

PREQUALIFICATION COMMITTEE
MINUTES – OCTOBER 7, 2010
9:00 A.M. EDT

The following Committee members attended the meeting:

Tiffany Mulligan	Director of Economic Opportunity and Prequalification; Chair and Non-Voting Member
Karen Macdonald	Prequalification Engineer; Committee Secretary and Non-Voting Member
Tony Hedge	Director of Accounting; Voting Member
Mark Miller	Director of Construction Management; Voting Member (Recused himself from voting on second and third agenda items)
Joe Novak	Crawfordsville District Construction Director; Voting Member
Jim Stark	Deputy Commissioner of Capital Program Management; Voting Member
Troy Woodruff	Deputy Commissioner of Operations; Voting Member
John Wright	Director of Highway Design and Technical Support; Voting Member

Also in attendance:

Mike Rowe	Prequalification Auditor, INDOT
Frederic Bartlett	Prequalification Research Analyst, INDOT
John Leming	Prequalification Research Analyst, INDOT
Richard J. Ayers	President, Superior Construction Company, Inc.
Ted Cuson	Vice President, Superior Construction Company, Inc.
Richard O'Connor	President, RQAW Corporation
Erich Hart	Project Engineer, RQAW Corporation
Nicolas C. Nizamoff	Stuart & Branigin
Dominic Kelly	Simpson, Gumpertz and Heger, Inc.

Paul Berebitsky	Indiana Construction Association (ICA)
Greg Rominger	American Council of Engineering Companies (ACEC)
Marvin Burns	Janssen and Spaans Engineering, Inc.
Joan Widdifield	Contract Administration, INDOT
George Dremonas	Director of Legal Services, INDOT
Anne Rearick	Director of Bridge Design, INDOT
Dave Holtz	Deputy Commissioner of Design, Project Management, and Technical Support, INDOT
Gabe Paul	Attorney, Legal Division, INDOT
Mark Ahearn	Chief Legal Counsel, INDOT
Mahmoud Hailat	Staff Engineer, Bridge Design, INDOT
Will Wingfield	Public Information Officer, Office of Communications, INDOT
Jon Seidel	Post Tribune
Ben Ciravolo	Indiana Attorney General's Office
Jennifer Jansen	Attorney, Legal Division, INDOT
Tommy Nantung	Pavement, Materials, and Construction Research Manager, INDOT
Kevin Steele	Burke, Costanza, and Cuppy, LLP
Paul Kelley	Simpson, Gumpertz and Heger, Inc.
Brad Minnick	LaPorte District Construction Engineer, INDOT
Angie Fegas	LaPorte District Communications Director, INDOT
Tony Zander	Concrete Engineer, Office of Materials Management, INDOT

The Committee reviewed the following agenda items:

1. Adoption of September 2, 2010 meeting minutes
2. Superior Construction Co., Inc. (Superior) – Follow-up on the issue of cracking and closure of Martin Luther King Jr. bridge over I-80
3. RQAW Corporation (RQAW) – Follow-up on the issue of cracking and closure of Martin Luther King Jr. bridge over I-80

PREQUALIFICATION COMMITTEE MEETING
OPEN SESSION
OCTOBER 7, 2010

Ms. Mulligan, Committee Chair, called the meeting to order at 9:01 a.m. EDT. All Committee members were present, with the exception of Greg Kicinski. Although Mark Miller attended the meeting, he recused himself from voting on items 2 and 3.

Ms. Mulligan explained the Committee meeting procedures: a representative from INDOT presents the issue first, the contractor is allowed to respond, then Committee members and the audience may ask questions.

Ms. Mulligan stated the prequalification staff has provided binders with reference materials to Committee members. The binders include Committee rules and procedures. The prequalification staff has provided all of the information included in the binders to Committee members previously, but we are providing it in the binders today as a courtesy. Committee members should bring the binders to future meetings.

1. Adoption of September 2, 2010 Meeting Minutes

Ms. Mulligan called for consideration of the meeting minutes from the September 2, 2010 meeting. She stated that prior to the meeting she informed representatives of Superior and RQAW that the Committee will consider requests for amendment of the minutes after they are posted to the website.

Mr. Woodruff moved to adopt the meeting minutes from the September 2, 2010 meeting. Mr. Novak seconded the motion. All members voted in favor. Ms. Mulligan stated the minutes would be posted on the website.

2. Superior Construction Co., Inc. and RQAW Corporation- Cracking and closure of Martin Luther King Jr. bridge over I-80

Ms. Mulligan introduced Mr. George Dremonas, Director of Legal Services at INDOT.

Mr. Dremonas stated that Ms. Anne Rearick, Director of Bridges at INDOT, will provide an update. He stated that nothing has changed since the last meeting; there is a latent defect with the bridge. INDOT still believes Superior and RQAW are responsible. He stated Ms. Rearick will amend last month's recommendation for action to either ban Superior and RQAW for one year or require Superior and RQAW redesign and repair or replace the bridge as acceptable to INDOT.

Ms. Rearick provided an update of what has transpired within the last month. There are multiple cracks in the bridge. On September 9, 2010, representatives from INDOT, Superior, RQAW, Janssen and Spaans Engineering, Inc. (JSE), and Prestress Services Industries, LLC (PSI) met to discuss the issue and various options. Representatives from INDOT met again with RQAW and JSE on September 14, 2010 and September 21, 2010. She stated they did not come to a decision on the design. INDOT and a contractor provided by Superior took twenty concrete cores from the long span on September 18, 2010 and twelve cores from the short span on September 19, 2010. INDOT took eleven deck cores. Mr. Tony Zander, INDOT Concrete Engineer, provided a report on September 30, 2010. Purdue University is doing some testing, and Superior and RQAW are covering the cost of the testing.

Ms. Rearick showed a drawing of the deck cracks. She stated that the cracks are Superior and RQAW's responsibility. She revised the recommendation for action made at the September 2, 2010 meeting. The new recommendation for action is to ban Superior and RQAW on future INDOT contracts for one year or require Superior and RQAW redesign and replace or repair the bridge as approved by INDOT. She also mentioned that a quality assurance (QA) plan be developed.

Mr. Nicolas Nizamoff, legal representative for RQAW, stated that he disagrees with the recommendation to ban RQAW and Superior from INDOT work. The issue is still in doubt. Evidence is still coming in and what has come in suggests that the cracking is not as bad as the pictures indicate. The crack widths that were originally reported were ten to twelve times wider than what they are now measuring. The transverse cracks in the deck surface are located at the time marks. He stated that it is believed the cracks are caused by the pozzolan concrete at the time of placement. They were hairline cracks. Regarding the shear cracks on the exterior beams, Purdue has indicated the cracks are amplified by the coating.

Mr. Nizamoff continued by stating that a determination on the design has not yet been made. The structural analysis is going forward. The numbers are in the works. RQAW and Superior have been providing extensive and thorough cooperation. No one is stonewalling. We are working toward a solution to the problem. We are waiting on the Purdue report. The initial recommendation came from INDOT's impression that Superior and RQAW were not responsive to INDOT's concerns. Superior and RQAW are responsive and concerned about this matter. Mr. O'Connor has been designing bridges for thirty-five years and is a very knowledgeable structural engineer and has not had design problems in the past. He has designed over 100 bridges for INDOT. Superior is also highly regarded by INDOT and has high ratings. They received a five out of five on the evaluation on this structure. We strongly encourage the Committee not to suspend either company's prequalification.

Mr. Kevin Steele, legal representative for Superior, stated he would not repeat what Mr. Nizamoff has stated. Superior and RQAW have worked diligently to find out what happened to this bridge. They are waiting for results from the Purdue testing. They hired Mr. Paul Kelley to review the design. Superior has worked with INDOT for a very long time, and they want to work this out. Nothing has been presented that would justify placing Superior or RQAW's prequalification status in jeopardy.

Mr. Paul Kelley stated he works for Simpson, Gumpertz & Heger, Inc. (SGH), which is a structural engineering firm out of Boston, Massachusetts. SGH is a 425 person firm and has been in existence since 1956. He introduced Mr. Dominic Kelly, also from SGH, who worked on the Marion County Library. Mr. Paul Kelley has 31 years of experience and runs the structural section on the east coast. He testifies in court cases. He enjoys getting a project back on course before going to court. SGH gets involved on problem projects to investigate and resolve the problems, like the project in question. SGH was involved with Boston's Big Dig, which had problems with leaking, and NYCT south ferry terminal subway station, which had cracking from various reasons. SGH resolved disputes on who should pay for the repairs. SGH also designed the rehabilitation of Boston's Longfellow Bridge, which is 100 yrs old. There was a lot of deterioration under the bridge. SGH replaced 300 columns on the structure and kept traffic lanes open during construction.

Mr. Kelley stated that temporary supports on the Martin Luther King Jr. (MLK) bridge were necessary during construction due to the span length and head room.

Mr. Kelley referred to slides as he spoke. He stated he has seen diagonal cracking on short spans on several structures. The Missouri Department of Transportation (DOT) released a study on this problem. Out of 8100 bridges, they had 110 that had cracking in the end beams at the interior support. Those beams were made continuous for the live load. Mr. Kelley stated that sidewalk cracks are visible in almost every bridge. The same is true on railing cracks.

Mr. Kelley stated SGH has logged 500-600 hours to find out what happened with the MLK bridge and how to fix it. He stated it is an interesting problem and they are analyzing the structure in different stages to account for the stresses. They are considering the temporary supports and construction sequencing. Some key construction events were casting the girders from April 23, 2004 to May 12, 2004 and stressing the girders from April 24, 2004 to May 13, 2004. The shoring was removed on August 18, 2004. He stated he believes the bridge can function today. The bridge has gone through six and a half years of service.

Mr. Kelley questioned how we got here. Unusual cracking was noticed in a routine inspection. INDOT retained JSE to review the cracking. JSE noted shear cracks in the short girders but not in the long girders. JSE noted diagonal cracks on the short girder at pier #2 and one diagonal crack at the abutment. Mr. Kelley stated that people tend to be concerned about shear cracks because of the type of failure. Shear reinforcing is handled with stirrup bars with the spacing closer together near the support. The concrete goes through volume changes as it cures. Mr. Kelley stated that sidewalk and deck cracks are normal. JSE noted numerous closely spaced transverse cracks 0.04" to 0.06" wide. Mr. Kelley stated the cracking could be structural cracks and could be significant. There are random cracks along with transverse cracks. The

longitudinal cracks in the exterior girder may not measure as wide if the coating were removed. JSE postulated that there was a serious enough problem to close the bridge

Mr. Kelley stated that JSE's preliminary calculations indicated shear deficiency approaching thirty percent. JSE checked bending. JSE indicated that cracks should have been a maximum of 0.01" wide. JSE assumed the cracks developed due to structural design problems. JSE recommended closing the bridge, and it is still closed.

Mr. Paul Kelley stated that Mr. Dominic Kelly from SGH has years of experience and credentials, including being a member of the American Concrete Institute (ACI) Code Writing Committee. Dominic has been working to solve this problem along with several others from their office. Mr. Kelley stated that JSE has been very cooperative with SGH to solve this problem.

Mr. Kelley stated that the team has reviewed the design of the bridge. RQAW's original design underestimated the fillet or haunch load between top of the precast girders and the slab, although that was not a big error. RQAW assumed a future three inch overlay. Accounting for temporary supports during construction can be handled with available software. Mr. Kelley stated that any competent structural engineer can account for construction sequencing. SGH thinks JSE overstated the shear deficiency. JSE used calculations from chapter 8 of the American Association of State Highway Transportation Officials (AASHTO) code, instead of chapter 9. Chapter 9 allows for a lower factor of safety due to quality control of precast concrete members. Chapter 8 doesn't account for the shear strength. Mr. Kelley stated the diagonal cracks are mostly a shear problem. The AASHTO equations account for the shear force in the web and the shear force away from the support. The equation is used for simple spans and not continuous spans. AASHTO looks at type 1 cracking, related to flexural cracking, and type 2 cracking, unrelated to flexural cracking. Mr. Kelley stated that everybody has been applying the equation wrong. He stated he is not surprised by the interpretation and hopefully everyone will get on the same page.

Mr. Kelley stated that just because diagonal cracks are visible, does not mean the structure cannot be driven on. Mr. Kelley stated that one lane of traffic with the maximum design truck could be allowed on the bridge. He stated that he would like to perform more calculations before the bridge is opened to more than one lane of traffic.

Mr. Kelley showed slides of type 1 shear cracks at various loads applied to beams. He stated the cracks started as bending cracks. Cracks first occurred at 20 kips of applied load. At 25 kips, a new crack appeared. At 30 kips, another new crack appeared and existing cracks extended. Some cracks were 1.5 times longer than when they originally appeared. 35 kips were applied. Failure occurs when the crack carries through the full depth of the beam. The appearance of cracks does not mean the structure cannot handle the load.

Mr. Kelley showed calculations analyzing the girders. SGH accounted for the concrete strength based on precast beams. The strength of the stirrups and strength of the concrete contribute to the shear strength of the girder. SGH analyzed the girder as two simple spans and again as a continuous span, to account for construction sequencing. Mr. Kelley stated that the

shear strength calculated by RQAW was a little lower than that calculated by SGH. He stated that JSE underestimated the shear capacity. He stated they all used different assumptions. He stated that SGH is about one week away from the final results.

Mr. Kelley stated the deck cracks are eight to twelve times narrower than JSE reported. JSE reported the cracks are 0.04" to 0.06" wide. The cracks in the cores are measuring 0.005". Cracks up to 0.003" are considered hairline. He stated the cracks mapped by INDOT are wider than the actual cracks. He was referring to the width of a pencil mark.

Mr. Kelley referred to a September 30, 2010 core report. The report indicated a crack at a stirrup was 0.001". Transverse cracks in the deck occurred at the time marks in the concrete.

Mr. Kelley stated the Purdue report is not complete yet.

Mr. Kelley stated that INDOT specified the high slump concrete. An adjacent bridge on the project used the same high slump concrete. He stated that it has the same cracks, but maybe not as many.

Mr. Kelley stated that JSE concluded the problem was in the negative moment region. JSE's conclusion was overcapacity due to the crack sizes. Mr. Kelley stated that the cracks are not as wide as originally reported. He showed a picture taken by Mr. O'Connor that showed the appearance of the different crack widths where the coating was removed compared to where it wasn't removed along the same crack. He stated that crack is a surface shear crack. Mr. Kelley stated that there are some longitudinal cracks, but if the coating is removed the cracks are not visible.

Mr. Kelley asked where we go from here. The INDOT/Purdue materials investigation is still pending. He discussed Delayed Ettringite Formation (DEF). DEF first occurred in the 1980's. It did not occur as often in the 1990's due to specifications used by precast fabricators to control steam curing. DEF is a problem associated to steam cured beams cooling too quickly. PCI has procedure guidelines for transporting and fabricating precast members. DEF is a chemical reaction that occurs around 150 to 160 degrees Fahrenheit. Purdue's analysis will provide the microscopic results.

Mr. Kelley stated the rumor is that material problems like DEF and Alkali Silica Reactivity (ASR) are being ruled out. They are waiting on the Purdue report for the microscopic evaluation of the longitudinal cracks in the short and long span girders. Another consideration that should be ruled out is strand slip for the longitudinal crack although that is probably not the issue because cracks would appear in the ends of the beams. Also, if the end supports are behaving as pinned ends instead of free ends, then cracks could appear. This could be caused by the construction method. They should also rule out thermal hydration checking. The effects of potential restraint due to the bridge thermal environment and/or precast relation or shear cracks need to be assessed.

Mr. Kelley stated that PCI has looked at horizontal end cracks in web and flanges. He stated he is suspicious of the stresses of the girders. Continuity in the center pier and with temperature changes could cause longitudinal stress and cause cracking.

Mr. Kelley stated the engineers from RQAW; JSE; Wiss, Janney, Elstner Associates, Inc. (WJE); Purdue; INDOT; and SGH need to reach an agreement on analysis criteria and the results and try to reach a consensus to feel comfortable with a remedy. He stated he believes the bridge can be opened to one lane of traffic. He stated they are working on the technical problem first and have not looked at liability yet.

Mr. Kelley talked about repair methods. Shear cracking can be repaired by encasing the beam in concrete. Plating can be attached to the sides of the beams.

Mr. Kelley referenced some National Cooperative Highway Research Program (NCHRP) reports. One discusses methods to replace live load capacity. Report 654 gives guidelines on when a crack should be repaired with epoxy injection. A 0.007" crack may be subjected to deicing salts. All deck steel is epoxy coated.

Mr. Kelley stated that he understands this process, and he doesn't see a clear cut blunder. Superior and RQAW should not be disqualified.

Ms. Mulligan asked if there were any other comments from RQAW or Superior. Hearing none, she asked if we needed to do introductions because we skipped doing so at the start of the meeting.

All agreed to skip introductions.

Ms. Mulligan asked if there were any comments or questions from Committee members or observers.

Mr. Woodruff asked if the presence of the cracks shortens the lifespan of the bridge.

Mr. Kelley replied that he doesn't see a lot of problems with the deck cracks. They can be filled with epoxy injection. The railing cracks can be coated. The diagonal and longitudinal cracks can be coated also. As long as the Purdue report does not show any major cracks, coating and sealing the cracks should be sufficient.

Mr. Woodruff asked if the cracks appearing on a bridge this age is normal.

Mr. Kelley stated the cracking is not a problem as long as they are manageable. He stated he is not surprised by cracks in a bridge this age. He referred to a study which was done to address hairline cracks. He stated that he wants to wait for the results from the Purdue report regarding the diagonal and longitudinal cracking. He stated that bending stresses have a well known, predicted outcome. Shear stresses are not as predicable. Equations for shear stress have been developed from testing various situations. AASHTO allows 80 percent of the load to be carried by the concrete and 20 percent to be carried by the stirrup reinforcing. The steel strength

does not come into play until the concrete cracks. Ideally we don't want the concrete member to crack, but it is unavoidable. Mr. Kelley stated additional reinforcing in a long span girder can be provided by draped tendons. He stated if you want to avoid cracking, then more reinforcing is needed.

Mr. Woodruff asked if the cracks occurred because of the design and/or construction.

Mr. Kelley stated that the Missouri DOT has cracking on eleven percent of their bridges. He wants to hold off on all my recommendations because our analysis is not complete. He stated he wants to see Purdue's report.

Mr. Woodruff asked Mr. Kelley if he would be willing to recommend the bridge be opened to one lane of traffic each way and to put the recommendation in writing on your company's letterhead.

Representatives from RQAW and Superior stated they would be willing to make the recommendation.

Mr. Nizamoff stated that the recommendation to open the bridge should be based on the completed analysis and after Purdue's report is issued. We need to determine if there is a material defect.

Mr. Woodruff stated that the bridge has been closed since May. The Committee wants to know if SGH, RQAW, and/or Superior are willing to put their companies' reputations on the line.

Mr. Nizamoff stated the report from Purdue should provide some answers.

Mr. Dremonas asked if the Purdue report is due tomorrow.

Ms. Rearick stated the preliminary report is due tomorrow. The final report will take another month. Based on the cores taken, it looks like DEF is not the problem. Ms. Rearick stated her group has done calculations in-house and JSE and Professor Frosch has reviewed the results. She stated that they still estimate the shear is 30 percent under capacity. She is still not comfortable opening the bridge.

Mr. O'Connor stated that all the engineers involved in this project should get together to share assumptions, calculations, and to analyze the data.

Mr. Nizamoff advised that all parties work together and share data.

Mr. Kelley stated that he volunteers Dominic Kelly to come meet with the group.

Mr. O'Connor stated that RQAW is available to meet.

Ms. Mulligan asked who hired SGH and when.

Mr. Kelley replied that Superior hired SGH three and a half weeks ago. SGH was recommended to Superior by Travelers Insurance.

Ms. Mulligan stated that INDOT's concern is that the bridge has been closed since May. It took two Prequalification Committee meetings to get to this point.

Mr. Stark asked if the bridge is structurally safe.

Ms. Rearick replied that they are still not sure.

Mr. Stark asked if we could get a timeline.

Ms. Rearick stated they may be able to determine if the bridge can be opened in another week.

Mr. Kelley stated that SGH is willing to meet at anytime with INDOT. He stated they should be able to come to a conclusion in a month.

Mr. Nizamoff asked if he could address Ms. Mulligan's comments about the fact that the bridge has been closed since May. JSE finished their investigation in June. The report was not provided to Superior and RQAW until July. Superior and RQAW didn't have access to the bridge. No one was dragging their feet. There was some disagreement in the approach, but all have pitched in to work on this problem and to arrive at a responsible conclusion.

Mr. Dremonas stated there was a concern on communication with RQAW, and it appeared that Superior and RQAW did not want to take responsibility.

Mr. Nizamoff stated he understands, but we are analyzing the data and engaging in dialogue. This was a much more complex problem than anticipated.

Ms. Mulligan asked if there were other questions or comments.

Mr. Nizamoff stated he wants to address a motion on the floor to suspend RQAW and Superior.

Ms. Mulligan stated that no motion has been made; however, a recommendation was made by Ms. Rearick and Mr. Dremonas. Ms. Mulligan directed the Committee members to the INDOT Prequalification Committee Meeting Procedures for options. Under Item 2.g.iv, the Committee's options for recommending a change to a company's prequalification status include: 1.) changing classifications or ratings, 2.) suspending a company's prequalification certificate, and 3.) revoking of a company's prequalification certificate. The Committee can always ask for additional information or ask them to come back at another time.

Mr. Woodruff asked if we are within one month of having an answer. He also asked the following three questions: 1.) Can we reopen the bridge? 2.) Can the bridge be repaired and

what is the cost? and 3.) Who will repair and pay for the bridge? He stated those are the three key questions. He stated that it sounds like SGH and RQAW are willing to state on their company letterheads that the bridge can be opened to traffic. It also sounds like we are within a month of a solution. He asked if Superior as the prime contractor is willing to make repairs and pay for it. He suggested we hold off on Committee action until December.

Mr. Steele stated that he agrees with Mr. Woodruff as far as having answers on if and how soon the bridge can be opened to traffic. He stated he cannot advise Superior to agree to cover the cost of the repairs at this point. It depends on the findings from the Purdue report and if Superior is responsible. If the problem has nothing to do with the contractor, then he said he cannot advise his client to fix it.

Mr. Stark stated that as a previous manufacturer of precast concrete he disagrees with Mr. Steele. As the prime contractor, Superior should be responsible. If it is a material issue, then it will fall back on the fabricator. If it is a design issue, it will fall back on the designer.

Mr. Steele stated that he disagrees with Mr. Stark. The fabrication falls under the Uniform Building Code.

Mr. Nizamoff stated that whoever warrants the product is responsible; however, the warranty was probably for only one year and expired a long time ago. We have to determine who was at fault. If there was defect in the product, it could be a sticky liability issue. It is a commercial transaction.

Mr. Woodruff stated that as the owner, INDOT represents the taxpayers. We expect the bridge to last 30 to 40 years and not 6 years. We need to open this bridge, and we should not have to ask the taxpayers to pay again for the bridge.

Mr. Cuson stated that Superior followed the state's requirements, specifications, and design standards. The standards do not require the design to last a specific number of years. Superior will pay for the repairs if it was Superior or RQAW's fault.

Mr. Nizamoff stated that if the concrete was specified by INDOT and it was determined the concrete was the problem, then Superior and RQAW should not be considered at fault. We all want to resolve this amicably and determine the problem and not go to court. It would be unfair to suspend Superior and RQAW at this time.

Mr. Kelley stated he agrees that a suspension would be premature. SGH has been called in to analyze and advise on several cases, including many on a larger scale than this one. We need to separate the technical from the commercial issues and concentrate on the items that matter. Right now the longitudinal cracks are still a mystery. We don't know who's responsible. Once the technical issues have been addressed, then the rest will come into play.

Mr. O'Connor asked what is anticipated from the Purdue report due tomorrow.

Ms. Rearick stated that Professor Frosch will provide the preliminary report and Professor Olek's report is due in a month.

Mr. Nantung; Pavement, Materials, and Construction Research Manager in INDOT's Office of Research and Testing; replied the report is based on the core samples taken from the two spans. The core samples take about five days to prepare and dry.

Mr. O'Connor stated that once the report is available, we should meet and discuss the results. Hopefully the follow-up report will not be too drastically different.

Mr. Kelley stated the material testing will provide the splitting tensile strength and the early indications are that the concrete is stronger than expected.

Ms. Mulligan asked if INDOT staff will be confident with results in one month.

Ms. Rearick replied that she is leery to commit to having the answer in one month. It depends on the discussions and calculations. We need to come to an agreement. It will depend on Purdue's recommendations.

Mr. Nizamoff stated that Mr. Kelley should work with INDOT to review the analysis to get the bridge open as soon as possible.

Mr. Kelley stated that he anticipates we will reach an agreement within one month's time.

Ms. Mulligan asked if there were any other questions.

Mr. Hedge asked if there are any other issues pending on these firms with other contracts. The Committee needs to consider the total impact.

Ms. Mulligan stated that the prequalification history was provided in the packets at the last meeting.

Mark Miller stated there are no pending contracts with Superior, except those from last month. One contract was not awarded to Superior.

Mr. O'Connor stated that INDOT is withholding notice to proceed on one design contract pending this issue.

John Wright stated he is concerned with the public perception of the bridge. People may fear driving over the bridge. If the structural integrity is not compromised, we at least need to make cosmetic repairs.

Mr. Cuson agreed that cosmetic repairs should be warranted.

Ms. Mulligan stated that INDOT will need resolution before the bridge is opened.

Mr. Stark moved to take no action today and to recommend that INDOT, Superior, and RQAW work together to determine the solution. The parties should be called back to the Committee if we continue to have problems resolving this issue.

Mr. Novak stated that this could turn into an indefinite research project. We need the bridge opened to unrestricted traffic. He suggested we not wait on Purdue's report; however, he stated it is good that Purdue is involved. Superior and RQAW have a lot at stake. He stated that he disagrees with Mr. Nizamoff's comments regarding the concrete and INDOT's specifications. Mr. Novak has dealt with construction claims for INDOT over the past 20 years. He stated that Superior should be responsible. If the results show we do not have to do intense work to this bridge, this bridge will still need to be monitored. He stated he is not opposed to the motion on the table; however, he wants a timeline defined to come to resolution.

Ms. Mulligan stated that the motion on the table is that the Committee take no action at this time and Superior and RQAW continue to work with INDOT to resolve the problem with this bridge. She stated that one option could be to call Superior and RQAW back automatically to a future meeting, unless a solution is acceptable to INDOT Bridge Design.

Mr. Woodruff stated that Superior and RQAW were brought to the Committee meeting a month ago and we have seen a considerable amount of change; however, he suggested the Committee suspend their prequalification until December so that they will continue to work with INDOT. We do not want to lose focus in the next couple of months.

Mr. Hedge stated that he is in favor of a suspension.

Mr. Nizamoff asked what if Superior and RQAW are not at fault. There is no basis to show why they should be suspended. They have worked to try to determine the problem and paid for the testing. The Committee should not cut off their livelihood when nothing has been determined regarding fault. They should not be held hostage to agree to pay for the repairs now or later without determining the problem. INDOT may be facing political or economic pressures. This Committee does not exist to extort settlements. It exists to make sure contractors and consultants are doing their job.

Mr. Stark stated he respects Mr. Nizamoff's comments. If Superior and RQAW had stepped up back in June, they would not be in front of the Committee now.

Mr. Nizamoff stated that RQAW has offered to redesign the bridge and has had repeated conversations with Ms. Rearick's staff to correct this problem. Mr. O'Connor sent a report to Ms. Rearick in mid-July.

Mr. Steele stated that he appreciates what the Committee is trying to accomplish; however, it might have an opposite action. If Superior and RQAW are suspended, then the focus will shift to an appeal. Superior wants to work with INDOT to determine the problem and the solution. Mr. Steele asked the Committee to think about what they want to achieve. The impact of a two month suspension will not achieve what is wanted.

Mr. Woodruff stated that the point is this needs to be resolved within the next two months. The Committee has no problem with imposing a suspension. Although there has been good activity on this issue, we have been talking about it too long. If Superior and RQAW are brought back in December, it could be a very quick meeting. Every day we don't have resolution to this issue affects the taxpayers. He stated he is comfortable with Mr. Stark's motion.

Ms. Mulligan suggested that the motion be amended to automatically call RQAW and Superior back to the December meeting and that the meeting be cancelled if we have a report from Ms. Rearick that the issue has been resolved to INDOT's satisfaction. As a non-voting member, Ms. Mulligan posed this suggestion to the Committee.

Mr. Stark stated that he would amend his motion to add that Ms. Rearick send bi-weekly reports to the Committee Chair.

Mr. Stark moved that the Committee take no action at this time affecting Superior and RQAW's prequalification status and they be called back to the December Committee meeting if the issue is not resolved or if they do not continue to work with INDOT on this resolution of the problem. Bi-weekly updates should be submitted by Ms. Rearick to Ms. Mulligan.

Mr. Hedge seconded the motion.

Mr. Ahearn, INDOT's Chief Legal Counsel, asked if this action was to go to the Commissioner as a recommendation.

Ms. Mulligan replied yes. She repeated the motion: The Committee recommends to the Commissioner that INDOT not act at this time regarding Superior and RQAW's prequalification status and this issue be brought back to the December Committee meeting, unless Ms. Rearick reports that the issues are resolved. Ms. Rearick will submit bi-weekly reports to Ms. Mulligan to keep her apprised of progress on the issue.

All Committee members voted in favor.

Mr. Nizamoff asked if Superior and RQAW can submit bi-weekly reports to the Committee.

Ms. Mulligan replied that the reports should be submitted to Ms. Rearick or Mr. Dremonas. She stated that she is the Committee Chair and legal counsel to the Committee. Mr. Dremonas is legal counsel to Ms. Rearick's team.

Ms. Mulligan stated that a letter will be sent to both companies outlining the Committee's decision once the Commissioner has reviewed the motion.

Mr. O'Connor stated that he cannot speak for everyone, but he hopes to meet with INDOT next week to get some resolution. We all want to get this to resolution as soon as possible and RQAW stands ready to get this done.

Ms. Mulligan reminded everyone to sign-in before leaving to accurately depict those represented today.

Ms. Macdonald stated that several Committee members will be at a professional development seminar on the regularly scheduled meeting date in November. If there is a need for a meeting, it will be rescheduled.

Mr. Stark moved to adjourn the meeting, and Mr. Novak seconded. All members voted in favor of adjourning the meeting.

Ms. Mulligan adjourned the meeting at approximately 11:16 a.m.