					

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
4		Schedule					

**Old Business**

**Progress Schedule**

001-004	7/11/11						No
		- June update was emailed to all contractors last Thursday. Trusses & Sheathing was reduced to 60%. If everyone agrees, this schedule will be sign-off today. We are currently behind schedule on several buildings; at this point it will require an effort from all contractors to bring the project back to schedule.					
		- Two week look-aheads are due today. Accuracy is a must since everyone is trying to plan based on this information.					
		OSSB#5:					
		- 10 days behind schedule					
		- Jutte to finish rough-ins this Thursday.					
		OSD#7:					
		- 6 days behind schedule					
		- Vaughn to start work next Monday, Chad will provide and update by Wednesday.					
		- Jutte is currently working on rough-ins, work to be completed no later than Friday. Jim is concerned about new worker being unsupervised, he is not aware of coordination previously discussed.					
		- Ready to shingle back side					
		OSSB#7:					
		- Ready to shingle back side					



**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		<p>OSSB#1:</p> <ul style="list-style-type: none"> <li>- On schedule</li> <li>- Mike asked when sheathing will be done on OSSB#1, TA to finish tomorrow 7/12</li> </ul> <p>OSD#3:</p> <ul style="list-style-type: none"> <li>- On schedule</li> <li>- Sheathing to be completed by Wednesday 7/13</li> <li>- Structural issues need resolved before weight is put on.</li> </ul> <p>OSSB#6:</p> <ul style="list-style-type: none"> <li>- 6 days behind schedule</li> </ul> <p>OSD#6:</p> <ul style="list-style-type: none"> <li>- 6 days behind schedule</li> </ul> <p>7/5/11</p> <ul style="list-style-type: none"> <li>- Monthly updates were received from all contractors but Hall Aluminum. Patrick will have updated schedule and will issue to all contractors for signature next Monday.</li> <li>- Two week look ahead schedules were received from all Contractors.</li> <li>- Bulkhead information is needed in order to finish work (TA &amp; Vaughn) on this area.</li> <li>- Jim discussed all the issues that must be fixed by TA before completing the work listed above. The two week look ahead received today is not showing accurate information. Josh W. noted he is trying to work the schedule out. He needs to discuss roofing material ordering issues with SHP; color selected is no longer available.</li> <li>- Clay and Jim noted the importance of having accurate information on the two-week look ahead, TA is holding everybody else. Jim noted the lack of manpower is the main issue.</li> <li>- If inspections need to be scheduled should be put on the board @ OSD trailer.</li> <li>- Blocking information will be issued today by SHP.</li> </ul> <p>06/06/11</p> <ul style="list-style-type: none"> <li>- We'll discuss after the meeting. Two week look ahead still pending from Jutte and TA. Everyone should have received the updated schedule issued last Friday. New completion dates are reflected on updated schedule, +4 days were added; May rain days still need to be confirmed. 33 days of float are built to the end date; we can say that we have a "safety net" to cover any unforeseen issues (rain, coordination, etc.)</li> </ul> <p>5/23/11</p> <ul style="list-style-type: none"> <li>- Every 12 days a new building will be turned over to the next trade.</li> <li>- Two crews for each site will need to be planned in order to meet the schedule.</li> <li>- Four (4) Weather days for April will be added to the schedule.</li> <li>- May's rain days need to be calculated at the end of the month.</li> <li>- Two week update schedule will reflect these additional dates; Patrick will issue this schedule next Thursday.</li> <li>- LL will potentially issue a No Cost CO to all contractors.</li> </ul> <p>5/16/11</p> <ul style="list-style-type: none"> <li>- Clay noted that Critical Path MUST be followed. Possible overtime cannot be discussed if contractors are working out of sequence.</li> </ul> <p>05/02/11</p> <ul style="list-style-type: none"> <li>- LL has issues with sequence. Clay discussed sequence: The sequence must be maintained throughout the project, everybody needs to keep working to meet the base schedule sequence.</li> </ul> <p>04/11/11</p>					



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Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	<ul style="list-style-type: none"> <li>- Labor hours information (resource loading report) was distributed to all contractors. Projected labor for each building is shown (1 ES and 1 HS), 8 hours = 1 person</li> <li>- Casework could have an impact at least on the 1st dorm since it didn't go out to bid yet. Lend Lease to work with the owner to get this package out as soon as possible. Contractors to notify Lend Lease and SHP if any conflicts with casework and final work for their scope.</li> </ul>					
	<p>3/28/11</p> <ul style="list-style-type: none"> <li>- Superintendents need to make sure to put the actual start date on the schedule, and when finished also plug the actual finish date. It is okay if an activity starts earlier than projected.</li> </ul>					
	<p>03/07/11</p> <ul style="list-style-type: none"> <li>- Contractors to contact Patrick Pattillo if any issues with schedule.</li> <li>- Schedule updates must be accurate. Contractors will be held accountable on percentages shown as work completed.</li> </ul>					

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
<b>5. Open Discussion</b>						

**Old Business**

**Miscellaneous**

001-005	<p>7/11/11</p> <ul style="list-style-type: none"> <li>- Fire Protection Shop Drawings: required information by DIC was issued and approved drawings will be issued tomorrow to all Contractors.</li> <li>- Vaughn issued updated coordinate drawings, Chad still pending issuing email with PDF to Karin for posting in Prolog.</li> <li>- Jutte to complete fixing damages. This has become a recurrent issue and must be resolved.</li> <li>- OSSB Walkthrough - TA still needs to submit letter of open and resolved items. Letter to be submitted saying corrections had been performed</li> <li>- Mock-Up: started last week, TA waiting on veneer material and flashing details. Todd asked if there will be another mock-up(s) scheduled; Clay noted with the size of these buildings, there will be one building used as mock-up. OSSB#5 will be probably be used for mock-ups (Drywall/paint finish)</li> <li>- Hardware was ordered, no actual date on delivery yet. Keying meeting was scheduled for 7/21 @ 11:00am. TA to confirm attendance.</li> <li>- Per TP, ceilings are smoke-rated and it is okay to run PVC.</li> </ul> <p>7/5/11</p> <ul style="list-style-type: none"> <li>- SHP has been contacted DIC without any luck. Clay noted this issue has been going on for the last three weeks, the only information received is verbal approval. SHP will contact supervisor at DIC.</li> <li>- Vaughn issued updated coordinate drawings, Chad to email PDF to Karin for posting in Prolog.</li> <li>- Jutte completed fixing damages. OSD#3 and OSD#5 will be completed today. Will complete OSSB's damages next.</li> <li>- OSSB Walkthrough - TA still needs to submit letter of open and resolved items. Letter to be submitted saying corrections had been performed</li> <li>- Mock-Up: Josh W doesn't have updates. We need to get dates when this will be completed</li> <li>- Hardware was ordered, no actual date on delivery. Keying meeting needs to be schedule,, Karin to issue invitation today for a meeting next week.</li> <li>- TA will issue hardware changes pricing to LL today.</li> </ul>					No
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**Lend Lease**

**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	<ul style="list-style-type: none"> <li>- Coordination of drywall installation and rough-ins are a concern.</li> <li>- Chad agrees with humidity control / monitoring requirements per specs</li> <li>- Access to dorm buildings will be limited to one door. Details will be discussed during superintendents meeting.</li> <li>- Madison: Reminder of CW bid packages and how they will relate to this phase.</li> <li>- Jim: everyone will need to do a Punchlist to be reviewed by SHP. This work will need to be signed-off before installing drywall.</li> <li>Hall Aluminum to make sure to coordinate with Jutte on electrical provisions for doors.</li> <li>- Joel: what is the status of the recovery schedule? Clay noted all the float added has been used and dates are not been met.</li> <li>- Joel is concerned about not meeting the dates and the impact of it. Josh W noted TA has additional man-power and is working thru getting schedule back.</li> <li>- Patrick mentioned we are behind schedule on 4 buildings (OSSB5, OSD7, OSSB1, OSD3) Every week things will get worse if TA doesn't work on getting back to schedule.</li> <li>- Clay stressed the importance of everybody making extra hours to get back to schedule.</li> </ul> <p>6/27/11</p> <ul style="list-style-type: none"> <li>- DIC to provide letters this morning regarding Fire Protection &amp; Trusses. Verbal approval had been received previously.</li> <li>- Vaughn will issue revised set of Coordination drawings, equipment layout changed due to buildings being flipped. SHP asked to check 8" duct running at corridors. SHP needs ductwork to go in the bathrooms so it is not exposed. Fire Protection and HVAC needs to be carefully installed so no piping is exposed. Josh would like to see the run-throughs once installed.</li> <li>- OSSB #1 &amp; #2, #6 &amp; OSD #3&amp; #5 - Jutte still needs to repair damages. Jutte to let Jim know when issues are corrected.</li> <li>- OSSB Walkthrough - TA still needs to submit letter of open and resolved items. Letter to be submitted saying corrections had been performed</li> <li>- Mock-Up: Josh W to check on status</li> <li>- Hardware was ordered. Hall and TA have already coordinated who is supplying what. Karin will attach knock down information submitted last week to hardware submittal for project records.</li> <li>- Josh P asked TA to confirm cost implications on hardware/frames changes.</li> <li>- Mike: Coordination of drywall installation and rough-ins are a concern.</li> <li>- Josh W to provide temp doors at all buildings. Access will be limited to one door. Details need to be discussed.</li> <li>- Jim S: Noted that Jutte has several activities to complete. If extra workers will be on site, Randy will not be able to perform work, only supervise work. Crane pre-installation plan for OSD was distributed and will be discussed next Thursday.</li> </ul> <p>06/20/11</p> <ul style="list-style-type: none"> <li>- Wood trusses - Josh P talked to DIC and we have a verbal approval on shop submittals</li> <li>- Fire Protection - Josh P talked to DIC and we have a verbal approval on shop submittals</li> <li>- Storm Drains at OSSB #7 cleared out per Josh W. It was covered up before Jim S. had the opportunity to inspect work. Jim remind TA to call when corrective work is completed, unapproved work will not be accepted as completed.</li> <li>- OSSB #3 - Insulation Repair - TA did not send confirmation of repair. Jim stated 2nd time they did backfill without him being present and/or notified. Next time this happens, he will have them tear it out.</li> <li>- Mock-Up: TA has not started this yet. Karin asked for update. Josh</li> </ul>					



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	<p>P requested that it faces South. If it faces North, we cannot look at colors, etc.</p> <ul style="list-style-type: none"> <li>- HS Drawings coming by end of the week.</li> <li>- T&amp;M tickets will not be signed AFTER work has already been done. This must be done BEFORE and reviewed with Jim. If CO needs to be issued based on Extra Work, Jim's signature of approval must be shown or extra work will not be accepted as part of CO.</li> </ul> <p>06/13/11</p> <ul style="list-style-type: none"> <li>- OSSB Walkthrough - Need letter from TA of open and resolved items</li> <li>- Mike getting nervous about FP drawings - they are scheduled to start installing on 6/27.</li> <li>- Jim asked Hall when we will be getting sills for mock-up. Chris to check on it today. Josh W to measure for it to make sure all is incorporated. Chris &amp; Josh W to coordinate.</li> <li>- Chris - has to have above as they are fabricating the exteriors. They cannot finish/install entrances until they have this information. Scheduled to start 6/22.</li> </ul> <p>06/06/11</p> <ul style="list-style-type: none"> <li>- Fire Protection: SHP to follow up today.</li> <li>- TA to send last week's walkthrough comments/questions to the team (SHP/LL)</li> </ul>					

**Project Drawings**

003-002	<p>7/11/11</p> <ul style="list-style-type: none"> <li>- Josh P noted that construction drawings will be issued on July 18th. A CD will be submitted to all contractors with information.</li> </ul> <p>7/5/11</p> <ul style="list-style-type: none"> <li>- SHP got LL comments on ES buildings, waiting to hear back from Berardi when docs will be revised. No actual dates have been provided.</li> <li>- Clay noted there are four "prototypes" built right now; do we actually need drawings at this point? Josh P doesn't want to waste all those man hours invested trying to get the drawings corrected.</li> </ul> <p>6/27/11</p> <ul style="list-style-type: none"> <li>- SHP received all HS drawings. Josh P and Jim S to meet to go over ES drawings. Clay suggested meeting today after this meeting.</li> </ul> <p>06/20/11</p> <ul style="list-style-type: none"> <li>- All Contractors are responsible to keep record drawings updated</li> </ul> <p>06/13/11</p> <ul style="list-style-type: none"> <li>- Josh P to have ES sets from Berardi and wants to review with Jim prior to Contractor release</li> <li>- Josh P expects one set of HS by the end of this week, other set of HS by the end of next week.</li> <li>- Josh W asked how these will be issued as he is concerned that corrections made will not show up on new sets. Josh P has been working with Berardi to insure that this happens. Review will be made by LL Team before distribution to Contractors.</li> </ul> <p>06/06/11</p> <ul style="list-style-type: none"> <li>- Construction sets have not been received yet. SHP to follow up with Berardi after this meeting and follow up with e-mail to the Team.</li> </ul> <p>5/23/11</p> <ul style="list-style-type: none"> <li>- During Scheduling meeting, SHP confirmed ES drawings will be received from printer tomorrow. A copy will be forwarded to LL for</li> </ul>					No
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Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	<p>review. HS drawings potentially downloaded today to SHP's FTP site. Josh to confirm status.</p> <p>5/16/11</p> <ul style="list-style-type: none"> <li>- SHP got ES' drawings and it is downloaded to the FTP site. HS' drawings will be downloaded tomorrow after revision. Lend Lease requested a set for review before releasing to contractors.</li> <li>- TA requested a set, Clay noted he prefers LL team to go over these drawings prior anyone else so docs can send back to Berardi/SHP if issues found. We are trying to avoid contractors to look at documents that could have issues and potentially create more confusion.</li> <li>- Construction set and previous marked up drawings to be returned by SHP to LL tomorrow.</li> <li>- Bill (TA) noted concern regarding potential dimension issues once Wood trusses are delivered on site. SHP confirmed availability all next week if needed.</li> </ul> <p>05/09/11</p> <ul style="list-style-type: none"> <li>- SHP received the set last week from Berardi. There are still issues with these drawings, SHP met with Berardi last Friday to discuss issues found on documents. SHP cannot promise when drawings will be completed since Berardi didn't provide date to SHP.</li> <li>- Bill Koniewicz (TA) is concerned due to so many unknowns related to these drawings. Josh noted questions had been answered via RFI and PR's; contractors have the answers. SHP understands the importance of the situation and will provide set to reflect all these changes.</li> <li>- Bill suggested confirming underground before pouring the slab. TP Mechanical needs documents to rough-in plumbing.</li> <li>- Clay noted that SHP needs to cut the time when the information will be reflected on drawings, there are many changes that need to be reflected on this set, we cannot keep updating the set to reflect the latest RFI's / PR's . We don't want this set to be as-builts by the time the first building is completed. Contractors need to have the information needed on the field without having to go to several documents to get the information from.</li> <li>- SHP will provide sets by Monday 5/16/11. SHP is aware this situation is critical and need to take action ASAP.</li> </ul> <p>05/02/11</p> <ul style="list-style-type: none"> <li>- PR#10 will change construction set. (Issued Friday) SHP is expected to have it by Wednesday and out to the printer on Thursday 5/5/11.</li> </ul> <p>4/25/11</p> <ul style="list-style-type: none"> <li>- Construction set is still pending; SHP noted subconsultant had a major issue with the server and it is delaying the submission of the Construction Dwgs. SHP received partial information over the weekend.</li> </ul> <p>04/18/11</p> <ul style="list-style-type: none"> <li>- Construction set to be issued by the end of this week. SHP noted that all dimensions in need of clarification must be submitted ASAP.</li> </ul> <p>03/07/11</p> <ul style="list-style-type: none"> <li>- Contractor's requested updated drawing sets and CAD files as agreed in previous meetings. Bovis' direction was to post bid set of drawings since changes were addendum and RFI.</li> <li>- Contractors directed that Architectural drawing dimensions are correct and could be used for coordination.</li> <li>- Rob asked why this is an issue and requested that updated construction sets are completed to be able to release them to Contractors.</li> </ul>					



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- Contractors agreed to proceed with posted bid sets until construction sets are complete.

02/07/011

- CAD Files: SHP noted all of the requested DWG's had been sent. \$50/sheet for additional information.
- Structural sheets sent are matching the bid set.
- Final Dwgs: Per SHP, we should be receiving new dwgs by the end of this week available at Key Blue Prints in pdf format.
- Drawings of all utilities around doms need to be issued to doms contractors.

**Upcoming Meetings**

004-002	7/11/11					No
	<ul style="list-style-type: none"> <li>- Pre-installation meeting for above ceiling scheduled for today @ 11:30am at OSSB.</li> <li>- Superintendents meeting next Thursday @ 9:00am</li> <li>- Drywall Preinstall to be scheduled for next week upon receiving framing punch from TA.</li> <li>- Keying meeting scheduled for 7/21/11 @ 11:00am</li> <li>- Safety Lead team on 7/14 @ 8:00am</li> <li>- Meeting to be set up with 4 Seasons to review requirements.</li> </ul>					

**Coordination**

006-001	7/11/11					No
	<ul style="list-style-type: none"> <li>- Todd Hager (OSFC) asked about coordination drawings, these drawings are approved and will be posted in Prolog.</li> <li>- No drawings have been updated -posted- by Jutte. A deduct CO will be issued if this is not completed on a weekly basis as requested.</li> <li>- Bulkhead needs to start. TA working on pricing per sketch issued.</li> <li>- Corridor bulkhead not being modified.</li> </ul>					
	7/5/11					
	<ul style="list-style-type: none"> <li>- Jutte needs to update drawings, nothing has been posted yet. This should be done on a monthly basis and it will affect their Pay apps.</li> </ul>					
	6/27/11					
	<ul style="list-style-type: none"> <li>- Jutte needs to update drawings, nothing has been posted yet.</li> </ul>					
	06/20/11					
	<ul style="list-style-type: none"> <li>- All contractors must post drawings on a weekly basis.</li> </ul>					
	06/13/11					
	<ul style="list-style-type: none"> <li>- Jutte and TP need to keep drawing sets updated weekly.</li> </ul>					
	3/28/11					
	<ul style="list-style-type: none"> <li>- As-Builts to be at each site for Contractor updates. Each Contractor to sign off for each.</li> </ul>					
	03/21/11					
	<ul style="list-style-type: none"> <li>- All Trades to coordinate with wall and CMU openings with TA. It was also discussed that since TA is fabricating walls off-site, there may be issues with in wall rough-ins. Josh (TA) stated that corrections can be made on site at no cost.</li> </ul>					

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**Temporary Utilities**

007-001	7/11/11					No
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- John to confirm with Randy on status of temporary electric at OSSB and report to Clay before the end of the day.

7/5/11

- Jutte got materials delivered, needs to complete installation so all contractors can hook-up. Clay is not satisfied with the way Jutte has been handling this issue, we had been waiting for Temp Electric for the last 4 months; this situation is unacceptable.

6/27/11

- Jutte to confirm meter situation. Meter bank needs to be installed by Jutte before meters are installed. This had been an issue since April and needs to be resolved immediately.

06/20/11

- AEP met with Jutte on 6/14. Pole was set and we are ready for meter bases. Per Jim, Jutte needs to put in the meter bases so that Contractors can connect to the tie-in. This needs to be resolved.  
- Power between OSSB #6 & OSSB#7 issue has been resolved.

06/13/11

- AEP met with Jutte this morning to finalize temporary electric at the OSSB site. AEP will drop line and set up four meter banks for each contractor. Contractors will need to set up their own account with AEP for usage. 16' pole needed, which Randy to pick up today. Meters will be available as soon as Contractors set up their accounts with AEP.  
- Jim advised they set the pole somewhere that it will not interfere with future activities. Karin told John to schedule installation so that Jim is present.  
- Power between OSSB #6 & #7 - still not resolved.  
- Karin advised John that we need updates from him and he shouldn't be waiting on us to ask for them or wait for LL superintendent to provide updates on Jutte's issues.  
- We keep repeating the same outstanding issues every week in meetings and this needs to stop.

06/06/11

- Temp electric was provided at building areas. Trailers at OSSB still need power. Per Jutte, they are waiting on AEP to let them know what should be done; meeting scheduled on 6/13.  
- OSSB #7 - No power between #6 & #7  
- No outlets between OSD #5 & #6.

5/23/11

- For temporary power at OSSB, Jutte ordered meter banks last week.  
- LL noted that Contractors need power supply for future work, Jutte to act and provide answer ASAP.  
- LL needs answer from Jutte today. Scope was read and discussed again with Ken Jutte last week; at the end of that meeting, Jutte agreed to perform work as noted on scope.  
- This issue has been going on since March. If this issue is not solved, LL will start issuing deduct CO's to Jutte.  
- TA bought a gas-powered compressor... planning on electric compressors. John directed TA to keep receipts for any costs incurred for temporary power.

5/16/11

- Jutte to hook-up power. High voltage certification from Jutte must be submitted before letting Jutte perform the job. Jutte to contact Accurate.  
- Jutte needed exact number of trailers to be hooked-up at OSSB,

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one panel box/trailer must be installed since they have to be metered separate. Jutte to inform LL on when this has been completed.

05/09/11

- Water should be shut off every night (Fire hydrants). TA to make sure Arledge is completing this task before leaving every night.
- Lack of temporary power is an issue. If contractor's need generators, the cost will be Jutte's responsibility.

05/02/11

- Trailer hook-up and Site temp electric - No updates from Jutte. TA needs power for equipment this coming Friday. Jutte to confirm with Accurate if service was verified.

4/25/11

- Trailer hook-up: Jutte confirmed, AEP will be on site today @ noon. Meter panel needs to be setup. Temp service needs to build-up and connected; Jutte noted it can be completed today. Clay stressed the importance of having this resolved as soon as possible.
- Jutte to complete today.

04/18/11

- Jutte is working on getting Temporary electric service at OSSB site. Jutte to contact AEP as soon as possible to get this resolved.

04/11/11

- Electric supply is in progress.
- Internet for Trailers, it cannot be set up without electrical service.

04/04/11

- Jutte is working on the electrical, power should be available this week.
- TA has Time Warner Cable scheduled for 4/8.

3/28/11

- OSSB
- >Working on building temp by the end of next week
- >TWC cannot provide service at OSSB Site (maxed out capacity)

**Waste Management**

007-003

7/11/11

- Still missing information from Jutte and TP Mechanical. TA to submit information as soon as received for the month of June.

No

7/5/11

- We are up to date based on information issued by TA.
- Records of spoils need to be received by TP & Jutte.

06/13/11

- No hazardous waste can be put in dumpsters (i.e. paint).
- Regular trash can go into dumpster since collection company is separating.
- Any spoils re-use needs to be documented as this counts toward recycling (LEED) goals

5/16/11

- Jim noted TA may need to provide a separate container for paint.



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04/11/11  
 - Contractors to provide recycling tickets monthly. If no new data, please issue an email notifying Karin.

**Site Issues**

010-001      7/11/11      No

- OSSB#1: perimeter drain needs to be backfilled and electric inspected. Jutte to complete in the next couple of days.  
 - OSSB#3: Jutte to remove spoils. John to report status to LL by the end of the day.

7/5/11  
 - OSSB#1: perimeter drain needs to be backfilled and electric inspected. Jutte to complete in the next couple of days.  
 - Cleanup got better, all contractors still need to do a better job in general.  
 - OSSB#3: Jutte to remove spoils. TA will reuse spoil @ Southwest corner.

6/27/11  
 - OSSB#1: perimeter drain needs to be backfilled and electric inspected. Jutte to complete.

06/06/11  
 - Spoils must be removed. Main issue is with Jutte. TP to remove their spoils today.  
 - OSSB #3 needs backfilled for TP to keep moving.

05/09/11  
 - Truck drivers to stay off parking areas (light duty asphalt). Driving should be only on Heavy Duty asphalt (main road)

05/02/11  
 - Contractors to notify Jim Smith before starting work if site found in bad conditions.

04/18/11  
 (Jim Smith)  
 - Curbs MUST be protected if you must drive over them.  
 - Water line protection must also be in place  
 - Watch for existing utilities.

**Pricing Requests (PR's) & Change Orders (CO's)**

014-001      7/11/11      No

- Thru PR#12 everybody but Jutte Electric got pricing in and CO's had been written. Jutte will receive a letter from LL stating "No Cost Change" for all PR's issued (PR#1 thru PR#12); at this point Jutte will be responsible for cost. Contractors have 14 days from the day a PR is issued to provide pricing or PR's will be considered "No Cost Change" for the project. PR#13 was performed as T&M, tickets from Jutte still not received.  
 - Still need pricing for PR#14, PR#15. Both due by Wednesday 7/13.  
 - TA to provide pricing on PR#12.

7/5/11  
 - Jutte pricing still outstanding on all PR's  
 - TA needs to provide pricing on PR#12  
 - PR#14 was just issued but will affect all contractors, pricing expected within the next week



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	<ul style="list-style-type: none"> <li>- PR#15 was also issued last week and will potentially affect TA's scope only</li> <li>- SHP noted Kitchen island PR and Smoke walls details are coming. Also Bulkhead information.</li> <li>- TP pricing is up to date, needs to finalize excavation pricing internally before resubmitting to LL</li> <li>- Randy: will follow up on PR's to get info ASAP</li> <li>- Karin to send PR's log to Madison. This information is currently in Prolog. He is also concern about not having representation from OSSB / OSD during meetings, especially for color selections and other finishes. Madison to send email to co-owners requesting attendance to meetings.</li> </ul>					
	<p>6/27/11</p> <ul style="list-style-type: none"> <li>- Still need pricing from Jutte for all PR's. As stated in e-mail, if we do not receive pricing, it is assumed as a NO COST change. John to let Clay know when pricing will be received.</li> <li>- TP owns over excavation pricing</li> </ul>					
	<p>06/20/11</p> <ul style="list-style-type: none"> <li>- Still need Pricing from Jutte for all PR's. As stated in e-mail, if we do not receive pricing, it is assumed as a NO COST change.</li> <li>- SHP to issue PR's for kitchen and smoke walls (details to be included)</li> <li>- PR to be issued for Permit credits since SHP payed for all building permits instead of the Contractors.</li> </ul>					
	<p>06/13/11</p> <ul style="list-style-type: none"> <li>- PR for Fire Penetrations to be issued by SHP</li> <li>- PR to be issued for permits credit. Karin noted that LL is tracking credits which can be discussed at any time so there will not be any suprising when contracts are closed out.</li> <li>- T&amp;M for Jutte - Extra work to add (4) 1 1/2" conduit for future site lighting.</li> </ul>					
	<p>06/06/11</p> <ul style="list-style-type: none"> <li>- Casework: TP impact due to casework package not bid yet needs to be received.</li> <li>- All pricing from Jutte is overdue.</li> <li>- PR for island wall needed - blocking locations.</li> </ul>					
	<p>5/23/11</p> <ul style="list-style-type: none"> <li>- Several outstanding PR's. LL needs to receive pricing from contractors in order to issue CO's.</li> <li>- PR#7 Kitchen Hoods: Pricing from Jutte still due</li> <li>- PR#9: No cost received from Jutte. TP confirmed during meeting that there is no cost associated to this PR.</li> </ul>					
	<p>5/16/11</p> <ul style="list-style-type: none"> <li>- Jutte to make decision on transformers, if 2 ? will be keeping, pricing is needed.</li> </ul>					

**Material Concerns**

016-001	<p>7/11/11</p> <ul style="list-style-type: none"> <li>-Veneer color selection was received, TA to order material. Blocking drawings are critical right now as well as smoke walls; SHP to issue this information today.</li> <li>-Vents and caps information was issued thru RFI by Vaughn, SHP answered but this was reopened since model number for dryer vent was not provided.</li> <li>-It was confirmed Roofer will supply sheet metal flashing, TA to review scopes. HVAC contractor shall furnish and install roof jacks</li> </ul>					No
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**Lend Lease**

**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		per contract documents. Vaughn to confirm how long for delivery. - Metal roofing materials are still 2 weeks out.					
		7/5/11 - Roof material and exterior masonry final color selection are a concern. - Corner guards from white to clear acrylic price change will be provided by TA - TA will follow up on metal roof order. - Jeff: to report delivery dates for hardware					
		6/27/11 - FP shop drawings are a concern - Jutte's rough-in materials are a concern. John noted materials will be ordered today. - Josh W is concerned about block and metal roof.					
		06/06/11 - Need sprinkler shop drawings for Fire Protection fabrication. - Oberfield's cutting back on production. Could be issue with delivery of veneer once colors are selected.					



Meeting Minutes

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

OSBD - Residential Dorms Project # 55055500-c Lend Lease  
 502 Morse Road Tel: 614-732-5275 Fax: 614-732-5295  
 Columbus, Ohio 43214

**Weekly Progress Meeting 22**

Date	Start	End	Next Meeting	Next Time	Prepared By	Company
7/18/2011	10:00 AM	11:00 AM	7/25/2011	10:00 AM	Karin Kirlangitis	Lend Lease

Purpose	Location	Next Location	General Notes
Collaboration of Project Team to Update & Coordinate the Progress of the Project	Lend Lease Site Trailer at OSD	Lend Lease Site Trailer at OSD	Agenda: 1. Safety 2. Submittals 3. RFI's 4. Schedule 5. Open Discussion

**Attended By** **Non-Attendees**

Lend Lease - Clay Keith  
 Lend Lease - Karin Kirlangitis  
 TP Mechanical Contractors, Inc. - Joel Walter  
 TransAmerica Building Company, Inc - Joshua Wilhelm  
 SHP Leading Design - Josh Predovich  
 Lend Lease - Patrick Pattillo  
 TP Mechanical Contractors, Inc. - Mike Kraner  
 Ohio School Facilities Commission - Madison Dowlen  
 Vaughn Industries, LLC - Chad Cole  
 Hall Aluminum Products, Inc. - Jeff Wilson  
 Hall Aluminum Products, Inc. - Russ Reinhart (HC3)

Lend Lease - Jim Smith  
 Hall Aluminum Products, Inc. - Chris Schwartz  
 TransAmerica Building Company, Inc - Steve Morley  
 Vaughn Industries, LLC - Derrick Fredritz  
 TransAmerica Building Company, Inc - Bill Koniewich  
 Jutte Electric LTD - Ken Jutte  
 Jutte Electric LTD - John McNeill  
 Lend Lease - Lisa LeMar  
 Jutte Electric LTD - Randy Elsas  
 Ohio School Facilities Commission - Todd Hager

**Item Meeting Item Description Resp Status Due Date Compl'd Cls'd**

**1. Safety**

**Old Business**

**General**

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
001-001	7/18/11 - Site cleaning needs to be performed on a daily basis and shouldn't be a Friday activity only. - Floor boxes are still an issue. SHP also to confirm if floor boxes submitted by Jutte are to be approved, the samples were sent back as R&R. - Electrical inspections to be scheduled tomorrow morning, backfill trenches for Tuesday morning - Items to be fixed from safety lead team, please copy Clay on responses since Jim will be out this week - Plumbing Pipes are not currently protected, TP is responsible to protect. - Dehydration could be potentially an issue specially this week due to the high temperatures expected; Clay went thru the symptoms and sings that need to be observed. A copy of these advisory will be placed on each contractor mailbox. - List of items needed to be fixed emailed by Jim two weeks ago still					No

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		<p>due from all contractors; Clay asked to be copied when providing answer.</p> <ul style="list-style-type: none"> <li>- Chad noted there are not two means of egress in each building.</li> <li>Clay noted that everybody should be using front door.</li> </ul>					
		<p>7/11/11</p> <ul style="list-style-type: none"> <li>- Jim sent email to all contractors regarding debris left all over the site; this is a safety hazard and sites need to be cleaned by the end of the working day tomorrow.</li> <li>- Floor boxes need to be cut off. This is currently a trip hazard.</li> <li>- Conduits still need to be protected.</li> <li>- Open ditches at OSD and OSSB are an issue. Jutte to repair today, this is an ongoing issue.</li> <li>- There will be two means of egress on each building.</li> <li>- Equipment checks from Jutte need to be received</li> <li>- Jim noted the list of items needed to be fixed sent last week had not been answered. Due from all contractors</li> <li>- OSSB#1 handrails to be installed if scaffolds are not setup. Worker was standing on the roof.</li> </ul>					
		<p>7/5/11</p> <ul style="list-style-type: none"> <li>- Rebar caps are covered, electric conduits must be protected.</li> <li>- Jim sent a list of items to be fixed on both sites this morning</li> </ul>					
		<p>06/20/11</p> <ul style="list-style-type: none"> <li>- Reminder that equipment checks must be done daily</li> <li>- Most open ditches have been covered, a few electrical are still outstanding</li> <li>- Doorways Complete - TA built ramps at doorways and scaffolding has been protected</li> </ul>					
		<p>06/06/11</p> <ul style="list-style-type: none"> <li>- Contractors are getting better about placing rebar caps but still need to do consistently on a daily basis</li> <li>- Open ditches at all buildings need to be protected. Jutte to resolve this issue ASAP since it has been brought to their attention several times. Scaffolding to start this week and open ditches are a concern. Ditches must be filled and/or benched with plywood over all openings.</li> <li>- Steel diamonds where steel columns will be installed must be protected.</li> </ul>					
		<p>05/09/11</p> <ul style="list-style-type: none"> <li>- All new guys should be up to speed on safety requirements for this project.</li> </ul>					
		<p>05/02/11</p> <ul style="list-style-type: none"> <li>- Safety Cleanup. Site must remain clean at all the times. TA noted that everything can be deposited on the dumpster. Waste will be sorted by recycling company.</li> </ul>					
		<p>4/25/11</p> <ul style="list-style-type: none"> <li>- Jim stressed the importance of making sure all equipment is working before being delivered to the site. Last week we had issues with one of the equipment's backup alarm not working. This is unacceptable and must be corrected immediately.</li> </ul>					
		<p>04/18/11</p> <ul style="list-style-type: none"> <li>- Clay suggested that Howard Duarte warn visitors and students of the construction. Kids were going through OSSB site last week.</li> <li>- Orange fence to be installed at all excavation areas.</li> </ul>					
		<p>04/11/11</p> <ul style="list-style-type: none"> <li>- All communications regarding Safety have to come thru Jim Smith.</li> </ul>					



**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
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- 3/21/11
- Make sure that gates are locked at night or when you leave the site.
  - No step ladders are allowed on site and all ladders must be tied off.

**Background Checks**

001-006      7/18/11      No

- TA will submit information today for additional workers from Gayle Insulation and Sammy Walker. Safety orientations will need to be scheduled, potentially next Wednesday morning.
- Safety Orientation for Hall Aluminum worker scheduled for tomorrow @ 7am. Clay noted, OSHA card must be issued before scheduling orientation.
- Vaughn will inform LL when OSHA information is received for additional worker (insulator) and safety orientation is needed.

- 7/11/11
- Jutte is waiting on information from two more workers.
  - TA should be submitting to LL additional Crane company information and one more roofer.
  - Hall Aluminum needs to submit OSHA10 information to LL as requested on 7/8/11 email.

- 7/5/11
- Three roofers had been approved, two more expected this week
  - Vaughn Industries is expecting two more workers on site next week
  - Jutte is expecting two more workers on site, just waiting on BCI/FBI from one of them to issue letter to LL

- 5/23/11
- Clay noted that if changes of staff/workers, new BCI/FBI checks are required. All BCI/FBI background checks are required prior working on site. All Contractors were given 30 days to complete this process prior to mobilization. Unless an emergency situation arises and staff needs to be changed, Contractors are responsible to provide information on their time.

- 04/11/11
- OSFC has a new legal counsel; audits of background checks may be scheduled.

- 3/14/11
- Subcontractors need to be listed along with employees, this information is to be provided on Prime Contractor's Company letterhead.

- 01/13/11
- All contractors reminded that background checks must be completed prior to anyone coming on site for safety orientations.

**Site Safety Orientations**

001-007      7/18/11      No

- Safety Orientation for Hall Aluminum worker scheduled for tomorrow @ 7am. Clay noted, OSHA card must be issued before taking the class.
- Safety orientations to be scheduled upon receiving OSHA/BCI/FBI information for additional TA & Vaughn workers.



**Meeting Minutes**

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	7/11/11 - No new Safety Orientations needed this week. Jim will be out this Friday and next week, please take this in consideration. Contractors to coordinate with Clay if safety orientations are needed next week.					
	4/4/11 - When doing Site safety orientations, certifications of approval to operate equipment are required.					
	3/14/11 - Contractors to receive sticker for hard hat after orientations. Background checks are required before orientation.					
	1/13/11 - Everyone that is working on site within the construction fenced area must go through a safety orientation prior to doing any work on site.					

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
<b>2.</b>	<b>Submittals</b>					

**Old Business**

**Submittals**

001-002	7/18/11 - No R&R samples or letter from Jutte. These samples were due on 7/7/11. - Vaughn will submit lockable covers on sensors and thermostat for color selection. Information not specified on documents. - Delivery dates for the veneer not confirmed yet. Clay asked for the manufacturer information; per Josh W, material manufactured by Schorey, Products provided by Casagrande.					No
	7/11/11 - Jutte's samples are still outstanding. Per John, these should come by Thursday. Karin reminded John to submit the letter regarding compliance with specs/drawings as soon as possible. Per Jutte, floor boxes submittal met the specs/drawings. - Per SHP, Flooring & Painting verification samples can be considered approved. - Corner guards pricing from TA is pending. - CMU to come back today from SHP. Color selected is "Harvest"					
	7/5/11 - Jutte has Revise & Resubmit samples, these two packages are due on 7/7/11. Per Jutte, floor boxes submitted met the specs. Karin suggested providing spec section and drawings information showing samples meeting design requirements for SHP/Dynamix evaluation.					
	6/27/11 - Jutte to revise & resubmit samples; John noted the samples may take up to 7 weeks to be received from supplier. - SHP to confirm color selection for the roof ventilators, submittal was sent two weeks ago asking to confirm color. - Corner guards to be clear color, Josh W to confirm cost. - Louver re-submittal was received by LL and processed to SHP last Thursday. Josh P to follow up. - TA submitted cement color selection today; Karin to log and forward to SHP.					
	06/20/11 - Currently, only one outstanding submittal - Verification sample of					



**Meeting Minutes**

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Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		interior paints and coatings from TA - Floorbox & dimming control samples from Jutte are outstanding from SHP.					
		06/13/11 - Missing samples received from Jutte last week. Verification samples need to be approved by SHP. Per Josh P, they went to Dynamix for approval. He will follow up with them. - Louver Submittals - TA re-submitted product data last Friday. LL process for SHP review and approval. This submittal is related to louvers at hollow metal doors.					
		06/06/11 - Jutte still missing samples (260936.04 & .05 and 282726.18)					
		5/23/11 - Jutte still missing outstanding submittals, including one R&R. John noted he has the information ready to submit and is waiting on Ken Jutte to provide letterhead to be used as Transmittal.					
		5/16/11 - Jutte has 3 original submittals still outstanding from Cat B. Liquidated damages will be held until these are submitted. R&R package 0072 must be submitted by 5/20/11 - Wood Trusses / Fire Protection came back from DIC. A note should be added to read "Construction documents approval". Lend Lease to forward email to TA & TP for review/resubmission.					
		05/09/11 - Jutte has two outstanding submittals and one R&R that must be submitted by 5/20/11 - Fire Protection sent to DIC over a week ago.					
		4/25/11 - R&R from TA & Jutte due on 4/19/11 are now outstanding. Lend Lease will hold payment if submittals not received by the end of the week from Jutte.					
		04/18/11 - A new letter was issued for outstanding submittals to Jutte and TA - Clay noted that Jutte needs to submit all outstanding submittals by the end of the week. If not received, Lend Lease will hold payment. These submittals had been due since 2/8/11.					
		04/11/11 - Revise & Resubmit submittal packages are due from TA & Jutte					

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
<b>3. RFI's</b>							

**Old Business**

**RFI's**

001-003		7/18/11					No
		- 11 RFI's are still outstanding. Clay distributed RFI response LL just received related to the smoke wall (RFI134r1), the three options issued by SHP were discussed. The response was also provided thru PR#18. Per SHP, the three options were discussed with DCI and approved. SHP would like to discuss these options with LL and TA and select the best option, at this point it seems option C will be selected. SHP needs to clarify access panels, this will be issued separately.					

Item	Meeting	Item Description	Rasp	Status	Due Date	Compl'd	Cls'd
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- RFI#172 & 178 were answered this morning via email; Karin to issue response thru prolog. Response to RFI#178 was issued thru PR#17; a copy of this PR was distributed to all attendees. Dimensions for PR#17 were clarified by SHP.

- Receiving response for RFI#179 is becoming critical for TA. Karin noted, this response was received via email during meeting and will be process today.

- RFI#181 needs to be reopened. Answer needs to be revised.

7/11/11

- 12 outstanding RFI's, several from previous weeks are still showing on this report.
- Per SHP, smoke rating RFI will be closed once PR is issued today.
- Dimensions RFI will be open until shops are received.
- Ceiling Heights PR#14 should close RFI#164.
- All RFI's related to Electrical are under Dynamix review.
- RFI #179 was issued last week by TA, door swing needs to be clarified by SHP. Shop drawings issued by Hall Aluminum (AAN) are conflicting with Hardware submittal issued by TA (AAN). Josh P. to review.
- Clarification on Windows sill is still needed. Hall to provide information to SHP.
- Clay expressed his concern about Jutte not having issues with running rough-ins above ceiling. Vaughn and TP have been asking several questions, but no questions have been received from Jutte. John McNeill confirmed that Jutte doesn't have any issues with above ceiling rough-ins.
- LL did some investigation on the EPDM roofing being discontinued; per conversation with suppliers, it was confirmed that this material has been discontinued since 1990. We'll need to upgrade material and the project will absorb the cost; however, TA should be responsible for any delays on delivery of material due to late notification on their part. SHP noted the selection will be .50mil PVC in lieu of .45mil EPDM. TA confirmed that Northcoast will be the supplier.

7/5/11

- The report is showing 13 outstanding RFI's. The following are critical RFI's:
- Fire smoke rating walls, SHP needs to issue PR.
- Bathroom Accessories blocking information, per Josh P this information will be issued today.
- RFI #174: SHP to answer, this will provide answer for the 3 recent RFI's received from Jutte RFI#175 thru RFI#177).
- RFI #169: per SHP, this was forwarded to Dynamix
- Brass Fittings RFI should be closed, TP found material as specified on Documents.
- Pricing requested by SHP regarding roofing (EPDM) materials will be discussed after the meeting.

6/27/11

- 7 RFI's outstanding. RFI #066 was clarified by TA and is now pending on action by SHP
- RFI#134r1 should be closed today. A detail was submitted to DIC; SHP is waiting on official response from DIC to issue to contractors.
- RFI# 166 OSSB#2 regarding connections to transformer needs to be answered.

06/20/11

- RFI #134 (Fire Smoke Rating)- re-opened - Josh P to get answered ASAP and provide detail if wall to be extended to plenum area.

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	06/13/11	- There are 6 open RFI's - #134 - Fire Rating RFI - Karin re-opened. Need clarification from SHP regarding walls/rating going all the way to ceiling. Josh P to respond and issue PR. - #158 - Kitchen Dimensions - Josh P cannot answer until that package is bid. This RFI has the potential to be open for the next 90 days.					
	06/06/11	- Windows Sills need clarification from SHP.					
	04/04/11	- Karin reminded to all companies to review closed RFI's for potential impact to their scope or cost impact.					
	3/28/11	- Need to make sure RFI's are building / site specific. SHP concerned RFI's are not matching up.					
	3/14/11	- Karin reminded contractors to select her name when issuing RFI's. All RFI's should come through Karin and she will distribute to LL team or SHP's.					
	03/07/11	- RFI's related to New construction Dwgs have been re-opened. SHP to issue bulletins/sketches to answer these RFI's. Sketches are expected by 3/11/11					
	02/07/11	- Email is required from contractor if cost is related to close RFI's.					

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
<b>4. Schedule</b>							

**Old Business**

**Progress Schedule**

001-004	7/18/11	- June schedule was signed last week. Two week look-ahead schedule was distributed. Contractors to update based on activities started and finished, actual dates are needed. Updates to be issued to Patrick by the end of the day today.  - Framing punchlist still due from TA. Anchors questions need to be resolved / answered by TA. Drywall preinstall to be setup for this week, TA to confirm with Sammy Walker. Per Vaughn, vent caps to be delivery in two weeks  OSSB#5: - Jutte to finish rough-ins by the end of this week. Jutte's workers have not been seen on site today. - Vaughn's ductwork layout is completed - TA to finish ridge vent / enclosure by 7/19 and start drywall for showers/tubs on 7/20 - Mech rooms to be painted on 7/21 - TP Mech. To be ready for inspections on 7/25 -Hall to set upper windows this week, pending on "H" clips delivery.					No
	OSD#7:						

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	<ul style="list-style-type: none"> <li>- Vaughn to start work tomorrow and will complete by the end of the week.</li> <li>- TA to start / finish shingle today</li> </ul>					
	<p>OSSB#1:</p> <ul style="list-style-type: none"> <li>- Dry-in today</li> </ul>					
	<p>OSD#3:</p> <ul style="list-style-type: none"> <li>- Sheathing completed</li> <li>- Structural issues need resolved before weight is put on</li> <li>- Dry-in today</li> </ul>					
	<p>OSSB#6:</p> <ul style="list-style-type: none"> <li>- Setting trusses today</li> </ul>					
	<p>OSD#6:</p> <ul style="list-style-type: none"> <li>- Trusses to be setup Wednesday.</li> </ul>					
	<p>7/11/11</p> <ul style="list-style-type: none"> <li>- June update was emailed to all contractors last Thursday. Trusses &amp; Sheathing was reduced to 60%. If everyone agrees, this schedule will be sign-off today. We are currently behind schedule on several buildings; at this point it will require an effort from all contractors to bring the project back to schedule.</li> <li>- Two week look-aheads are due today. Accuracy is a must since everyone is trying to plan based on this information.</li> </ul>					
	<p>OSSB#5:</p> <ul style="list-style-type: none"> <li>- 10 days behind schedule</li> <li>- Jutte to finish rough-ins this Thursday.</li> </ul>					
	<p>OSD#7:</p> <ul style="list-style-type: none"> <li>- 6 days behind schedule</li> <li>- Vaughn to start work next Monday, Chad will provide and update by Wednesday.</li> <li>- Jutte is currently working on rough-ins, work to be completed no later than Friday. Jim is concerned about new worker being unsupervised, he is not aware of coordination previously discussed.</li> <li>- Ready to shingle back side</li> </ul>					
	<p>OSSB#7:</p> <ul style="list-style-type: none"> <li>- Ready to shingle back side</li> </ul>					
	<p>OSSB#1:</p> <ul style="list-style-type: none"> <li>- On schedule</li> <li>- Mike asked when sheathing will be done on OSSB#1, TA to finish tomorrow 7/12</li> </ul>					
	<p>OSD#3:</p> <ul style="list-style-type: none"> <li>- On schedule</li> <li>- Sheathing to be completed by Wednesday 7/13</li> <li>- Structural issues need resolved before weight is put on.</li> </ul>					
	<p>OSSB#6:</p> <ul style="list-style-type: none"> <li>- 6 days behind schedule</li> </ul>					
	<p>OSD#6:</p> <ul style="list-style-type: none"> <li>- 6 days behind schedule</li> </ul>					
	<p>7/5/11</p> <ul style="list-style-type: none"> <li>- Monthly updates were received from all contractors but Hall Aluminum. Patrick will have updated schedule and will issue to all contractors for signature next Monday.</li> <li>- Two week look ahead schedules were received from all Contractors.</li> </ul>					



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Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	<ul style="list-style-type: none"> <li>- Bulkhead information is needed in order to finish work (TA &amp; Vaughn) on this area.</li> <li>- Jim discussed all the issues that must be fixed by TA before completing the work listed above. The two week look ahead received today is not showing accurate information. Josh W. noted he is trying to work the schedule out. He needs to discuss roofing material ordering issues with SHP; color selected is no longer available.</li> <li>-Clay and Jim noted the importance of having accurate information on the two-week look ahead, TA is holding everybody else. Jim noted the lack of manpower is the main issue.</li> <li>-If Inspections need to be scheduled should be put on the board @ OSD trailer.</li> <li>-Blocking information will be issued today by SHP.</li> </ul> <p>06/06/11</p> <ul style="list-style-type: none"> <li>- We'll discuss after the meeting. Two week look ahead still pending from Julie and TA. Everyone should have received the updated schedule issued last Friday. New completion dates are reflected on updated schedule, +4 days were added; May rain days still need to be confirmed. 33 days of float are built to the end date; we can say that we have a "safety net" to cover any unforeseen issues (rain, coordination, etc.)</li> </ul> <p>5/23/11</p> <ul style="list-style-type: none"> <li>- Every 12 days a new building will be turned over to the next trade.</li> <li>- Two crews for each site will need to be planned in order to meet the schedule.</li> <li>- Four (4) Weather days for April will be added to the schedule.</li> <li>- May's rain days need to be calculated at the end of the month.</li> <li>- Two week update schedule will reflect these additional dates; Patrick will issue this schedule next Thursday.</li> <li>- LL will potentially issue a No Cost CO to all contractors.</li> </ul> <p>5/16/11</p> <ul style="list-style-type: none"> <li>- Clay noted that Critical Path MUST be followed. Possible overtime cannot be discussed if contractors are working out of sequence.</li> </ul> <p>05/02/11</p> <ul style="list-style-type: none"> <li>- LL has issues with sequence. Clay discussed sequence: The sequence must be maintained throughout the project, everybody needs to keep working to meet the base schedule sequence.</li> </ul> <p>04/11/11</p> <ul style="list-style-type: none"> <li>- Labor hours information (resource loading report) was distributed to all contractors. Projected labor for each building is shown (1 ES and 1 HS). 8 hours = 1 person</li> <li>- Casework could have an impact at least on the 1st dorm since it didn't go out to bid yet. Lend Lease to work with the owner to get this package out as soon as possible. Contractors to notify Lend Lease and SHP if any conflicts with casework and final work for their scope.</li> </ul> <p>3/28/11</p> <ul style="list-style-type: none"> <li>- Superintendents need to make sure to put the actual start date on the schedule, and when finished also plug the actual finish date. It is okay if an activity starts earlier than projected.</li> </ul> <p>03/07/11</p> <ul style="list-style-type: none"> <li>- Contractors to contact Patrick Pattillo if any issues with schedule.</li> <li>- Schedule updates must be accurate. Contractors will be held accountable on percentages shown as work completed.</li> </ul>					

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
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Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
<b>5: Open Discussion</b>							

Old Business

Miscellaneous

001-005      7/18/11      No

- DIC Fire Protection: Approved drawings will be issued to all contractors on a CD; Karin to post in Prolog.
- Vaughn issued updated coordinate drawings, Chad still pending issuing email with PDF to Karin for posting in Prolog.
- Jutte to complete fixing damages. This has become a recurrent issue and must be resolved. Jutte is not present at the meeting today, cannot confirmed issues being resolved.
- Mock-Up: started and completion is pending on delivery of materials (veneer material and flashing). This is also holding up the windows getting installed.
- Hardware was not ordered, TA was waiting on answer to RF#179. This was just issued by SHP. Keying meeting was scheduled for 7/21 @ 11:00am. TA to confirm attendance of his sub as well.
- OSSB Walkthrough - TA still needs to submit letter of open and resolved items. Letter to be submitted saying corrections had been performed; Clay to be copied.
- Casework: best case scenario is November for installation. TP and TA will be impacted; drawings need to be discussed with TA and TP for potential problems to be solved ahead. There will be issue via Proposal request, not typical bid.

7/11/11

- Fire Protection Shop Drawings: required information by DIC was issued and approved drawings will be issued tomorrow to all Contractors.
- Vaughn issued updated coordinate drawings. Chad still pending issuing email with PDF to Karin for posting in Prolog.
- Jutte to complete fixing damages. This has become a recurrent issue and must be resolved.
- OSSB Walkthrough - TA still needs to submit letter of open and resolved items. Letter to be submitted saying corrections had been performed
- Mock-Up: started last week, TA waiting on veneer material and flashing details. Todd asked if there will be another mock-up(s) scheduled; Clay noted with the size of these buildings, there will be one building used as mock-up. OSSB#5 will be probably be used for mock-ups (Drywall/paint finish)
- Hardware was ordered, no actual date on delivery yet. Keying meeting was scheduled for 7/21 @ 11:00am. TA to confirm attendance.
- Per TP, ceilings are smoke-rated and it is okay to run PVC.

7/5/11

- SHP has been contacted DIC without any luck. Clay noted this issue has been going on for the last three weeks, the only information received is verbal approval. SHP will contact supervisor at DIC.
- Vaughn issued updated coordinate drawings, Chad to email PDF to Karin for posting in Prolog.
- Jutte completed fixing damages. OSD#3 and OSD#5 will be completed today. Will complete OSSB's damages next.
- OSSB Walkthrough - TA still needs to submit letter of open and resolved items. Letter to be submitted saying corrections had been performed
- Mock-Up: Josh W doesn't have updates. We need to get dates when this will be completed
- Hardware was ordered, no actual date on delivery. Keying meeting needs to be schedule, Karin to issue invitation today for a meeting next week.
- TA will issue hardware changes pricing to LL today.

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		<ul style="list-style-type: none"> <li>- Coordination of drywall installation and rough-ins are a concern.</li> <li>- Chad agrees with humidity control / monitoring requirements per specs</li> <li>- Access to dorm buildings will be limited to one door. Details will be discussed during superintendents meeting.</li> <li>- Madison: Reminder of CW bid packages and how they will relate to this phase.</li> <li>- Jim: everyone will need to do a Punchlist to be reviewed by SHP. This work will need to be signed-off before installing drywall.</li> <li>Hall Aluminum to make sure to coordinate with Jutte on electrical provisions for doors.</li> <li>- Joel: what is the status of the recovery schedule? Clay noted all the float added has been used and dates are not been met.</li> <li>- Joel is concerned about not meeting the dates and the impact of it.</li> <li>Josh W noted TA has additional man-power and is working thru getting schedule back.</li> <li>- Patrick mentioned we are behind schedule on 4 buildings (OSSB5, OSD7, OSSB1, OSD3) Every week things will get worse if TA doesn't work on getting back to schedule.</li> <li>- Clay stressed the importance of everybody making extra hours to get back to schedule.</li> </ul> <p>6/27/11</p> <ul style="list-style-type: none"> <li>- DIC to provide letters this morning regarding Fire Protection &amp; Trusses. Verbal approval had been received previously.</li> <li>- Vaughn will issue revised set of Coordination drawings, equipment layout changed due to buildings being flipped. SHP asked to check 8" duct running at corridors. SHP needs ductwork to go in the bathrooms so it is not exposed. Fire Protection and HVAC needs to be carefully installed so no piping is exposed. Josh would like to see the run-throughs once installed.</li> <li>- OSSB #1 &amp; #2, #6 &amp; OSD #3&amp; #5 - Jutte still needs to repair damages. Jutte to let Jim know when issues are corrected.</li> <li>- OSSB Walkthrough - TA still needs to submit letter of open and resolved items. Letter to be submitted saying corrections had been performed</li> <li>- Mock-Up: Josh W to check on status</li> <li>- Hardware was ordered. Hall and TA have already coordinated who is supplying what. Karin will attach knock down information submitted last week to hardware submittal for project records.</li> <li>- Josh P asked TA to confirm cost implications on hardware/frames changes.</li> <li>- Mike: Coordination of drywall installation and rough-ins are a concern.</li> <li>- Josh W to provide temp doors at all buildings. Access will be limited to one door. Details need to be discussed.</li> <li>- Jim S: Noted that Jutte has several activities to complete. If extra workers will be on site, Randy will not be able to perform work, only supervise work. Crane pre-installation plan for OSD was distributed and will be discussed next Thursday.</li> </ul> <p>06/20/11</p> <ul style="list-style-type: none"> <li>- Wood trusses - Josh P talked to DIC and we have a verbal approval on shop submittals</li> <li>- Fire Protection - Josh P talked to DIC and we have a verbal approval on shop submittals</li> <li>- Storm Drains at OSSB #7 cleared out per Josh W. It was covered up before Jim S. had the opportunity to inspect work. Jim remind TA to call when corrective work is completed, unapproved work will not be accepted as completed.</li> <li>- OSSB #3 - Insulation Repair - TA did not send confirmation of repair. Jim stated 2nd time they did backfill without him being present and/or notified. Next time this happens, he will have them tear it out.</li> <li>- Mock-Up: TA has not started this yet. Karin asked for update. Josh</li> </ul>					

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		<p>P requested that it faces South. If it faces North, we cannot look at colors, etc.</p> <ul style="list-style-type: none"> <li>- HS Drawings coming by end of the week.</li> <li>- T&amp;M tickets will not be signed AFTER work has already been done. This must be done BEFORE and reviewed with Jim. If CO needs to be issued based on Extra Work, Jim's signature of approval must be shown or extra work will not be accepted as part of CO.</li> </ul> <p>06/13/11</p> <ul style="list-style-type: none"> <li>- QSSB Walkthrough - Need letter from TA of open and resolved items</li> <li>- Mike getting nervous about FP drawings - they are scheduled to start installing on 6/27.</li> <li>- Jim asked Hall when we will be getting sills for mock-up. Chris to check on it today. Josh W to measure for it to make sure all is incorporated. Chris &amp; Josh W to coordinate.</li> <li>- Chris - has to have above as they are fabricating the exteriors. They cannot finish/install entrances until they have this information. Scheduled to start 6/22.</li> </ul> <p>06/06/11</p> <ul style="list-style-type: none"> <li>- Fire Protection: SHP to follow up today.</li> <li>- TA to send last week's walkthrough comments/questions to the team (SHP/LL)</li> </ul>					

**Project Drawings**

003-002	7/18/11	<ul style="list-style-type: none"> <li>- Everything that is in the project drawings has been issued via PR, therefore Construction set of drawings will not be issued. Current set of post drawings will be available for those contractors that needed. Clay asked if there is anything specific that any of the contractors was waiting to get answered thru construction set? Everybody seems to be OK.</li> <li>- Madison suggested posting these sets in Prolog, Clay agreed. Madison is concern about several versions going around; this is the reason LL offered contractors to copy LL's posted sets. All contractors requested hard copies of posted set.</li> <li>- Josh W. noted they were hoping for a construction set, however there are 6 buildings being built as we speak.</li> </ul>					No
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**Upcoming Meetings**

004-002	7/18/11	<ul style="list-style-type: none"> <li>- Superintendent Coordination Meeting at 9am on 7/21/11</li> </ul>					No
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**Coordination**

006-001	7/18/11	<ul style="list-style-type: none"> <li>- Patrick to review coordination drawings to confirm all contractors have been posting docs as required. This will affect pay apps.</li> </ul> <p>7/11/11</p> <ul style="list-style-type: none"> <li>- Todd Hager (OSFC) asked about coordination drawings, these drawings are approved and will be posted in Prolog.</li> <li>- No drawings have been updated -posted- by Jutte. A deduct CO will be issued if this is not completed on a weekly basis as requested.</li> </ul>					No
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**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		- Bulkhead needs to start. TA working on pricing per sketch issued. - Corridor bulkhead not being modified.					
	7/5/11	- Jutte needs to update drawings, nothing has been posted yet. This should be done on a monthly basis and it will affect their Pay apps.					
	6/27/11	- Jutte needs to update drawings, nothing has been posted yet.					
	06/20/11	- All contractors must post drawings on a weekly basis.					
	06/13/11	- Jutte and TP need to keep drawing sets updated weekly.					
	3/28/11	- As-Builts to be at each site for Contractor updates. Each Contractor to sign off for each.					
	03/21/11	- All Trades to coordinate with wall and CMU openings with TA. It was also discussed that since TA is fabricating walls off-site, there may be issues with in wall rough-ins. Josh (TA) stated that corrections can be made on site at no cost.					

**Temporary Utilities**

007-001	7/18/11	- Jutte did not attend the meeting. No updates.					No
	7/11/11	- John to confirm with Randy on status of temporary electric at OSSB and report to Clay before the end of the day.					
	7/5/11	- Jutte got materials delivered, needs to complete installation so all contractors can hook-up. Clay is not satisfied with the way Jutte has been handling this issue, we had been waiting for Temp Electric for the last 4 months; this situation is unacceptable.					
	6/27/11	- Jutte to confirm meter situation. Meter bank needs to be installed by Jutte before meters are installed. This had been an issue since April and needs to be resolved immediately.					
	06/20/11	- AEP met with Jutte on 6/14. Pole was set and we are ready for meter bases. Per Jim, Jutte needs to put in the meter bases so that Contractors can connect to the tie-in. This needs to be resolved. - Power between OSSB #6 & OSSB#7 issue has been resolved.					
	06/13/11	- AEP met with Jutte this morning to finalize temporary electric at the OSSB site. AEP will drop line and set up four meter banks for each contractor. Contractors will need to set up their own account with AEP for usage. 16' pole needed, which Randy to pick up today. Meters will be available as soon as Contractors set up their accounts with AEP. - Jim advised they set the pole somewhere that it will not interfere with future activities. Karin told John to schedule installation so that Jim is present. - Power between OSSB #6 & #7 - still not resolved.					

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
	<ul style="list-style-type: none"> <li>- Karin advised John that we need updates from him and he shouldn't be waiting on us to ask for them or wait for LL superintendent to provide updates on Jutte's issues.</li> <li>- We keep repeating the same outstanding issues every week in meetings and this needs to stop.</li> </ul>					
	<p>06/06/11</p> <ul style="list-style-type: none"> <li>- Temp electric was provided at building areas. Trailers at OSSB still need power. Per Jutte, they are waiting on AEP to let them know what should be done; meeting scheduled on 6/13.</li> <li>- OSSB #7 - No power between #6 &amp; #7</li> <li>- No outlets between OSD #5 &amp; #6.</li> </ul>					
	<p>5/23/11</p> <ul style="list-style-type: none"> <li>- For temporary power at OSSB, Jutte ordered meter banks last week.</li> <li>- LL noted that Contractors need power supply for future work, Jutte to act and provide answer ASAP.</li> <li>- LL needs answer from Jutte today. Scope was read and discussed again with Ken Jutte last week; at the end of that meeting, Jutte agreed to perform work as noted on scope.</li> <li>- This issue has been going on since March. If this issue is not solved, LL will start issuing deduct CO's to Jutte.</li> <li>- TA bought a gas-powered compressor... planning on electric compressors. John directed TA to keep receipts for any costs incurred for temporary power.</li> </ul>					
	<p>5/16/11</p> <ul style="list-style-type: none"> <li>- Jutte to hook-up power. High voltage certification from Jutte must be submitted before letting Jutte perform the job. Jutte to contact Accurate.</li> <li>- Jutte needed exact number of trailers to be hooked-up at OSSB, one panel box/trailer must be installed since they have to be metered separate. Jutte to inform LL on when this has been completed.</li> </ul>					
	<p>05/09/11</p> <ul style="list-style-type: none"> <li>- Water should be shut off every night (Fire hydrants). TA to make sure Arledge is completing this task before leaving every night.</li> <li>- Lack of temporary power is an issue. If contractor's need generators, the cost will be Jutte's responsibility.</li> </ul>					
	<p>05/02/11</p> <ul style="list-style-type: none"> <li>- Trailer hook-up and Site temp electric - No updates from Jutte. TA needs power for equipment this coming Friday. Jutte to confirm with Accurate if service was verified.</li> </ul>					
	<p>4/25/11</p> <ul style="list-style-type: none"> <li>- Trailer hook-up: Jutte confirmed, AEP will be on site today @ noon. Meter panel needs to be setup. Temp service needs to build-up and connected; Jutte noted it can be completed today. Clay stressed the importance of having this resolved as soon as possible.</li> <li>- Jutte to complete today.</li> </ul>					
	<p>04/18/11</p> <ul style="list-style-type: none"> <li>- Jutte is working on getting Temporary electric service at OSSB site. Jutte to contact AEP as soon as possible to get this resolved.</li> </ul>					
	<p>04/11/11</p> <ul style="list-style-type: none"> <li>- Electric supply is in progress.</li> <li>- Internet for Trailers, it cannot be set up without electrical service.</li> </ul>					

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
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04/04/11  
 - Jutte is working on the electrical, power should be available this week.  
 - TA has Time Warner Cable scheduled for 4/8.

3/28/11  
 - OSSB  
 >Working on building temp by the end of next week  
 >TWC cannot provide service at OSSB Site (maxed out capacity)

**Waste Management**

007-003	7/18/11	- Still missing information from Jutte and TP Mechanical. TA to submit information as soon as received for the month of June.					No
	7/11/11	- Still missing information from Jutte and TP Mechanical. TA to submit information as soon as received for the month of June.					
	7/5/11	- We are up to date based on information issued by TA. - Records of spoils need to be received by TP & Jutte.					
	06/13/11	- No hazardous waste can be put in dumpsters (i.e. paint). - Regular trash can go into dumpster since collection company is separating. - Any spoils re-use needs to be documented as this counts toward recycling (LEED) goals					
	5/16/11	- Jim noted TA may need to provide a separate container for paint.					
	04/11/11	- Contractors to provide recycling tickets monthly. If no new data, please issue an email notifying Karin.					

**Site Issues**

010-001	7/18/11	- OSSB#1: perimeter drain needs to be backfilled and electric inspected. Jutte to complete, this is a recurrent issue. Jutte didn't attend the meeting. No updates. - OSSB#3: Jutte to remove spoils. Jutte didn't attend the meeting. No updates. - Drywall preinstall is critical. Schedule can be "changed" to reflect Mechanical drywall if needed. - Since we had been using float, activities may need to move from the bottom of schedule to expedite the schedule.					No
	7/11/11	- OSSB#1: perimeter drain needs to be backfilled and electric inspected. Jutte to complete in the next couple of days. - OSSB#3: Jutte to remove spoils. John to report status to LL by the end of the day.					
	7/5/11	- OSSB#1: perimeter drain needs to be backfilled and electric inspected. Jutte to complete in the next couple of days. - Cleanup got better, all contractors still need to do a better job in					

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		general. - OSSB#3: Jutte to remove spoils. TA will reuse spoil @ Southwest corner.					
	6/27/11	- OSSB#1: perimeter drain needs to be backfilled and electric inspected. Jutte to complete.					
	06/06/11	- Spoils must be removed. Main issue is with Jutte. TP to remove their spoils today. - OSSB #3 needs backfilled for TP to keep moving.					
	05/09/11	- Truck drivers to stay off parking areas (light duty asphalt). Driving should be only on Heavy Duty asphalt (main road)					
	05/02/11	- Contractors to notify Jim Smith before starting work if site found in bad conditions.					
	04/18/11 (Jim Smith)	- Curbs MUST be protected if you must drive over them. - Water line protection must also be in place - Watch for existing utilities.					

**Pricing Requests (PR's) & Change Orders (CO's)**

014-001	7/18/11	- PR14 &15 were due last Wednesday, if extension was not requested, "no cost" will be assumed.					No
	7/11/11	- Thru PR#12 everybody but Jutte Electric got pricing in and CO's had been written. Jutte will receive a letter from LL stating "No Cost Change" for all PR's issued (PR#1 thru PR#12); at this point Jutte will be responsible for cost. Contractors have 14 days from the day a PR is issued to provide pricing or PR's will be considered "No Cost Change" for the project. PR#13 was performed as T&M, tickets from Jutte still not received. - Still need pricing for PR#14, PR#15. Both due by Wednesday 7/13. - TA to provide pricing on PR#12.					
	7/5/11	- Jutte pricing still outstanding on all PR's - TA needs to provide pricing on PR#12 - PR#14 was just issued but will affect all contractors, pricing expected within the next week - PR#15 was also issued last week and will potentially affect TA's scope only - SHP noted kitchen island PR and Smoke walls details are coming. Also Bulkhead information. - TP pricing is up to date, needs to finalize excavation pricing internally before resubmitting to LL - Randy: will follow up on PR's to get info ASAP - Karin to send PR's log to Madison. This information is currently in Prolog. He is also concern about not having representation from OSSB / OSD during meetings, especially for color selections and other finishes. Madison to send email to co-owners requesting attendance to meetings.					
	6/27/11						

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		<ul style="list-style-type: none"> <li>- Still need pricing from Jutte for all PR's. As stated in e-mail, if we do not receive pricing, it is assumed as a NO COST change. John to let Clay know when pricing will be received.</li> <li>- TP owns over excavation pricing</li> </ul>					
		<p>06/20/11</p> <ul style="list-style-type: none"> <li>- Still need Pricing from Jutte for all PR's. As stated in e-mail, if we do not receive pricing, it is assumed as a NO COST change.</li> <li>- SHP to issue PR's for kitchen and smoke walls (details to be included)</li> <li>- PR to be issued for Permit credits since SHP payed for all building permits instead of the Contractors.</li> </ul>					
		<p>06/13/11</p> <ul style="list-style-type: none"> <li>- PR for Fire Penetrations to be issued by SHP</li> <li>- PR to be issued for permits credit. Karin noted that LL is tracking credits which can be discussed at any time so there will not be any suprising when contracts are closed out.</li> <li>- T&amp;M for Jutte - Extra work to add (4) 1 1/2" conduit for future site lighting.</li> </ul>					
		<p>06/06/11</p> <ul style="list-style-type: none"> <li>- Casework: TP impact due to casework package not bid yet needs to be received.</li> <li>- All pricing from Jutte is overdue.</li> <li>- PR for island wall needed - blocking locations.</li> </ul>					
		<p>5/23/11</p> <ul style="list-style-type: none"> <li>- Several outstanding PR's. LL needs to receive pricing from contractors in order to issue CO's.</li> <li>- PR#7 Kitchen Hoods: Pricing from Jutte still due</li> <li>- PR#9: No cost received from Jutte. TP confirmed during meeting that there is no cost associated to this PR.</li> </ul>					
		<p>5/16/11</p> <ul style="list-style-type: none"> <li>- Jutte to make decision on transformers, if 2 ? will be keeping, pricing is needed.</li> </ul>					

**Material Concerns**

016-001	7/18/11	<ul style="list-style-type: none"> <li>- No updates.</li> </ul>					No
	7/11/11	<ul style="list-style-type: none"> <li>-Veneer color selection was received, TA to order material. Blocking drawings are critical right now as well as smoke walls; SHP to issue this information today.</li> <li>-Vents and caps information was issued thru RFI by Vaughn, SHP answered but this was reopened since model number for dryer vent was not provided.</li> <li>-It was confirmed Roofer will supply sheet metal flashing, TA to review scopes. HVAC contractor shall furnish and install roof jacks per contract documents. Vaughn to confirm how long for delivery.</li> <li>- Metal roofing materials are still 2 weeks out.</li> </ul>					
	7/5/11	<ul style="list-style-type: none"> <li>- Roof material and exterior masonry final color selection are a concern.</li> <li>- Corner guards from white to clear acrylic price change will be provided by TA</li> <li>- TA will follow up on metal roof order.</li> <li>- Jeff: to report delivery dates for hardware</li> </ul>					

**Meeting Minutes**

Detailed (Editable), Grouped by Topic for each Meeting and by 'Old Business' and 'New Business'

Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
		6/27/11 - FP shop drawings are a concern - Jutte's rough-in materials are a concern. John noted materials will be ordered today. - Josh W is concerned about block and metal roof.					
		06/06/11 - Need sprinkler shop drawings for Fire Protection fabrication. - Oberfield's cutting back on production. Could be issue with delivery of veneer once colors are selected.					