



April 1, 2010

Ms. Susan Pollay
Executive Director
Downtown Development Authority
150 South Fifth Avenue, Suite 301
Ann Arbor, MI 48104

Re: Ann Arbor 5th Avenue Parking Deck

Dear Ms. Pollay:

Michigan's construction industry has been well served by individuals of high honor and integrity. These industry leaders embody an unwavering allegiance to ethics, principles and moral courage, all of which are vitally important, especially in the public bid arena, where construction professionals often make multi-million dollar commitments based on a bid-day phone call. Beyond words, these leaders represent a promise. And when this is overtly ignored, I feel it is my obligation to speak up.

Recently, when The Christman Company publicly opened the bid packages for concrete work on the 5th Avenue Ramp, the following results were reported:

| | Bidding Company | Base Bid |
|----|-----------------|--------------|
| 1. | Granger - | \$21,499,000 |
| 2. | Colasanti - | \$21,980,000 |
| 3. | Christman - | \$22,025,000 |
| 4. | Spence - | \$23,286,000 |
| 5. | Barton Malow - | \$23,980,000 |
| 6. | Walbridge - | \$25,500,000 |

Surprisingly, the Christman Company ultimately awarded the work to their own subsidiary after cloistering themselves for three weeks and attempting to close off communications between the DDA and the other bidders.

Subsequently, we were informed that their decision was based on a review that took place during a post-bid conference in Christman's office. It was asserted that Granger Construction was unprepared for the post bid conference. (The enclosed meeting minutes illustrate that there was no indication, during or immediately following the conversation that indicate any concerns regarding preparation.) Colasanti, the second low-bidder, was not criticized for their lack of preparation. However, Christman was able to selectively choose a series of bid alternates which cleverly resulted in their team being able to present a lower price.

Susan Pollay, DDA

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Apart from Christman's comments on Granger's sixty-minute post bid conference, there was no clear reason to overlook the \$526,000 difference in price.

Due to the extraordinary effort it took to prepare a winning bid on a project of this scope and magnitude, coupled with our strong resume of delivering similar projects on time and under budget, our preparation and commitment to a successful project should have been obvious. None of Granger's references were consulted, and there was absolutely no indication that Granger's bid lacked a single project scope requirement. If Christman had concerns, they had a duty to clearly document them in the meeting minutes and/or call us to communicate them. Regrettably, neither was done. The Ann Arbor DDA, and the taxpayers of Ann Arbor deserve the benefit of the lowest qualified bidder. Explaining the \$526,000 difference became a shrewdly conducted shell-game, where The Christman Company extracted other savings out of the Guaranteed Maximum Price contract in order to make it appear that they're serving your organization.

When Granger Construction interviewed for the construction manager's role, the Ann Arbor DDA made it exceedingly clear that it desired openness, transparency and competitiveness. Unfortunately, that has not been the case.

The Christman Company put a great deal of effort into keeping their most capable competitors off the bid list. Clearly, they coveted this work for their subsidiary. After being pressured to include an open bid involving the contractors listed above, Christman lost in an open, fair, transparent competitive process. Somewhere the process went astray as Christman proceeded to navigate an extremely questionable path in order to recommend their subsidiary to complete the work.

For the benefit of the Ann Arbor DDA and the Greater Ann Arbor community, it is my sincere recommendation that Christman's bid and the entire bidding process be thoroughly investigated. By doing so, the DDA will be fulfilling its commitment to transparency.

Thank you for being fair and open-minded about this request. And by all means, please feel to contact me at 517-887-4132 if you have any immediate questions or would like further information regarding this issue.

Most respectfully,

GRANGER CONSTRUCTION COMPANY



Glenn D. Granger
President

GDG:eml

cc: DDA Board Members

| | | | |
|-----------------------|--|---------------------|--|
| Project Name | AA 5th Avenue Underground Parking Deck | Work Category | WC 10 Structural Concrete |
| Christman Project No. | 209222 | Bidder | GRANDOR |
| Owner | Ann Arbor - DDA | Meeting Date & Time | March 9, 2010 @ 2:00pm |
| A/E | Carl Walker | Meeting Location | AA Deck jobsite - 5th Avenue |

Attendees:

Owner: Alexander [unclear] [unclear] Pae

A/E: Joe H.

Christman: Jeff Adcock, Amy Sullivan, Gary Shannon, Doug McCune

Bidder: GRANDOR (5)
STEVE AUFMANN, [unclear], LEW SIMON
GERA, DARRYL

There will be no commitment made on the part of The Christman Company today. The purpose of this Post Bid Conference is to discuss the proposal, specifications, and drawings, and to make sure everyone fully understands what is needed to perform the work required of this Work Category.

By signing this form, the Bidder acknowledges:

Initials:

1. Contactor utilized the plans, specifications, work category description and addendums to complete the bid and bid is per plans and specifications with no deviations. (Y) (N)
2. Base bid amount includes all work noted in the Work Category Description, including Addenda: 1 2 3 (Y) (N)
3. Base bid includes all Cost Allowances noted in the Work Category Description and Contract Documents. Not applicable \$50,000 (Y) (N)
4. Base bid includes all costs for material handling, clean-up, and proper removal and disposal of all debris generated by Bidder's operations. (Y) (N)
5. Base bid includes all insurance requirements per specification (Y) (N)
6. Base bid include costs of payment and performance bonds, as required by the Contract Documents. (Y) (N)
7. Base bid includes all applicable taxes. (Y) (N)
8. Base bid contains no exceptions pertaining to availability of material, accessibility to site, etc. (State exceptions _____). (Y) (N)
9. Bid pricing for alternates includes all costs related to Bidder's work. (Y) (N)
10. Submission of completed Proposal Form. (State exceptions _____). (Y) (N)
11. Acceptability of all Contract Terms and Conditions. (Y) (N)
12. Responsibility for correcting all work deemed deficient through inspection or testing. (Y) (N)
13. Attendance at Pre-Bid Conference on February 17, 2010 and acceptance of all items covered in that meeting – addendum # 1. (Y) (N)

By signing this form, the Bidder acknowledges:

Initials:

- 14. Visiting the job site and complete understanding of all access restraints and other logistical limits (storage, lay down, etc.). (M) (N)
- 15. Agreement to comply with schedule requirements indicated in the Work Category Description. Alternate #8 includes accelerated schedule as indicated in the bid package. (M) (N)
- 16. Base bid includes shift-time and/or overtime necessary to meet the project schedule and phasing plan. (M) (N)
- 17. Complete understanding of all safety requirements without exception. (M) (N)
- 18. Bidder will submit, if awarded a contract, a copy of Bidder's Safety Program for the file and a copy of the sign-in sheets for all Tool Box Safety Meetings. (M) (N)
- 19. Bidder will attend, if awarded a contract, all weekly Trade Contractor meetings as directed by the Construction Manager. (M) (N)
- 20. Full compliance with section 002213 – Special Provision:
 - Full MIOSHA compliance (M) (N)
 - Project Specific Safety Program - 100% safety glasses, reflective vests/high-visibility shirts ✓
 - 100% fall protection over 6', no exceptions ✓
 - Housekeeping Requirements ✓ (M) (N)
 - CUB Agreement / Union contractor ✓ (M) (N)
 - Parking constraints (M) (N)
 - All surface dewatering and snow and ice removal (M) (N)
 - Includes all layout for work (M) (N)
 - Includes all related permits and fees required to complete this work. Soil and Bldg. permit by CM only. (M) (N)
 - Acknowledgement of working hours & no work during Art Fair 2010 & 2011 (M) (N)
- 23. Mandatory post-accident drug screening program, and their responsibility for having a drug screen performed within eight (8) hours for any of their employees: who are injured on the project site and seek medical treatment, whose actions may have contributed to another person's injuries, or whose actions may have contributed to a major safety incident not resulting in injury. (M) (N)

22. Discuss lead times for materials: RESTEEL SHOPS
Submittal generation: 2 weeks

23. All materials per plans and specifications w/ no deviations. (M) (N)

- Quantity Verification:
 - Reinforcing Steel Complete: 4,500 Tons
 - Post Tensioning Cable: 300,000 Lbs
 - Concrete Material Complete: 40,000 CY
 - Mud Mat/Mat Foundation: 17,000 CY
 - Toppings/SOG: 3,000 CY
 - Walls Complete: CY
 - Columns: 1200 CY
- Will BE Supervisor

By signing this form, the Bidder acknowledges:

Initials:

- Decks/Beams 12,000 CY
- All Other (curbs, islands, etc..) _____ CY

Provide complete subcontractor and vendor list:

- o Earthwork: EAGLE
- o Slurry Wall: CONTRACT Dewater - DeWIND
- o Additional ERS: EAGLE
- o Concrete Supplier: TDONS
- o Reinforcing Steel Supplier: AMBASSADOR OR BUNDR
- o Post Tensioning Supplier: SUSCO OR SUNCOAST
- o Resteel/ PT installer (EMR's): In House
- o Formwork: In House
- o Waterproofing System/installer (EMR's): Royal OR RAM
- o Layout: In House
- o Shotcrete(EMR's): Royal OR RAM
- o Doors/ Frames and Hardware: LA FORCE OR TANNER

- Do suppliers and installers meet requirements of specifications? YES
- Any issues with material warranties as specified? - Will Verify -
- Tower crane foundation allowance and pour backs/leave outs included in base bid? YES
- Please verify that you have included all costs associated with winter work. Short loads due to frost laws – total cost or # of loads. 15,000 YDS
- Discuss program for material handling (overtime allowances for subs and tower crane operator?)

* CRANE FOR DOLLER LIMIT
WALK / ACCESS ON DIVISION ST

Move RT CRANE -> WEST LEAVE
IN HOLE AS LONG AS POSSIBLE. PRE BUILD AS
MUCH AS POSSIBLE SHIP TO SITE. RELOCATE
RETAINING WALL AT NORTH SIDE LEAVEOUT. FOR
STRENGTH AREA.

- 12 mos. EXPECTED TO NEED Tower CRANE -
3 mos SAVINGS - w/ OWNER / TEL / GRADGEX
WANT TO WORK SATIS TO EXPLORE

- INVESTIGATIVE LOCATION FOR BROW
- ALL UNLOADING DURING DAY

- Shear Walls and Exterior Walls – these walls all pour 60 days after adjacent deck work is completed and cannot be placed prior to decks being installed. Any issues?

* Acknowledged Lee Day Lsci.
* Stamp on situation drawings

- Exterior walls against lagging to include 6" of additional thickness to accommodate lagging location tolerances (base bid). Will additional material be required?

YES.

By signing this form, the Bidder acknowledges:

Initials:

- Describe sequencing for the construction of the shear pipe brace bays, refer to drawings S7.16.

+ Firm + Price - Acknowledges
DIFFICULTY

- Provide name and references from owner, CM and architect for proposed Project Manager and Superintendent .

- Project Manager = GLEN SIMON
- Site Superintendent = ~~STEVE~~ STEVE HORNWALL STEVE LANKA PE
- How long working for company PM = ~~STEVE~~ 15 YRS PS = 25

- Average crew size = ~~50~~ How many crews? 3-4 10-12 ADD FOR FOUR DAYS

- Describe acceleration plan for Alternate #8 (fifth ave open by July 1, 2011). Are tower crane and/or second tier subcontractor premium time included in base bid? CARPENTERS/FINISHERS

* DOCK TO BE OPEN -
* SHEAR WALL WILL NOT BE DONE
* NO PREMIUMS *
* WILL NEED TO WORK SATS. TO MAINTAIN SCHEDULE

- Have updated financials been provided? NOT AS OF YET = WILL FOLLOW UP

- Describe flood testing (033000, 1.5 B) and crack repair procedures (033000, 3.8).
- FOR SUPPORTED SLABS - EPOXY REPAIR
- APPLIC ALL JOINTS / XYLONE / CAULKING FOR FLOOD TEST.

- Any issues with specified form finishes?

+ ALL EXPOSED CONCRETE TO BE POLISHED AND RUBBED.

By signing this form, the Bidder acknowledges:

Initials:

- Please describe the curing and protection procedures for the deck section 033000 section 3.7

- Wet cure = Transcurbed = 10 days
- Wind = Transcurbed + Blankets

- Please describe your procedure for installation of mat foundation concrete.
 - How are you ensuring that the MAT foundation concrete mix is installed per the specification?

30' x 182'

30' Sections, Pump.
Control dt of 35. Can mat be cut
in half?

- Have you included the test batches per section 033000 I.5-H. as well as the mock up?

Yes

- Please describe your plan to safely support the upper reinforcing steel in the mat foundations, specifically for thickness greater than 3' thick.

- Will this be an engineered system?

Additional Rebar Fixed
into Bid to Support
- If poured in halves diminishes need
for engineered system

- How many placements do you anticipate off Division Street? Do you have included all costs associated with street closures, permits, fees etc...?

2 pours.

- Describe access/egress for the site excavation.

(create)
- Make ramp or remove all ramp
and granular to remove ground/out
ramps.

By signing this form, the Bidder acknowledges:

Initials:

- Any issues with resteel grade and where to use?

NONE

- Curb support per details: C4.5 / 2B, C4.6 / 1, S11.22, Det. 12, S11.25, det. 4&5, C4.4, det. 8, S11.25, Det 7. Any issues?

NONE

- Flexible bollards - any issues?

NONE

- Base bid includes all work at speed ramps including insulation per D8.3 / detail 4&5.

YES

- Alum stair nosing - installed by others - depression included, temp infill.?

RECEIVE + INSTALL

- Footing F9 - Deleted per addendum. Shown on S2.0.1 E line to C line 1.3 - 1.7-Added back per Addendum #3

YES

- Mud mat location on Addendum 2-Any issues?

NONE

- Installation of all imbeds for other work categories.-Any issues?

NONE

- F&I steel on detail S9.1 detail 5? Review detail. Halfen S9.1, detail 5. Any issues?

- NEED TO VERIFY

- Carpentry - includes stainless doors @ fire doors -detail 10&11/A11.0-Any issues?

- NONE -

- Coordination with mechanical rough in for foundations. Any issues?

- NONE -

- Any issues with pour sequence per master schedule?

REVISED POUR SEQUENCE

- Architect will require shop drawings indicating tie holes (exposed to be uniform pattern) for review and approval. Any issues?

STAIRS, ELEVATORS, PLAZA WALLS
EVEN PATTERN.

By signing this form, the Bidder acknowledges:

Initials:

- Discuss safety procedures: Who is the safety person onsite, how often are safety inspections conducted, how fall exposures protected, how violations are handled, disciplinary procedures, hot work permits and fire watch procedures are executed.

+ PROVIDED RESUME TO CANDIDATE. Daily Inspections.

+ ~~BE~~ SAFETY TRAINING ON SITE

+ 100% SAFETY OFFICER + NOT WORKING w/ TOOLS.

Additional items of discussion:

- CRITICAL ISSUES

+ 1-9.5 - Spoil Removal

+ Hook Time - / CRANE

+

+ DUE TO LACK OF MATERIAL = How to make up time?

Trucks = Labor = Proactive Approach to resolve issues = Add manpower

+ WHAT IF WE DELAY YOU - UNFORESEEN CONDITIONS = ?

+ KEEP TIME = SOME GC'S = CRANES + EQUIPMENT / STAFF

+ HOLD END DATE = Work TOGETHER TO EVALUATE OPTIONS AND MINIMIZE COST IMPACTS

+ Working ~~10/2~~ / 6 days

Items to be provided/confirmed by Bidder:

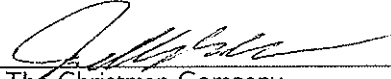
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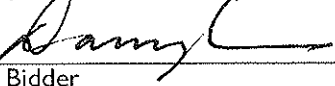
29.

By signing this form, the Bidder acknowledges:

Initials:

The undersigned acknowledges that information contained herein is correct.


The Christman Company _____ Date 03/09/2010


Bidder _____ Date 3/9/2010

Owner _____ Date _____

Architect _____ Date _____
