

## Summary of Willis Rebar Payments / Delays / Substitution Correspondence

Date	Item	Working Day Delays	Notes
7/3/2019	Joint Check Request		Willis Rebar (Willis) requests joint check agreement from Steelhead Constructors (Steelhead) for material payments to Farwest Steel (Farwest).
7/11/2019 - 7/13/19	Abutment Footings	1-day	Delivery of #6 vertical rebar instead of #9 per plan for abutment 2. Shop drawings were reviewed by Steelhead and DOT and marked up to show the wrong bars detailed. Original shop drawings were then sent to the fabricator instead of the mark up drawings. #9 bars were re-ordered and sent out on 7/12/19. Willis worked Saturday to complete the footing rebar placement.
7/16/2019	Willis Payment #1		1st payment made to Willis Rebar by Steelhead for \$11,515.34. This payment was made in advance of Steelhead receiving payment from DOT at the request of Willis. Payment was needed for Willis to make payroll and keep crews available for abutment stem rebar placement.
7/22/2019 - 8/16/19	Abutment Stems	13-days	7/22/19 rebar delivery missing haunch bars, #5 8' hook bars, most of wingwall bars, shear key dowels, backwall bars, and miscellaneous were not on the jobsite. Ironworker foreman called in to detailer and ordering missing rebar. Missing rebar was delivered on 7/25/19. Pushed out the originally scheduled 7/30/19 abutment concrete placement. It was later determined that the T-headed bars in the abutment seat were delivered in the wrong size. Special order replacement bars with long lead time were re-ordered but not delivered until 8/14/19. Concrete placement for both abutments resumed on 8/16/19. This delayed the concrete placement by 13 days. Steelhead and DOT had previously reviewed shop drawings and provided markups.
9/9/2019	MOH Payment	0-day	Steelhead was provided with CT Form CEM-5101 for requesting payment of materials (rebar) delivered but not placed in the work (MOH). RE requested form returned by 9/27/19 for the 9/30/19 pay estimate. Steelhead provided form to Willis. Willis did not fill out and return the form for payment.
9/12/2019	Willis Payment #2		2nd payment made to Willis by Steelhead for \$20,096.86. This was the first payment made by Steelhead via joint check. All money went to Farwest for rebar materials delivered.
9/27/19 - 10/8/19	Stem & Soffit	4-days	9/27/19 Rebar delivery was missing diaphragm rebar needed to proceed with placement. Crews leave job by 9:00 am. Missing bars were delivered on 10/1/19 and rebar placement continued with foreman, journeyman, and two apprentices. Foreman and crew showed up late on multiple days, took long breaks and pushed out installation of pre-stress ducts by at least 2 additional days. As stem and soffit rebar placement commenced, additional rebar was determined to be missing for the diaphragms. DOT staff worked with forman to fabricate and utilize surplus rebar that was on site to mitigate further shedule delays. Total delay this stage was at least 4 days. Seasoned crew could have easily installed in 4 days (which would make the delay 5 days).
10/28/19 - 11/1/19	Deck	3-day	Deck rebar placement scheduled for 2 days took 5 days to complete. No significant issues with rebar delivery. 3 man crew provided on 10/28/19 was not adequate to complete on schedule. 2 additional ironworkers provided on 10/29, 10/30, and 11/1. 1 additional ironworker provided on 10/31

11/20/2019	Willis Payment #3 Check Ready to Send		Check for payment #3 in the amount of \$42,823.57 ready to send to Willis. However, certified payroll had not been submitted since the end of September. Check held until Willis submitted certified payroll for October and November on December 6, 2019.
11/22/2019			Willis cancelled critical path approach slab and bridge barrier rail rebar placement. Stated they could not perform due to no payment. However, payment was made via joint check and all money since the first payment went to Farwest Steel. Payment that was withheld was for Willis not providing certified payroll records for worker payments and for not paying fringe benefits that are included in the prevailing wage rate.
11/26/2019	Substitution Request		Steelhead letter to DOT requesting substitution of Willis due to inability to meet schedule.
11/27/2019	Substitution Request Notification		DOT letter to Willis via email and certified mail notifying of substitution request by Steelhead. Willis given 5 working days to respond. Willis also was called by DOT to discuss. This was the last time that Willis answered phone calls from DOT. DOT has attempted to contact Willis at least once a week since. No answer and voicemail full so that no message could be left by DOT.
12/4/2019	Schedule Meeting Request		Steelhead requested Willis attend field schedule meeting. Willis declined stating need to meet with attorney for the substitution.
12/6/2019	Willis Protest Substitution		Protest letter from Willis received by DOT within the required time. Willis submittal of October and November certified payroll to the Department of Industrial Relations.
12/17/2019	Willis Payment #3		Check delivered in the amount of \$42,823.57 with all money going to Farwest for rebar materials delivered.
12/20/2019	Winter Suspension	19-days	Project suspended due to halt in critical path work on approach slabs and bridge barrier rails by Willis. The suspension stopped the counting of working days and winterized the Project site to prevent erosion and permit issues. The critical path work can commence at any time, pending weather, once Willis can perform the work or is substituted for others to complete the work.
12/23/2019	MOH Payment		DOT offered to write a no cost change order to include payment for rebar materials delivered and onsite but not incorporated into the work for the approach slabs and bridge barrier rails. These two items of work were not initially included in the partial payment section of the Special Provisions section 9-1.16C. DOT notified Steelhead that Willis just needs to submit the CEM-5101 form to request payment on the December 20, 2019 pay estimate. Steelhead attempted to contact Willis to discuss the MOH payment but did not hear back.
12/30/2019	Follow Up Letter		DOT follow up letter to Willis via email and certified mail to discuss payment made, certified payroll issues, project schedule, and protest to substitution. No response from Willis via email, mail, or phone.
1/17/2020	Willis Payment #4		Email from the Ironworkers on January 14, 2020 stating that fringe benefit payments had not been paid since September 2019 although certified payroll submitted for October and November stated that they were paid by Willis. Steelhead makes payment for \$16,608.00 with retention and withhold of \$21,109.67 until confirmation of fringe benefit payment received by Ironworkers Union. Letter sent to Willis from Steelhead with explanation of withhold.

1/28/2020	Continued Attempts to Contact Willis		DOT continues weekly attempts to contact Willis via telephone to discuss payments, schedule, and substitution.
2/11/2020	Board Hearing Notification & Continued Attempts to Contact Willis		DOT sends notification letter to Willis for March 17, 2020 at 10:00A.M. Board Hearing letter. DOT also attempts to open contact for discussion of payments, schedule, and substitution.