

## SBE NEWS ALERT

# Calif. State Senator Calls for Criminal Probe of Bay Bridge Construction Problems



State Sen. Mark DeSaulnier, D-Concord, is calling for a criminal investigation into construction problems on the new San Francisco-Oakland Bay Bridge, and said the release this week of a Senate investigative report will show how the California Department of Transportation knowingly accepted substandard work at taxpayer expense.

DeSaulnier said the investigation for the Transportation and Housing Committee he chairs will expand on construction and management lapses described in a January draft report, and that these warrant a criminal investigation by the California attorney general or U.S. attorney.

The report also confirms a June investigation by The Sacramento Bee that revealed how Caltrans knowingly accepted flawed, potentially hazardous work by a Chinese firm that welded most of the new suspension span roadway and tower, DeSaulnier said.

His committee will discuss the report at an Aug. 5 hearing. New witnesses will corroborate earlier testimony about the welding problems and issues with the concrete foundation of the span's iconic tower, originally reported by The Bee in 2011, DeSaulnier said.

He said some expected testimony is "quite disturbing."

The hearing will cap years of investigations by The Bee and others into construction lapses and apparent management malfeasance of the \$6.5 billion bridge, which opened last fall.

DeSaulnier also called for a comprehensive review of the new span's known and possible defects by experts not biased by previous affiliations with the project, and an examination of the adequacy of oversight by the Federal Highway Administration.

The California Highway Patrol is also investigating how Caltrans and its contractors handled weld cracks produced by the Chinese fabricator.

Asked if he foresaw the need for a criminal probe, Caltrans Director Malcolm Dougherty de-

ferred to the CHP, which does not discuss pending investigations.

"I don't have any indication that (a criminal investigation will be launched). But I would rely on CHP's input," Dougherty said.

Dougherty has not been interviewed by the CHP or involved in conversations that Caltrans employees have had with investigators.

He said the span has been the subject of many reviews already and that Caltrans would embrace further oversight. Dougherty said he looks forward to the Senate hearing "as an opportunity to talk about why our confidence is so high" in the safety of the bridge, and to reflect on lessons learned.

Steve Heminger, executive director of the Metropolitan Transportation Commission and chairman of the oversight committee for Bay Bridge construction, recently said that some independent experts have "let perfect be the enemy of the good." He and Caltrans say that the bridge is solid and will last 150 years. He declined to be interviewed for this story.

After years of delays and \$5 billion in costs beyond the initial estimate, DeSaulnier said, neither he nor the public can passively accept such reassurances.

"We don't know what we got for that -- how much it will cost to maintain the bridge and what will happen when there's another (major earthquake)," he said. "That's three strikes to me. It's a long way from perfection."

DeSaulnier said officials have shown "indifference at the best, and at the worst, disdain, for the people who pay for the bridge" via taxes, and tolls that have risen sixfold since 1997.

Controversial history

The Aug. 5 hearing at the Capitol will follow nearly three years of reports by The Bee, and more recent work by the San Francisco Chronicle and the Senate, about managerial and manufacturing

breakdowns, and lowered standards on the new eastern span, a lifeline structure regarded as essential to recovery from a large quake.

After a small section of the old eastern span collapsed during the 1989 Loma Prieta earthquake, killing one motorist, officials decided to replace the bridge for an originally estimated \$1.3 billion, rather than use a relatively inexpensive retrofit.

Transportation officials have blamed more than \$400 million of cost overruns on disputes between public officials, which led to years of delay. Gov. Jerry Brown was among the public officials who delayed the process when, as mayor of Oakland, he pressed for an architecturally interesting but costly suspension span.

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# California Sub-Bid Request Ads

Sub Bids Requested From Qualified  
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**City of Sacramento -  
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PN: T15068301**

**Bid Date: August 13, 2014 @ 2:00 PM**

McGuire and Hester is seeking qualified subcontractors in the following trades: SWPPP; Clearing & Grubbing; Demolition; Trucking; Railroad Tracks; Minor Concrete; Cement Treat Base; Chain Link Fence; Striping/Signs; Landscape & Irrigation; and Electrical (Street Lights).

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REQUEST FOR DBE  
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FOR:

**Hwy 880 Bioswale Drainage, Oakland  
Caltrans #04-4A8104**

**BID DATE: August 5, 2014 @ 2:00 PM**

We are soliciting quotes for (including but not limited to): Trucking, Lead Compliance Plan, Construction Area Signs, Traffic Control System, Portable Changeable Message Sign, SWPPP, Storm Water Annual Report, Sweeping, Adjust Pull Box, Cold Plane AC, Clearing & Grubbing, Sod, Hydromulch, Hydroseed, Compost, AC Dike, Tack Coat, Object Marker, Vegetation Control (Minor Concrete) and Construction Materials

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**BID DATE: August 13, 2014 @ 2:00PM**

## Reyes Construction, Inc.

State License Number 507561  
1383 South Signal Drive, Pomona, CA 91766  
Phone: 909-622-2259 • Fax: 909-622-3053  
Contact: Estimating Mon-Fri 8am-5pm

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Plans and Specifications can be viewed online at no additional cost at

- 1.) <http://www.bidmail.com/Sublogin.aspx> (To request an invite please email [estimating@reyesconstruction.com](mailto:estimating@reyesconstruction.com))
- 2.) Via ShareFile by requesting to [estimating@reyesconstruction.com](mailto:estimating@reyesconstruction.com)
- 3.) Via owner's website at [www.SANDAG.org](http://www.SANDAG.org) under Contracts

Please fax quotes to: 909.622.3053

REQUEST FOR DBE SUBCONTRACTORS AND SUPPLIERS FOR:  
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and the Runway/Taxiway  
Intersection Schedule A and Schedule B**

**City of Tracy  
AIP No. 3-06-0259-16  
CIP 77037**

**BID DATE: August 12, 2014 @ 10:00 am**

We are soliciting quotes for (including but not limited to): Trucking, SWPPP, Marking, Electrical, Runway Lighting, Signs, Clearing & Grubbing, Runway and Taxiway Painting, Survey Monuments, Survey Mag Spikes, Sawcutting, Cold Plane Grinding, Underground Storm System, Quality Control Program and Construction Materials

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# California Sub-Bid Request Ads

Bid Requests from Certified **SBE Subcontractors and Suppliers for ALL TRADES** except for Structural & Miscellaneous Metals (including design-build and design-assist), Fire Protection (design-build), Solar Thermal Water Heating System (design-build), Infrastructure

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**Hunters View - Phase 2 Blocks 7 & 11**  
**Middle Point Road**  
**(Intersection - West Point Road)**  
**San Francisco, CA 94124**  
**Bid Date: 8/22/14 @ 2 PM**

Voluntary Pre-bid Meeting on 8/6/14 at 10:00 AM at Jobsite Trailer located on the east side of Middle Point Rd. in San Francisco, CA 94124.

**CAHILL/NIBBI JOINT VENTURE**  
 Contact: Julie Park  
 estimating@cahill-sf.com, (415) 986-0600

Requesting Sub-bids from **Qualified SBE/DVBE/MBE/WBE/OBE Subcontractors/Vendors** for:

**Request for Proposal (RFP) No. 90214**  
**Los Angeles Department of Water and Power**  
**Deadline Date: August 5, 2014**

Work, as directed by Carmen Group, with various trade/advocacy organizations which shall include, but not be limited to: Large Public Power Council, American Public Power Association, Southern California Public Power Association, association of Metropolitan Water Agencies, and the Association of California Water Agencies

Copies of the bid proposal are available for download at: <http://www.labavn.org>.

Carmen Group is willing to assist all SBE, DVBE, MBE, WBE, OBE subcontractors in obtaining bonds, lines of credit and /or insurance.

**Carmen Group, Incorporated**

Contact Person: **Mia O'Connell**  
 505 9th Street NW, Washington DC 20004  
 (202) 785-0500 (phone) • (202) 478-1734 (fax)  
 Oconnellm@carmengroup.com

REQUESTING SUB BIDS From **Qualified/Certified MBE/WBE/OBE/SBE/DVBE/DBE Subcontractors & Suppliers** on the following trades but not limited to;

Coil Steel, Cement, Sand, Rock, Polyethylene Tape, Flanges, Mechanical Couplings, Welding and Trucking For the following project;

**Los Angeles Department of Water and Power**  
**Welded Steel Pipe and Appurtenances for the Los Angeles Reservoir Ultraviolet Disinfection Plant**  
**Specification No. 7569**

**BID DATE/TIME: August 5, 2014 @ 2:00 PM**

**Ameron Water Transmission Group**

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 10681 Foothill Blvd., Suite 450,  
 Rancho Cucamonga, CA 91730  
 Office - 909/944-4100 x 323 • FAX 909/944-4113  
 Contact: **Dennis Shearer**

Plans and specifications can be viewed at Ameron Water Transmission Group or obtained from LADWP, 111 North Hope Street, Room L-43, Los Angeles, CA 90012 (213/367-4211)

DeSilva Gates Construction, L.P. is soliciting for **DBEs for the following project:**

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**Contract No. 10-0V6604,**  
**Federal Aid Project ACNHPI-005-5(143)417E**

**OWNER: STATE OF CALIFORNIA -**  
**DEPARTMENT OF TRANSPORTATION**  
 1727 30th Street, Bidders' Exchange, MS 26,  
 Sacramento, CA 95816

**BID DATE: AUGUST 6, 2014 @ 2:00 P.M.**

We hereby encourage responsible participation of local Disadvantaged Business Enterprises, and solicit their subcontractor or materials and/or suppliers quotation for the following types of work including but not limited to:

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100% Performance and Payment Bonds may be required for full amounts of the subcontract price. Surety company will have to be approved by DeSilva Gates Construction. DeSilva Gates Construction will pay bond premium up to 2%. Subcontractors must possess current insurance and worker's compensation coverage meeting DeSilva Gates Construction's requirements. Please call if you need assistance in obtaining bonding, insurance, equipment, materials and/or supplies. Plans and specifications are available for review at our Dublin office.

**DESILVA GATES CONSTRUCTION, L.P.**

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 Dublin, CA 94568-2909  
 (925) 829-9220 / FAX (925) 803-4263  
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# Calif. State Senator Calls for Criminal Probe of Bay Bridge Construction Problems

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"It's important that we get the best. There is a mediocre mindset in the driver's seat in the East Bay, and that has to be changed," Brown said in 1998, according to the doctoral dissertation of UC Berkeley transportation expert Karen T. Frick.

Brown, former San Francisco Mayor Willie Brown and others also dragged out the process by advocating for a passenger rail line on the new span, and for placing it to the south of the old bridge, in part to boost development on Yerba Buena Island and Treasure Island. A northern alignment ultimately was selected.

The Metropolitan Transportation Commission chose a unique, self-anchored suspension design connected to a skyway viaduct. Construction on the complex span finally began in 2002, and its price tag steadily escalated to \$6.5 billion, making it the most costly public works project in state history. The bridge opened to traffic last Labor Day weekend, but it remains a work in progress, currently scheduled for completion at the end of the year.

Its opening did not end revelations about structural defects that have sparked doubts about the span's seismic safety and overall durability. Numerous independent experts in relevant engineering fields have said the most serious remaining issues include:

- Misaligned and cracked welds in the suspension span roadway that could lead to deck fractures.
- Concrete in the tower foundation that tests showed as "very poor" or "not fully set."
- Anchor rods of suspect reliability on the suspension span.
- Corrosion of internal tendons that support the skyway.
- Leaks in the suspension span roadway deck that are partly responsible for corrosion of the main cable and its anchor rods -- many of which also are improperly off-center through holes in the wall that secures them to the bridge.

With the possible exception of the anchor rods -- which required a partial retrofit and are the subject of protracted testing -- Caltrans officials say that none of these defects or concerns represents a significant problem.

Suspension-span problems: Responsibilities and Conflicts

Hearing issues

In 2012, DeSaulnier's committee asked the Legislative Analyst's Office to help coordinate a review of possible flaws in the concrete foundation for the new suspension span tower. The LAO formed an expert panel, chaired by Georgia Tech University engineering professor Reginald DesRoches.

The Bee reported last year that DesRoches and other members of his group -- like many of the consultants relied on by Caltrans -- have had financial and professional ties to Caltrans, the Bay Bridge and its contractors. Ethics experts say such conflicts bias expert assessments -- a view DesRoches has dismissed.

In an interview, DesRoches said his panel would deliver a draft report this week on how well Caltrans addressed doubts about the foundation, the retrofit of seismic devices whose anchor rods broke last year and seismic safety on the span in general. His panel also will comment on the cracked welds detailed by The Bee in June and other issues DesRoches declined to specify.

The Senate separately hired investigative reporter Roland De Wolk to examine the administrative and management disputes and decisions that led to Bay Bridge cost overruns and construction delays and other problems.

A January draft of De Wolk's Senate report said Caltrans' often secretive management practices included efforts to circumvent disclosures under the state Public Records Act. The draft noted that managers failed to heed warnings by a quality expert in 2008 about defective anchor rods. Some of the rods snapped in 2013. It described how Caltrans removed from the job experts who cited defective welds by the Chinese firm.

The final report will show how Caltrans and the state oversight committee "have become so insular that they push out anyone who's a detractor," DeSaulnier said. In China, "they couldn't manage the quality of the work to the degree they wanted and still hit the time line," he said. "So they gave up (on normal quality requirements). ... They were paying people to tell them what they wanted to hear."

Since The Bee's ongoing investigation of the new span began in November 2011, DeSaulnier has introduced six bills to reform Caltrans or its handling of megaprojects.



**Reconstruction of the eastern section of the bridge as a causeway connected to a self-anchored suspension bridge began in 2002**

Brown vetoed the most far-reaching measure to create an independent inspector general for the department. Brown also vetoed a bill to fund and legally indemnify the expert panel formed by the LAO, although the panel ultimately agreed to proceed anyway.

He signed into law a 2013 bill that adds new disclosure requirements for expert panels used by Caltrans to review technical matters. A Bee investigation in 2012 showed that members of Caltrans Seismic Safety Peer Review Panel for the Bay Bridge had conflicts of interest. It approved Caltrans actions that independent experts say have led to lingering safety problems.

Three pending DeSaulnier bills seek to create new planning and reporting practices for Caltrans, boost public disclosure and peer-review requirements, and establish civil penalties of up to \$20,000 for agency or department heads who falsely guarantee the accuracy of reports to the Legislature.

DeSaulnier, who is running for Congress and will leave the Senate this year, said the late physicist Richard Feynman's comment about the space shuttle Challenger disaster in 1986 captures Caltrans' biggest shortcoming on the Bay Bridge: "For a successful technology, reality must take precedence over public relations, for Nature cannot be fooled."

"Some people think of a visionary as somebody who just says 'let's have an aspirational design,'" DeSaulnier said. "But a visionary is somebody who also has people who can implement the design in the reality of the financial and engineering situations. And I think that's where we failed."

Legislation that emerged from the Bay Bridge disclosures

Since The Sacramento Bee launched its investigation of the San Francisco-Oakland Bay Bridge in November 2011, state Sen. Mark DeSaulnier, D-Concord, has introduced six bills to address the problems revealed or to improve Caltrans' administration of large transportation ventures.

Bill Year Topic Summary Senate vote--Assembly vote--Governor's action

- SB 878 2012 Office of the Transportation Inspector General Would have created independent authority to review Caltrans performance 35-0-5 52-27-1 Vetoed
- SB 110 2013 Review Task Force Would have funded and legally indemnified independent technical review panel for Bay Bridge 37-0-2 76-0-2 Vetoed
- SB 425 2013 Public Works Project Peer Review Act of 2013 Adds public disclosure measures for expert peer review panels 35-0-4 78-0-0 Signed
- SB 486 2014 Caltrans goals and performance measures Would create new planning and reporting practices for Caltrans Pending Pending Pending
- SB 969 2014 Public Works Project Oversight Improvement Act Would create public disclosure and peer review requirements for megaprojects costing more than \$2.5 billion Pending Pending Pending
- SB 1337 2014 Report accuracy Would require high state officials to certify accuracy of reports to the Legislature and create civil penalties of up to \$20,000 for violations Pending Pending Pending

\*Ayes-Noes-no vote recorded

Source: California Legislature