

From: melody.lane@reagan.com
Sent: Tuesday, August 27, 2024 1:39 PM
To: Kim Dawson; BOS-Clerk of the Board; Rafael Martinez; Lori Parlin; Wendy Thomas
Cc: Tiffany Schmid; David A Livingston; BOS-District V; BOS-District IV; BOS-District I; BOS-District III; BOS-District II
Subject: 8/27/24 Open Forum Public Comments - DOT/Mt. Murphy Road Paving Fraud

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Please ensure the entirety of my below Open Forum public comments and photos concerning DOT accountability are entered into the public record.

###

As you heard on August 13th the double chip seal of Mt. Murphy Road was NOT completed as set forth in the American Paving Systems contract which I obtained via a PRA. It is also evident that Mike Gordon failed miserably to inspect any of the required quality control standards of this grant funded DOT project.

Furthermore, you are aware the Project Superintendent attempted to sell me 8 tons of gravel that should have been applied to the road. Instead of a double chip seal, the project turned out to be a sloppily applied single chip seal where raw dirt and gravel were left exposed. Per Rafael Martinez, the application is supposed to last **5-10 years**.

Yesterday my neighbor sent me a photo of potholes that have already developed on the one lane road. I couldn't believe my eyes, so I had to go up the road to see for myself how badly the surface has already begun to deteriorate in several places within only **one month of project completion**. The photos I'm submitting into the public record are worth a thousand words.

Even more disturbing is the lack of accountability regarding the **fraudulent misuse of taxpayer resources**, and the censorship by government officials in an effort to cover up for DOT incompetence and/or deliberate deception.

Lori Parlin, don't forget who you work for. You are either part of the problem, or part of the solution. Instead of sweeping these matters under the carpet of bureaucracy, your oaths of office require you to publicly address and **resolve** these on-going constituent concerns--and that includes restoring my ability to communicate electronically with all EDC staff. Your response today please.

###

After a review, the County has determined that **it has non-exempt records** which are responsive to your request. We have already evaluated the items in your PRA request. Please see the following specific responses:

- Request #1: You asked for "the Transportation inspector assigned by DOT to oversee the completion and the quality standards of the project work."
 - Response #1: **Mike Gordon was responsible for inspecting the work performed by American Pavement Systems.** The quality standards set forth are based on Exhibit A attached to the agreement.

- Request #2: “The American Pavement Systems contract, and all DOT communications with APS relevant to the scope, cost, and timeline pertaining to the double chip seal project work on Mt. Murphy Road.”
 - Response #2: The American Pavement Systems contract is attached to the email and in GovQA. The single email with the critical path for work on Mt. Murphy is also attached. The change in date was via a telephone call between American Pavement Systems and the Highway Superintendent due to the plant being down on a Saturday.
- Request #3: “All internal DOT communications with staff pertaining to the chip seal of Mt. Murphy Road project and the remediation of the missed portions of the road.”
 - Response #3: DOT communicated with American Pavement Systems via telephone regarding the additional areas of concern. American Pavement Systems addressed the areas prior to completing the project. There are areas of Mt. Murphy where the chip seal does not extend to the edge of the graded surface. **Reasons vary but largely is due to compaction and to ensure there is a shoulder. The double chip seal which was funded by a grant is now complete.**

From: Rafael Martinez <Rafael.Martinez@edcgov.us>

Sent: Tuesday, July 30, 2024 7:31 AM

To: melody.lane@reagan.com; Lori Parlin <lori.parlin@edcgov.us>; Shelley Wiley <Shelley.Wiley@edcgov.us>

Cc: Preston Moore <Preston.Moore@edcgov.us>; BOS-District V <bosfive@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District I <bosone@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District II <bostwo@edcgov.us>; Kelly D. Carnahan <Kelly.Carnahan@edcgov.us>

Subject: RE: Mt. Murphy Road double chip seal...

Melody,

The answers to your questions are in red below.

1. Do these photos actually represent a double-chip seal, or just a single-chip seal?
Yes, the photos do represent a double-chip seal.
2. Exactly what does a double chip seal entail, and what is the anticipated life of such a surface treatment?
A double chip seal consists of ditching, grading, and compacting the dirt road surface, then applying asphalt emulsion over the dirt/grindings, and on top of the emulsion is 3/8 rock imbed into the oil. Then, the roadway is lightly swept, and a second layer of emulsion is applied and 5/16 rock chip is imbed into the oil. Since this is the first hard surfacing that the county has done on Mt. Murphy, it is going to be hard to determine the life expectancy. **The life expectancy of a standard chip seal surface treatment over an asphalt road is 5 to 10 years. With that being said the amount and type of traffic, driving habits, and unforeseen issues such as subgrade failures or storm related issues will shorten the life span of the roadway.**
3. Will DOT take responsibility to remediate the inferior work recently done on the road by American Pavement Systems?
The work and product are not inferior, and the county will continue to maintain Mt. Murphy Road. Additional information, funding came from AQMD grant for dust mitigation.
4. Proper maintenance of Mt. Murphy Road is of paramount importance to residents who rely on this as an evacuation route in the event of another wildfire. Who is the person in charge to oversee Quality Assurance for DOT projects to ensure the work is properly done?
Transportation has an inspector on every construction project. They take samples when needed, monitor the site for the safety of the workers and the public, and **ensure quality and quantities are to Transportation's expectations.** As we do, with all county-maintained roads, we will monitor and maintain the chip seal on Mt. Murphy Rd.

Sincerely,

Rafael Martinez

Director







Melody Lane
Founder – Compass2Truth

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds. ~ John Whitehead ~