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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-In-Equity

Appellate Case No. 2024-000788

Case No.: 2019-CP-10-01108

Balfour Beatty Construction, LLC, Appellant,

v.

Library Associates, LLC; and Metropolitan Life Insurance Company, a New York Corporation, Defendants,

And

Library Associates, LLC, Third-Party Plaintiff,

v.

Lithko Contracting, LLC, Guy M. Beaty, Inc., Bernard MMC, LLC, Gulf Stream Construction Company, Inc., Precision Walls, Inc., Palmetto Automatic Sprinkler Company, Inc., Cook & Boardman, LLC, Strong Tower Construction, LLC d/b/a Koch Corporation, Watson Electrical Construction Co., LLC, Trimark Foodcraft, LLC, Pleasant Places, Inc., David Allen Company, Inc., Premier Exteriors, LLC, Warco Construction, Inc., Old North State Masonry, LLC, Tom Rochester & Associates d/b/a Southeastern Architectural Systems, Forton Company, LLC, Low Country Case & Millwork, Inc., Quantum Coatings, LLC, Balfour Beatty Construction Group, Inc., Third-Party Defendants.

Of which Library Associates, LLC is the Respondent.

RECORD ON APPEAL - VOLUME 27 OF 51

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(Timestamp 47:40-52:05); 46:22-47:15 (Timestamp 53:27-54:22) (Placeholder
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Company	No.	Work Location	No. Workers	Labor Units	Activity
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	6th floor louvers, casing and stile & Rail.
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		2	16.00	Punch work and misc touch up.
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		6	60.00	Managers apt and punch work.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		9	72.00	Trim out elevators
Westley Contract Services, LLC	00013		10	100.00	Install Vanity base on 8, build beds on 8, set rooms on 7&8.
Total			45	414.00	

AJ Wertzberger

Date

Printed Name

Author

CONDR001897

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020



Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 813

Date 8/30/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 51
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
8/30/2018 9:37 AM	75° F	83° F	87° F	8 mph	Broken Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		4	32.00	Hvac troubleshooting
Chester Pool Systems, Inc.	00021		1	10.00	Finishing pool trim out
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				

CONDR001898

Company	No.	Work Location	No. Workers	Labor Units	Activity
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		4	32.00	Elevator cabs
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		2	16.00	Punch items
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		5	50.00	Stairwells, punch list work
Strong Tower Construction, LLC dba Koch Corporation	00012		4	32.00	Hopes doors on south side
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		10	80.00	Trim out, outside receptacles and pole lights.
Westley Contract Services, LLC	00013		10	100.00	Delivery and setting furniture on 7.
Total			15	462.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001899



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502
Daily Report No. 814

Date 8/31/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 0
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
8/31/2018 9:37 AM	75° F	83° F	87° F	8 mph	Broken Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
Ist Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001				
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				

CONDR001900

CONDR001901

Company	No.	Work Location	No. Workers	Labor Units	Activity
Low Country Case & Millwork, Inc.	00010				
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017				
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015				
Westley Contract Services, LLC	00013				
Total			0	.00	

AJ Wertzberger

Author Printed Name Date



Daily Report General

Project [1.3026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 815

Date 9/5/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 50
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/5/2018 5:45 AM	75° F	76° F	86° F	6 mph	Scattered Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	Caulking and misc punch work
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		5	40.00	Hvac troubleshooting, filter changes, punch work.
Chester Pool Systems, Inc.	00021				

CONDR001902

Company	No.	Work Location	No. Workers	Labor Units	Activity
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	6th floor-louvers, casing, stile and rail
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		3	24.00	Punch work
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	Wall paper guys in managers apt, punch work, stairwell standpipe.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	Trim out, elevator work.
Westley Contract Services, LLC	00013		01	100.00	Setting furniture and building beds on 8.
Total			50	462.00	

AJ Wertzberger

Date

Printed Name

Author

CONDR001903



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 816

Date 9/6/2018 **Reference No.**
Shift All Day **Total Workers** 47
Type BBC **Non-Work Day**
Author AJ Wertzberger **Cause**
Notes None.

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/6/2018 12:56 PM	74° F	88° F	86° F	6 mph	Broken Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11		
Bernhard MCC, LLC	00004		5	40.00	Kitchen HVAC troubleshooting
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	Punch work on 2
David Allen Company, Inc.	00020		1	8.00	Punch list on 5

CONDR001904

Company	No.	Work Location	No. Workers	Labor Units	Activity
Flooring Services, Inc.	00012		6	48.00	installing carpet pad on 7/8.
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Punchlist on 6th floor, chair rail, panel molding.
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		4	32.00	Punch work, managers apartment.
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017				
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		9	72.00	Trim out, elevator lights.
Westley Contract Services, LLC	00013		7	70.00	Intall Tvs 5-8, set rooms on 8.
Total			74	412.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR00190E

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 817

Date 9/7/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 54
Non-Work Day
Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/7/2018 6:03 AM	74° F	74° F	86° F	5 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017		3	24.00	Final Cleaning Concierge
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	00.11	
Bernhard MCC, LLC	00004		6	48.00	HVAC troubleshooting, punch work 3-5.
Chester Pool Systems, Inc.	00021				

CONDR001906

Company	No.	Work Location	No. Workers	Labor Units	Activity
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		3	24.00	Carpet padding on 8.
Harris Ventures, Inc. dba Staff Zone	00009		3	24.00	elevator operator, Stacy has two guys cleaning the basement and pulling/ adding floor protection.
Low Country Case & Millwork, Inc.	00010		3	24.00	Managers apt-base, crown, stairs, 9th floor foot railing.
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		1	8.00	Misc punch list.
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		5	50.00	Punch work on 3.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		9	72.00	trim out, elevator, shaft lights, outside lights.
Westley Contract Services, LLC	00013		10	100.00	Mattresses for 7
Total			54	484.00	

AJ Wertzberger

CONDR001907

CONDR001908

Date

Printed Name

Author



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 818

Date 9/8/2018 **Reference No.**
Shift All Day **Total Workers** 28
Type BBC **Non-Work Day**
Author AJ Wertzberger **Cause**
Notes None.

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/8/2018 3:15 PM	74° F	87° F	85° F	14 mph	Scattered Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009		1	8.00	Elevator operator

CONDR001909

Company	No.	Work Location	No. Workers	Labor Units	Activity
Low Country Case & Millwork, Inc.	00010				
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		6	60.00	Painting stairwell sprinkler pipe. Punch on 3.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015				
Westley Contract Services, LLC	00013		10	100.00	Mattress delivery for 7/8
Total			28	278.00	

AJ Wertzberger

Date

Printed Name

Author

CONDNR001910

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 819

Date 9/10/2018 **Reference No.**
Shift All Day **Total Workers** 51
Type BBC **Non-Work Day**
Author AJ Wertzberger **Cause**
Notes None.

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/10/2018 6:29 AM	75° F	74° F	85° F	0 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017		4	32.00	Level 9, final clean on level 2.
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		4	32.00	HVAC troubleshooting, repair work, parking electrical room
Chester Pool Systems, Inc.	00021				

CONDR001911

Company	No.	Work Location	No. Workers	Labor Units	Activity
Cook and Boardman LLC	00005		2	16.00	Punch List
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Managers apt-skirt for stair, base & Cope, Kitchen service elevator frame out.
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	finishing elevator work
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		4	32.00	South west side
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		4	40.00	Punch work
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016		3	24.00	Rail in managers apt.
Watson Electrical Construction Co. LLC	00015		6	48.00	Punch list and misc troubleshooting. Generator start up.
Westley Contract Services, LLC	00013		8	80.00	Delivery for 7/8.
Total			51	454.00	

AJ Wertzberger

CONDR001912

CONDR001913

Date

Printed Name

Author

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 820

Date 9/11/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 20
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/11/2018 6:38 AM	75° F	75° F	86° F	0 mph	Scattered Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11		
Bernhard MCC, LLC	00004		5	40.00	Preparing for hurricane
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				

CONDR001914

Company	No.	Work Location	No. Workers	Labor Units	Activity
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010				
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017				
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		4	32.00	Covering all boxes outside, moving materials in preparation for hurricane
Westley Contract Services, LLC	00013				
Total			20	182.00	

AJ Wertzberger

Date

Printed Name

Author

CONDR001815

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 821

Date 9/17/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/17/2018 5:32 AM	78° F	79° F	85° F	7 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11		
Bernhard MCC, LLC	00004		5	40.00	HVAC troubleshooting and repair.
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				

CONDR001916

Company	No.	Work Location	No. Workers	Labor Units	Activity
Flooring Services, Inc.	00012		3	24.00	Finishing carpet on 7/8
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Stair 4 treads/risers, kitchen elevator, 2nd floor stile & rail.
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	Finishing elevator counterweights and start up.
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		4	32.00	Finishing outside areas.
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		6	60.00	Punch work on 2 and 4, 5, 6.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		7	40.00	Trim out
Westley Contract Services, LLC	00013				
Total			41	346.00	

AJ Wertzberger

Date

Printed Name

Author

CONDR001917

Daily Report General

View Date 12/16/2020

Project [13026000] - Hotel at Marion Square



Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 822

Reference No.
Total Workers 34 
Non-Work Day Cause

Date 9/18/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/18/2018 6:42 AM	77° F	73° F	86° F	6 mph	Scattered Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		3	24.00	HVAC Troubleshooting, punch list
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020		2	16.00	Fixing misc tiles
Flooring Services, Inc.	00012				

CONDR001918

Company	No.	Work Location	No. Workers	Labor Units	Activity
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Stair four treads
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	Finishing elevator install
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	Stairwells, and punch items.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		5	40.00	Trim out
Westley Contract Services, LLC	00013				
Total			34	310.00	

AJ Wertzberger

Printed Name

Date

Author

CONDR001919



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 823

Date 9/19/2018 **Reference No.**
Shift All Day **Total Workers** 40
Type BBC **Non-Work Day**
Author AJ Wertzberger **Cause**
Notes None.

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/19/2018 7:51 AM	74° F	77° F	88° F	3 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017		4	32.00	Camelia's area
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		4	32.00	HFCU Troubleshoot, punch list
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	Punch items
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				

CONDR001920

Company	No.	Work Location	No. Workers	Labor Units	Activity
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		4	32.00	Stair 4 step treads and risers
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	finishing elevator install
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		2	16.00	Finishing elevator shaft
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		4	40.00	Stairwells and punch items
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016		2	16.00	managers apt hand rail
Watson Electrical Construction Co. LLC	00015		5	40.00	trim out
Westley Contract Services, LLC	00013				
Total			04	350.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001921

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 824

Date 9/20/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 38
Non-Work Day
Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/20/2018 6:00 AM	72° F	72° F	90° F	3 mph	Light Fog	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		6	48.00	HVAC troubleshooting and punch.
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	Punch items.
David Allen Company, Inc.	00020				

CONDR001922

CONDR001923

Company	No.	Work Location	No. Workers	Labor Units	Activity
Flooring Services, Inc.	00012		4	32.00	Finishing carpet on 8.
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Stair 4, finishing treads and risers, ding banquette trim out.
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	Finishing elevator install
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		4	32.00	Bluestone @ front of building.
Precision Walls Incorporated	00014		2	16.00	elevator punch.
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017				
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		5	40.00	trim out kitchens, and elevators.
Westley Contract Services, LLC	00013				
Total			38	326.00	

AJ Wertzberger

Date

Printed Name

Author

Daily Report General

Project [1.3026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 825

Date 9/21/2018 **Reference No.**
Shift All Day **Total Workers** 46
Type BBC **Non-Work Day**
Author AJ Wertzberger **Cause**
Notes None.

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/21/2018 7:10 AM	73° F	75° F	87° F	3 mph	Clear	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		5	40.00	HVAC troubleshooting, repair, punch list
Chester Pool Systems, Inc.	00021		1	10.00	Prep for DHEC inspections
Cook and Boardman LLC	00005		1	8.00	Prep for DHEC inspections

CONDR001924

Company	No.	Work Location	No. Workers	Labor Units	Activity
David Allen Company, Inc.	00020		2	16.00	Fix misc exterior tile.
Flooring Services, Inc.	00012		3	24.00	Installing wood flooring on one and two.
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Trim and crown in patisserie.
Matrix Program Management Services	00014				
Otis Elevator Company	00019		3	24.00	Finish installing elevators and fix handicap lift.
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		2	16.00	Punch
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		4	40.00	Level 2 punch
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		5	40.00	trim out
Westley Contract Services, LLC	00013		6	60.00	Mattress delivery
Total			46	412.00	

AJ Wertzberger

Printed Name

Date

Author

CONDR001925



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 826

Date 9/24/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 50
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/24/2018 6:43 AM	73° F	73° F	83° F	6 mph	Broken Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		3	24.00	HVAC Troubleshoot and repair, punch work.
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	Punch list items

CONDNR001926

Company	No.	Work Location	No. Workers	Labor Units	Activity
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		5	40.00	Managers apt and curing stair 4, curing main lobby wood floor.
Harris Ventures, Inc. dba Staff Zone	00009		3	24.00	Cleaning out basement areas.
Low Country Case & Millwork, Inc.	00010		2	16.00	Patisserie crown molding.
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	Finishing elevator install.
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014		1	8.00	Punch on 8.
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		6	60.00	Punch items.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		5	40.00	Trim out, outside lights.
Westley Contract Services, LLC	00013		10	100.00	Setting public area furniture
Total			50	454.00	

AJ Wertzberger

Date

Printed Name

Author

CONDR001927

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 827

Date 9/25/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.
Reference No.
Total Workers 52
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/26/2018 1:03 PM	77° F	90° F	87° F	6 mph	Scattered Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	10.00	
Bernhard MCC, LLC	00004		5	40.00	HVAC troubleshooting, punch.
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				

CONDR001928

Company	No.	Work Location	No. Workers	Labor Units	Activity
Flooring Services, Inc.	00012		3	24.00	Managers apartment wood floor
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Managers apartment stair case
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	Finishing elevator install
Palmetto Automatic Sprinkler Company, Inc.	00015		2	8.00	Fire inspection
Pleasant Places, Inc.	00011		6	48.00	Replacing bluestone and prepping granite curb for foundation.
Precision Walls Incorporated	00014		2	16.00	punch items on 7/8
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017				
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016		2	16.00	managers apartment rail
Watson Electrical Construction Co. LLC	00015		6	48.00	Trim out, switch work.
Westley Contract Services, LLC	00013		10	100.00	level one and two public space delivery.
Total			52	450.00	

AJ Wertzberger

Date

Printed Name

Author

CONDR001929



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 828

Date 9/26/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 55
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
9/26/2018 1:03 PM	77° F	90° F	87° F	6 mph	Scattered Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		5	40.00	HVAC troubleshoot and punch.
Chester Pool Systems, Inc.	00021				

CONDR001930

Company	No.	Work Location	No. Workers	Labor Units	Activity
Cook and Boardman LLC	00005		1	8.00	punch, hanging closers and jams in sales offices.
David Allen Company, Inc.	00020		3	16.00	punch on the floors
Flooring Services, Inc.	00012		4	32.00	VCT in parking garage
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Managers apartment
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	Finishing elevator install.
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		6	48.00	Pouring granite curb foundation and fixing bluestone.
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		4	40.00	punch on the floors and fixing patisserie paint.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				Managers apartment rail touch up
Watson Electrical Construction Co. LLC	00015		6	48.00	trim out, fix switches on 9, correct lighting on 7, 8.

CONDR001931

CONDR001932

Company	No.	Work Location	No. Workers	Labor Units	Activity
Westley Contract Services, LLC	00013		10	100.00	Delivery for outdoor furniture on 9.
Total			55	482.00	

AJ Wertzberger

Date

Printed Name

Author



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502
Daily Report No. 829

Date 9/27/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 50
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
10/1/2018 7:44 AM	71° F	71° F	83° F	10 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		4	32.00	Hvac troubleshooting and repair. Punch items 5-6
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	Punch items

CONDR001933

Company	No.	Work Location	No. Workers	Labor Units	Activity
David Allen Company, Inc.	00020		2	16.00	Punch items 5-6
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	crown in managers apt, punch on all floors, steps in managers.
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	Finish installing elevators.
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		4	32.00	Correcting blue stone and backfilling granite curb
Precision Walls Incorporated	00014		2	16.00	Punch
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		4	40.00	Punch on level 5
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016		2	16.00	Managers apartment rail.
Watson Electrical Construction Co. LLC	00015		5	40.00	trim out and punch all floors.
Westley Contract Services, LLC	00013		10	100.00	Outdoor furniture delivery
Total			05	450.00	

AJ Wertzberger

Printed Name

Date

CONDR001934

Author

Daily Report General

View Date 12/16/2020

Project [1.3026000] - Hotel at Marion Square

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 830



Date 9/28/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.
Reference No.
Total Workers 45
Non-Work Day
Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
10/1/2018 7:44 AM	71° F	71° F	83° F	10 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	11	
Bernhard MCC, LLC	00004		5	40.00	HVAC troubleshooting and repair, punch list 5-7
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	Punch items

CONDR001935

Company	No.	Work Location	No. Workers	Labor Units	Activity
David Allen Company, Inc.	00020		2	16.00	Punch items 5-6
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		2	16.00	Rotunda base and cap, bar toe kicks & shoe mold, Dining banquetette, managers suite stairs.
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		4	32.00	Correcting bluestone and top soil work.
Precision Walls Incorporated	00014		1	8.00	Punch items
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		4	40.00	Punch items 6th floor.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		5	40.00	Trim out punch
Westley Contract Services, LLC	00013		10	100.00	Set outdoor furniture.
Total			54	414.00	

AJ Wertzberger

Printed Name

Date

Author

COND001936

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020



Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 831

Reference No.
Total Workers 53
Non-Work Day
Cause

Date 10/1/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
10/1/2018 7:44 AM	71° F	71° F	83° F	10 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017		5	40.00	Cleaning patisserie, linen rooms puff clean
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	00.11	
Bernhard MCC, LLC	00004		3	24.00	HVAC troubleshooting and repair, punch 7th floor

CONDR001937

BBC SGO TY IIV D BCB

Date
CONDR001938

AJ Wertzberger

Printed Name

Author

Company	No.	Work Location	No. Workers	Labor Units	Activity
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Finishing work in Managers apt
Matrix Program Management Services	00014				
Otis Elevator Company	00019		1	8.00	Tech to run the elevators for punch
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		8	64.00	Correcting blue stone and prepping for blue stone park side.
Precision Walls Incorporated	00014		1	8.00	Punching linen rooms
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		6	60.00	Punch 7th floor
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		5	40.00	Trim out and punch all floors.
Westley Contract Services, LLC	00013		01	100.00	Delivery for public spaces
Total			53	478.00	



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 832

Date 10/2/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 0
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001				
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010				
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				

CONDR001939

CONDR001940

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit	00017				
Professional Coatings-Charleston					
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015				
Westley Contract Services, LLC	00013				
Total			0	.00	

AJ Wertzberger

Author

Printed Name

Date

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 833

Date 10/3/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 51
Non-Work Day
Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
10/3/2018 3:04 PM	70° F	85° F	85° F	9 mph	Scattered Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017		2	16.00	9th floor bar area, 8-7 floor linen rooms
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		11	110.00	
Bernhard MCC, LLC	00004		4	32.00	HVAC troubleshooting, fixing water drain leak on 2.

Company	No.	Work Location	No. Workers	Labor Units	Activity
Chester Pool Systems, Inc.	00021		1	10.00	Picking up tiles to add bigger letters per inspector's request
Cook and Boardman LLC	00005		2	16.00	Punch items
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		3	24.00	Punch on 3rd floor
Harris Ventures, Inc. dba Staff Zone	00009				
Low Country Case & Millwork, Inc.	00010		3	24.00	Manager's apartment stairs
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	8.00	Tech running elevator and finish installation
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011		5	40.00	Laying pavers
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		5	50.00	Punch items and level 9 stairwell area.
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		5	40.00	Pulling wire to 703 VFCU unit.
Westley Contract Services, LLC	00013		8	80.00	Setting public area furniture.
Total			51	450.00	

AJ Wertzberger

CONDR001942

CONDR001943

Date

Printed Name

Author



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
 7901 Hummie Olive Road
 Apex, NC 27502 **Daily Report No.** 834

Date 10/4/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 0
Non-Work Day Cause

Weather

Time	Low Temp	Current Temp	High Temp	Wind Speed	Conditions	Precip. Amt.
10/4/2018 7:10 AM	70° F	70° F	85° F	6 mph	Few Clouds	

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001				
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005				
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012				
Harris Ventures, Inc. dba Staff Zone	00009				

CONDR001944

Company	No.	Work Location	No. Workers	Labor Units	Activity
Low Country Case & Millwork, Inc.	00010				
Matrix Program Management Services	00014				
Otis Elevator Company	00019				
Palmetto Automatic Sprinkler Company, Inc.	00015				
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017				
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015				
Westley Contract Services, LLC	00013				
Total			0	.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001945



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502 **Daily Report No.** 836

Date 10/5/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 41
Total Workers 41
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001946

CONDR001947

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Hurmie Olive Road
Apex, NC 27502

Daily Report No. 837

Date 10/8/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 41
Total Workers 41
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001948

CONDR001949

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [1.3026000] - Hotel at Marion Square View Date 12/16/2020

Balfour Beatty
7901 Hurmie Olive Road
Apex, NC 27502

Daily Report No. 838

Date 10/9/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day
Cause

Companies

Notes See Tab.

Table with columns: Company, No., Work Location, No. Workers, Labor Units, Activity. Rows include: 1st Choice Glass, Inc., AAA Southern States Cleaning, Inc., Baker Roofing Company, Balfour Beatty Construction, LLC, Bernhard MCC, LLC, Chester Pool Systems, Inc., Cook and Boardman LLC, David Allen Company, Inc., Flooring Services, Inc., Harris Ventures, Inc. dba Staff Zone, Low Country Case & Millwork, Inc., Matrix Program Management Services, Otis Elevator Company, Palmetto Automatic Sprinkler Company, Inc., Pleasant Places, Inc.

CONDR001950

CONDR001951

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square View Date 12/16/2020

Balfour Beatty
7901 Hurmie Olive Road
Apex, NC 27502
Daily Report No. 839

Date 10/10/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day
Cause

Companies

Notes See Tab.

Table with columns: Company, No., Work Location, No. Workers, Labor Units, Activity. Rows include 1st Choice Glass, Inc., AAA Southern States Cleaning, Inc., Baker Roofing Company, Balfour Beatty Construction, LLC, Bernhard MCC, LLC, Chester Pool Systems, Inc., Cook and Boardman LLC, David Allen Company, Inc., Flooring Services, Inc., Harris Ventures, Inc. dba Staff Zone, Low Country Case & Millwork, Inc., Matrix Program Management Services, Otis Elevator Company, Palmetto Automatic Sprinkler Company, Inc., Pleasant Places, Inc.

CONDR001952

CONDR001953

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 840

Date 10/11/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001954

CONDR001955

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [1.3026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Hurmie Olive Road
Apex, NC 27502 **Daily Report No.** 841

Date 10/12/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001956

CONDR001957

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 842

Date 10/15/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001958

CONDR001959

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Wallis Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 843

Date 10/16/2018

Shift All Day

Type BBC

Author AJ Wertzberger

Notes None.

Reference No.

Total Workers 41

Non-Work Day

Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001960

CONDR001961

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 844

Date 10/17/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001962

CONDR001963

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 845

Date 10/18/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

COND001964

CONDR001965

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 846

Date 10/19/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 41
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	
Matrix Program Management Services	00014				
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				

CONDR001966

CONDR001967

Company	No.	Work Location	No. Workers	Labor Units	Activity
Precision Walls Incorporated	00014		2	16.00	
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			41	356.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 847

Date 10/22/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 52
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		9	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

CONDR001968

CONDR001969

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
Otis Elevator Company	00019		2	16.00	Salamander management intermittent on site - 8
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	LMI messing with light switches - 2
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author _____ Printed Name _____ Date _____



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 848

Date 10/23/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 52
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

COND001970

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3 Salamander management intermittent on site - 8 LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDNR001971



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 849

Date 10/24/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 52
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

COND001972

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
Otis Elevator Company	00019		2	16.00	Salamander management intermittent on site - 8
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	LMI messing with light switches - 2
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001973



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 850

Date 10/25/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 52
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

CONDR001974

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
Otis Elevator Company	00019		2	16.00	Salamander management intermittent on site - 8
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	LMI messing with light switches - 2
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001975



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 851

Date 10/26/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 52
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

COND001976

CONDR001977

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3 Salamander management intermittent on site - 8 LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Date

Printed Name

Author



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 852

Date 10/29/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 52
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		9	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

CONDNR001978

CONDR001979

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3 Salamander management intermittent on site - 8 LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author Printed Name Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 853

Date 10/30/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		9	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

CONDR001960

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
Otis Elevator Company	00019		2	16.00	Salamander management intermittent on site - 8
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	LMI messing with light switches - 2
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001981

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 854

Date 10/31/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001983

BBC DAILY LOGS 002598



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 855

Date 11/1/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 856

Date 11/2/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001987

BBC DAILY LOGS 002602

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 857

Date 11/5/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDRO01989

BBC DAILY LOGS 002604

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 858

Date 11/6/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool System's, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 859

Date 11/7/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR001993

BBC DAILY LOGS 002608



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 860

Date 11/8/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3 Salamander management intermittent on site - 8 LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 861

Date 11/9/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Berthard MGC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 862

Date 11/12/2018
Shift All Day
Type BBC
Author AJ Wertberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

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Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 863

Date 11/13/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

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Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humtie Olive Road
Apex, NC 27502

Daily Report No. 864

Date 11/14/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

CONDR002002

BBC DAILY LOGS 002617

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR002003

BBC DAILY LOGS 002618

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 865

Date 11/15/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 866

Date 11/16/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 867

Date 11/19/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 868

Date 11/20/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR002011

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humlie Olive Road
Apex, NC 27502

Daily Report No. 869

Date 11/21/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR002013

BBC DAILY LOGS 002628



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 870

Date 11/22/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 871

Date 11/23/2018
Shift All Day
Type BBC
Author AJ Wertberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 872

Date 11/26/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 873

Date 11/27/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MGC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR002021

BBC DAILY LOGS 002636



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 874

Date 11/28/2018
Shift All Day
Type BBC
Author AJ Wertberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MGC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 875

Date 11/29/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 876

Date 11/30/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 52
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013		2	20.00	
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		2	16.00	
David Allen Company, Inc.	00020		2	16.00	
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		13	99.00	Salamander maintenance crew on site - 3
					Salamander management intermittent on site - 8
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			52	439.00	

AJ Wertzberger

Author

Printed Name

Date

CONDR002027

BBC DAILY LOGS 002642

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 877

Date 12/3/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 878

Date 12/4/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 879

Date 12/5/2018
Shift All Day
Type BBC
Author AJ Wertberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 880

Date 12/6/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humtie Olive Road
Apex, NC 27502

Daily Report No. 881

Date 12/7/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None

Reference No. 45
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 882

Date 12/10/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 883

Date 12/11/2018
Shift All Day
Type BBC
Author AJ Wertberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 884

Date 12/12/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings- Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humble Olive Road
Apex, NC 27502

Daily Report No. 885

Date 12/13/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No. 46
Total Workers
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Hummie Olive Road
Apex, NC 27502

Daily Report No. 886

Date 12/14/2018
Shift All Day
Type BBC
Author AJ Wertzberger
Notes None.

Reference No.
Total Workers 46
Non-Work Day
Cause

Companies

Notes See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCG, LLC	00004				
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		1	8.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010				

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00014		16	99.00	Salamander maintenance crew on site - 4
					Salamander management intermittent on site - 10
					LMI messing with light switches - 2
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		8	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		8	64.00	
Westley Contract Services, LLC	00013				
Total			46	363.00	

AJ Wertzberger

Author

Printed Name

Date

BBC DAILY LOGS 002662

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humie Olive Road
Apex, NC 27502

Daily Report No. 887

Date 12/17/2018

Shift All Day

Type BBC

Author AJ Wertzberger

Notes

Reference No.

Total Workers

Non-Work Day

Cause

51

Companies

Notes

See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
1st Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		0	.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	Installing panels on managers apartment appliances
Matrix Program Management Services	00014		23	99.00	Salamander maintenance crew on site - 4 Salamander management intermittent on site - 10 LMI messing with light switches - 2 Owner Hired another GC who is starting on the sixth floor guestrooms re-punching - major point up, all furniture taken off walls and set onto bed so walls can be re painted.
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		5	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		6	64.00	

BBC DAILY LOGS 002664

CONDR002049

Company	No.	Work Location	No. Workers	Labor Units	Activity
Westley Contract Services, LLC	00013				
Total			51	387.00	

AJ Wertberger

Author

Printed Name

Date

Balfour Beatty
Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty
7901 Humlie Olive Road
Apex, NC 27502

Daily Report No. 888

Date 12/18/2018

Shift All Day

Type BBC

Author AJ Wertzberger

Notes

Reference No.

Total Workers

Non-Work Day

Cause

51

Companies

Notes

See Tab.

Company	No.	Work Location	No. Workers	Labor Units	Activity
Ist Choice Glass, Inc.	00013				
AAA Southern States Cleaning, Inc.	00017				
Baker Roofing Company	00018				
Balfour Beatty Construction, LLC	00001		6	60.00	
Bernhard MCC, LLC	00004		2	16.00	
Chester Pool Systems, Inc.	00021				
Cook and Boardman LLC	00005		0	.00	
David Allen Company, Inc.	00020				
Flooring Services, Inc.	00012		2	16.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Harris Ventures, Inc. dba Staff Zone	00009		2	16.00	
Low Country Case & Millwork, Inc.	00010		2	16.00	Installing panels on managers apartment
Matrix Program Management Services	00014		23	99.00	Salamander maintenance crew on site - 4 Salamander management intermittent on site - 10 LMI messing with light switches - 2 Owner Hired another GC who is starting on the sixth floor guestrooms re-punching - major point up, all furniture taken off walls and set onto bed so walls can be re painted.
Otis Elevator Company	00019		2	16.00	
Palmetto Automatic Sprinkler Company, Inc.	00015		1	4.00	
Pleasant Places, Inc.	00011				
Precision Walls Incorporated	00014				
SBC Group, LLC dba Merit Professional Coatings-Charleston	00017		5	80.00	
Strong Tower Construction, LLC dba Koch Corporation	00012				
Tate Ornamental, Inc.	00016				
Watson Electrical Construction Co. LLC	00015		6	64.00	

Company	No.	Work Location	No. Workers	Labor Units	Activity
Westley Contract Services, LLC	00013				
Total			51	387.00	

AJ Wertberger

Author

Printed Name

Date



Daily Report General

Project [130260001] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
 1250 South Capital of Texas Highway
 Building 1 Suite 250
 Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
 Austin, TX 78746

Daily Report No. 889

Date 12/19/2018
Shift All Day
Type BBC
Author David Simonton
Notes Owner/operator - 30 painters on site in guestrooms 6th and 7th floors re painting rooms.
 Watson - 4 working on Lutron system and other misc items
 BBC - 6

Reference No. 40
Total Workers
Non-Work Day
Cause

Companies

Company	No.	Work Location	No. Workers	Labor Units	Activity
Balfour Beatty Construction	000003		6		
Matrix Program Management Services	000002		30		
Watson Electric Company, Inc.	000001		4	40.00	
Total			40	40.00	

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
 1250 South Capital of Texas Highway
 Building 1 Suite 250
 Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
 Austin, TX 78746

Daily Report No. 890

Date 12/20/2018
Shift All Day
Type BBC
Author David Simonton

Reference No.
Total Workers 36
Non-Work Day
Cause

Notes We met with Jim Clements and Marty Wall before OAC and attempted to turn over keys. Jim became very irritated and stated he would not sign for the keys and Marty stated neither would he. Jim directed BBC to send to Kim Brown with Signature requirement which we then contacted Dash Courier order number 868.122018 and keys with transmittal letter were signed for by KBB or T Bennett. DS

Companies

Notes BBC 4
 Owner painters 30, GC 2

Company	No.	Work Location	No. Workers	Labor Units	Activity
Balfour Beatty Construction	000001		4		
Matrix Program Management Services	000002		32		Owners painters and two other GM Supers.
Total			36	.00	

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
 1250 South Capital of Texas Highway
 Building 1 Suite 250
 Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
 Austin, TX 78746

Daily Report No. 891

Date 12/21/2018
Shift All Day
Type BBC
Author David Simonton
Notes BBC - 3

Reference No.
Total Workers 35
Non-Work Day
Cause

Companies

Notes BBC - 3,

Owner Painters - 30 on guestroom floors, GC 2

Company	No.	Work Location	No. Workers	Labor Units	Activity
Balfour Beatty Construction	000002		3		
Matrix Program Management Services	000001		32		Owners painters, 2 GC supers.
Total			35	.00	

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 892

Date 12/22/2018
Shift All Day
Type BBC
Author David Simonton
Notes

Reference No.
Total Workers 0
Non-Work Day
Cause

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 893

Date 12/23/2018
Shift All Day
Type BBC
Author David Simonton
Notes

Reference No.
Total Workers 0
Non-Work Day
Cause

Mr. David Simonton

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 894

Date 12/24/2018
Shift All Day
Type BBC
Author David Simonton
Notes

Reference No.
Total Workers 0
Non-Work Day
Cause

Mr. David Simonton

Author

Printed Name

Date



Daily Report General

Project [130260001] - Hotel at Marlon Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 895

Date 12/25/2018
Shift All Day
Type BBC
Author David Simonton
Notes

Reference No.
Total Workers 0
Non-Work Day
Cause

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [130260001] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 896

Date 12/26/2018
Shift All Day
Type BBC
Author David Simonton
Notes

Reference No.
Total Workers 0
Non-Work Day
Cause

Mr. David Simonton

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 897

Date	12/27/2018	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	David Simonton	Cause	
Notes	Working on wire room plywood backing and installing curtain pockets backing at 2nd floor dining curtain pockets. Installing duct work at pool equipment room CCD air intakes and wiring up exhaust fan in pool equipment room. Installing pool signage for DHEC pool inspection.		

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746 **Daily Report No.** 898

Date	12/28/2018	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	David Simonton	Cause	
Notes	DOL elevator inspection passed and DHEC pool inspection passed with certificates in hand. Watson 4, Nex gen 2. CPI and Robbins & Mortcn with 39 painters.		

Mr. David Simonton

Author	Printed Name	Date
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Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 899

Date	12/29/2018	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	David Simonton	Cause	
Notes	CPI/Robbins & Morton with 35 painters on site, working on 6th and 7th floors guestrooms.		

Mr. David Simonton

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 900

Date 12/30/2018
Shift All Day
Type BBC
Author David Simonton
Notes

Reference No.
Total Workers 0
Non-Work Day
Cause

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 901

Date	12/31/2018	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	David Simonton	Cause	
Notes	BBC 3, working on cleaning elevator 1-4 protection from doors. CPI/Robbins Morton with 30 painters on site working with 10 per floor levels 6 through 8.		

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 902

Date 1/1/2019
Shift All Day
Type BBC
Author David Simonton
Notes Project Closed for New Years

Reference No.
Total Workers 0
Non-Work Day
Cause

Mr. David Simonton

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction
1250 South Capital of Texas Highway
Building 1 Suite 250
Mailstop 1930 Camden Rd, Suite 280, Charlotte, NC 28203
Austin, TX 78746

Daily Report No. 903

Date	1/2/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	David Simonton	Cause	
Notes	Owner painters working on guestroom floors 6-8 painting and cleaning and sanding. Level 5 working on private dining plywood, skimmed ceiling of ballroom 4 where Watson conduits created leak from terrace. BBC - checking punch lists and signing off all that is complete.		

Mr. David Simonton

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [130260001] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction, LLC

406 S McDowell Street
Suite 200

Raleigh, NC 27601
Phone: 919-233-5001

Fax: 919-233-5002

Daily Report No. 904

Date 1/3/2019

Shift All Day

Type BBC

Author Ryan Ledford

Notes

Owner painters working on guestroom floors 6-8 painting and cleaning and sanding.
Level 5 working on private dining plywood, access panel in condierge lounge, level 9 repair ceiling at elevator lobby where satellite installation created leak.
BBC - checking punch lists and signing off all that is complete.
Salamander engaged in training activities for 175 staff members through the building.

Reference No.

Total Workers 55

Non-Work Day

Cause

Companies

Notes Robbins and Morton/CPI Painters ~45, GC 3, approximately 6 per floor, prepping and protecting floors and furniture on 3rd through 5th floor, and working on finishing on floors 6 through 8.

BBC - 5
Watson 4
Level 5 - 2

Company	No.	Work Location	No. Workers	Labor Units	Activity
Balfour Beatty Construction	000002		4		
Level 5 Interiors, Inc.	000004		2		

Company	No.	Work Location	No. Workers	Labor Units	Activity
Matrix Program Management Services	00001		45		Robbins and Morton/CPI Painters ~45, GC 3, approximately 6 per floor, prepping and protecting floors and furniture on 3rd through 5th floor, and working on finishing on floors 6 through 8.
Watson Electric Company, Inc.	00003		4		
Total			55	.00	

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [130260001] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601

Daily Report No. 905

Phone: 919-233-5001
Fax: 919-233-5002

Date 1/4/2019
Shift All Day
Type BBC
Author Ryan Ledford

Reference No.
Total Workers 64
Non-Work Day
Cause

Notes
Owner painters working on guestroom floors painting and cleaning and sanding.
Level 5 working on private dining plywood, access panel at concierge.
BBC - checking punch lists and signing off all that is complete. Tonya cleaning elevators 1-4. Otis service tec on site and fixed elevator 4 issue.
BMCC - working on atb report, 348 hfcu fixed, troubleshooting chilled water pump. Found out starter on pump and the laundry fan 1 burn up (not rated for high temps).
Warco - on site inventory shutters, rained out on starting installation. Planning to work weekend .
Salamander engaged in training activities for 175 staff members through the building.

Companies

Notes Robbins and Morton/CP1 Painters 45, GC 3, approximately 6 per floor, prepping and protecting floors and furniture on 3rd through 5th floor, and working on finishing on floors 6 through 8.

- BBC - 5
- BMCC - 2
- Watson 6
- Level 5 - 2
- Warco - 2

Company	No.	Work Location	No. Workers	Labor Units	Activity
Balfour Beatty Construction	000006		4		
Bernhard MCC, LLC	000004		2		

Company	No.	Work Location	No. Workers	Labor Units	Activity
Level 5 Interiors, Inc.	00001		2		
Matrix Program Management Services	00005		48		Robbins and Morton/CPI Painters 45, GC 3, approximately 6 per floor, prepping and protecting floors and furniture on 3rd through 5th floor, and working on finishing on floors 6 through 8.
Warco Construction, Inc.	00002		2		
Watson Electric Company, Inc.	00003		6		
Total			64	.00	

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction, LLC

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Daily Report No. 906

Date 1/5/2019

Shift All Day

Type BBC

Author Ryan Ledford

Notes

Saturday work -
Warco 4 installing shutters with boom lift on south side.
Watson - 4 installing 3rd floor terrace 6 light bases and lights, working. Still need to set j box flush by stair 3. Completed the ADA tub lights.
Salamander training 100+
Owner GC R&M Painters - 30 working in guestrooms.

Reference No.

Total Workers 0

Non-Work Day

Cause

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 907

Date 1/6/2019
Shift All Day
Type BBC
Author Ryan Ledford
Notes

Reference No.
Total Workers 0
Non-Work Day
Cause

Saturday work - Warco installing shutters with boom lift on south side.
Salamander Training
Owner GC R&M Painters - 30 working in guestrooms. Level 6 - 5 painters, level 7 - ~5, level 8 ~5, level 3-5, 6-8 per floor.

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [130260001] - Hotel at Marion Square **View Date** 12/16/2020

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Daily Report No. 908

Date	Shift	Reference No.
1/7/2019	All Day	Total Workers 0
	BBC	Non-Work Day <input type="checkbox"/>
	Author	Cause
	Notes	

Mr. Ryan Ledford

Warco 4, installing shutters west side
 L5 - private dining plywood, patching old FC locations on L1&L2 dining.
 Watson 4 - lutron issues and punch
 Robbins & Morton - 3 managers and 25+ painters on all floors. 6th floor near completion (5), 7& 8 following behind (5 per floor). also working on 3-5. (5-10 per floor) BBC heard a tub flooded over the weekend in room 828 and flooded all the way down to the 2nd floor, disaster relief on site with fans and dehumidifiers, appears carpet pad will need to be replaced and drywall damaged.
 BBC - double checking L9 bar and kitchen for inspection. caulking cooler to cabinet, etc.
 Salamander - 150+ employees engaged in training, tours, stocking building, working in all areas of the building.

Author Printed Name Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 909

Phone: 919-233-5001
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Date
Shift
Type
Author
Notes

1/8/2019
All Day
BBC
Ryan Ledford

Reference No.
Total Workers
Non-Work Day
Cause

0

Marco 4, installing shutters west side
L5 - private dining plywood, patching old FC locations on L1&L2 dining.
Watson 4 - lutron issues and punch.
Robbins & Morton - 3 managers and 25+ painters on all floors. 6th floor near completion - mostly cleanup work (5 workers), 7& 8 following behind (5 per floor). also working on 3-5. (~5 workers per floor). BBC heard a tub flooded over the weekend in room 828 and flooded all the way down to the 2nd floor, disaster relief on site with fans and dehumidifiers, appears carpet pad will need to be replaced and drywall damaged.
BBC - double checking L9 bar and kitchen for inspection. caulking cooler to cabinet, etc.
Salamander - 150+ employees engaged in training, stocking building, occupying all spaces including public areas, kitchens, laundry rooms, linen rooms, all guestrooms and corridors, etc.

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 910

Date
Shift
Type
Author
Notes

1/9/2019
All Day
BBC
Ryan Ledford

Reference No.
Total Workers
Non-Work Day
Cause

0

Warco 4, installing shutters north side
L5 - sanding old FC locations on L1&L2 dining. 9th floor sanding at elevator leak area and exit sign.
Watson 4 - lutron issues, working in managers apartment installing remaining lights that were located in retail.
Robbins & Morton - 3 managers and 25+ painters on all floors. 6th floor near completion. 7& 8 following behind. also working on 3-5.
approximately 5 painters per floor. BBC heard a tub flooded over the weekend in room 828 and flooded all the way down to the 2nd floor, disaster relief on site with fans and dehumidifiers, appears carpet pad will need to be replaced and drywall damaged.
BBC - double checking L9 bar and kitchen for inspection. caulking cooler to cabinet, etc.
Salamander - 150+ employees engaged in training, stocking building, occupying all spaces including public areas, kitchens, laundry rooms, linen rooms, all guestrooms and corridors, etc.

Mr. Ryan Ledford

Author

Printed Name

Date

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Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Date
Shift
Type
Author
Notes

1/10/2019
All Day
BBC
Ryan Ledford

Reference No.
Total Workers
Non-Work Day
Cause

0

Warco 4, installing shutters north side, started on east side.
L5 (2) - Sanding managers apartment Watson patches for bathroom light and at outlets.
Watson 4 - lutron issues, working in managers apartment installing remaining lights that were located in retail. Installed terrace lights in 304/306/308
Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor near completion, 7& 8 following behind. also working on 3-5. approximately 5 painters per floor.
BBC - cleaned pool floor prior to chester installing the pool dance floor.
Salamander - Pool was drained this AM by hotel staff and 3 men from Chester worked all day on the install.
Lighting Engineer on site to review punch issues. BBC, Lutron, and Watson walked with her and took notes. BBC/Watson to review deficiencies to determine responsibility.

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 912

Date
Shift
Type
Author
Notes

1/11/2019
All Day
BBC
Ryan Ledford

Reference No.
Total Workers
Non-Work Day
Cause

0

Warco 4, installing shutters east side. Will finish all they can today. 1 shutter at kitchen vent will not fit due to size of vent. Left shutter on site and BBC brought to office.
L5 (2) - last day on site, re set luan at commillas bar and glued into place so mirrors can be installed.
Watson 4 - lutron issues, working in managers apartment installing remaining lights that were located in retail. Installed terrace lights in 304/306/308.
Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor substantially complete, salamander stocking rooms, nearly complete. Mostly working on 3-5. approximately 6-8 painters per floor.
BBC - cleaned pool floor prior to chester installing the pool dance floor. Working on CCD and punch work.
Salamander - 150+ employees engaged in training, tours, stocking building, working in all areas of the building.
Lighting Engineer on site to review punch issues. BBC, Lutron, and Watson walked with her and took notes. BBC/Watson to review deficiencies to determine responsibility.

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 913

Date	1/12/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor substantially complete, salamander stocking rooms, 7th and 8th floor nearly complete. Mostly working on 3-5, approximately 6-8 painters per floor. Salamander - (opening and closing site) employees engaged in training, tours, stocking building, working in all areas of the building.		

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 914

Date 1/14/2019

Shift All Day

Type BBC

Author Ryan Ledford

Notes

Reference No.

0

Total Workers

Non-Work Day

Cause

Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor substantially complete, salamander stocking rooms, 7th and 8th floor nearly complete. Mostly working on 3-5. approximately 6-8 painters per floor.
Salamander - 150+ (opening and closing site) employees engaged in training, tours, stocking building, working in all areas of the building.
BBC - 3 - cleaning managers apt, punch work, warranty work with ice makers, tech was on site and all guestroom floor ice makers are operational, only remaining issues on levels 1 and 2 due to chilled water return issue. BBC sent exterior punch list, issued by WLA Friday 1/11, and part 2 issued 1/13/18 - reviewing for scope and for issues NIC.
BMCC 3 on site, reviewing warranty and punch issues. Will be on site all week.
Knight and Wilson - 2 on site working on level 9 west mechanical area.
1st choice - 3 on site to begin install of mirrors at camellias bar.
Premier Ext. - 4 on site working on CCD control joints south side with boom lift provided by BBC. BBC provided caulking for this also (billed to account).

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 915

Raleigh, NC 27601
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Date
Shift
Type
Author
Notes

1/15/2019
All Day
BBC
Ryan Ledford

Reference No.
Total Workers
Non-Work Day
Cause

0

Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor substantially complete, salamander stocking rooms, 7th and 8th floor nearly complete. Mostly working on 3-5. approximately 6-8 painters per floor. Actively working on lobby 1st floor. Taped off northeast portion to start "prep" work.
Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building.
BBC - 3 - cleaning managers apt, punch work, BBC sent exterior punch list, issued by WLA Friday 1/11, and part 2 issued 1/13/18 - reviewing for scope and for issues NIC.
David Allen 2 repaired camellias bar, Joey walked Punch to determine supplies needed. Expected back Friday to complete punch.
BMCC 3 on site,, reviewing warranty and punch issues. Will be on site all week.
Knight and Wilson - 2 on site working on level 9 west mechanical area, etc.
1st choice - 3 on site to begin install of mirrors at camellias bar. Cutting mirrors in basement all day. Paul delivering j mound and managers apt astragal.
Premier Ext. - 4 on site working on CCD control joints east side with boom lift provided by BBC. BBC provided caulking for this also (billed to account).
Quantum Coatings - Aubrey here painting silver leaf trim. QC only has 2 panels left where the switch and FA conflict are.. owner provided direction to cut panels at the seam and see how it looks. PANELS COMPLETE 1-15-19
Watson 5 on site working on Lutron issues , and in retail installing lights. Still issues in managers apt to address and open punch items. C&B expected back tomorrow with materials. Need to complete managers apt hardware

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [130260001] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 916

Date	Shift	Type	Author	Notes	Reference No.	Total Workers	Non-Work Day	Cause
1/16/2019	All Day	BBC	Ryan Ledford	Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor substantially complete. Mostly working on 3-5. approximately 5 painters per floor. Actively working on lobby 1st floor. Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse. BBC - 3 - Exterior punch work, BBC sent exterior punch list, issued by WLA Friday 1/11, and part 2 issued 1/13/18 - subcontractors on site or scheduled. David Allen Expected back Friday to complete punch. BMCC 3 on site, completing warranty and punch issues. Will be on site all week. Knight and Wilson - 2 on site working on level 9 west mechanical area, etc. 1st choice - 3 on site to begin install of mirrors at camelias bar. Cutting mirrors in basement all day, finished cutting but the j moulding is not the right size. Managers apt astragal is done. ONSM - 1 on site going through punch using boom lift. Koch - water testing doors on south side. Found likely culprit of leak at 3rd door from SE coming under steel angle, Onsm to caulk. Quantum Coatings - Aubrey here painting silver leaf trim. PANELS COMPLETE 1-15-19 Watson 5 on site working on Lutron issues , and in retail installing lights. Still issues in managers apt to address and open punch items. C&B 1 on site, addressing keying issues with hotel operator. Remainder of managers apt hardware has NOT been delivered yet. Flooring Services on site 4- working on stairwell rubber base for owner.		0		

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 917

Date	Shift	Reference No.
1/17/2019	All Day	Total Workers 0
	BBC	Non-Work Day <input type="checkbox"/>
	Author	Cause
	Ryan Ledford	

Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor substantially complete. Mostly working on 3-5. approximately 5 painters per floor. Actively working on lobby 1st floor. Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse.

BBC - 3 - Exterior punch work, BBC sent exterior punch list, issued by WLA Friday 1/11, and part 2 issued 1/13/18 - subcontractors on site or scheduled. BBC cleaning and painting all exterior terrace drains with Rino liner. Started on level 9, all to be complete tomorrow.

David Allen Expected back Friday to complete punch.

BMCC 3 on site,, completing warranty and punch issues. Will be on site all week.

1st choice - 3 on site to begin install of mirrors at camillias bar. installed all mirror today.

ONSM - 1 supposed to review completed punch and outstanding punch with Tim.

Koch - water testing doors on south side. Found likely culprit of leak at 3rd door from SE coming under steel angle, Onsm to caulk.

Quantum Coatings - Aubrey here painting silver leaf trim. PANELS COMPLETE 1-15-19. She says she will be done end of next week.

Watson 5 on site working on Lutron issues, installed strip light under camillias bar today. Still issues in managers apt to address and open punch items.

C&B 1 on site, addressing keying issues with hotel operator. Remainder of managers apt hardware has NOT been delivered yet.

Flooring Services on site 4- working on stairwell rubber base for owner, completed today with laundry room. also worked on replacing carpet in several guestrooms that were flooded by owner vendors.

Warco - 2 on site delivered and installed fireplace liner and broken brick. Installed range side panels in managers and is prepared to install the accessories in manager apt bathrooms.

Pleasant Places - 6 on site demo curb on south side per owner directive (and per drawings, raising both large planters 6").

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [130260001] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 918

Date	Shift	Reference No.
1/18/2019	All Day	Total Workers 0
	BBC	Non-Work Day <input type="checkbox"/>
Author	Ryan Ledford	Cause

Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor substantially complete. Mostly working on 3-5. approximately 5 painters per floor. Actively working on lobby 1st floor. Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse.

BBC - 3 - Exterior punch work, BBC sent exterior punch list, issued by WLA Friday 1/11, and part 2 issued 1/13/18 - subcontractors on site or scheduled.

BMCC 3 on site,, completing warranty and punch issues. Will be on site all week.

1st choice - Camillas mirror complete.

ONSM - not on site

Koch - water testing doors on south side. Last Day on site.

Quantum Coatings - Audrey here painting silver leaf trim. PANELS COMPLETE 1-15-19. She says she will be done end of next week.

Watson 5 on site working on Lutron issues, installed strip light under camillas bar today. Still issues in managers apt to address and open punch items.

C&B 1 on site, addressing keying issues with hotel operator. Remainder of managers apt hardware has NOT been delivered yet.

Pleasant Places - 12 on site demo curb on south side per owner directive (and per drawings, raising both large planters 6").

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

Balfour Beatty Construction, LLC
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Daily Report No. 919

Phone: 919-233-5001
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Date
Shift
Type
Author
Notes

1/21/2019
All Day
BBC
Ryan Ledford

Reference No.
Total Workers 0
Non-Work Day
Cause

Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor substantially complete. Mostly working on 3-5. approximately 5 painters per floor. Actively working on lobby 1st floor. Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse.
BBC - 3 - Exterior punch work, BBC sent exterior punch list, issued by WLA Friday 1/11, and part 2 issued 1/13/18 - subcontractors on site or scheduled.
Pressure washing crew 4- on site workin on lift today north side.
BMCC not on site, coming tomorrow to fix a leak in room 306.
Quantum Coatings - Aubrey here with assistant painting silver leaf trim.
Watson 5 on site working on Lutron issues, after lunch another 4 guys showed up, total of 9.. Still issues in managers apt to address and open punch items. Private dining sconces will not work, drivers were not delivered with the lights and are needed to function. rough in box has issue that will need to be dealt with. outlets also problematic at leather panels.
C&B not on site, Remainder of managers apt hardware has NOT been delivered yet. Assa abbloj sheduled this week for programming added card readers.
Pleasant Places - 12 on site demo curb on south side per owner directive (and per drawings, raising both large planters 6").
BBC - all terrace grates coated and dried over weekend. cleanup today and tomorrow. Installed temp metal grille at 9th floor bar. Touched up by dining level 1 at relocated fire cabinet.
OTIS here working on elevator 5 to get it turned over to the owner.

Mr. Ryan Ledford

Author

Printed Name

Date

Balfour Beatty Construction

Daily Report General

Project [13026000] - Hotel at Marion Square

View Date 12/16/2020

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Daily Report No. 920

Date
Shift
Type
Author
Notes

1/22/2019
All Day
BBC
Ryan Ledford

Reference No.
Total Workers 0
Non-Work Day
Cause

Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor as well. Mostly working on 3-5, approximately 5 painters per floor. Actively working on lobby 1st floor.

BBC noted today the owner is installing new trim profile on the pocket doors in order to hide the guides at the bottom and make the opening look better. this detail was on on the drawings.

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse.

BBC - 3 - Exterior punch work, BBC sent exterior punch list, issued by WLA Friday 1/11, and part 2 issued 1/13/18 - subcontractors on site or scheduled.

Pressure washing crew 4- on site workin on lift today north side.

BMCC - 2 on site addressing room 306 leak, notified of a leak in 337 from the tub drain, BMCC noted that by tomorrow these would be fixed.

Quantum Coatings - Aubrey here with assistant painting silver leaf trim in private dining. Notified QC of owners plans to walk and punch managers apartment tomorrow morning.

Watson 5 on site working on Lutron issues, wiring lights and heaters in retail spaces. installed remainder of lanterns on level 6 managers apt terrace. working on power issue in managers apartment also.

C&B not on site, Remainder of managers apt hardware has NOT been delivered yet. Assa abloy sheduled this week for programming added card readers.

Pleasant Places - 12 on site demo curb on south side per owner directive (and per drawings, raising both large planters 6"). nearly complete.

BBC DAILY LOGS 002702

BBC - painted at level 9 elevator added smoke door, ceiling in elevator lobby level 9 where owner vendor penetrated roof causing leak.

Pasco -2- on site installed ballroom concealed heads, laundry room high temp head, other punch issues.

David Allen - 3- correcting owner punch list, 9th floor complete, will finish remaining items tomorrow.

Baker - 2 on site walking for warranty and fixing penetrations from owner satellite.

OTIS here for owner training of elevators 1-4, turned over keys to salamander.

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square View Date 12/16/2020

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Daily Report No. 921

Date 1/23/2019
Shift All Day
Type BBC
Author Ryan Ledford
Reference No.
Total Workers 0
Non-Work Day
Cause

Notes Robbins & Morton - 3 managers and 20 painters on all floors. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor as well. Mostly working on 3-5. approximately 5 painters per floor. Actively working on lobby 1st floor.

BBC noted today the owner is installing new trim profile on the pocket doors in order to hide the guides at the bottom and make the opening look better. this detail was not on the drawings. BBC walked with Jim C and Marty W in the managers apartment and looked at areas of concern by the owner. Jim C recommended using flat paint as the owner painters are using in the guest rooms, but QC took exception because they did not plan on painting every wall, just punch work.

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse.

BBC - 3 - touch up at ballroom 4 ceiling, helping with install of elevator card readers, helping with camellias panel install, fire Marshall walk issues, etc.

Assa Abbloy - 1 on site working on elevator card readers and BBC showed the 2 other doors where card readers needed to be hooked up. Pressure washing crew 4-complete.

BMCC - 2 on site addressing room 306 leak, notified of a leak in 337 from the tub drain, BMCC noted that by tomorrow these would be fixed. Need update on status!

Quantum Coatings - Aubrey here with assistant painting silver leaf trim in private dining. after walk with Jim and Marty this morning, PWI was on site and pointed up areas that were pointed out for owner punch. Quantum will be here with a crew tomorrow to touch up from this punch and clean paint off non painted surfaces. QC painted exterior lentils today.

Watson 5 on site working on Lutron issues, wiring lights and heaters in retail spaces. Fixed lighting issue in managers apt but still need to fix the range outlet and the refrigerator outlet. moved all materials today from the parking garage into the future retail space to work until job is completed. Corrected exit sign in ballroom as noted by fire Marshall. Lutron on site today also.

C&B - Don on site worked on fire Marshall issues where operator had taken a closer look. other misc issues to address, advised managers apt remaining hardware will deliver to C&B tomorrow and will be back Friday to install. Missing doors at spa retail closet, need delivery date.

Pleasant Places - 6 on site demo curb on south side per owner directive (and per drawings, raising both large planters 6"). nearly complete.

ONSM caulkers here today to tackle owner exterior punch, all stone caulk items were addressed.

David Allen - 3- correcting owner punch, 6th floor and 3rd floor.

12/16/2020

Daily Report General

OTIS here - working on elevators 1-4 assisting with card reader installation, fixing the squeaking noises. Did not finish today and should be back tomorrow.

Seas - 4 installing camellias bar metal paneling, should be completed tomorrow and will also install the back bar shelves level 9.

Mr. Ryan Ledford

Author	Printed Name	Date
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Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
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Daily Report No. 922

Date	1/24/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	

Notes Robbins & Morton - 3 managers and 25 painters on all floors. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor as well. 12 painters on level 5, 10 on level 4, 5 on 3.

BBC noted today the owner is installing new trim profile on the pocket doors in order to hide the guides at the bottom and make the opening look better. this detail was not on the drawings.

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse. Installing lettering for the main entry sign on the canopy, owner cleaners cleaning exterior storefront, stocking camellias bar, bar 148.

BBC - 3 - touch up at ballroom 4 ceiling, helping Assa abbloy, Otis not on site today but will return tomorrow to complete card reader hookup with Assa. Bar shelf supports Brought to 9th floor, first choice has measured for the glass shelves. Tonya cleaning exterior stone at SW entryway.

Assa Abbloy - 1 on site working on card reader at club lounge, power must be turned off to power supply due to owner painters in the room. no wiring from the door strike to the power supply. Stair 4 level 2 installation underway and should be completed today.

BMCC - 306 leak has been fixed, waiting on drain part for 337 tub, should be here tomorrow. . got update on EF-45 motor shipping 2-4, and EF motor for 7th floor linen room ships 1-27.

Quantum Coatings - Aubrey here with assistant painting silver leaf trim in private dining. After removing the plastic protection from the mirrors it was noted that Watson cracked 2 mirrors installing the lights. Jeb and 1 other working in managers apt today and also painting the spa closet door that was not prefinished.

Watson 5 on site working on Lutron issues, (lutron also on site) Fixed lighting issue in managers apt but still need to fix the range outlet and the refrigerator outlet. See Email for list of open issues.

C&B - not on site today, managers apt hardware should be here tomorrow and Don to install.

Pleasant Places - 6 on site demo curb on south side per owner directive (and per drawings, raising both large planters 6"). nearly complete. cleanup today and working on irrigation.

ONSM - not on site, claim all punch has been complete.

David Allen - punch completed, managers apt stone caulked.

OTIS here - not on site as anticipated, BBC has been advised they will be here tomorrow to assist with card readers.

12/16/2020

Daily Report General

Seas - cleaning up excess metal panels, completed at camellias.

Company here installing metal brackets on 6th floor terrace today.

Owner delivering artwork, furnishings etc for public areas preparing for opening.

Mr. Ryan Ledford

Author	Printed Name	Date
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ELECTRONICALLY FILED - 2023 May 16 10:41 AM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 923

Date	1/25/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - 3 managers and 15-20 painters. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor as well. most painters now on level 4 and 5 (about 10 per floor), walls pointed up and touch up ongoing, 3rd floor mostly complete.		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse. Installing lettering for the main entry sign on the canopy, owner cleaners cleaning exterior storefront, stocking camellias bar, bar 148. Hotel opening this weekend.

BBC - 3 - installed legs at camellias bar and covered strip light, mirror replacement at private dining where light fixtures cracked mirror. Watson removed the installed fixtures and left for owner to install at later date. Watson and BBC believe these are not suitable for installation on a glass surface as there is no buffer and the bracket is not stiff enough to spread the force of the large fixture.

Assa Abbloy - on site this morning finishing the card reader installation, Otis expected to complete also.

BMCC - 306 leak has been fixed, waiting on drain part for 337 tub, should be here tomorrow. . got update on EF-45 motor shipping 2-4, and EF motor for 7th floor linen room ships 1-27. New issue in room 303 tub drain required BMCC to cut a hole on level 2 grand stair which will be patched by owner vendor prior to opening.

Quantum Coatings - Jeb working in managers apartment with helper, Aubrey finishing private dining trim and will cleanup tomorrow.

Watson 5 on site working on Lutron issues, other punch items.

C&B - not on site today, managers apt hardware should be here tomorrow and Don to install. Don did not show up today as planned and the 6th floor concierge card reader was not completed. AA said they could walk us through the wiring on the phone.

Pleasant Places - Completed.

OTIS here - here today but did not finish the rail installation.

Company here installing metal brackets on 6th floor terrace today.

Owner delivering artwork, furnishings etc for public areas preparing for opening on Sunday

Mr. Ryan Ledford

12/16/2020

Daily Report General

Author	Printed Name	Date
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BBC DAILY LOGS 002709
R - 13199



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 924

Date	1/26/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	

Notes Robbins & Morton - 3 managers and 15-20 painters. 6th floor complete and locks changed, salamander has stocked rooms, 7th and 8th floor as well. most painters now on level 4 and 5 (about 10 per floor), walls pointed up and touch up ongoing, 3rd floor mostly complete.

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse. owner cleaners cleaning exterior storefront, stocking camellias bar, bar 148. Hotel opening this weekend.

Otis installed rest of elevator 1-4 railing.

Hotel opening tomorrow

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 925

Date	1/28/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - approx 15 painters working on levels 4 and 5 primarily, minor work left in some 3rd floor rooms.		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse. owner cleaners cleaning exterior storefront, stocking camellias bar, bar 148.

Hotel is now open to the public, bars and restaurant operational. Approx 50 guest rooms rented for tonight, 10 last night. 6th through 8th and 3rd floor rented to guests.

Watson - 5 working on boardroom outlet, managers outlets ok except master bathroom.

BBC working on punch in managers, cleaning etc. Completed remainder of stair punch today.

Warranty issues - updated list sent from Engineering department to Jim Clements and forwarded to BBC. See live spreadsheet on google docs. Ice maker on level 9 is working properly, tech was on site today to fix.

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 926

Date	1/29/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - approx 15 painters working on levels 4 and 5, minor paint work left in some 3rd floor rooms, some 3rd floor rooms rented..		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Actively clearing all attic stock from parking garage to warehouse. owner cleaners cleaning exterior storefront, stocking camellias bar, bar 148.

Hotel is now open to the public, bars and restaurant operational. 50 guest rooms rented for tonight, 6th through 8th and 3rd floor rented to guests.

Watson - 5 - boardroom outlet completed. hostess stand completed. pool step lights troubleshooted and operational. going from 5 to 2 guys tomorrow due to scope being substantially complete. minor punch issues left, found 2 sconces that were delivered Friday that can be installed in managers powder room. Stove outlet wrong part was delivered... need to re install exit light by 448 tomorrow after wall covering is completed.

Cook and Boardman - 1 - Don sick but on site briefly, dropped of original doors for rooftop function space. these will work but will not close due to being prepped for a floor closer that was not executed by owner. Can install surface mount closer if desired.

Quantum - 1 here installing wall covering in alcove at room 448/449. BBC requested they fix the warranty item in boardroom alcove where wall covering was removed so Watson could locate outlet covered by PWI.

BBC - 2 working on punch in managers, cleaning etc. Looked at the wardrobe units to go in rooms 348/448/548, will attempt to bring these in to the rooms tomorrow, appear to work with template now that crown is removed.. doors will need to be removed also.

Warranty issues - updated list sent from Engineering department to Jim Clements and forwarded to BBC. See live spreadsheet on google docs. Ice maker on level 9 is working properly, tech was on site today to fix. Ice maker in liquor storage still not operational, Engineering department thinks it is a part clogged at the return side inside the ice maker that needs to be replaced. back in Trim mark court.

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 927

Date	1/30/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	<p>Robbins & Morton - approx 15 painters working on levels 4 and 5, minor paint work left in some 3rd floor rooms, some 3rd floor rooms rented.. moved to level 2 back of house corridor today and pointed up all walls from operator damage, re painting entire corridor 8 painters today.</p> <p>Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.</p> <p>Hotel is now open to the public, bars and restaurant operational. Approximately 88 guest rooms ready to be rented, due mostly to drapery issues due to owner painter damage, and guesstech not operational.</p> <p>Watson - 2 - Pulling off site after today due to punch and scope being completed, all warranty calls to be run through Watson office.</p> <p>Cook and Boardman - 1 - on site in the morning, could not find hardware for rooftop function doors and this is critical, still some hardware to install in the managers apartment.</p> <p>Quantum - fixed the boardroom vestibule and 448 corridor wc yesterday, were not on site today as planned to finish managers apt but claim they will be here tomorrow. Carpet install Friday.</p> <p>BBC - 1 and Tonya cleaner, cleaned stone parapet level 9, epoxy fix stone at the lightest on corner of king and Hutson and pleasant places had 4 here fixing the bluestone in that area.</p> <p>Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC.</p>		

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 928

Date	1/31/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	<p>Robbins & Morton - approx 15 painters working on levels 4 and 5, minor paint work left in some 3rd floor rooms, some 3rd floor rooms rented.. moved to level 2 back of house corridor today and pointed up all walls from operator damage, re painting entire corridor 8 painters today. Concierge lounge all millwork re painted in flat paint by the owner; 1 week of prep work and painting with 4 painters.</p> <p>Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.</p> <p>Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.</p> <p>Watson - not on site, will only be back for warranty related work now.</p> <p>Quantum - 4 working in managers apartment final touch ups after punch.</p> <p>Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC.</p>		

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 929

Date	2/1/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	<p>Robbins & Morton - approx 15 painters working on levels 4 and 5, minor paint work left in some 3rd floor rooms, some 3rd floor rooms rented.. moved to level 2 back of house corridor today and pointed up all walls from operator damage, re painting entire corridor 8 painters today. Concierge lounge all millwork re painted in flat paint by the owner; 1 week of prep work and painting with 4 painters.</p> <p>Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.</p> <p>Gulfstream - on site fixing bird bath on Hutson street.</p> <p>Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.</p> <p>Quantum - complete in managers apartment</p> <p>Flooring services - installed carpet in managers apartment.</p> <p>Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC.</p>		

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 930

Date	2/4/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	<p>Robbins & Morton - approx 15 painters working on levels 4 and 5, minor paint work left in some 3rd floor rooms, some 3rd floor rooms rented.. moved to level 2 back of house corridor today and pointed up all walls from operator damage, re painting entire corridor 8 painters today. Concierge lounge all millwork re painted in flat paint by the owner; 1 week of prep work and painting with 4 painters.</p> <p>Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.</p> <p>Gulfstream - on site fixing bird bath on Hutson street.</p> <p>Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.</p> <p>BBC - cleaned out and painted all garage drains.</p> <p>Cook and Boardman - Don on site prepping 9th floor function doors, events preventing installation. painted doors in parking garage 1 coat.</p> <p>Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC.</p>		

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 931

Date	2/5/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - Mostly complete with guest rooms, 5 cleaners here cleaning guest rooms, etc. 5 painters misc punch out.		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.

Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.

BBC - cleaned out and painted all garage drains. misc wire pulled to kings club door hardware to power supply, trying to get in touch with Assa Abbloy to wire up so it is operational. caulked exterior door at south side to bluestone at possible water intrusion area. Fixed 701 door top that was rubbing on the cased opening. Caulked 9th floor rear elevator 4 door trim to frame.

1st Choice - delivered and installed level 9 bar glass shelves.

BMCC - on site for warranty issues, fixing guest room shower valves, kitchen issues.

Cook and Boardman - installed roof terrace function doors and hardware, installed metal door at wheelchair lift on level 9, need to paint tomorrow. finished flush bolts at spa door.

Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC.

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 932

Date	2/6/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - Mostly complete with guest rooms, 5 cleaners here cleaning guest rooms, etc. 5 painters misc punch out.		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.

Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.

BBC - cleaned out and painted all garage drains. misc wire pulled to kings club door hardware to power supply, trying to get in touch with Assa Abbloy to wire up so it is operational. caulked exterior door at south side to bluestone at possible water intrusion area. Fixed 701 door top that was rubbing on the cased opening. Caulked 9th floor rear elevator 4 door trim to frame.

1st Choice - delivered and installed level 9 bar glass shelves.

BMCC - on site for warranty issues, fixing guest room shower valves, kitchen issues.

Cook and Boardman - installed roof terrace function doors and hardware, installed metal door at wheelchair lift on level 9, need to paint tomorrow. finished flush bolts at spa door.

Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC.

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 933

Date	2/7/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - Mostly complete with guest rooms, 5 cleaners here cleaning guest rooms, etc. 5 painters misc punch out.		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.

Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.

BBC - cleaned out and painted all garage drains. misc wire pulled to kings club door hardware to power supply, trying to get in touch with Assa Abbloy to wire up so it is operational. caulked exterior door at south side to bluestone at possible water intrusion area. Fixed 701 door top that was rubbing on the cased opening. Caulked 9th floor rear elevator 4 door trim to frame.

1st Choice - delivered and installed level 9 bar glass shelves.

BMCC - on site for warranty issues, fixing guest room shower valves, kitchen issues.

Cook and Boardman - installed roof terrace function doors and hardware, installed metal door at wheelchair lift on level 9, need to paint tomorrow. finished flush bolts at spa door.

Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC.

Mr. Ryan Ledford

Author

Printed Name

Date



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 934

Date	2/8/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - Mostly complete with guest rooms, 5 cleaners here cleaning guest rooms, etc. 5 painters misc punch out.		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.

Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.

BMCC - on site for warranty issues, see separate tracker

Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC. 744 was discovered today the VFCU does not have power according to Ryan Q, Watson and BBC to investigate. BMCC says they have start up report for this unit but now there is no power? 402 issue with waste line, BMCC addressing this immediately. Part coming tomorrow and BMCC to work Saturday to get the EF motor replaced.

Mr. Ryan Ledford

Author

Printed Name

Date

DEFENDANT LIBRARY ASSOCIATES, LLC'S

TRIAL EXHIBIT #10

Part 5 of 5



Daily Report General

Project [13026000] - Hotel at Marion Square **View Date** 12/16/2020

Balfour Beatty Construction, LLC
406 S McDowell Street
Suite 200
Raleigh, NC 27601
Phone: 919-233-5001
Fax: 919-233-5002

Daily Report No. 935

Date	2/11/2019	Reference No.	
Shift	All Day	Total Workers	0
Type	BBC	Non-Work Day	<input type="checkbox"/>
Author	Ryan Ledford	Cause	
Notes	Robbins & Morton - Mostly complete with guest rooms, 5 cleaners here cleaning guest rooms, etc. 5 painters misc punch out.		

Salamander - 100+ (opening and closing site) employees engaged in training, tours, cooking, laundry, stocking building, working in all areas of the building. Parking garage being used for customers.

Hotel is now open to the public, bars and restaurant operational. LMI working in rooms with issues still, tv and guest room control 4 still not working properly.

BBC - cleaning managers apt. Scheduling BMCC wine cooler work for next Monday. Watson needed on site to finish work in the managers apt, label panels for lighting control room level 2, missing light trim at stair 4 level 1 and the lights in the floor level 1. Calling in all CO inspections.

Cook and Boardman - not on site. Don to be here tomorrow to install the privacy latch on women spa door, level 6 need to get the king club door operational electronically, hardware issue. managers apt missing hinges and other hardware.

Warranty issues - see live list on Sharepoint updated by Ryan Q and BBC. 744 was discovered today the VFCU does not have power according to Ryan Q, Watson and BBC to investigate. BMCC says they have start up report for this unit but now there is no power? 402 issue with waste line, BMCC addressing this immediately. Part coming tomorrow and BMCC to work Saturday to get the EF motor replaced.

Mr. Ryan Ledford

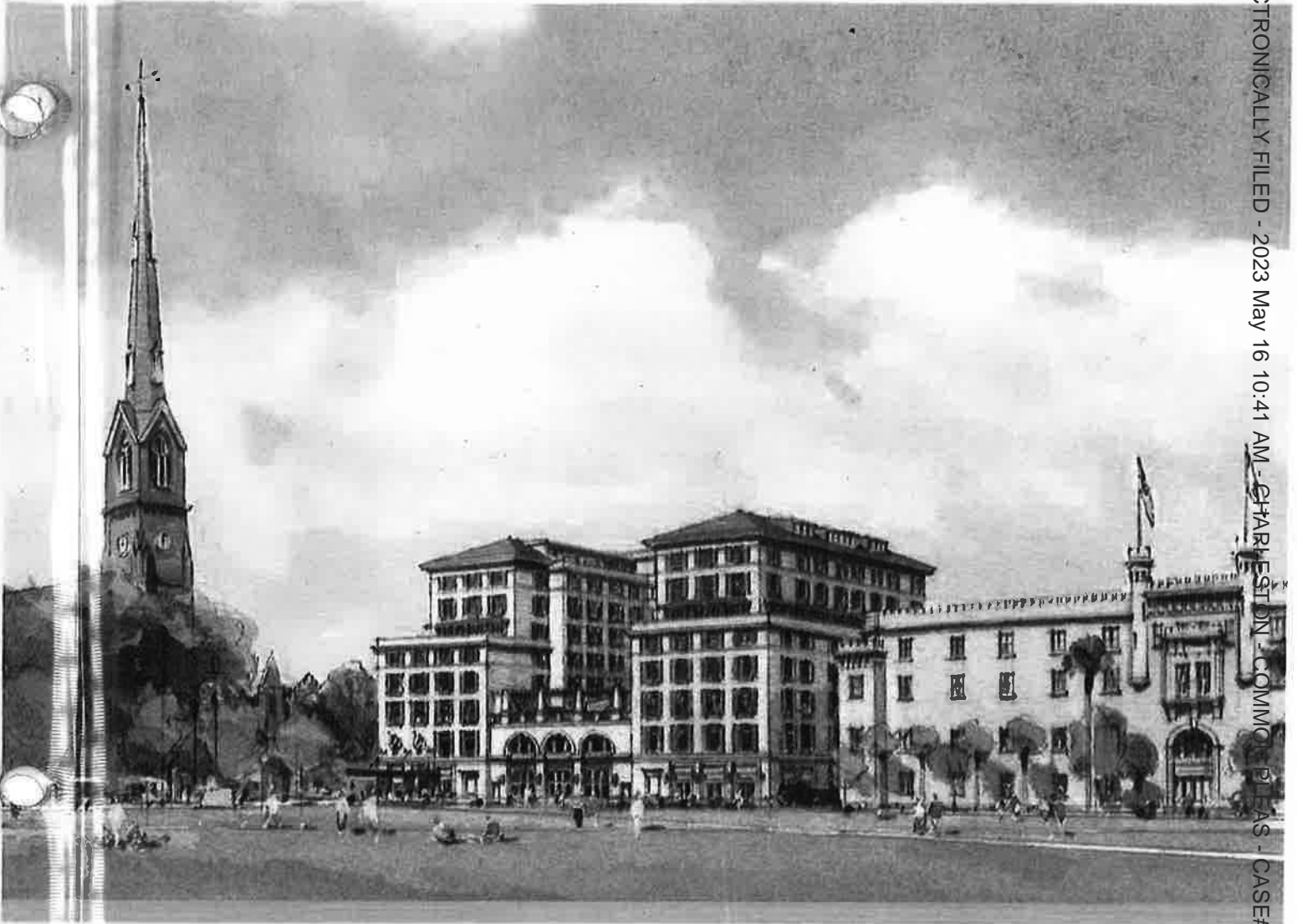
Author

Printed Name

Date

DEFENDANT LIBRARY ASSOCIATES,
LLC'S TRIAL EXHIBIT #11

Part 1 of 7



The Hotel at Marion Square

Response to WLA Request for
Consolidated Claim Ad
Documentation

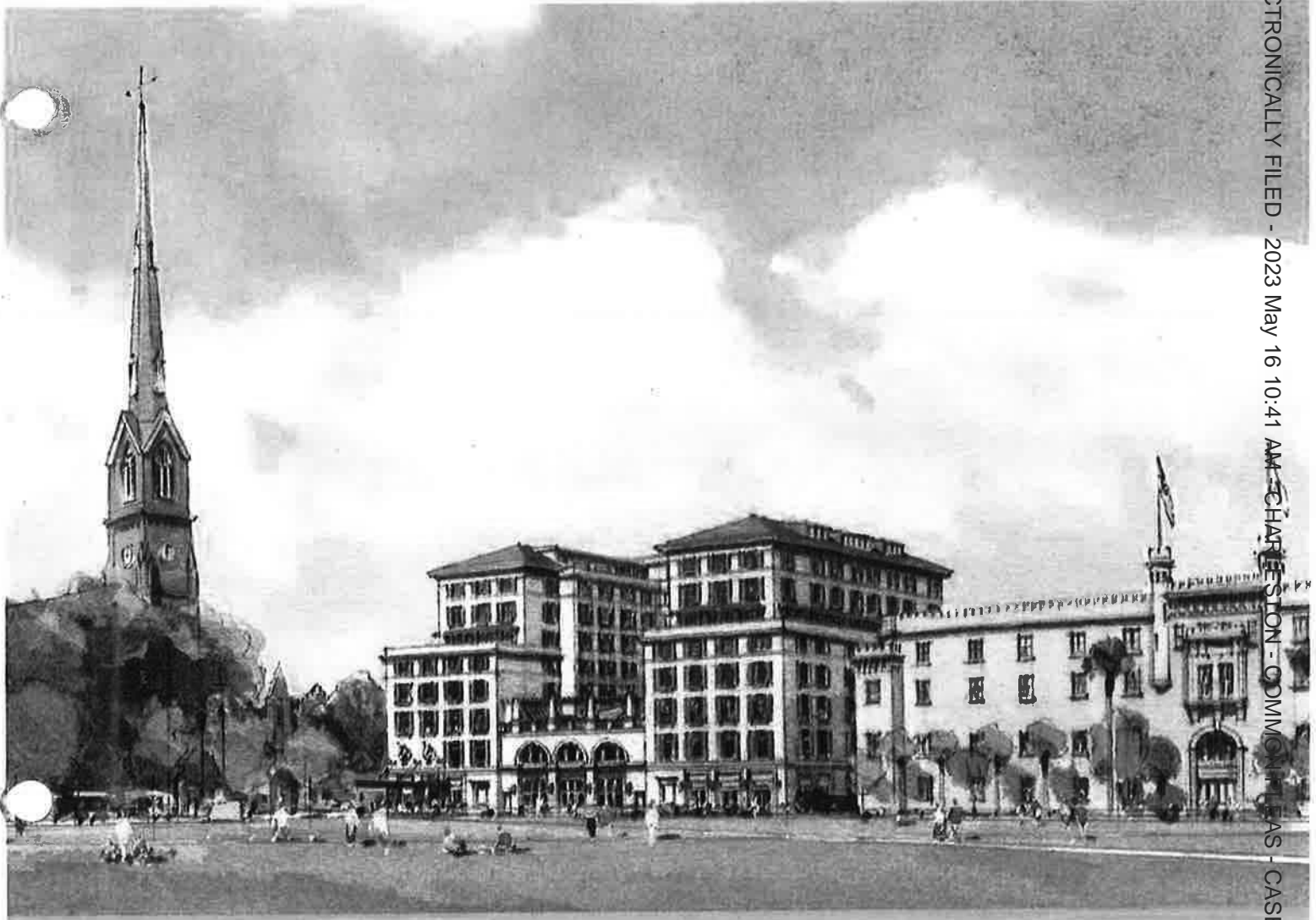
March 6, 2019

Volume 1



EXHIBIT 2
WIT: BBC 30(b)(6)
DATE: 6-15-21
TAURA J. VULCANO, RPR

Balfour Beatty Construction



ELECTRONICALLY FILED - 2023 May 16 10:41 AM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108

The Hotel at Marion Square

Response to WLA Request for
Consolidated Claim Additional
Documentation

March 6, 2019

Volume 1

Balfour Beatty
Construction

R - 13216

Balfour Beatty Construction

March 6, 2019

BY FEDERAL EXPRESS, OVERNIGHT DELIVERY

Mr. Buck Lindsay, Architect
Winford Lindsay Architect
344 West Pike Street
Lawrenceville, Georgia 30046

RE: The Hotel at Marion Square – Consolidated Claim (Preliminary)

Dear Mr. Lindsay:

This letter and attachments are being sent to you in response to your letter dated February 4, 2019. In that letter you acknowledged receipt of the preliminary Consolidated Claim letter that was sent by Balfour Beatty Construction dated January 25, 2019 (the "Preliminary Consolidated Claim"), and you requested that Balfour Beatty Construction provide additional supporting data on the claim. Additionally, you referenced the final determination of Substantial Completion, which subject we will address in a separate letter from this response.

As described in the Preliminary Consolidated Claim, Balfour Beatty Construction asserts that the Bennett Hotel project was made significantly more difficult, expensive, and time-consuming to build because of circumstances that were beyond the control of Balfour Beatty Construction. Those circumstances were described more specifically in the Preliminary Consolidated Claim, and they were pervasive throughout the project. Notices were given, and there were frequent discussions and meetings reflected in communications, meeting minutes and correspondence, all of which placed the Owner, the Architect, the Owner's Representative and others on notice that Balfour Beatty Construction and its subcontractors were being impacted by numerous events and circumstances for which the Owner was ultimately responsible. The numerous changes, delays, disruptions and impacts are reflected throughout the project's records, much of which the Owner should have in its possession. That said, in response to your request, we are providing with this letter further detail supporting the Preliminary Consolidated Claim as submitted, but as noted in that claim and as we note again now, we believe there are additional costs and claims, including those attributable to subcontractors, that may not yet have been identified by Balfour Beatty Construction and presented in the Preliminary Consolidated Claim. We are working to identify those so that a full and final claim can be presented for consideration. In the meantime, we are presenting the attached information (described below) as additional supporting data on the claim.

The additional supporting data on the claim is organized in a manner that provides material that supports both the financial and entitlement components of the Preliminary Consolidated Claim and it consists of the following tabs:

- Tab 1 Support for Additional GC Costs incurred during the contract period, which consists of Balfour Beatty Construction's cost report for GCs through August 31, 2017;
- Tab 2 Support for Additional GC Costs incurred during the extended period through January 21, 2019, which consists of Balfour Beatty Construction's cost report for GCs as of January 21, 2019 along with an additional estimate for projected GCs to completion;
- Tab 3 Support for Subcontractor Claims that were provided or projected as of the date of the submission of the Preliminary Consolidated Claim, which consists of the actual claims received from subcontractors or notifications of claim amounts pending submission of substantiation;
- Tab 4 Support for Change Orders, RCOs and CCDs, which consists of the RCO Log and CCD Tracker;
- Tab 5 Support for Contract Balance and Retention, which consists of Pay Applications 43, 44, and 45;
- Tab 6 Support for the Builders Risk associated costs, which consists of correspondence to the Owner regarding Builders Risk claims and back-up for those costs;
- Tab 7 Support for Entitlement related to Schedule Delays and Impacts, which consists of Balfour Beatty Construction's most recent updated schedule; and,

R - 13217

Balfour Beatty
Construction

Tab 8 Support for the Entitlement related circumstances and events described in the Preliminary Consolidated Claim which consists of: an RFI Log reflecting RFIs for which responses were late in being provided; a Drawing Log reflecting the number of new sheets added and existing sheets that were modified – all to reflect new design and Owner changes; another Drawing Log to show the number of drawing sheets affected by ASIs and Mods; various “DCI Doing Lists” which were used to track the interior designer and to give the Contractor some understanding as to the changes to the project the interior designer was working on; an “SI Misuse” Log reflecting how the SI process was misused to mask changes that had drastic cost and/or schedule implications rather than utilizing the Modification process which should have been utilized for such changes; an “HMS Delay Notification Log” reflecting certain delay notifications made throughout the course of the project; and, numerous other e-mails, correspondence, logs and other materials supporting the instances, circumstances and events noted in the Preliminary Consolidated Claim as bases for entitlement for recovery of the costs claimed.


Claimants reserve any and all rights and remedies to which they are entitled under the Contract or applicable law and reserve the right to supplement, amend and/or revise in the future any aspect of the Preliminary Consolidated Claim as well as the additional supporting data described above and attached to this letter.

As stated in the Preliminary Consolidated Claim, Balfour Beatty Construction and its subcontractors wish to resolve this matter and these claims with the Owner. We believe that the Owner has received a hotel that far exceeds what was shown on the drawings and described in the specifications, and that the Owner is now operating the hotel for its financial benefit as was intended. It is only fair that the Owner should pay for the direct and indirect costs incurred to upgrade the hotel to a heightened vision, all to deliver this Project to the Owner for its use and the enjoyment of its guests. Throughout the project, Mr. Bennett stated many times that it was always his intention to pay the costs incurred for the work that was performed – and now it is time for Mr. Bennett to meet that commitment.

Sincerely,

BALFOUR BEATTY CONSTRUCTION, LLC

By:


David Simonton, V.P.

Cc:

Thomas Ryan, Metropolitan Life Insurance Company
Kim Brown, Library and Associates
Jennifer Faulkinberry, Winford Lindsay Architect
Buck Lindsay, Winford Lindsay Architect

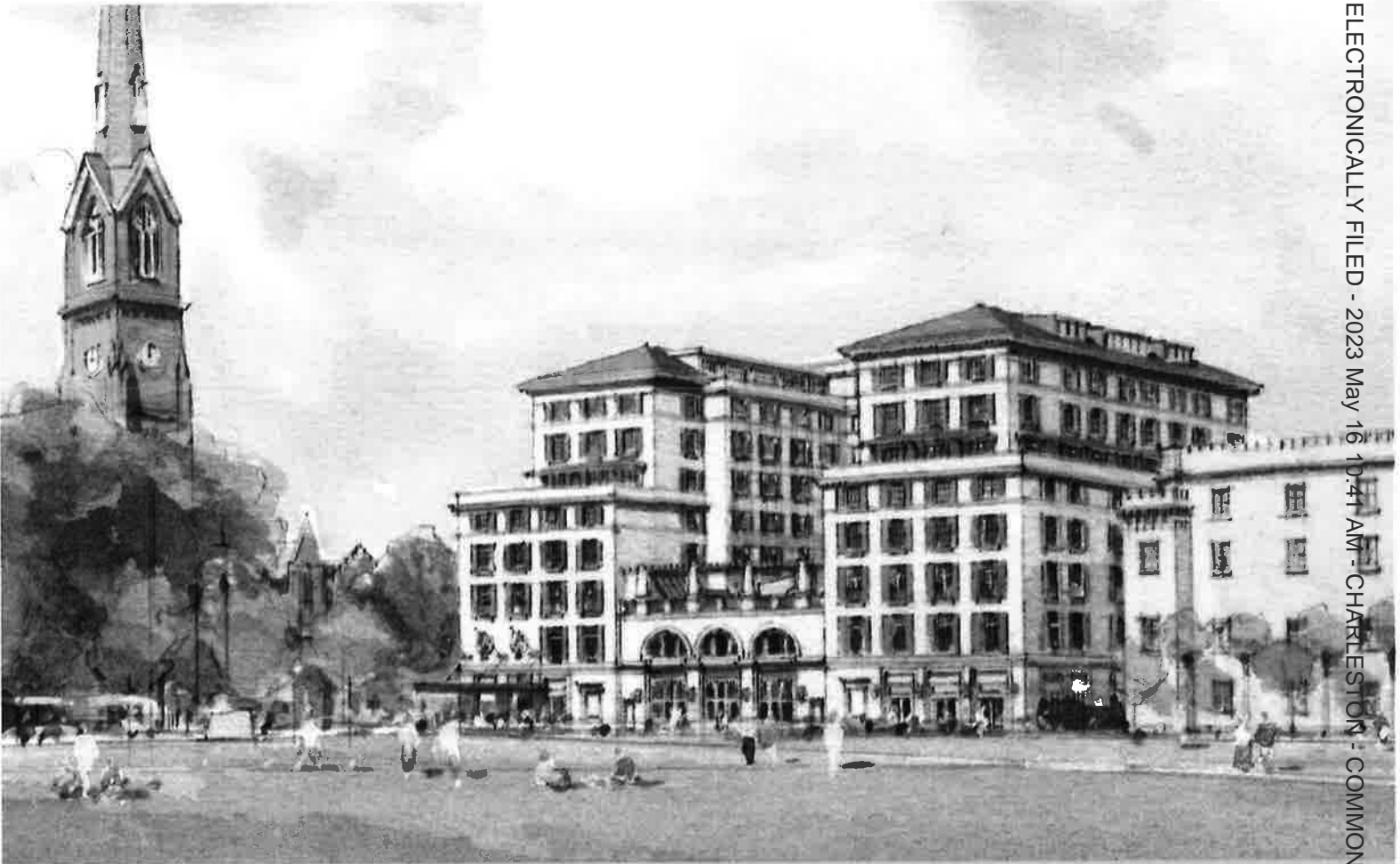


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Section 2 | Extended General Costs Through January 2019

Section 3 | Subcontractor Claims

Section 4 | Change Orders/RCO's/CCD's

Section 5 | Contract Balance and Retention

Section 6 | Builders Risk

Section 7 | Miscellaneous Entitlement and Related Materials

Section 8 | Schedule

Company 505-40 BALFOUR BEATTY CONSTR, LLC-RTD
Job Number 13026100 MARION SQUARE GC'S
Owner 2859853 LIBRARY ASSOCIATES, LLC(BENNETT)

1 GENERAL CONDITIONS														
Cost Type Code	Description	Original Budget	Budget Transfers	Executed Change Orders	Revised Budget	% Budget Complete	Total Commitments	Cost This Period	Cost to Date	Cost to Complete	Completion	Savings or (Loss)	Amount Change	True % Complete
42010	10100050 LABOR - HOURLY PAYROLL	78,698	0	0	78,698	206%	0	15,289	162,181	58,834	221,015	(142,317)	1,883	73%
42035	10100060 VEHICLE LEASE	63,000	0	0	63,000	104%	0	4,068	65,282	13,437	78,719	(15,719)	(568)	83%
42035	10100800 VEHICLE FUEL	35,700	0	0	35,700	47%	0	990	16,612	2,756	19,367	16,333	(490)	86%
42035	10101000 MISC-PREVENTIVE MAINTENANCE	18,900	0	0	18,900	0	0	0	0	0	0	18,900	2,250	0
42035	10101200 MISC-PARKING FEES	25,200	0	0	25,200	281%	0	0	70,740	7,500	78,240	(53,040)	0	90%
42020	10101500 PR.ALW-TEMPORARY LIVING EXPENS	0	0	0	0	0	0	0	4,839	0	4,839	(4,839)	0	100%
42035	10101500 MISC-TEMPORARY LIVING EXPENSES	157,500	0	0	157,500	0	0	0	0	0	0	157,500	0	0
42035	10101800 MISC - MOVING EXPENSE	16,000	0	0	16,000	757%	0	2,761	121,095	15,401	136,496	(130,496)	(861)	89%
42035	10112800 OFFICE/TRAILER EXPENSE - GCs	20,700	0	0	20,700	253%	0	1,060	52,425	4,596	57,021	(36,321)	140	92%
42035	10113000 MISC-TRAILER SET-UP/TAKEDOWN	2,750	0	0	2,750	1%	0	0	30	0	30	2,720	0	100%
42035	10113100 MISC-TRAILER STEPS & DECK	5,000	0	0	5,000	0	0	0	0	0	0	5,000	0	0
42035	10113200 MISC-FURNITURE	6,000	0	0	6,000	0	0	0	0	0	0	6,000	0	0
42035	10113800 SUB-SECURITY SYSTEM	3,240	0	0	3,240	0	0	0	0	0	0	3,240	0	0
42035	10114850 MISC-OFFICE WATER/SEWER HOOK-U	9,300	0	0	9,300	0	0	0	0	0	0	9,300	0	0
42035	10125000 TELEPHONE MONTHLY CHAR	23,400	0	0	23,400	106%	0	911	24,740	6,901	31,641	(8,241)	139	78%
42035	10126000 MISC-JOBSITE RADIOS	3,600	0	0	3,600	47%	0	0	1,677	523	2,200	1,400	1,400	76%
42035	10126200 MOBILE PHONE SERVICES	33,300	0	0	33,300	2%	0	0	532	1,968	2,500	30,800	4,043	21%
42035	10126500 COMPUTER EQUIP/SUPPLIES - GCs	2,250	0	0	2,250	854%	0	491	19,221	980	20,201	(17,951)	(1,471)	95%
42035	10127200 MISC-DRINKING WATER/COFFEE IN	3,220	0	0	3,220	64%	0	0	2,060	361	2,421	799	100	85%
42035	10127300 OFFICE/TRAILER SUPPLIES - GCs	19,600	0	0	19,600	87%	0	107	17,082	4,602	21,684	(2,084)	143	79%
42035	10127500 MISC-OFFICE EQUIPMENT	6,000	0	0	6,000	29%	0	153	1,718	3,252	5,000	1,000	0	34%
42035	10127501 MISC-OFFICE EQUIPMENT MAINTANE	4,200	0	0	4,200	0	0	0	0	0	0	4,200	3,050	0
42035	10127800 POSTAGE / SHIPPING - GCs	9,800	0	0	9,800	57%	0	181	5,599	3,370	8,969	831	0	62%
42035	10128000 PRINTING/REPRODUCTION - GCs	7,000	0	0	7,000	62%	0	0	4,325	1,991	6,316	684	0	68%
42025	10128200 PROF-RECORD AND AS-BUILT DOCUM	2,500	0	0	2,500	0	0	0	0	2,000	2,000	500	0	0
42035	10128500 MISC-TRAVEL	50,400	0	0	50,400	0	0	0	0	7,800	7,800	42,600	3,200	0
42035	10128510 TRAVEL-AIRFARE - GCs	0	0	0	0	0	0	0	1,951	0	1,951	(1,951)	0	100%
42035	10128520 TRAVEL LODGING - GCs	0	0	0	0	0	0	1,251	40,262	0	40,262	(40,262)	(2,251)	100%
42035	10128530 TRAVEL MEALS - GCs	0	0	0	0	0	0	0	0	0	0	0	0	0

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Company 50540 BALFOUR BEATTY CONSTR, LLC-RTD
 Job Number 13026100 MARION SQUARE GC'S

Owner 2859853 LIBRARY ASSOCIATES, LLC(BENNETT)

Cost Type Code	Description	Original Budget	Budget Transfers	Executed Change Orders	Revised Budget	% Budget Complete	Total Commitments	Cost This Period	Cost to Date	Cost to Complete	Completion	Savings or (Loss)	Amount Change	True % Complete
42035 10128540	TRAVEL/AUTO RENTAL - GCs	0	0	0	0	0	0	0	510	1	511	(511)	(1)	100%
42035 10128550	TRAVEL/OTHER - GCs	0	0	0	0	0	0	1,527	1,527	0	1,527	(1,527)	0	100%
42035 10128560	TRAVEL/ENTERTAINMENT - GCs	0	0	0	0	0	0	251	251	0	251	(251)	0	100%
42035 10128570	TRAVEL/PERSONAL MILEAGE - GCs	0	0	0	0	0	0	5,734	5,734	0	5,734	(5,734)	0	100%
42035 10128800	CEREMONY/MTGS/ENTERTAIN - GCs	10,000	0	0	10,000	131%	0	13,116	13,116	1,500	14,616	(4,616)	0	90%
42040 10129000	SUB-JOBSITE PROGRESS PHOTOS	14,250	0	0	14,250	70%	9,946	9,946	9,946	2,850	12,796	1,454	0	78%
2729156	LOW COUNTRY DOCUMENTATION	2,850	0	2,500	5,350			5,350	5,350				0	100%
OS-527243														
2402720	OXBLUE CORPORATION	4,596	0	0	4,596			4,596	4,596					100%
OS-546474														
42025 10131500	PROF-PROFESSIONAL ENGINEERING/	7,500	0	0	7,500	0	0	0	0	0	0	7,500	0	0
42035 10142000	MISC-EQUIPMENT RENTAL	37,350	0	0	37,350	48%	0	17,762	17,762	6,393	24,155	13,195	750	74%
42035 10142200	PROJECT EQUIPMENT - GCs	0	0	0	0	0	0	568	12,611	5,336	17,947	(17,947)	64	70%
42035 10146000	MISC SMALL TOOLS	0	0	750	750	*****	0	818	82,744	3,815	86,559	(85,809)	(3,722)	96%
42035 10149500	MISC-ICE, WATER AND CUPS	2,800	0	0	2,800	0	0	0	0	0	0	2,800	0	0
42035 10151000	MISC-TEMP CHAINLINK FENCE	7,500	0	0	7,500	0	0	0	0	0	0	7,500	0	0
42035 10153000	MISC-STREET CLEANING	21,000	0	0	21,000	0	0	0	0	2,000	2,000	19,000	0	0
42035 10154000	MISC-TEMPORARY TOILETS	38,890	0	0	38,890	138%	0	2,345	53,608	9,200	62,808	(23,918)	1,660	85%
42035 10154500	MISC-SIGNS	2,000	0	0	2,000	52%	0	0	1,043	0	1,043	957	0	100%
42035 10160000	MISC-SAFETY ALLOCATION	0	0	0	0	0	0	0	20,796	1	20,797	(20,797)	0	100%
42035 10160500	SAFETY EQUIP/SUPPLIES - GCs	26,000	0	0	26,000	1%	0	131	131	1,658	1,789	24,211	0	7%
42035 10160600	SAFETY TRAINING - GCs	0	0	0	0	0	0	421	421	0	421	(421)	0	100%
42035 10161000	SAFETY INCENTIVE PRGMS - GCs	5,000	0	0	5,000	10%	0	500	500	1,500	2,000	3,000	0	25%
42035 10161500	MISC-DRUG TESTING	0	0	0	0	0	0	64	64	0	64	(64)	0	100%
42035 10171000	MISC-TEMPORARY POWER CONSUMPTI	7,000	0	0	7,000	0	0	0	0	0	0	7,000	0	0
42035 10173000	MISC-WATER CONSUMPTION	3,250	0	0	3,250	15%	0	498	498	0	498	2,752	0	100%
42035 10194500	LICENSE/FEE/PERMITS - GCs	0	0	0	0	0	0	137	137	475	612	(612)	0	22%
42035 10199900	MISC. GENERAL CONDITIONS - GCs	0	0	0	0	0	0	471	9,628	2,115	11,743	(11,743)	(70)	82%
42015 11900600	BURDEN - FIELD T&I	26,537	0	0	26,537	288%	0	7,186	76,311	24,156	100,467	(73,930)	885	76%
42010 11910000	LABOR-SALARY	1,443,349	0	0	1,443,349	113%	0	57,655	1,634,978	479,475	2,114,453	(671,104)	7,345	77%
42020 11910200	ALLOW - MOVING INCENT													

Company 50540 BALFOUR BEATTY CONSTR, LLC-RTD
 Job Number 13026100 MARION SQUARE GC'S

Owner 2859853 LIBRARY ASSOCIATES, LLC(BENNETT)

Cost Type	Cost Code	Description	Original Budget	Budget Transfers	Executed Change Orders	Revised Budget	% Budget Complete	Total Commitments	Cost This Period	Cost to Date	Cost to Complete	Completion	Savings or (Loss)	Amount Change	True % Complete
42015	11910250	BURDEN - MISC PAYROLL	0	0	0	0	0	0	1,014	23,863	4,373	28,236	(28,236)	202	85%
42020	11910300	ALLOWANCE - COLA	0	0	0	0	0	0	2,292	55,512	13,900	69,412	(69,412)	353	80%
42020	11910400	ALLOWANCE - PER DIEM	0	0	0	0	0	0	2,465	51,612	15,513	67,125	(67,125)	290	77%
42020	11910500	ALLOWANCE - STIPEND	0	0	0	0	0	0	1,481	9,882	0	9,882	(9,882)	(507)	100%
42015	11910600	BURDEN - SALARIED T&I	909,021	0	0	909,021	117%	0	37,476	1,062,618	311,658	1,374,276	(465,255)	4,775	77%
42020	11914510	ALLOWANCE - AUTO ALLOW	0	0	0	0	0	0	2,324	49,446	0	49,446	(49,446)	(2,324)	100%
42035	11914510	MISC-AUTO ALLOWANCE	48,150	0	0	48,150	0	0	0	0	23,528	23,528	24,622	(2,457)	0
42020	11918610	PR.ALW-MOVING EXPENSE	0	0	0	0	0	0	40	6,001	0	6,001	(6,001)	(40)	100%
1		GENERAL CONDITIONS	3,216,855	0	750	3,217,605	120%	9,946	145,098	3,859,731	1,057,914	4,917,646	(1,700,041)	20,796	78%
6		CONTINGENCIES	0	0	0	0	0	0	1,123	16,225	5,600	21,825	(21,825)	205	74%
7		MISC - RECORD RETENTION	0	0	0	0	0	0	0	0	0	0	0	18,568	0
8		MISC - GEN/EXCESS LIAB	0	0	0	0	0	0	0	0	0	0	0	(11,709)	100%
9		MISC - DATA PROCESSING	0	0	0	0	0	0	11,709	169,177	0	169,177	(169,177)	7,062	97%
		CONTINGENCIES	0	0	0	0	0	0	12,832	185,402	5,600	191,002	(191,002)	0	0
		MARION SQUARE GC'S	3,216,855	0	750	3,217,605	126%	9,946	157,930	4,045,133	1,063,515	5,108,648	(1,891,043)	27,858	79%

BALFOUR BEATTY
Project Cost Report
For the Period Ending January 25, 2019

R5652011 BBC0001
R5652021 BBC00

Company **50540 BALFOUR BEATTY CONSTR, LLC-RTD**
Job Number **13026100 MARION SQUARE GC'S**

Owner **2859853 LIBRARY ASSOCIATES, LLC(BENNETT)**

Cost Type	Cost Code	Description	Original Budget	Budget Transfers	Executed Change Orders	Revised Budget	% Budget Complete	Total Commitments	Cost This Period	Cost to Date	Cost to Complete	Savings or (Loss)	Amount Change	True % Complete
42035	10128500	MISC-TRAVEL	50,400	0	0	50,400	0	0	0	0	5,500	44,900	0	0
42035	10128510	TRAVEL/AIRFARE - GCs	0	0	0	0	0	0	593	4,141	0	(4,141)	(593)	100%
42035	10128520	TRAVEL LODGING - GCs	0	0	0	0	0	0	632	60,007	0	(60,007)	(632)	100%
42035	10128530	TRAVEL MEALS - GCs	0	0	0	0	0	0	290	27,417	0	(27,417)	(290)	100%
42035	10128540	TRAVEL/AUTO RENTAL - GCs	0	0	0	0	0	0	0	510	1	(511)	0	100%
42035	10128550	TRAVEL/OTHER - GCs	0	0	0	0	0	0	170	2,503	0	(2,503)	(170)	100%
42035	10128560	TRAVEL ENTERTAINMENT - GCs	0	0	0	0	0	0	0	251	0	(251)	0	100%
42035	10128570	TRAVEL PERSONAL MILEAGE - GCs	0	0	0	0	0	0	0	6,519	0	(6,519)	0	100%
42035	10128800	CEREMONY/MTGS/ENTERTAIN - GCs	10,000	0	0	10,000	177%	0	31	17,724	524	(8,248)	0	97%
42040	10129000	SUB-JOBSITE PROGRESS PHOTOS	14,250	0	0	14,250	102%	14,506	2,160	14,506	0	(256)	(1,710)	100%
42035	10160500	SAFETY EQUIP/SUPPLIES - GCs	2,850	0	7,060	9,910	3%	0	52	849	1,034	24,117	0	45%
42035	10160600	SAFETY TRAINING - GCs	0	0	0	0	0	0	0	20,796	1	(20,797)	0	100%
42035	10161000	SAFETY INCENTIVE PRGMS - GCs	0	0	0	0	0	0	0	1,034	0	957	0	100%
42035	10149500	MISC-ICE, WATER AND CUPS	2,800	0	0	2,800	193%	0	0	74,978	0	(36,088)	0	100%
42035	10151000	MISC-TEMP CHAINLINK FENCE	7,500	0	0	7,500	52%	0	0	1,043	0	957	0	100%
42035	10153000	MISC-STREET CLEANING	21,000	0	0	21,000	0	0	0	2,000	2,000	19,000	0	0
42035	10154000	MISC-TEMPORARY TOILETS	38,890	0	0	38,890	193%	0	0	74,978	0	(36,088)	0	100%
42035	10154500	MISC-SIGNS	2,000	0	0	2,000	52%	0	0	1,043	0	957	0	100%
42035	10160000	MISC-SAFETY ALLOCATION	0	0	0	0	0	0	0	20,796	1	(20,797)	0	100%
42035	10160500	SAFETY EQUIP/SUPPLIES - GCs	26,000	0	0	26,000	3%	0	52	849	1,034	24,117	0	45%
42035	10160600	SAFETY TRAINING - GCs	0	0	0	0	0	0	0	20,796	1	(20,797)	0	100%
42035	10161000	SAFETY INCENTIVE PRGMS - GCs	5,000	0	0	5,000	10%	0	0	500	1,500	3,000	0	25%

R - 13226

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Company 50540 BALFOUR BEATTY CONSTR, LLC-RTD
Job Number 13026100 MARION SQUARE GCS

Owner 2859853 LIBRARY ASSOCIATES, LLC(BENNETT)

Cost Type	Cost Code	Description	Original Budget	Budget Transfers	Executed Change Orders	Revised Budget	% Budget Complete	Total Commitments	Cost This Period	Cost to Date	Cost to Complete	Savings or (Loss)	Amount Change	True % Complete
42035	10161500	MISC-DRUG TESTING	0	0	0	0	0	0	0	392	0	(392)	0	100%
42035	10171000	MISC-TEMPORARY POWER CONSUMPTI	7,000	0	0	7,000	0	0	0	0	0	7,000	0	0
42035	10173000	MISC-WATER CONSUMPTION	3,250	0	0	3,250	15%	0	0	498	0	2,752	0	100%
42035	10194500	LICENSE/FEE/PERMITS - GCS	0	0	0	0	0	0	0	202	410	(612)	0	33%
42035	10199900	MISC. GENERAL CONDITIONS - GCS	0	0	0	0	0	0	1,251	31,842	0	(31,842)	(1,251)	100%
42015	11900600	BURDEN - FIELD T&I	26,537	0	0	26,537	528%	0	650	140,009	0	(113,472)	(650)	100%
42010	11910000	LABOR-SALARY	1,443,349	0	25,510	1,468,859	180%	0	26,714	2,636,862	0	(1,168,003)	(26,714)	100%
		OCO OCO#11		0	1,853	1,853								
		OCO OCO#14		0	6,706	6,706								
		OCO OCO-015R		0	16,951	16,951								
42020	11910200	ALLOW - MOVING INCENT	0	0	0	0	0	0	0	25,104	5,000	(30,104)	0	83%
42015	11910250	BURDEN - MISC PAYROLL	0	0	0	0	0	0	25	35,362	0	(35,362)	(25)	100%
42020	11910300	ALLOWANCE - COLA	0	0	0	0	0	0	0	70,997	0	(70,997)	0	100%
42020	11910400	ALLOWANCE - PER DIEM	0	0	0	0	0	0	0	80,200	0	(80,200)	0	100%
42020	11910500	ALLOWANCE - STIPEND	0	0	0	0	0	0	0	9,882	0	(9,882)	0	100%
42015	11910600	BURDEN - SALARIED T&I	909,021	0	0	909,021	189%	0	17,364	1,713,844	0	(804,823)	(17,364)	100%
42020	11914510	ALLOWANCE - AUTO ALLOW	0	0	0	0	0	0	208	88,845	0	(88,845)	(208)	100%
42035	11914510	MISC-AUTO ALLOWANCE	48,150	0	0	48,150	0	0	0	9,501	9,501	38,649	0	0
42020	11918610	PR.ALW-MOVING EXPENSE	0	0	0	0	0	0	0	6,001	0	(6,001)	0	100%
42020	11919990	ALLOW-BONUSES	0	0	0	0	0	0	0	591	0	(591)	0	100%
1		GENERAL CONDITIONS	3,216,855	0	31,636	3,248,491	188%	14,506	71,269	6,091,686	44,182	(2,887,377)	(70,723)	99%
6		CONTINGENCIES												
42035	60128300	MISC - RECORD RETENTION	0	0	0	0	0	0	0	22,757	0	(22,757)	0	100%
42080	61966000	UNREIM - GEN/EXCESS LI	0	0	0	0	0	0	0	18,568	18,568	(18,568)	0	0
42035	61968500	MISC - DATA PROCESSING	0	0	0	0	0	0	0	237,292	0	(237,292)	0	100%
6		CONTINGENCIES	0	0	0	0	0	0	0	278,617	18,568	(278,617)	0	93%
		Total:	3,216,855	0	31,636	3,248,491	196%	14,506	71,269	6,414,485	62,750	(3,165,994)	(70,723)	99%



Attachment "A"

ATTACHMENT "A"**Marion Square Hotel-Masonry Work**

We were asked to start block work in the basement to accommodate some concrete work around July 1, 2016, at that time ONSM was told the project would be ready for block work on the first floor the following week. Once ONSM started it was clear Balfour Beatty was not prepared for the masonry to start. This caused ONSM to provide "notice" to Balfour Beatty on July 14, 2016 noting they were not ready to start masonry on the first floor due to clean up and access issues as well as a grout sleeve issue.

Response email from Tim Spano July 18, 2016

Toby, great strides were made last week in getting material removed from the first floor. Lithko has another truck scheduled to arrive this afternoon that will remove another large amount of materials leaving only a small amount to work around – and this will be removed Tuesday. With the above I would ask that you mobilize crews here tomorrow to start building where you have your starter course. All rebar has been installed in all these areas and we will continue with subsequent floors verifying rebar is in.

There continued to be issues with the grouting and vertical cells, this prompted Balfour Beatty to issue the email below in a total disregard to how these issues were impacting ONSM.

Email: Nick Starcevic on the July 19, 2016

We cannot wait on an answer for grouting the bond beams and vertical cells to remobilize. We need a commitment from ONSM that you will be back onsite ready to continue work tomorrow, July 20th, even if that means you cannot top out some walls.

Issues continued to obstruct and impact ONSM progress, as evident by the email

below. Email: Toby Holloway on July 29, 2016

We will not have the basement completed by next week I am not sure who gave you any indication that we would; as for the first floor we still need to come to terms with the added time and cost based on the proposal we gave you this week due to the rebar situation at the head of walls. You will need to approve the proposal for added time and cost before we can top out that first floor, please get with me at your convenience so that there is no misunderstanding of durations moving forward as our scope of work has changed due to the rebar situation. thank you

Clearly by the correspondence there was confusion as to how to facilitate this rebar and grouting situation; causing delays and inefficiencies and cost impact on the first floor with no commitment

from Balfour Beatty on how to resolve it at this point in the project or provide appropriate direction and proper coordination.

ONSM moves to the second floor around August 8, 2016 without completing of the first floor due to lack of response on how to correct rebar sleeve and grout on first floor.

Email is sent from Toby H. on August 27, 2016

I just want to follow up our conversation in the weekly meeting held Wednesday the August 24, 2016; we spoke about the schedule for masonry on second floor, it showed us complete this week and that will not be the case due to shoring on third floor needing to be removed before masonry can finish. I was told re-shoring on third floor east should be removed towards the end of next week and I will need approx. 5 days after that to complete masonry on 2nd floor. As of today, there is still shoring on 3rd floor west as well. That will need to be removed before we can complete that area. The North-east corner 2nd floor has not started yet as well due to mech equipment and pads being placed, once placed we can start that area as well.

As of the end of August 2016 ONSM is still not done on 1st floor, can't finish 2nd floor and being asked to go to the third-floor generating this next email from Toby on August 29, 2016.

Email: Toby Holloway on August 29, 2016

The weldable rebar is only at third floor and not provided by ONSM, the first lift has been poured on second floor. Per the structural drawings CMU is to be placed only after dead loads have occurred and as Dan R. stated in the weekly meeting last week you guys owe it to us to only go up and touch that portion of work one time; hence the reason we need the shoring removed which was why I made the statement to your team that after shoring is removed I would need five more days to complete this work. The plans do show block outs at the third-floor on detail 1A and 1B on 304. As for the beam on the first floor being poured on Friday; when I left Thursday night there were no birds mouth's placed and as I have expressed to you I am not comfortable with placing this work the way it is currently framed due to potential blow outs. So, if the intent is to pour that as is; please sub this work to someone else as I will not take on the responsibility of that work. That is why my competent person told you he would not pour that on Friday. Please understand I'm not trying to be difficult with your team; however, I owe it to you to give you realistic expectations of when the work will be complete and what impacts/obstacles are in front of us regardless of what your schedule shows. My only intentions are to point out to you what the obstacles are, so we can be successful in meeting the durations needed to complete your project; not to give you excuses of why we didn't meet it but what we need to make it. Thank you

On September 1, 2016 ONSM moved to the third floor; still not completing first floor or second floor, and now working on third floor and must stop again waiting for window sill flashing by others. At this time, we had still not started stairs 1,3,4,6 on any floors yet due to shoring. **It took until the last part of December (2016) until we finally start stairwells number three and four**

Toby Holloway receives the following email from Dan Richie on September 21, 2016.

Email from Dan Richie 9/21/16

I spoke with Rob and he said if we are stressed, and shoring is removed we can lay block on Level 4 and then come back down to Level 3 when we get the go ahead on the waterproofing detail. Ryan can you capture this and send it in as a confirming RFI. Who knows we may need to do this on other floors as we go up so make it typical and vague like a subcontractor's contract... Toby I will let you confirm with us that by going to Level 4 and skipping Level 3 we don't incur any additional costs that are not captured in your current change order already that is still being discussed with Nick and Tim.

Toby H. Email response

I will confirm by end of week also as we spoke today I have sent a few masons away as we are being stopped on third floor due to waterproofing as we finish the courtyard we will need to go back down to the first floor south west corner and complete the block now that the tie beam has been placed as well as stair 6 now that the shoring has been removed. Please give me as much notice as possible to get the crew back Thank you

As of the end of September (2016) ONSM is working on three floors concurrently; and cannot complete any of the three as well as sending people home at this time

September 28, 2016 Joe Anastasi sends two emails to Tim Spano

Due to the extended duration as represented in the revised construction schedule of Sept 21, 2016, Balfour Beatty requested an order of magnitude of the impacts as presented in the Sept 21, 2016 revised schedule. On the same date we presented Balfour Beatty an order of magnitude extended duration (only) claim of only 2.5 months and cautioned of the significant potential impacts that we were concerned of.

November 2, 2016, Toby sends Email response to Nick S's email of the same date.

L1 still to this date have no access due to other trades go out there and look.

L3 only areas not complete are due to sleeve and rebar issues the Inspector should inspect today this is not an Old North State issue once inspected we will complete

L2 only area not complete is south wall where 3 concrete arch needs poured before we can complete as well as buck hoist area, again not ONSM.

L4 Inspector is still having issues with rebar not going through slab, again not ONSM as well as you are still letting other trades stock their materials on 4th floor blocking our access

To date you have not given ONSM one floor completely ready for us to start; if your expectation is for us to complete on schedule you will have to be ready for us start without any interruptions.

Thank you

November 2, 2016 Nick S. sends email response to Toby H.

"Thanks for walking the site with us today, I need to apologize to your team as I was unaware of the obstacles you are facing...."

Working on 4th floor ONSM encounters the same problems of re-shoring one floor above keeping us from topping out the fourth floor. Carla Harwell notifies Balfour Beatty in a daily report the fourth-floor slab to deck is up to 2 1/4 inches off from the fourth floor to the fifth floor.

On November 15, 2016, Toby H. walks with Dan Richie on the fourth floor and fifth floor to confirm we had pulled off control and set our block correctly and the slab edge was sticking out and in. Toby H. confirmed with Dan Richie that we had pulled our measurements from control and were told at that time to stay with the control line; not the slab edge by Dan Richie.

On November 17, 2016, Toby H. walked with Dan R. to show him the problem with access being blocked from the floor below. The Plumber is sticking up pipes into the floor we are working on causing obstacles and blocking access to areas.

On November 21, 2016, ONSM notified Balfour Beatty that the concrete is out of range from control and we would follow control lines for our block placement

Still waiting on several answers for missing rebar on the fourth floor caused by others not allowing us to complete our scope of work.

Note: Window shop drawings caused issues with the size of the openings + lug sills versus regular precast sills.

November 22, 2016 Joe Anastasi met on site with Shelly Goodwin, among several topics covered. ONSM confirmed we had verified our work in-house and felt our work was laid out correctly and built within tolerance floor to floor. Several walls were spot checked demonstrating this. Balfour Beatty stated they had a 3rd party survey done of the exterior and would distribute it once it was received.

November 29, 2016, ONSM notifies (Carla H.) of issues with the 3rd party inspectors interpretation of the documents as to the requirements of the vertical reinforcement. ONSM has waited a week at this point to have this resolved for the fourth and fifth floors.

Dec. 3, 2016 Joe Anastasi points out to Nick Starcevic in an email response of the obstacles encountered and that ONSM can not be held liable if we are not given and opportunity to

complete our work in an unobstructed/impacted manner. Also, informs the obstructions/impacts are being reported in our daily reports.

Dec. 5, 2016 Chip Venable informs Balfour Beatty that as of this date we have not be given written direction on how to proceed with the layout of the 6th floor, therefore we were proceeding with lay out from controls. He requests confirmation of the sleeve layout is sufficient and finally we need direction on the hoisting and the waterproofing for the precast band on the 5th floor.

Furthermore, ONSM request Balfour Beatty to provide clear direction on the wall placement modifications from the "as planned" to avoid confusion

Dec.7, 2016 (Joe A w/ONSM) addresses scheduling issues in the most recent schedule update of dated 11.15.16. there are serious logic flaws that need to be addressed regarding the precast band placement. The waterproofing and flashing need to be completed and considered in the schedule. The hoisting accommodations have not been resolved by Balfour Beatty and the schedule is showing stacking multiple floors thereby compressing and accelerating our scope of work. We note this material change in the schedule.

Dec. 16, 2016 ONSM (Chip Venable) informs BB that the most recent updated schedule (12.13.16) has logic flaws and erroneously depicts the veneer starting on 12.30.16. Which does not make sense due the preceding activities not being completed.

Dec. 16, 2016, Balfour Beatty issues a Notice of Delay and Demand for Cure. ONSM meets with Balfour Beatty on site Dec. 19, 2016 and provides written response on Dec. 20, 2016, incorporating observations and discussions from the on-site meeting

We then start the fifth floor ONSM must stop after two courses of block installed (1'-4") due to lack of precast hoisting provided by Balfour Beatty.

ONSM met with Shelly Goodwin on Dec. 19, 2016, to go over hoisting that was to be provided by Balfour Beatty. There was a malfunction with the tower crane causing some safety concerns that then led to Nick S. demanding a lifting plan before proceeding. It was determined in a conversation between Toby H. and Shelly Goodwin that ONSM had done nothing wrong; as a matter of fact; from a safety standpoint we had done everything correct. Over 2 weeks are lost due to lack of hoisting for the precast until finally ONSM designed and manufactured hoists to commence to placement of the precast on the fifth floor

After resolving the 5th floor precast hoisting needs, ONSM was again obstructed with our block laying from other trades completely blocking off access on this floor. This goes on for a period of four weeks causing us to move to the sixth floor to be productive and starting seventh floor, which is stacking masonry activities for all the remaining floors. Keep in mind we are still not complete on any floor at this time; and all re-shoring from the upper floors has now been removed due to the Owner design change impact.

Not completing the fifth floor keeps us from starting precast on the exterior of the building.

December 20, 2016 ONSM notified Balfour Beatty management we were told to come off concrete columns not control for layout 6th floor door frames.

January 23, 2017 Balfour Beatty issues a notice of delay and demand for cure.

On January 24, 2017 ONSM responds to this notice.

January 31 ONSM is still working on the fifth, sixth and seventh floors out of sequence. ONSM brought in a supplemental subcontractor to assist in laying multiple floors concurrently to try and accelerate the block work.

On February 7, 2017 Balfour Beatty issues a notice of delay and demand to cure.

ONSM responds to this notice on February 8, 2017

It is mid-February before ONSM is finally able to lay the last block on the fifth-floor east elevation.

February 7, 2017 ONSM notified BB that the eighth slab is 2 inches off control line, we are told to go with slab edge.

February 22, 2017 a small crane arrived to set the precast at second-floor east elevation

March 6, 2017 still no flashing for precast caps on six floor parapets (provided by others), this is preventing ONSM from installing this work. Also, there is an issue of access to set the sixth-floor precast band on the east elevation.

March 15, 2017 Balfour Beatty issues notice of delay.

ONSM responds on March 17, 2017 and sets up site meeting for March 23rd, 2017

March 16, 2017 Toby H. met with Shelly Goodwin and walked job to show where we were being held up. The following represents the areas of concern; basement area, east elevation precast base, waterproofing problems at base of wall west elevation, concrete sticking out of building at north, south and west elevation, concrete foundation too high on south elevation and north elevation. It was agreed if Shelly Goodwin committed to resolve these problems ONSM would send down another crew for precast.

On March 20, 2017 ONSM sent another foreman Santos Perez and an additional crew down to start precast on south elevation. However multiple problems were consistently encountered causing impacts and obstructions; please refer to ONSM's in daily reports.

March 23, 2017 ONSM and Balfour Beatty met on site (Tim Spano and Jeff Sandeen, Nick S, Scott G., Joe A, and Toby H.) to discuss several items from quality of the stone, chips, cutting/modifying of stone to accommodate other trades issues, waterproofing requirements and

the stucco as it related to any deficiencies of our cmu walls. It was agreed at that prior to any stucco beginning on any elevation if there was a problem with the masonry it would be discussed between Tim.S and Toby H. They would be the only people to address these issues from our firms to confirm if there is a problem with our work. The only area Toby H. was asked to look at with Tim was a small area on the third-floor balcony (approximately 200 sq. ft2). Toby H. was asked to try and close the communication gap between Tim S and Carla H. on issues of delays/obstacles. Finally, ONSM agreed to rent a scissor lift to start flashing on the west elevation before stucco scaffold arrived.

The daily impacts and obstructions continue with the stone veneer (please review ONSM's daily reports)

On May 1, 2017, we send Santos Perez and his crew to another job due to lack of areas ready for precast.

On May 23, 2017, Joe A. email confirming a conversation between Tim S had with Scott G. regarding the exterior elevations. Wherein the agreement for evaluating any exterior CMU concerns was not followed or even addressed since our March 23, 2017 meeting. In addition, the 3rd party exterior survey that was committed to be forward to ONSM back in November and on several other occasions was never sent to us.

On June 5, 2017 Nick Starcevic sends a group email to the subcontractors requesting claim submissions if any from the subcontractors

On June 16,2017 ONSM submitted our revised draft of our previously submitted claim. The magnitude of our claim has increased substantially, reflecting the as built conditions of the project.

The last four months ONSM has had a small crew to go back and complete work that was not available at the time we were on the floors as well as piece meal of the precast. ONSM has had to leap frog around the entire perimeter to accommodate work left behind as well as areas impacted by other trades as noted in daily reports.

CC: Exhibit XX

Attachment "B"

CHANGE ORDER

JOB/S/C # 13026000 - 020

Vendor# 116124

Revised # 04

To CONTRACT dated April 6, 2015

DATE of this Change Order September 30, 2016

To: Old North State Masonry, LLC
201 W. Matthews St.

Matthews, NC 28105
Joe Canitano

PREVIOUS CONTRACT AMOUNT \$2,336,627.84

ADD/DEDUCT for this C.O. \$111,900.00

JOB: Hotel at Marion Square

AT: Charleston, SC 29403

NEW CONTRACT AMOUNT \$2,448,527.84

It being desirable to modify the work done under the above Contract in accordance with the Contract Documents, it is necessary and in the interests of the Parties to the above named Contract to modify said Contract in certain particulars as follows:

In accordance with the Terms and Conditions of this agreement, Subcontractor shall provide all labor, materials, tools, and equipment necessary for complete turnkey installations of the following:

CI No.	Description	Amount	Budget Code
680	Masonry Edge of Slab Changes (L1)	\$22,100.00	400.50400000.40
714	Masonry Edge of Slab Changes (L3)	\$44,900.00	400.50400000.40
715	Masonry Edge of Slab Changes (L4)	\$44,900.00	400.50400000.40

REVISED -

On Levels 1, 2, and 4 Old North State Masonry has added work due to a change made to install 1" conduit in the slabs ILO of 3" conduit. This change affects their ability to grout the last course of CMU, instead of grouting through a 3" sleeve in the slab, ONSM needs to grout from the same floor. This is assuming that ONSM always intended to grout through the 3" conduit shown on the contract documents. If that is not the case, then this change order is not valid. To fix this issue, ONSM will leave out the last course of CMU to grout the rest of the CMU. ONSM to use solid block notched around the vertical rebar for the last course per their proposal.

On Levels 1, 2, and 4, there are missing or incorrectly located 1" sleeves that do not allow ONSM to pass the vertical rebar through the slab as needed. This is additional work for ONSM because they need to place the vertical rebar in the CMU prior to laying their last lift of CMU in these locations. ONSM has proposed using conduit block in these locations. The below qualifications are critical to the validity of the extra work.

1. At windows, ONSM properly laid out windows. If windows are not properly laid out, then there is no way to validate the layout of the 1" conduit. A large portion of the added work is due to ONSM's claim that 1" conduit sleeves are not in the proper locations causing added "dummy" bars at window jambs. If the windows are not properly laid out, then this claim is no longer valid.
2. ONSM would have grouted through the 3" conduits and will grout through the 3" conduit when that option is available to them.
3. On L5 and up, ONSM lays their block to the bottom of slab, drops rebar through conduit, and grouts the last lift through the 3" conduit.

If any of the 3 qualifications above are not true, then we reserve the right to withdraw and reevaluate this change order.

Total Add to this Contract as a result of this Change Order is **\$111,900.00**, One hundred eleven thousand nine hundred dollars which includes all applicable sales tax.

This Change Order constitutes **FULL and COMPLETE** settlement of any and all costs referred to and/or described herein including but not necessarily limited to all applicable taxes, insurance, bond, delivery, supervision, overhead and profit, labor, labor impact, materials, changes, delays, acceleration and inefficiency, or any claims therefore, and the Subcontractor hereby waives any and all claims for such items associated with or related to the Work covered by this Change Order, all previous Change Orders, and base Subcontract Agreement, and all conditions incurred to date, with exception to these matters which are currently pending as identified in Exhibit A, which is attached hereto and incorporated herein.

Code: 400.50400000.40	RCO No.:	OCO No.:
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ELECTRONICALLY FILED - 2023 May 16 10:41 AM CHARLESTON - COMMON PLEAS

S.F.R.N.

BUL: _____

It is further understood and agreed that all terms and conditions of said Contract, as it may heretofore have been modified, shall be and remain the same.

ACCEPTED:

Old North State Masonry, LLC

By _____

Print Name Joe Anastasi

Title President

Date 2-28-17

ACCEPTED:

BALFOUR BEATTY CONSTRUCTION, LLC

By _____

Nick Starcevic

Title Project Manager

Date _____

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Change Request Log by Status

Exhibit A

Old North State Masonry, LLC

Date: 2/28/2017

10-1259 Marion Square Hotel

Project Manager: Chip Venable

Number	Date	Description	Amount
Submitted			
1	10/27/15	Supplnst-010	-13,022.74
2	10/27/15	Supplnst - 019	1,426.14
6	2/1/17	Install SS Flashing under parapet caps - Per RJ Kenny - revised 11.21.2016, revised 2.01.2017	41,144.10
7	1/4/16	Detail 2 A 613 - per RJ Kenny - add flashing - revised 11.21.2016	4,884.13
8	2/1/17	Continuous flashing at grade raised to top of precast base - per RJ Kenny - revised 2.01.2017,	11,777.52
9	1/4/16	Add Flashing A615-4 above canopy - Per RJ Kenney - revised 11.21.2016	1,918.53
10	1/4/16	Add Flashing per RJ Kenney Detail 1-A620, 1-A621 - revised 11.21.2016	4,614.76
12	10/17/16	Top out 1st floor CMU Wall	26,911.95
13	10/27/16	Additional Mock Up	76,645.15
14	11/9/16	Bone White Aluminum	-3,087.57
15	11/11/16	EWO Ticket 6451	1,152.83
16	11/14/16	EWO Ticket 6454, 6456	3,254.80
17	11/16/16	Deduct CMU at area CIP at 2nd floor arches	-1,356.30
18	11/30/16	Add Flashing per RFI 760	2,134.19
22	1/30/17	SI 29 - Deduct for Masonry walls removed at Stairs 3&4	-1,600.82
23	2/14/17	Arriscraft Plinth Add	12,961.48
24	2/21/17	Added cost to provide hoist for setting 5th and 8th floor sills	4,660.67
25	2/21/17	Added Cost for Arriscraft Plinth Mock-up	513.82
26	9/28/16	Draft of Claim submission	158,486.68
Submitted Total			333,419.32

Original Contract Amount:	2,340,000.00
Approved Contract Changes:	108,527.83
Revised Contract Amount:	2,448,527.83
Pending Contract Changes:	333,419.32

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Attachment "C"

For Settlement Purposes Only

JN 1259

12/5/2018

Marion Square Hotel

ONSM provides the following initial claim's analysis and reserves the right to amend the claim as the job is completed and/or additional analysis is conducted.

Area of impacts/ Change in Scope:

- 1 Coordination, scheduling, planning, sequencing of all trades in a logical manner meeting scheduling committed dates/durations
 - a. Block work impacts/obstacles
 - 1 Hoisting
 - 2 Completion of preceeding activities in a logical manner to avoid conflict of access and installation
 - 3 Conflicts with other trades
 - a. Plumber stubbing up conduit from the floor below impacting access to the work (4th & 5th floor)
 - b. Stud walls erect in disregard to the block walls
 - 4 Waterproofing and merkrete on the 3rd floor courtyard (horseshoe)
 - 5 Hoisting of the precast on the 5th floor resultant in out of sequence, illogical work sequence and access to work issues
 - 6 Length of time to resolve added scope (change order) so not to impact the progress of the project.
 - 7 Acceleration + stacking of activities on the last 3 floors
 - 8 Access
 - b. Veneer work impacts/obstacles
 - 1 Hoisting
 - 2 Concrete work
 - 3 Precast & Arriscraft
 - 4 Lintels installation
 - 5 Waterproofing
 - 6 Woodblocking
 - 7 Sequencing of the work
 - 8 Length of time to resolve added scope (change order) so not to impact the progress of the project.
 - 9 Scaffolding availability
 - 10 Access
 - 11 Expectation of the finished work above industry standards
- 2 Work not presented in the manner and time that is indicated in our Contract agreement
- 3 Stop work of the vertical structure for design changes-caused by Owner
Bottleneck and stacking of trades caused by the limitations of reshoring limitations
- 4 Design Changes from the waterproofing consultants
- 5 Coordination of the work, coordination of the trades in a logical sequence for both the block work and stone veneer work
 - e. Stop of work due to scope issues and precedent requirement, and changes in hoisting methods

- 6 Acceleration of work areas, premium costs, multiple floors due to delay in shoring removal due to upper floor design changes
 - a. Out of sequence work directed, Multiple floors work concurrently
- 7 Work areas not given to ONSM complete or as anticipated per schedule
- 8 Work areas given to ONSM in variance to contract document
- 9 Multiple design changes without proper design coordination of veneer
 - a. Flashings and waterproofing detailing
- 10 Onsite management and lack of control and knowledge (Gross Negligence) of what was the root cause of the projects issues and how to correctly sequence and build this project

Summary:

ONSM started block work on the project on approximately 7/6/16 and immediately encountered issues and pulled off site and provided notice of delay to Balfour Beatty a number of times. The blockwork was never turned over to ONSM as scheduled or planned, Literally encountered obstructions and impact from the beginning. ONSM was impacted on every floor (See Narrative—Attachment A) upto the 5th floor. On 5th floor Balfour Beatty did not provide proper hoisting for the precast band which was incorporated into the block work. This brought the 5th floor block work to a stand still. Balfour Beatty allowed the other interior trades to leap frog in front of the exterior block operation thereby cutting off access to the work areas. Balfour Beatty completely abandoned their obligation and left it up to ONSM to develop and manufacturer appropriate hoisting for the 5th precast, as a consequence ONSM had to wait for the other trades to removed their work to allow ONSM an opportunity to have access to our work. The upper floors encounter numerous issues with direction and coordination of the other trades and also presented a significant change in scope of work with all of the reshoring being removed due to the stop work of the structure by the Owner. ONSM brought in supplemental forces at a significant cost to work multiple levels of upper floors

The Blockwork was started on approximately July 6, 2016 and was substantially completed as of June 14, 2017 representing a **49 week** duration

As severe as the block work obstacles and impact were the precast stone and arriscraft veneer issues were as severe and impactful. Please see (Attachment B-summary of the impacts along with Attachment C daily report) which were turned in daily to Balfour Beatty in hopes of them providing resolution to the issues. Unfortunately this was not the case; the issues of impact are summarized above.

The veneer was started on approximately February 1, 2017 and was substantially complete as of Dec. 15, 2017 representing a **45 week** duration, however due to the late turnover ONSM has had personnel on this project at various times through out 2018

Overall masonry "AS BUILT" duration on the project equals approximately **76 weeks** in total duration

The Contract masonry duration, as depicted in the approved Change order C.O. #1 is **29 weeks** (Attachment D)

Based on this the change in scope duration of the masonry is

47 weeks

Therefore the added costs associated with this change in scope is as follows:

1 Additional Variable Costs: (Indirect costs based on actual cost to date 10/25/18- Attachment E)

1.a	Cost cat.	cost to date		weekly costs	Projected added costs
		7/6/2016	10/25/2018		
1.a.1	Fuel	\$ 760	\$ 14,290	\$ 185.34	\$ 8,711.10
1.a.2	Freight	\$ -	\$ 875	\$ 11.99	\$ 563.36
1.a.3	Construction Equip. costs	\$ -	\$ 16,992	\$ 232.77	\$ 10,940.05
1.a.4	Auto/Truck expense	\$ -	\$ 22,470	\$ 307.81	\$ 14,466.99
1.a.5	Equip. Repair & Maint.	\$ 207	\$ 8,640	\$ 115.52	\$ 5,429.47
1.a.6	Equip. Rental	\$ 3,976	\$ 84,513	\$ 1,103.25	\$ 51,852.59
1.a.7	Scaffold Rental	\$ 1,174	\$ 12,935	\$ 161.11	\$ 7,572.15
1.a.8	Field Trailer	\$ -	\$ -	\$ -	\$ -
1.a.9	Legal fees	\$ -	\$ 21,012	\$ 287.84	\$ 13,528.27
1.a.10	Small tools	\$ 552	\$ 77,925	\$ 1,059.90	\$ 49,815.49
1.a.11	Blades	\$ 418	\$ 4,153	\$ 51.16	\$ 2,404.73
1.a.12	Plank	\$ -	\$ 10,211	\$ 139.88	\$ 6,574.21
1.a.13	Travel & Lodging	\$ 2,764	\$ 325,476	\$ 4,420.71	\$ 207,773.48
1.a.14	Safety	\$ 206	\$ 17,974	\$ 243.39	\$ 11,439.36
1.a.15	Misc. expenses	\$ 54	\$ 16,762	\$ 228.88	\$ 10,757.21

Additional variable costs based on C.O.#1 schedule = \$ 401,828.44

1.b	1b.1	less the additional Indirect costs included in C.O. #4	\$ 36,105.50
	1b.1	less the additional Indirect costs included in C.O. #8	\$ 14,113.12
	1b.1	less the additional Indirect costs included in C.O. #12	\$ 3,935.38
	1b.1	less the additional Indirect costs included in C.O. #13	\$ 9,022.60
	1b.1	less the additional Indirect costs included in C.O. #14 & #15	\$ 3,421.06

Additional variable costs added by all other C.O. issued to ONSM \$ 66,597.66

1.c Net additional variable costs reconciling with all Change orders \$ 335,230.78

2 Additional Labor Costs

2a. Additional supervision costs

Additional supervision (47 weeks X \$1,500.00/week)	\$ 70,500.00
Additional VP of Operations 5 days/week (8wks * \$3,850/5 days per week) incl. burdens + benefits	\$ 30,800.00
Total additional supervision costs	\$ 101,300.00

2b. Labor Impacts/Inefficiencies

Labor inefficiencies + supplemental forces to accelerate upper floor of the project	\$ 522,084.00
(Equal's labor loss + Supplement crew loss (Subcontractor -labor)+ Subcontractor-caulking loss + Subcontractor pumping loss-Subcontractor insulation remaining budget-less subcontractor Cleaning remaining budget - Subcontractor -cleanup remaining budget)	

3 Change order Dollars that should be Approved for work already completed = \$ 26,078.00

(See Attachment "D")

4 Total additional costs without Overhead = 1.c+2.a+ 2.c+3 = \$ 984,692.78

5 Overhead & Profit 15% \$ 143,792.22

6 Bond Costs 1% \$ 11,024.07

Total Cost of Claim	\$ 1,139,509.06
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Attachment "D"

	3/27/2014	7/8/2015	8/26/2015	8/28/2015	8/30/2015	8/31/2015	9/15/2015	9/20/2015	9/21/2015	9/22/2015	9/23/2015	9/26/2015	9/27/2015	9/28/2015	9/29/2015	9/30/2015	10/3/2015	10/4/2015	10/12/2015	10/13/2015	10/19/2015	
Garage																						
1st Flr.																						
2nd Flr.																						
3rd Flr.																						
4th Flr.																						
5th Flr.																						
6th Flr.																						
7th Flr.																						
8th Flr.																						
9th Flr.																						
Ven. N																						
Ven. S																						
Ven. E																						
Ven. W																						

	10/24/2016	10/27/2016	10/28/2016	10/29/2016	10/30/2016	10/31/2016	11/01/2016	11/02/2016	11/03/2016	11/04/2016	11/05/2016	11/07/2016	11/08/2016	11/09/2016
Garage														
1st Flr.														
2nd. Flr.														
3rd. Flr.														
4th Flr.														
5th flr.														
6th flr.														
7th flr.														
8th flr.														
9th flr.														
Ven. N														
Ven. S														
Ven. E														
Ven. W														

	11/10/2016	11/17/2016	11/22/2016	11/24/2016	11/25/2016	11/26/2016	11/27/2016	11/28/2016	11/29/2016	11/29/2016	11/29/2016	11/30/2016	12/1/2016	12/3/2016	12/5/2016	12/7/2016	12/8/2016	12/8/2016	
Garage																			
1st Flr.																			
2nd Flr.																			
3rd Flr.																			
4th Flr.																			
5th Flr.																			
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	1/17/2017	1/19/2017	1/20/2017	1/22/2017	1/23/2017	2/1/2017	2/2/2017	2/23/2017	2/6/2017	2/7/2017	2/8/2017	2/9/2017	2/9/2017	2/11/2017	2/13/2017	2/14/2017	2/15/2017	2/15/2017	2/17/2017	2/20/2017
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Attachment "E"

From: [Chip Venable](#)
To: ["Spano, Tim"](#)
Cc: [Joe Anastasi](#); [Toby Holloway](#); ["Starcevic, Nicholas"](#); [Ricci, Daniel](#); [Dale, Marty](#); [Waterfield, Peter](#)
Subject: Notice of Delay
Date: Thursday, July 14, 2016 5:46:00 PM
Attachments: [1259-Notice of Delay 7.14.2016.pdf](#)

Tim,

Please see the attached letter formally notifying you of delay to the masonry scope. Please inform Old North State Masonry when the delays noted in the letter are taken care of and we will schedule a time to come and visit the site with your team. Thank you.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry



July 14, 2016

Tim Spano
Balfour Beatty Construction
306 Meeting St
Suite 300
Charleston, SC 29401

Re: The Marion Square Hotel – Notice of Delay

Mr. Spano,

Please accept this letter as official notice of delay to the masonry scope of work. As of today we have demobilized from your job. When we arrived on your job Monday this week numerous areas were brought to you and your team's attention for rebar either completely missing or in the wrong place. This has not been corrected at this point. Other areas of delay are materials and post shores preventing us from stocking out and performing our work.

More importantly, while on site this week it has come to our attention that the grout pour holes (Detail S303-4) are missing in all the slabs currently poured. These are required at all vertical rebar locations to insure the top bond beam gets grouted and for the rebar to extend through. We cannot install and grout the CMU without these pour holes. Please provide Old North State Masonry with direction of how to proceed.

Toby Holloway has discussed all of these issues with you and your team while onsite this week.

In conclusion, Old North State Masonry will return to the site when these issues noted above are resolved. Please inform us when this is all taken care of and we will set up a meeting to come and walk the site with you and your team to verify. If all issues are resolved, we will schedule our crews to come back to the site and start the masonry.

Chip Venable

Chip Venable
Project Manager

Cc: Joe Anastasi
Cc: Toby Holloway
Cc: Nicholas Starcevic
Cc: Dan Ricci
Cc: Marty Dale
Cc: Peter Waterfield



August 11, 2016

Tim Spano
Balfour Beatty Construction
306 Meeting Street
Suite 300
Charleston, SC 29401

Re: The Marion Square Hotel – 2nd Notice of Delay

Mr. Spano,

Please accept this letter as our official 2nd notice of delay to the masonry scope of work. Once we complete the basement and 1st floor CMU we will be de-mobilizing from the job. We still do not have a clear direction as to what is happening with the rebar. As an update to the job schedule we are still being delayed due to rebar on the 2nd floor not being installed per the drawings. This has caused a complete loss of production this week. The missing grout pour holes is impacting our grouting procedures. The last lift of CMU cannot be vibrated, as you cannot fit the vibrator down the last lift. We do understand your team is to have a conversation with the inspector, trying to resolve this issue. However, we are losing valuable time to the schedule due to the confusion of the rebar spacing, rebar not passing through the floor and our inability to vibrate the last lift of CMU. We expect your team to take lead on this and make sure all parties concerned have a clear understanding of the expectations structurally to get the CMU walls built. Toby Holloway will visit with your team once you have everything figured out and have clear direction ready to discuss.

X Chip Venable

Chip Venable
Project Manager

Cc: Joe Anastasi
Cc: Toby Holloway
Cc: Nicholas Starcevic
Cc: Dan Ricci
Cc: Marty Dale
Cc: Peter Waterfield



December 15, 2016

Tim Spano
Balfour Beatty Construction
306 Meeting St
Suite 300
Charleston, SC 29401

Re: The Marion Square Hotel – Follow-up to conference call today

Dear Tim,

This letter is a follow-up to our conference call of today's date regarding the above referenced project. Although the call did not go well we will continue to work through the obstacles but wanted to document our concerns with how the project has been constructed to date.

We started the project on July 6, 2016; throughout this period, we have not had one level without obstructions in our way or an opportunity to complete at one time. The Sleeve issues on the First, third, fourth, a portion or the fifth, (probably the sixth, seventh and eighth) has not only been extremely costly but also very time consuming as well. To date you have provide a partial change for the first floor, and complete for the third and fourth floors. Please process the change order as you have agreed for the balance of the first floor.

Also, the sleeves on the upper remaining floors will not allow acceleration or working multiple levels concurrently now that the shoring has been removed, nor do we have the manpower to do so.

There has been a question on the placement of the exterior block walls. We have confirmed through the fourth floor that our walls are placed correctly from the controls provided and the walls are within our tolerances. As we have confirmed our walls will be laid off the established controls unless we are directly differently in writing. We will inform of any obvious issues via our daily reports and verbal communication so that your firm may have a reasonable opportunity to direct us. Supposedly there was an exterior survey performed approximately a month ago, but we have not been furnished any results.

Finally, the hoisting of the precast, particularly for the 5th and 8th floor bands appears to be an issue. The hoisting for setting the precast is to be provided to ONSM. We understand this is going to be difficult to figure out and we will try and assist and finding an appropriate solution. But please understand the time impacts caused by the hoisting cannot be ours to bear.

We will provide a list of all items ONSM needs to complete and those items required by others on 12/19/16 to help all parties.

Thank you

Joe Anastasi



December 20, 2016

Nick Starcevic
Balfour Beatty Construction
306 Meeting Street
Suite 300
Charleston, SC 29401

Re: The Marion Square Hotel --Notice of Delay and Demand to Cure

Dear Nick,

This letter is in response to your email of Dec. 16, 2016 and attached notice of Delay and Demand for cure dated the same date along with our onsite walk Dec. 19th, 2016. Present for this walk was Shelly Goodwin, Toby Holloway, you and me.

It is apparent from our walk that your notice is not appropriate and that the issues experienced on this project are clearly a result of impacts caused by others and areas of work not accessible to complete at the time we were mobilized on the floors. The two main issues that have impacted the sequence are the redesign of the upper floors that delayed the upper floors being poured which prevented the shoring being removed sequentially and the missing/misplace grout sleeves in the post tension slabs, which we have addressed numerous times and it appears will continue to impact the upper levels of the blockwork. We will make every reasonable effort to improve the situation but there are things beyond our control that we cannot be responsible for.

The items that we discussed in during our walk thru are as follows.

1. Masonry work at the ground floor entrance to the garage. The overhead protection will be moved beyond the block wall line and cutting of concrete, once completed ONSM will complete
2. Remedial work on the exterior --apart from south elevation all areas are rubbed, the south will be completed once area is accessible which should be within 2 days per our walk through. The control joints will be cut into the block walls from the stucco scaffolding.
3. The stairs
 - a. Stairs 1 & 2 at ground level were impacted by the tie beam that needed to be installed.
 - b. Stair 3 was used as access initially and was available starting 3 weeks ago
 - c. Stair 4 was also used for access into the building, and then the exterior wall along column line 33 could not be installed due to waiting on protection/direction at the courtyard 3rd floor/roof level
 - d. This work is now out of sequence with the typical floor work and causes access issues to the work areas.

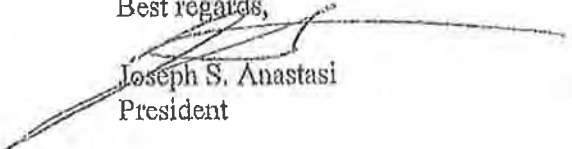
P.O. Box 1260 201 W. Matthews St. Matthews, NC 28105 office: 704-971-4060 fax: 704-847-1187

R - 13259

4. Front Entry of the south west corner had the scaffold down and ready for underground work on 12/17/16
5. Precast on L5: For ONSM to provide information on additional masons we must be informed on your hoisting plan for the precast. The hoisting plan of the precast will dictate the durations and manpower requirements. As of today, this plan is not finalized. I understand Toby and Shelly are meeting tomorrow to try and formulate a plan moving forward. Contractually your firm must provide hoisting for the precast, how this is done will dictate the duration of the installation. We will not be responsible any hoisting costs for the precast. As of now no precast is being installed.
6. L6 parapets are on going
7. Roof area is not available for block work.
8. Work above the arches on the south elevation between columns 20 & 30 were poured approximately 12/9/16. Once the elevations are available to build scaffolding we will commence with this area. During the walk, it was indicated that area should be ready in 2 days.
9. Topping out level 4 is being impacted at areas where the reshoring for the outriggers has now been removed.

Please note these items are being addressed daily, discussed with your firm and noted in our daily report all to inform and hopefully improve the issues. Furthermore, the above are some of the reasons why we have taken exception to and cannot agree to the revised schedules. Moving forward the most important issue we need to resolve is the hoisting plan which will determine the number of masons we can put on this work. We will continue to try and improve the sequence and duration of the work in front of us.

Best regards,


Joseph S. Anastasi
President

Balfour Beatty
Construction

Notice of Delay and Demand for Cure

Subcontractor: Old North State Masonry, LLC

Date: 16 December 2016

201 W. Matthews St.
Matthews, NC 28105

Project Name: The Hotel at Marion Square
Project No./Document No.: 13026000-020-01

Re: Notice of Delay and Demand for Cure to Old North State Masonry, LLC.

Subcontractor is in default of the Subcontract in that It has failed to:

- fully perform and timely complete its work in accordance with the Subcontract (Art 1.A; Art. 4.)
- comply with safety requirements and other Legal Requirements applicable to safety (Art. 1.C);
- comply with Legal Requirements applicable to subcontractor's work (Art. 1.D.i.; Art. 5.A);
- provide written assurances of complete and timely performance (Art. 1.D.ii);
- coordinate its work with that of Contractor and all other subcontractors (Art. 3.C);
- timely and fully pay laborers, taxes, subcontractors, vendors and the like in respect to the work (Art. 3.G);
- furnish sufficient labor, equipment, materials and supervision required for the proper and complete performance of the work (Art. 3.H.i);
- correct defects in the work (Art. 3.H.vii);
- clean up daily from its operations as required (Art. 3.H.x);
- protect its work and stored materials from damage and destruction; and/or avoid damage to the work or materials of other trades (Art. 3.H.xvi);
- timely furnish submittals, shop drawings, O&M manuals and/or other required documents or materials (Art. 3.H.vi);
- Other: Correct deficiencies in work in distributed Field Report "Q245 Hotel at Marion Square FR-2"

Demand is hereby made that Subcontractor commence and continue to cure the aforementioned default(s) within three (3) business days of receipt of this notice. Failure to cure any default shall entitle BBC to take those actions described in the Subcontract or any action permitted by law including, without limitation, the remedies set forth in Articles 5 and 11.

Balfour Beatty Construction, LLC



(Signature)

Nick R. Starcevic

(Printed Name)

Project Manager

(Title)

Receipt Acknowledged by:



January 24, 2017

Nick Starcevic
Balfour Beatty Construction
306 Meeting Street, Suite 300
Charleston, SC 29401

Re: ONSM Response to Notice of Delay and Demand for Cure dated 1.23.2017

Mr. Starcevic,

We are continuing to work diligently with your team to keep the job going. Over the past few months we have been constantly pointing out impacts to the masonry activities. Of which, none of these items have been figured into the durations of the schedule. These include site access, masonry sleeve issues, crane time, etc. The daily reports provided to your team over the past few months will show these continued impacts for our scope of work. In fact, we devised a system to allow the pick and set of the 5th floor stone, when your firm owed the hoisting for this. This was after losing 1.5 weeks for your team to come up with a way. From the development of the schedule to today we have pointed out numerous issues with the job schedule from logic and sequencing for all of the masonry activities. We have also placed a claim with your firm based on the extended time frame for the masonry activities. This was due to the structure not completing in a timely manner. Another item to note for time frame is the sleeve issue, which has not been incorporated into your schedule. By placing the wrong size sleeves for the masonry grout pour/rebar, it took at least month just to figure out what to do and then added an average of 8 days per floor once we knew what we were doing. Discussions about the missing sleeves started in July of 2016.

We will continue to do everything we can to mitigate the cost and time impacts for the job. However, your current schedule logic can't be met due to the nature of the block and stone work sequencing and we simply cannot agree to them. We are adding additional manpower to the job tomorrow. This additional manpower will be distributed by Toby Holloway to the necessary locations.

1. Southwest Front Entry – Complete by 2.03.2017
2. Arches – Complete by 2.01.2017
3. L3 Low Grout Break – Complete by 2.03.2017 – Provide ONSM with location
4. All low breaks – Provide ONSM Locations
5. Window in 309 – If pan flashing gets installed tomorrow – ONSM needs 4 hours to complete
6. Control Joints – On-Going, need access, ONSM will stay in front of the Stucco Contractor as discussed with your team and Toby Holloway
7. Stair 3 – Complete by 2.07.2017
8. Stair 4 -- Complete by 2.03.2017
9. Level 3 Windows – angle will be delivered to the site first of next week – ONSM will complete in 7 days once the angles are delivered.
10. Level 5 – Complete by 2.03.2017 – issues have been access to west side, No crane to set stone
11. Level 6 – Complete by 2.20.2017 – issues can't go to the 6th floor until 5th complete
12. Level 7 – Complete by 3.08.2017 – issues can't go to the 7th floor until 6th complete
13. Level 8 – Complete by 4.21.2017 – issues will be crane to set the stone at sill height. Can't go to 8th floor until 7th complete.

Finally, Old North State Masonry is committed to completing our scope of work in a timely manner for the overall betterment of the project.

Cc: Joe Anastasi
Cc: Toby Holloway
Cc: Tim Spano
Cc: Jeni Cosslette
Cc: Jeff Sandeen
Cc: Shelly Goodwin

Best Regards,

Chip Venable
Chip Venable
Project Manager
Old North State Masonry



DAILY JOB LOG AND PRODUCTION REPORT

NAME OF JOB Marion hotel

Date: 1/2/2017

JOB# 1259

Weather: (Clear) (P.Cloudy) (Cloudy):

Temperature: 73 Min _____ Max _____

Rainfall 0 Inches

NUMBER OF EMPLOYEES WORKED TODAY

- A. SUPT. (Foreman)
- B. MASONS:
- C. LABORS:
- D. OPERATOR:
- E. OTHER CRAFTS:
- F. _____
- G. _____
- H. _____

NO.	BLK HRS.	BRK HRS.	STONE HRS.
1	8		
11	72		16
9	72		8
1	9		

PRODUCTION REPORT

FACE BRICK		4" Concrete Block	
FACE BRICK ROWLOCK		6" Concrete Block	
FACE BRICK SOLDIERS		8" Concrete Block	1091
STONE 12"		12" Concrete Block	
STONE LP		Arch. Block	
STONE PCS'	11 At 5th	floor band	51'6"
		Concrete Fill	
		Insulation	

Description and Location of:

1.) Work performed today: Laid block 6th floor west parapet and west units topped out east
Units other than center due to rebar needing to go through down to 5th fl
Set 5th floor precast band east elevation Still have no access to west due to
Other trades working in area For precast band on 5th

2.) Areas of masonry delayed and causes of delays: No crain operator on site today did not work on
Stair 3, need rebar drilled for header on stair 4 at 3rd fl before we can continue
Will not be able to set precast or lay block on 5th floor west due to other trades
Allready starting before masonry.

3.) Verbal instructions received:

4.) Equipment received on site today:

Joe Anastasi

From: Joe Anastasi
Sent: Friday, March 17, 2017 4:25 PM
To: 'Starcevic, Nicholas'
Cc: Toby Holloway; Cossette, Jenö; Spano, Tim; Sandeen, Jeff; Goodwin, Shelly; Dale, Marty; Dooley, Alec; Andrew S. Culicerto (aculicerto@slk-law.com); Chip Venable
Subject: Response 3/17/17

Nick,

Old North State Masonry ("ONSM") is in receipt of Balfour Beatty Construction's ("Balfour") form "Notice of Delay and Demand to Cure" dated March 15, 2017. As ONSM has stated in writing on numerous occasions, it has been delayed on the Hotel at Marlon Square ("Project") as a result of Balfour and the Owner's actions, and inactions. The delays encountered are well documented, have been consistent throughout the construction and are ongoing. ONSM continues to track the financial impact of the delays and do everything in its control to mitigate any impact. Once the financial impact is quantified, ONSM will provide the information to Balfour and the Owner for additional compensation. More importantly, ONSM has in no way delayed Balfour or the Owner in its construction progress on the Project. Any blanket assertions are inaccurate and do not accurately reflect the reality of this flawed construction Project. This reality is supported by the fact that ONSM was informed by Balfour that virtually all subcontractors on the Project received a similar version of the form "Notice of Delay and Demand for Cure" notice on March 15, 2017. This demonstrates the delays on this Project are systemic and not the result of any actions or inactions by ONSM. Nevertheless, ONSM is obligated to correct the false statements related to the accusations in the March 15, 2017 notice and respond in detail to the accompanying email narrative from Nick Starcevic.

1. Clean Up

- a. ONSM performs clean up on a daily basis and will continue to perform daily clean up required under the Subcontract. ONSM views this concern as unfounded, and unsupported by any previous correspondence or complaints regarding its daily clean up. If there are specific incidents Balfour witnessed or particular issues related to ONSM's clean up please be prepared to discuss them at our schedule site visit on Thursday, March 23, 2017. If there are any specific issues raised, ONSM will investigate and make any adjustments necessary to comply with its requirements under the terms of the Subcontract. However, the blanket assertion that ONSM needs to clean up daily, or is somehow remise in its daily cleanup duties is fallacious.
- b. ONSM has brought material on site in order to perform its work pursuant to the as-planned Project Schedule. Unfortunately, the work has not followed the as-planned Project Schedule. After materials have been brought to the site, Balfour has changed the sequence of the as-planned work on numerous occasions. This has not only lead to piecemeal construction, inefficiencies and delays, but also stranded material on site, which will ultimately be incorporated into the Project. These stranded materials do in fact sit idle until the precedent work is completed. Once the precedent work is completed, ONSM can incorporate the material on site. In summary, ONSM brought the proper materials to site at the proper time per the as-planned Project Schedule. If the Project Schedule would have been followed, there would not be idle material on site. ONSM will continue to manage and store the material as efficiently as possible. However, if Balfour wants ONSM to remove the material from the site and then bring it back when the precedent work is completed, ONSM will need an executed change order for costs associated with removing and then returning the materials. Please advise at the March 23, 2017 meeting how Balfour would like ONSM to proceed.
- c. Balfour has asked that ONSM only bring enough material to the site for the next two weeks of work. This is ONSM's standard practice. ONSM will continue to follow this standard practice and will not result in logistical site problems so long as Balfour follows the sequence and scheduling currently outlined on the Project.

2. Schedule

- a. While ONSM appreciates Balfour's acknowledgment that the schedule slippage for the exterior skin results from some factors outside of ONSM's control, this does not tell the whole story. ONSM provided shop drawing which were approved. After the shop drawings were approved, Balfour requested modifications to the precast because of changes made in construction to accommodate other subcontractors. The requested modifications to precast are time consuming and not contemplated by ONSM in its original scope. The slippage results from changes that have nothing to do with ONSM. ONSM is simply attempting to problem solve with Balfour by field modifying approved material, and will not be held responsible for the actions of other subcontractors with which ONSM has no relationship.
- b. ONSM will perform the work on the L9 Parapet Cap. ONSM needed the flashing to be completed before it could begin its work. ONSM understands the flashing has been completed and ONSM will have a crew on site Monday, March 20, 2017 to perform the Parapet Cap. This work will be completed within one week if there are no unexpected delays or complications.
- c. ONSM will be happy to provide completion dates for any of its work on the Project but cannot reliably do so until such time as the work is available to perform.
- d. The Southeast Door Surrounds will be completed by March 20, 2017.
- e. ONSM is waiting on a correction of the L2 angle iron before it can complete this work. Once the L2 angle iron is corrected, ONSM can proceed with its work on L2.
- f. The L8 precedent work is not ready for ONSM to begin its scope of work on L8. Once the work is available, ONSM will be happy to provide a completion date.
- g. The SME discrepancies and L6 grout will be completed by March 22, 2017 if there are no unexpected delays or complications.
- h. The L3 Stair repair/completion is scheduled to begin next week and should be completed in approximately two weeks if there are no unexpected delays or complications.
- i. ONSM will repair control lines; however, these minor issues have no effect on the schedule and will only take a couple of hours of work.
- j. Although ONSM has had some of its own work damaged by other trades, it is unaware of any damage it has caused to any other trades work. Please provide evidence and specifics regard what work ONSM allegedly damaged and it will be promptly investigated. In the meantime, please prevent other trades from damaging ONSM's work.
- k. The contemplated mock up changes amount to an increase in scope of approximately \$70,000.00. ONSM has repeatedly requested a change order and confirmation of payment. It has been approximately four months and ONSM has yet to receive an executed change order. Please provide a change order and ONSM will begin the mock up.
- l. Balfour provided a link to its masonry reports. Unfortunately, the link does not work, so ONSM cannot respond appropriately; however, ONSM has provided detailed daily reports documenting the progress and difficulties associated with this Project.

3. Material Delivery

- a. ONSM has a forklift onsite and will continue to have a forklift on site;
- b. ONSM has its own rigging and does not expect Balfour to provide it; however, Balfour is responsible for providing all hoisting for the precast material per the terms of the Subcontract.

4. Quality Control

- a. The approved sample panel provided by ONSM addresses the concerns regarding chips and discoloration. The sample panel demonstrates the manufacturer's method of addressing chips. The method demonstrated on the approved sample panel will be followed. Likewise, the approved sample panel was washed to reach its color. ONSM intends to wash the precast upon completion of the installation. Once the completed precast is washed, the color will match the approved sample panel.
- b. In December of 2016, Balfour conducted a survey. ONSM has been told the survey showed the walls were intolerant. ONSM is only aware of issues related to Stair 3 from the 2nd to the 5th floor. Work on those

known issues will begin next week, and should be concluded in approximately two weeks if there are no unexpected delays or complications. If there are any other walls in question, please provide the December 2016 survey for review and discussion.

As mentioned previously, ONSM has not delayed the Project. Any attempts to insinuate otherwise are disingenuous and self-serving. However, it is undisputed ONSM has continuously been delayed on this Project. The delays are ongoing and resulting in a significant financial impact to ONSM. ONSM has given proper notice and will continue to track all costs while attempting to mitigate any impact. ONSM is concerned the constant delays will eventually necessitate an acceleration. Any acceleration would be the result of actions taken by Balfour and/or the Owner, and not the responsibility of ONSM. Moreover, any acceleration will result in additional costs to ONSM and will require additional compensation.

While ONSM vehemently disagrees with the contents of the March 15, 2017 "Notice of Delay and Demand for Cure," it is willing to address any concerns Balfour may have during its scheduled site visit on Thursday, March 23, 2017 and work with Balfour in any reasonable manner to address any legitimate concerns.

Joe Anastasi
President
Cell (704) 400-6802
janastasi@onsmllc.com

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Wednesday, March 15, 2017 12:48 PM
To: Chlp Venable <cvenable@oldnorthstatemasonry.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Cossette, Jeno <JCossette@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: 13026000-20-04 ONSM Demand for Cure

Chip,

See attached Notice of Demand for Cure for the Hotel at Marion Square. Per yesterday and multiple coordination meetings onsite, these issues remain deficient and need to be addressed, see below.

1. Clean Up –

- a. Overall cleanup, material storage, staging, etc, needs to be improved immediately. For clarity, Old North State Masonry is to clean all working spaces, remove mortar, remove grout, broom sweep, and dispose of trash daily. No exceptions.
- b. Neatly organize, stack, and locate material as indicated on the attached logistics plan. This is mandatory and must be strictly adhered to.
- c. Remove all excess material from the site by COB 3/17/17.
- d. Only bring material that will be used in the next two weeks to the project, all other material will be rejected.

2. Schedule –

- a. The exterior skin continues to slip. It is evident that we are not achieving the agreed to rate of installation due to a multitude of issues (BBC acknowledges not all issues are 100% ONSM). BBC has gone above and beyond to coordinate with ONSM on the precast setting and provide the hooks

necessary for installation. If precast needs to be cut, modified, repaired, etc it needs to be done in a manner that does not delay the installation. It is clear that the necessary manpower is not onsite as Toby Holloway promised an expert crew onsite 3/13/17 to speed up installation and that crew is not onsite as of 3/15/17.

- b. Due to lack of production, ONSM is directed to work on L9 Parapet, Southeast Door Surrounds, and L2 Cornice. Provide completion dates for these activities so we can plan accordingly.
 - 1. Southeast Door Surrounds
 - 2. L2 Band
 - 3. L9 Parapet Cap
 - 4. L8 Band
- c. All open SME discrepancies
- d. L6 grout fix – confirm 3/22/17 completion
- e. L3 stair completion
- f. L3 stair repair (see 13026000-20-03 Demand for Cure)
- g. Control Lines fixed (scaffold will not be used). All float in schedule has been removed due to delays by ONSM so provide hoisting to fix deficient control lines.
- h. Repair any damage caused to other trades
- i. Mock Up completion
- j. See BBC daily masonry reports at the following link. BBC Masonry Daily Report
<https://bbcus.egnyte.com/f/xagYggPp2G>
- 3. Material Delivery
 - a. All material deliveries are to be coordinated with Jenö Cossette or Marty Dale.
 - b. Provide a forklift to move material.
 - c. Any rigging, equipment, etc needed for the deliveries is to be provided by ONSM. BBC does not provide rigging, equipment, or labor to assist with material deliveries.
- 4. Quality Control
 - a. Provide a written quality control plan for review. BBC remains concerned about the lack of protection on the precast and ONSM's ability to repair.
 - b. BBC has witnessed chips in precast that need repaired or replaced.
 - c. BBC has witnessed discolored precast that needs to be cleaned or replaced
 - d. Walls out of tolerance need to be addressed.

Do not hesitate to contact me should you have any question or concerns

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

Balfour Beatty Construction | 305 Meeting St. Suite 300, Charleston, SC 29401

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704.945.2176
awindle@slk-law.com

FOR SETTLEMENT ONLY

January 9, 2019

*Via Email: jheuer@balfourbeattyus.com
And US Mail*

Mr. John Heuer
Balfour Beatty Construction Co., LLC
1930 Camden Road, Suite 280
Charlotte, NC 28203

Re: Marion Square Hotel Project
Charleston, South Carolina
Claim by Old North State Masonry - \$1,139,509.06

John:

As requested, enclosed is the preliminary claim by Old North State Masonry (“ONSM”) in relation to the Marion Square Hotel project in Charleston, South Carolina (the “Project”).

A. Delays & Inefficiencies

As you are aware, ONSM was not able to start work until July 6, 2016, which was about one year after the planned start date. Almost from the outset, ONSM’s planned performance was substantially impacted by job conditions that made performance of the masonry work in any efficient manner impossible. Because of numerous issues not the responsibility of ONSM, ONSM could not complete its work on any floor and was required to make many unplanned, inefficient moves from floor to floor trying to finish work wherever possible. For example, ONSM planned to start on the first floor and proceed through the first floor, completing the masonry work on that floor, then move to the next floor. However, due to numerous reasons, none the fault or responsibility of ONSM, that plan was impossible. As it turned out, ONSM could not complete work on any floor due to, among other things, lack of access, other tradesmen or materials in the way, incomplete or incorrect preceding work by other subcontractors, stacking of trades, design errors, design changes, etc.

Mr. John Heuer
Balfour Beatty Construction Co., LLC
January 9, 2019
Page 2 of 4

Pursuant to the baseline schedule, ONSM, for the most part, planned on proceeding with the work from one (1) floor to another in an efficient manner. However, as previously stated, the plan for the efficient performance of the masonry work became impossible. The chart attached as Attachment "D" shows the actual progress of the work on the Project. As shown, ONSM was forced to perform work on five or six different floors at the same time without ever being able to complete any single floor and, as a result, having to double back many times to complete the work on prior floors, resulting in additional inefficient and time-consuming mobilizations and demobilization activities.

For example, when ONSM was performing work on the 6th floor, ONSM was also having to go back and complete work on floors 1-5. That is not how ONSM planned to perform the masonry work on the Project. It is important to note that this haphazard, "hop-scotch" approach forced upon ONSM by job conditions destroyed any planned efficiencies in performance of the work. Moreover, these impacts greatly increased the time of the masonry work as well as the cost of performing the masonry work.

It should be noted that ONSM acknowledges that, at this time, ONSM lacks sufficient information to determine with absolute certainty which entities are responsible for the problems and issues described herein.

The coordination issues were exacerbated by the fact that Balfour went through numerous superintendents during the course of the job. The initial superintendent was Robert Cutherman, who was replaced by Dan Richie, who was replaced by Geno Garrett, who was replaced by Marty Dill, who was replaced by Tim Spano. Without a doubt, this substantial turnover in supervision created coordination of trades and coordination of work issues on the Project site.

Additionally, pursuant to the terms of the Balfour – ONSM Subcontract, all hoisting above the fifth floor and hoisting for all precast installation was to be provided by Balfour. However, Balfour failed to provide the hoisting equipment which delayed the precast work by ONSM. Because ONSM could not install the precast on the 5th floor, ONSM was forced to move ("hop-scotch") to the 6th floor to continue working and make plans to return to the 5th floor at some unknown future date to set the precast; a substantially inefficient endeavor. In addition other trades were allowed to install their work out of sequence on the 5th floor, which prevented ONSM from installing its work until the other trades removed their work so as to allow ONSM access to the 5th floor.

For reasons unknown to ONSM, the work on the Project was stopped for a substantial amount of time while the Owner was redesigning the 7th, 8th and 9th floors of the Project. Regardless of the reason, the effect was a substantial delay to ONSM.

Attached hereto as Attachment "A" is a preliminary description of only some of the problems and inefficiencies encountered by ONSM from July 1, 2016 through July 2017. It is not a description of all problems, delays or inefficiencies encountered and ONSM reserves the right to amend the descriptions as additional facts become available.

B. Acceleration

According to the construction schedule for the Project, the masonry work on the seventh floor was scheduled to begin on October 3, 2016 and be completed by October 14, 2016. The masonry work on the eighth floor was scheduled to begin on October 17, 2016 and be completed by October 28, 2016 and the masonry work on the ninth floor was scheduled to start on October 31, 2016 and be completed by November 17, 2016. However, that work was not performed in accordance with the construction schedule. To the contrary, ONSM was directed to accelerate its work efforts by completing all three floors at the same time. ONSM complied with the directive and did accelerate its work efforts. However, in doing so, ONSM incurred substantial acceleration costs. Specifically, ONSM retained the services of another masonry contractor, Norkett & Sons and obtained additional men and equipment from Norkett and Sons in order to be able to accelerate performance of the masonry work on the 7th, 8th, and 9th floors. ONSM paid Norkett and Sons \$129,184.00 in order to obtain the additional men and equipment needed to comply with the directive to accelerate the masonry work on the 7th, 8th and 9th floors of the Project. Because the acceleration was not required as the result of any act or omission of ONSM, ONSM is entitled to reimbursement of the acceleration costs.

C. Cost of Delays, Inefficiencies & Acceleration

The planned duration of the masonry work on the Project, from start to finish was 29 weeks. The actual duration, despite the acceleration, was 76 weeks, an overrun of 47 weeks.

In Change Order #4 (copy attached as Attachment "B"), Balfour and ONSM, on November 28, 2017, agreed upon the labor inefficiency for the block work. Specifically, Balfour and ONSM agreed that ONSM's planned performance of 125 blocks installed per day by each mason was reasonable and, due to the fact that ONSM was only able to install 65 blocks per mason per day on the second lift of block and only 25 blocks per mason day on the last course due to the inefficiencies described previously, ONSM was entitled to payment for inefficiency costs.

At the same time, Balfour also agreed in Change Order #4 that ONSM's daily General Conditions cost was \$1,967.69 per day.

Based upon the agreed-upon inefficiency and general conditions cost established in Change Order #4, ONSM has incurred, and is entitled to be reimbursed, \$1,139,509.06 for inefficiency, disruption and delay costs incurred in attempting to complete its contractual obligations under extremely difficult conditions that were not the fault or responsibility of ONSM.

Attached hereto as Attachment "C" is ONSM's calculation of the additional costs incurred. Because ONSM's analysis is ongoing, ONSM reserves the right to change the analysis and computation of costs as the work and analysis proceed.

Mr. John Heuer
Balfour Beatty Construction Co., LLC
January 9, 2019
Page 4 of 4

D. Notice

ONSM sent written notice of delay and inefficiency letters to Balfour early and often. ONSM informed Balfour of the delays and inefficiencies on a regular basis. For example, ONSM sent "Notice of Delay" letters to Balfour on many dates including, but not limited to, July 14, 2016, August 11, 2016, December 15, 2016, December 20, 2016, January 24, 2017 and March 17, 2017 (these letters are attached as Attachment "E"). ONSM informed Balfour, in writing, early and often that ONSM was being delayed and incurring inefficiencies caused by others which was slowing ONSM down and causing ONSM to incur unexpected and additional costs.

ONSM requests the opportunity to meet with Balfour to discuss the basis of the claim by ONSM as well as resolution of the claim.

Sincerely,

SHUMAKER, LOOP & KENDRICK, LLP



Steele B. Windle, III

SBW/ebg

Enclosures

cc: Joe Anastasi (*via email*)

SUBCONTRACTOR SCOPE SHEET

SUBCONTRACTOR	CITY	UNIT	UNIT PRICE	TOTAL	Structural Delay Claim	L6		L7		L9		GENERAL CONTRACTOR ITEMS:	
						22 Days	\$188,780.00	8 Days	\$71,531.00	21 Days	\$133,409.00	MATERIAL:	LABOR:
BASE BID:													
FURNISHED													
INSTALLED													
SALES TAX													
SCOPE ITEMS:													
Form Rental							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Early Return of 1900 sq foot tables							INCLUDED	N/A	N/A	N/A			
HD Supply Solutions rental							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Fork Lift							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Scissor Lift							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Motor Loading Edge							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Propane Fuel Tank Rental							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Structuring Equipment							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Pay-CLM Clothing							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
General Contractors							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Indefinite							INCLUDED	INCLUDED	INCLUDED	N/A			
Sub Tier - East Coast Rebar							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Sales Tax							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Burden							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
Profit							INCLUDED	INCLUDED	INCLUDED	INCLUDED			
TOTAL COST OF WORK :				\$0.00				\$1,088,780.00	\$71,531.00	\$89,123.00			\$0

PROPOSED SUBCONTRACTOR : Structural Delay Claim
 TOTAL SUBCONTRACTOR : \$381,720
 TOTAL GC MATERIAL : \$0
 TOTAL GC LABOR : \$0
 TOTAL : \$381,720

A	B	C	D	E	F	G	H	I	J	K	L	M	N
	Item No.	Description	Quantity	Unit of measure	Hours Per Unit	Labor Rate	Material (M)	Equipment (E)	Subcontract (S)	Subcontract (S)	Total L. M. & E. + S		Comments
		Approved early during down time for 3 weeks per design for extra cost of time	0	days	0%	21	0.00	0.00	0.00	1200.00			
		Demonstrated labor and time for crane	2	days	10	28	0.00	0.00	0.00	1120.00			
		Setup (crane) remote	1	days	10	28	0.00	0.00	0.00	2272.00			
							0.00	0.00	0.00	2272.00			
		Sales Tax					6.5%			147.68			
		Payroll on labor					30.0%			681.60			
		Subtotal								4054.00			
		General Conditions					10%			405.40			
		Subtotal								4459.40			
		Profit					5.00%			222.97			
		Total								4682.37			
		TOTAL REQUEST THIS PAGE								4682.37			

Job: Marion Square
 Document: 5th floor Column Change

TO BE COMPLETED BY CONTRACTOR													
A	B	C	D	E	F	G	H	I	J	K	L	M	N
Item No.	Description	Quantity	Unit of measure	Hours Per Unit	Labour Rate	Labour (A)	Material (B)	Equipment (C)	Emp. (E)	Sub. Cont. (F)	Total Cost (G)	Days (H)	Comments
1	10' dia Form Bracket	21	each					1545.00	33725.00				See attached Form
2	Form Lin	21	sqft					77.40	1625.34				Included Rate
3	Scissor Lift	21	day					79.50	503.25				See attached Rate
4	Laborer	21	day					24.64	517.24				See attached Rate
5	Light Tower	21	day					19.21	152.28				See attached Rate
6	Proprietary Steel Deck Board	21	sqft					25.67	539.07				See attached Rate
7	Formwork Encasement	21	sqft					200.50	740.00				See attached Rate
8	Ministry Paying material	21	sqft					715.00	15015.00				See attached Rate
9	Tim Count	17	hour					3005.00	1191.00				See attached Rate
10	Acetylene/Welding	17	hour					597.00	597.00				See attached Rate
11	Self Storage	17	hour					1123.00	1123.00				See attached Rate
12	Self Storage	17	hour					1123.00	1123.00				See attached Rate
13	10' dia extended pier form	14	rod/mem				16435.50			16435.50			10 piers @ 500 per day
14	self stored rebar									16435.50			see attached
15	Subtotal									66121.00			
16	Subtotal									66121.00			
17	TOTAL									66121.00			
TOTAL REQUEST THIS PAGE											66121.00		

Marion Square
 In their County Charities and other noble ends.

Job Document

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Item No	Description	Quantity	Unit of measure	Hours Per Unit	Labour Rate	Labour (L)	Material (M)	Equipment (E)	Emp (E)	Sub Contract (S)	Total L + M + E + S	Comments	
1	Asbestos test during down time for 3 lifts per lift for 7 lifts out of 10 lifts	21	lifts	0.00	21	2500	0.00	0.00	0.00	3100.00		3 separate permits for asbestos test attached backup	
2	Demolition labor and time for 10 lifts	11	lifts	0.00	21	500	0.00	0.00	0.00	2500.00		3 separate permits for asbestos test attached backup	
3	Asbestos removal	3	lifts	0.00	21	500	0.00	0.00	0.00	2500.00		3 separate permits for asbestos test attached backup	
4	Subtotal					3500.00	0.00	0.00	0.00	3500.00			
5	Subtotal					624.00	0.00	0.00	0.00	624.00			
6	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
7	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
8	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
9	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
10	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
11	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
12	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
13	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
14	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
15	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
16	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
17	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
18	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
19	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
20	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
21	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
22	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
23	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
24	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
25	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
26	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
27	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
28	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
29	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
30	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
31	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
32	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
33	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
34	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
35	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
36	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
37	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
38	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
39	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
40	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
41	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
42	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
43	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
44	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
45	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
46	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
47	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
48	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
49	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
50	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
51	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
52	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
53	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
54	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
55	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
56	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
57	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
58	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
59	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
60	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
61	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
62	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
63	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
64	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
65	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
66	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
67	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
68	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
69	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
70	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
71	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
72	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
73	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
74	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
75	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
76	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
77	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
78	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
79	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
80	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
81	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
82	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
83	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
84	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
85	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
86	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
87	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
88	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
89	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
90	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
91	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
92	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
93	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
94	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
95	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
96	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
97	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
98	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
99	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
100	Subtotal					4004.00	0.00	0.00	0.00	4004.00			
TOTAL REQUEST THIS PAGE													

David Allen Company
PRICING REQUEST SHEET

PCO # 45
Date: 12/10/2018
DAC Job # SC5-104-01

TO: Balfour Beatty
Attn: Nick Starcevic

Project: Marion Square Hotel

Description of Changes:

Cost Impact thru December 2nd, 2018

1	Labor Costs			\$193,356
2	Labor Burden			\$0
3	Material Cost & Sales Tax			\$0
4	Equipment Cost & Sales Tax			\$0
5	Subtotal (Lines 1-4)			\$193,356
6	Overhead and Profit (@	15%		\$29,003
7	Additional Bond Costs (@	0%	(if applicable)	\$0
TOTAL CHANGE PROPOSAL (Lines 5, 6, & 7)				\$222,359

SEE ATTACHED BREAKDOWN SHEET

Qualifications:

Days Added to Schedule: 245

- 2
- 3
- 4
- 5
- 6 Proposal is valid for 30 days.

Submitted By: Clovis LaCour
Title: Project Manager

PROJECT:		Marion Square Hotel		Date:		12/10/2018						
DESCRIPTION:		Cost Impact thru December 2nd, 2018										
ITEMS	LABOR				MATERIAL (includes waste)				EQUIPMENT			
	QTY	UOM	UNIT COST	EXTENSION	QTY	UOM	UNIT COST	EXTENSION	QTY	UOM	UNIT COST	EXTENSION
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
Supervision	49	wks	\$1,438.06	\$70,464.94			\$0.00	\$0.00			\$0.00	\$0.00
Shop Drawings			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
Misc Tools			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
Safety			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
Freight			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
Job Delivery	1	LS	\$39,743.81	\$39,743.81			\$0.00	\$0.00			\$0.00	\$0.00
Per Diem/Hotel	1	LS	\$83,147.00	\$83,147.00			\$0.00	\$0.00			\$0.00	\$0.00
Truck Mileage			\$0.00	\$0.00			\$0.00	\$0.00			\$0.00	\$0.00
LABOR SUBTOTAL				\$193,355.75								
Labor Burden			0%	\$0.00								
LABOR TOTAL				\$193,355.75								
MATERIAL SUBTOTAL				\$0.00				\$0.00				\$0.00
Tax			6.75%	\$0.00				\$0.00				\$0.00
MATERIAL TOTAL				\$0.00				\$0.00				\$0.00
EQUIPMENT SUBTOTAL				\$0.00				\$0.00				\$0.00
Tax			6.75%	\$0.00				\$0.00				\$0.00
EQUIPMENT TOTAL				\$0.00				\$0.00				\$0.00



DATE: 03/08/17
C.O.#GC7

CHANGE ORDER PROPOSAL

JOB NAME:	Marion Square
CONTRACTOR	Balfour beatty
ADDRESS	
DATE OF EXISTING CONTRACT:	
CONTRACT #:	
ATT:	Alec Dooley
PH:	
Reference	

We hereby agree to make the following change's) specified below:

General Conditions for schedule push on level 7. 21 days.

NOTE: This Change Order reflects pricing for additional and/or revised work outside of the contacted scope of work.

WE AGREE hereby to make the change specified above at this price >>>>>>>>>		\$3,225.75
PREVIOUS CONTRACT AMOUNT		
REVISED CONTRACT AMOUNT		
Signature (SUB-CONTRACTOR):		
<p>ACCEPTED - The above prices and specifications of this work to be performed under the same terms and conditions as specified in the original contract unless otherwise specified. Price is valid for 30 days from receipt.</p>	Accepted By: (Signature)	
	Date of Acceptance:	

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Summary

DATE:

03/08/17

We hereby agree to make the following change's) specified below:

General Conditions for schedule push on level 7. 21 days.

Fire Sprinkler

Contract Work

1.	Products (itemized breakdown attached):		\$0.00	
2.	Rent of Equipment (listed separately):*		\$0.00	
	Total of 1 + 2		\$0.00	(A)
3.	Labor (itemized breakdown attached):		\$2,805.00	
4.	security, or as otherwise required or specified):	0%	\$0.00	
	Total of (A) + 3 + 4		\$2,805.00	(B)
5.	Overhead and Profit (% of total (B)):**	15%	\$420.75	
	Total of (B) + 5		\$3,225.75	(C)
6.	Sales Taxes on total (A):	8.5%	\$0.00	
	Total of (C) + 6		\$3,225.75	(D)
7.	Subcontract work (if applicable in a similar breakdown through total (D):			
8.	Prime Contractor's overhead and profit on sub-bids (7):	10%	\$0.00	
	Total of 7 + 8		\$0.00	(E)
	Total of (D) + (E)		\$3,225.75	(F)
9.	Performance - Payment Bond on Total (F):	0.0%	\$0.00	(G)
	TOTAL QUOTATION (F) + (G)		\$3,225.75	

Extension of time requested: _____ calendar day(s)

EQUIPMENT

Date:

03/08/17

General Conditions for schedule push on level 7. 21 days.

RENT OF EQUIPMENT - ITEMIZED BREAKDOWN

Qty	Description	Unit	Total
	N/A		0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
RENT OF EQUIPMENT TOTAL:			\$0.00

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DATE: 03/08/17
C.O.#GC9

CHANGE ORDER PROPOSAL

JOB NAME:	Marion Square
CONTRACTOR	Balfour beatty
ADDRESS	
DATE OF EXISTING CONTRACT:	
CONTRACT #:	
ATT:	Alec Dooley
PH:	
Reference	

We hereby agree to make the following change's) specified below:

General Conditions for schedule push on level 9. 20 days.

NOTE: This Change Order reflects pricing for additional and/or revised work outside of the contacted scope of work.

WE AGREE hereby to make the change specified above at this price >>>>>>>>	\$3,036.00
PREVIOUS CONTRACT AMOUNT	
REVISED CONTRACT AMOUNT	

Signature (SUB-CONTRACTOR):	
<p>ACCEPTED - The above prices and specifications of this work to be performed under the same terms and conditions as specified in the original contract unless otherwise specified. Price is valid for 30 days from receipt.</p>	<p>Accepted By: (Signature)</p> <p>Date of Acceptance:</p>

Summary

DATE:

03/08/17

We hereby agree to make the following change's) specified below:

General Conditions for schedule push on level 9. 20 days.

Fire Sprinkler

Contract Work

1.	Products (itemized breakdown attached):		\$0.00	
2.	Rent of Equipment (listed separately):*		\$0.00	
	Total of 1 + 2		\$0.00	(A)
3.	Labor (itemized breakdown attached):		\$2,640.00	
4.	security, or as otherwise required or specified):	0%	\$0.00	
	Total of (A) + 3 + 4		\$2,640.00	(B)
5.	Overhead and Profit (% of total (B)):**	15%	\$396.00	
	Total of (B) + 5		\$3,036.00	(C)
6.	Sales Taxes on total (A):	8.5%	\$0.00	
	Total of (C) + 6		\$3,036.00	(D)
7.	Subcontract work (if applicable in a similar breakdown through total (D):			
8.	Prime Contractor's overhead and profit on sub-bids (7):	10%	\$0.00	
	Total of 7 + 8		\$0.00	(E)
	Total of (D) + (E)		\$3,036.00	(F)
9.	Performance - Payment Bond on Total (F):	0.0%	\$0.00	(G)
	TOTAL QUOTATION (F) + (G)		\$3,036.00	

Extension of time requested: _____ calendar day(s)

LABOR

Date:

03/08/17

General Conditions for schedule push on level 9. 20 days.

LABOR - ITEMIZED BREAKDOWN

Design		hours at	75.00	per man hour =	\$0.00
Foreman		hours at	65.00	per man hour =	\$0.00
Fitter		hours at	55.00	per man hour =	\$0.00
Helper		hours at	45.00	per man hour =	\$0.00
Project Manager	16.0	hours at	85.00	per man hour =	\$1,360.00
Superintendent	16.0	hours at	80.00	per man hour =	\$1,280.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00

LABOR TOTAL: \$2,640.00

ELECTRONICALLY FILED - 2023 May 16 10:41 AM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108

**BERNHARD MCC, LLC'S CLAIM FOR CONTRACT BALANCE, ADDITIONAL
COMPENSATION AND COSTS ASSOCIATED WITH PROJECT DELAYS
RELATED TO THE HOTEL AT MARION SQUARE PROJECT
January 23, 2019**

Bernhard MCC, LLC ("BMCC") submits this Claim for Additional Compensation ("Claim") to Balfour Beatty Construction, LLC ("Balfour" or "Contractor") to quantify the cost impacts and damages BMCC and its subcontractors have sustained on the Hotel at Marion Square Project ("Project"). Specifically, BMCC seeks amounts it is owed on the Project under the Subcontract agreement between BMCC and Balfour for contract balance and additional costs, as follows:

I. Executive Summary

Significant delays – caused by parties other than BMCC – and additional out-of-scope work caused BMCC to incur millions of dollars in additional costs on this Project, as summarized below:

BMCC Contract Balance	\$137,917.73
Change Orders Approved for Less than Amount Sought by BMCC	\$130,106.62
Unapproved Proposed Change Orders	\$871,282.45
Extended General Conditions	\$1,919,282.82
Overtime	\$19,982.40
Per Diem	\$364,837.50
General Clean Up	\$123,872.12
BIM	\$197,388.30
Core Drill	\$71,153.95
Material Escalation	\$229,050.10
Chemical Treatment	\$12,000.00
Subcontractor Extended General Conditions Claims	\$253,202.40
Productivity Claim	\$2,140,450.00
Total:	\$6,539,992.14

II. Background

On September 22, 2014, Balfour entered into an AIA Document A133-2009 Standard Form of Agreement Between Owner and Construction Manager ("Prime Contract") with Library Associates, LLC ("Owner") for the construction of the Project, located at 404 King Street, Charleston, South Carolina.¹ Winford Lindsay Architect was listed as the Architect ("Architect"). Incorporated by reference into the Prime

¹ A copy of the Prime Contract is attached as Exhibit "1".

Contract are the AIA Document A201-2007 General Conditions of the Contract for Construction (“General Conditions”).²

Thereafter, on March 11, 2015, Balfour and MCC Mechanical of the Carolinas, LLC (“MCC”) entered into a Subcontract agreement (“MCC Subcontract”) pursuant to which MCC contracted to perform the HVAC/Plumbing scope of work for the Project, as specifically set forth Exhibit B to the MCC Subcontract.³ The original MCC Subcontract amount was \$8,028,350.00 (“Subcontract Price”).

On October 31, 2015, MCC (and other related companies, collectively referred to as “Sellers”) was sold to Bernhard Services, LLC (“Buyer”) pursuant to a Capital Contribution and Membership Interest Purchase Agreement (“Purchase Agreement”). As part of this Purchase Agreement, the Sellers’ rights and claims to and under Subcontract between Balfour and MCC related to the Project were specifically transferred to the Buyer. Thereafter, Bernhard Services formed BMCC as a successor to MCC. Subsequently, a new Subcontract dated April 30, 2016 was entered into between BMCC and Balfour for the Project (“BMCC Subcontract”).⁴ The terms and conditions of the MCC Subcontract and BMCC Subcontract are identical and the two subcontracts are collectively referred to herein as “Subcontract”.

BMCC’s onsite work at the Project began on or about July 6, 2015. Almost immediately, the Project was impacted by issues and delays that directly affected BMCC’s ability to efficiently and effectively perform its work and caused BMCC’s costs on the Project to increase exponentially. Specifically, the following issues caused BMCC’s costs to increase daily:

- Design deficiencies throughout the Project;
- Numerous Owner directed program changes;
- Various design modifications;
- Numerous weather impacts (flooding, high winds, hurricanes, etc.);
- Delays impacting the critical path of the Project Schedule;
- Various productivity impacts caused by Project delays: learning curve, dilution of supervision, crew inefficiency, reassignment of power, E&O and Ripple Effect;
- Failure to perform by other subcontractors;
- Coordination issues due to actions by parties other than BMCC;
- Rework required due to impact on BMCC’s scope of work; and
- The cumulative impact of change directives issued to BMCC.

² A copy of the General Conditions is attached as Exhibit “2”.

³ A copy of the MCC Subcontract, without exhibits, is attached as Exhibit “3”.

⁴ A copy of the BMCC Subcontract, without exhibits, is attached as Exhibit “4”.

Building Information Modeling (“BIM”) was a function of the Project for coordination. BIM is an intelligent 3D model-based process that gives architecture, engineering, and construction professionals the insight and tools to more efficiently plan, design, construct, and manage buildings and infrastructure. The BIM process is dependent upon the existence of completed plans and specifications. On this Project, however, numerous design deficiencies were quickly identified through the BIM process, resulting in over 1,000 requests for information (“RFIs”) being submitted to the Architect. Compounding the design issues and the resulting Owner directed changes, many of the Architect’s (or its sub-consultants) RFI responses fell into one or more of three categories: (1) the responses were incorrect; (2) the responses insufficiently answered the question; and/or (3) the responses were untimely, and thus, unable to facilitate the Project Schedule (as originally provided in Exhibit H to the Subcontract, or in the subsequent Project Schedule updates). These issues led to even further delays.

The original Project Schedule, attached as Exhibit H to the Subcontract, provided for completion of BIM activities by April 21, 2016. However, BIM activities were not completed until over 9 months later on February 24, 2017. These delays adversely affected all subsequent scheduled activities, including the work of BMCC, and required additional work that was not part of the original contract. For example, the concrete pour schedule for the building slab was not adequately postponed to allow for completion of BIM and approved shop drawings until reaching the sixth floor. The negative impact of utilizing incomplete drawings prevented BMCC from laying out all penetrations. Thus, BMCC was forced to use a ground penetrating radar scan (“GPR scan”) and core-drill the post tension slab after all penetrations were finalized, which is an expense BMCC would not have otherwise incurred.

Another issue that greatly impacted the Project design was that after construction of the hotel began, the City of Charleston notified the Owner that the City had made a mistake approving the plans for the Project. Buildings in Charleston cannot be taller than the tallest church steeple, which is Saint Matthew’s Lutheran Church. However, the original plans for the Project called for the building to be taller than Saint Matthew’s steeple. As such, the Architect was required to “shrink” the building by approximately 120 feet – after the building was already under construction. Since the first three floors were already poured, floors 4 through 9 were “shortened” to make up the difference. Rather than issue new drawings, the Architect made adjustments during the BIM/RFI process, which resulted in significant changes to all scopes of work, including BMCC’s work. Additionally, the lack of adequate drawings resulted in the concrete slab being poured at the incorrect elevation for the 3rd floor ceiling/4th floor deck. This meant there was less room to install MEP, which led to further design changes.

Other issues experienced on the Project that led to delays include, but are not limited to:

- Lack of design coordination due to failure to issue revised Architectural, and Structural drawings;
- Flood event during foundation work;
- Improper design for ventilation of the pool equipment room;
- Improper grease trap elevation; and
- Failure to timely provide design selections and approve submittals.

The original completion date for the Project was July 27, 2017. Early on in the Project, BMCC retained a third party consultant to analyze each schedule update and provide a written report. As of the most recently issued schedule dated January 4, 2018, the substantial completion date was supposed to be May 7, 2018, which is **313 calendar days** later than the Temporary Certificate of Occupancy (TCO) date set forth in the original Project Schedule attached as Exhibit H to the Subcontract.⁵ Unfortunately this substantial completion date was not met, and, as of today, substantial completion has not been issued.

At no point during the course of this Project did BMCC's work delay the Project.⁶ However, due to the significant delays and design changes on this Project, BMCC incurred millions of dollars in additional costs that were not part of the original Project budget, including extended general conditions for the seventeen month delay in Project completion.

III. Claim Analysis

A. Contract Balance – \$137,917.73

On May 24, 2018, BMCC submitted Application for Payment No. 31 in the amount of \$137,917.73 for work performed on the Project. BMCC has not received payment.⁷

Article 2(A) of the Subcontract provides for payment within 10 days after Contractor's receipt of payment from Owner for subcontractor's work.⁸ However, South Carolina law prohibits such "pay when paid" payment provisions. Specifically, S.C. Code Ann. § 29-6-230 provides that performance by a subcontractor in

⁵ Attached as Exhibit "5" to this Claim is Scheduling Expert Randy Lynn's analysis of the January 4, 2018 Project schedule issued by Balfour.

⁶ Attached as Exhibit "6" to this Claim are all of the schedule analyses prepared by Randy Lynn.

⁷ A copy of Pay App 31 is attached for reference as Exhibit "7".

⁸ See Ex. 4, page 2.

accordance with the provisions of its contract shall entitle it to payment from the party with whom it contracts.⁹

As more than ten (10) days have passed since the submission of Application for Payment No. 31, BMCC requests payment in the amount of **\$137,917.73**.

B. Change Orders Approved for Less Than Amount Sought by BMCC - \$130,106.62

Changes to the work are addressed at Article 9(A)(ii) of the Subcontract.¹⁰ Pursuant to the terms of the Subcontract and as set forth in the chart below, BMCC previously submitted Proposed Change Orders ("PCOs") for costs associated with additional work resulting from design changes. Although these PCOs were approved and Change Orders were issued increasing the contract amount, the Change Orders were issued for less than the full amount sought by BMCC, despite the fact that BMCC complied with all contract requirements and provided proper pricing documentation:

[Remainder of page intentionally left blank. Chart appears on following page.]

⁹ S.C. Code Ann. § 29-6-230 may render other provisions of the Subcontract unenforceable as well.

¹⁰ See Ex. 4, page 9.

BMCC PCO No.	Description	Submit Date	PCO Amount	Amount Approved By Balfour	PCO Variance	Balfour CO#
3	Relocate Dewatering Away From Tower Pad	10/20/15	\$720.00	\$720.00	\$0.00	1
4	MOD #1 Under Ground Piping	10/28/15	\$59,628.00	\$59,200.00	(\$428.00)	7
6	MOD #1, 2, 3 Drawing Revisions		\$119,964.00	\$100,689.97	(\$19,274.03)	9
6.1	MOD #2 Duct Revisions		\$37,143.85	\$31,366.25	(\$5,777.60)	16
14	SI # 23 Mechanical Platform Equipment & Piping		\$64,925.04	\$55,270.79	(\$9,654.25)	17
15	Construct Wood Structure over Elec. Panel at crane pad	2/10/15	\$1,354.13	\$1,354.13	\$0.00	1
18	Decorative Grilles Guest Suites	3/1/16	\$82,579.20	\$82,222.47	(\$356.73)	4
20	MOD #4 Drawing Revisions	4/27/16	\$32,762.57	\$29,929.00	(\$2,833.57)	8
20.1	MOD #4 Duct Revisions		\$3,554.65	\$3,455.75	(\$98.90)	16
24	Dewatering Skid Steer Rental for UG	4/29/16	\$11,901.35	\$11,901.35	\$0.00	1
29	RFI 0473 Exterior Chilled Water Pipe Support	6/2/16	\$17,152.51	\$14,791.00	(\$2,361.51)	6
35	Overtime 3 Fast Layout and Sleeve Installation	6/9/16	\$2,478.19	\$2,479.00	\$0.81	5
37	2 West Control Point Delay	6/13/16	\$6,555.18	\$5,238.80	(\$1,316.38)	12
43	Correspondence 00067 MOD 6 Drawings	11/18/16	\$6,998.27	\$1,198.27	(\$5,800.00)	13
46	Expedited BIM Modeling Requested by BBC	8/25/16	\$3,542.00	\$3,542.00	\$0.00	12
48	New Fixture Selections Rvsd per owner 1-20-17 Floors 3-8	11/18/16	\$163,102.39	\$147,100.00	(\$16,002.39)	10
49	Domestic Storage Tanks RFI	11/28/16	\$3,535.15	\$3,052.15	(\$483.00)	17
51	Added Condensate Pumps RFI 155	6/6/17	\$2,122.59	\$2,112.59	(\$10.00)	14
52	MOD 7	2/2/17	\$29,102.90	\$25,475.53	(\$3,627.37)	18
53	BMCC RFI 0153 DIIWR Offsets	6/5/17	\$16,143.26	\$16,143.56	\$0.30	15
56	Supplemental Instruction # 32	11/28/16	\$62,448.62	\$59,201.82	(\$3,246.80)	19
60	Re-Set AHU 1&2 AHUs set out of scheduling seq. BBC	11/28/16	\$2,060.00	\$2,060.00		1
64	Trane to AAON MUAH 1-2 w/ Associate Seismic Rails	12/8/16	\$0.00	\$0.00	(\$43,060.00)	
69	RFI 0811 3rd floor duct changes nocket door framing	1/10/17	\$3,215.40	\$3,216.00		5
72	RFI 0745 SI 26 Grill SAR Change	2/3/17	\$7,947.77	\$7,947.08		3
77	Damaged Insulation of Duct Shafts Level 3	2/17/17	\$2,415.00	\$2,415.00		2
79	Overtime levels 4 & 5 Rough In Brass	3/2/17	\$0.00		(\$13,090.00)	
103	SI 48	6/13/17	\$8,935.39	\$6,249.00	(\$2,686.39)	20
110	Revised RFI 0832 ADA Tub Faucet now RFI 991	6/23/17	\$633.34	\$633.44		11
142	RFI 1025 Fire Damper in Rm 533	9/5/17	\$1,941.88	\$1,941.88	\$0.00	21
186	Rm 641	11/6/17	\$473.69	\$473.69	\$0.00	22
197	RFI 1160 - Pool Storage Floor Drain	11/15/17	\$2,507.52	\$2,508.00	\$0.00	23
95	RFI 0915 Ballroom RCP Conflicts with Duct	6/6/17	\$8,330.66	\$8,330.33	\$0.00	24
76	Correspondence 00083 Supplemental Instruction 37	6/7/17	(\$4,353.58)		(\$4,353.56)	25
			\$761,820.92	\$687,865.29	(\$130,105.81)	

BMCC requests payment for the full amount of its PCOs, totaling **\$130,106.62**.

C. Unapproved Pending Proposed Change Orders - \$871,282.45

BMCC has also issued 144 PCOs totaling **\$871,282.45** for additional work performed on the Project that was outside of BMCC's original scope of work. A chart summarizing these PCOs is attached as Exhibit "8". All of the PCOs on Ex. 8 are for costs associated with additional work BMCC was required to perform as a result of design or coordination issues and for which BMCC is entitled to payment. Article 9(A)(ii) of the Subcontract provides that if a Subcontractor is directed to perform additional work, the Subcontractor will be entitled to an equitable adjustment in

Subcontract Price.¹¹ Likewise, Section 5.3.1 and 5.3.2 of the Prime Contract allows for Balfour to recover for changes in the Work.¹²

Balfour is entitled to payment for work performed on the Project. Likewise, BMCC is entitled to payment for work it performed, as set forth in the PCOs listed on Ex. 8. This work was outside the original scope of work as it was not shown on and was not inferable from the Contract Documents.¹³ BMCC performed the additional work and submitted, in writing, a claim for additional costs with supporting documentation. BMCC requests that change orders be issued for each of the PCOs set forth in Ex. 8, totaling **\$871,282.45**.

D. Extended General Conditions - \$1,919,282.82

Courts have held that it is proper to award a contractor damages for increased overhead that the contractor incurs due to delay through no fault of its own. A contractor's delay damages often include expenses for jobsite-related costs directly correlated to the delay. These types of expenses are referred to as extended field overhead or extended general conditions. Extended field overhead includes expenses for office trailers, project office equipment, additional supervision expenses, equipment rental, and safety equipment, just to name a few.

On this Project, BMCC's work was delayed, disrupted, rendered inefficient and more costly for an abundance of reasons, but most notably due to the failure by the Owner and the Architects to provide complete and adequate design documents and insufficient Project coordination.

The Owner (and its Architect) led BMCC to believe that the design work for the Project was complete and that that Project could be constructed and completed in accordance with the designs, plans, specifications and bidding documents, within the time allowed for performance. However, design documents, plans, specifications, bidding documents and other documents furnished by the Owner to Balfour and its Subcontractors (including BMCC) were incomplete, deficient and defective. The Owner owed Balfour and its Subcontractors (including BMCC) the duty to prepare and furnish plans, drawings and specifications which adequately defined the true extent and character of the work to be performed, sufficient to allow Balfour and its Subcontractors (including BMCC) to prepare accurate estimates of the cost and time to perform the work, for purposes of preparing its bid for the Contract. The Owner breached that duty and caused damages to BMCC. The Owner owed Balfour and its Subcontractors (including BMCC) the duty to provide designs, plans, drawings and

¹¹ See Ex. 4, page 9.

¹² See Ex. 1, page 11.

¹³ The "Contract Documents" are listed on Exhibit A to the Subcontract and include the Prime Contract, General Conditions, plans, specification, and drawing.

specifications free from error, complete and fit for their intended use. The Owner breached that duty and caused damages to BMCC.

BMCC's work on the Project was delayed, disrupted, rendered inefficient and more costly as a result of (a) defects and deficiencies in the Owner's original (and supplemental) design, plans and specifications, (b) the Owner's failure or refusal, through its direct actions or the actions of its agents and representatives, to correct defects and deficiencies in the design, plans and specifications on a prompt basis; (c) failure to provide timely responses and decisions related to Project design and (d) lack of coordination.

This Project was delayed 18 months through no fault of BMCC. BMCC bid the job based on the bid documents which were provided to it. The significant additional time it took to complete additional out of scope work, as well as the additional time required to complete the original scope of work due to the poor design and coordination is so unreasonable in length and duration as to justify BMCC's ability to recover delays damages including extended general conditions.

BMCC has calculated a daily rate of \$3,515.17 for each calendar day this Project has been delayed:

DESCRIPTION	QTY	MONTHLY RATE
Safety Manager (one day/wk)	1	2,304.00
Safety Manager Travel Expense (four trips/mo)	1	1,380.00
QA/QC Manager (one day/wk)	1	2,304.00
QA/QC Manager Travel Expense (four trips/mo)	1	1,380.00
Project Expeditor	1	5,937.00
Project Manager (three day/wk)	1	8,571.00
Project Manager Travel Expense (four trips/mo)	1	3,000.00
Project Administrator (two day/wk)	1	2,375.00
Project Accountant (one day/wk)	1	1,713.00
Scheduling Consultant	1	500.00
General Superintendent (one day/wk)	1	2,857.00
General Superintendent Travel Expense (four trips/mo)	1	1,380.00
Superintendent 1	1	13,392.00
Superintendent 1 Travel Expense & Per Diem	1	2,500.00
Superintendent 2 (50% duration)	1	6,696.00
Superintendent 2 Travel Expense & Per Diem (50% duration)	1	1,250.00
Foreman (Non-Working) Travel Expense & Per Diem	1	10,250.00
Foreman (Non-Working)	1	2,500.00
Jobsite Parking	1	1,200.00

Office Lease, Utilities, Parking, Etc.... (50% duration)	1	875.00
Jobsite Office Supplies	1	200.00
Internet Service - Mobile Hot Spot	1	320.00
Photo Documentation	1	85.00
Potable Water	1	210.00
First Aide/Safety Supplies/PPE	1	130.00
IT Equipment (Computers-Printer/Copy-I-Pads)	1	325.00
Communication (Cell Phones, Phone, etc...)	1	260.00
Postage & Mailings	1	75.00
Jobsite Fuel	1	115.00
Misc. Reproduction & Scanning	1	150.00
Small Tools & Rental Equipment	1	3,500.00
Home Office Overhead (Travel & Mgt - Excluding Legal)		14,900.00
Misc. Consumables	1	350.00
Subtotal Monthly Cost		92,984.00
Average Calendar Days/Mo		30.42
Subtotal Daily Cost		3,056.67
15% OH&P		458.50
TOTAL DAILY COST		\$3,515.17

Through December 31, 2018, BMCC incurred extended general conditions totaling **\$1,919,282.82**. BMCC is entitled to recover these costs and requests that a change order be issued and paid promptly.

E. Overtime - \$19,982.40

BMCC incurred overtime costs associated with additional out-of-scope work that was performed. Article 4(D) of the Subcontract explicitly allows BMCC to recover overtime costs (plus taxes, benefits, bond and insurance costs on those overtime wages).¹⁴ BMCC incurred overtime costs of \$17,376.00, plus overhead and profit of 15%, totaling **\$19,982.40**.

F. Per Diem - \$364,837.50

As a result of the significant delays on the Project, BMCC also incurred additional per diem costs that were not calculated as part of its original estimate for the Project. Per diem is paid to BMCC's field workers at a rate of \$50 per day on average. Based on the amount of workers on site and the delays through December 31, 2018, BMCC incurred additional per diem costs totaling **\$364,837.50**.

¹⁴ See Ex. 4, page 4.

G. General Clean-Up - \$123,872.12

Due to the significant delays on the Project, as well as the fact that other subcontractors continued to enter BMCC’s finished rooms and doing additional work, BMCC incurred additional clean-up costs that were not calculated as part of its original estimate for the Project. BMCC has calculated a daily rate of \$197.28 for clean-up. As such, through December 31, 2018, BMCC incurred additional clean-up costs totaling **\$123,872.12**.

H. BIM Costs - \$197,388.30

BIM was used on the Project for coordination and all trades participated in the 3D modeling effort. However, the numerous design deficiencies and Owner directed changes resulted in BIM activities lasting almost a year longer than originally planned. These delays adversely affected all subsequent schedule activities including the work of BMCC. As a result, BMCC and its subcontractors incurred additional costs, as follows:

BMCC Costs Associated with BIM Delays	\$75,549.00
Knight & Wilson Costs Associated with BIM Delays	\$93,093.00
OH&P (15%)	<u>\$25,746.30</u>
Total BIM Claim:	\$197,388.30

I. Core Drill - \$71,153.95

Because the City of Charleston mistakenly approved the original Project plans and later rescinded said approval and required that the building be “shortened”, BMCC was required to re-route a significant amount of piping and duct work that was already installed, at a cost of **\$71,153.95**.

J. Material Escalation - \$229,050.10

The delay to the completion of the Project through June 30, 2018 resulted in material escalation totaling **\$229,050.10**.

K. Chemical Treatment - \$12,000.00

Chemical Treatment of chilled and heating water systems is required to prevent scaling, corrosion, fouling and microbial growth. Due to the delayed completion of this Project, BMCC was required to provide chemical treatment of the chilled and heating water systems for longer than originally estimated. Through December 31, 2018, BMCC incurred additional costs associated with this chemical treatment totaling **\$12,000.00**.

L. Subcontractor Extended General Conditions Claims - \$253,202.40

BMCC's subcontractors have likewise submitted extended general conditions claims through June 30, 2018 as a result of the significant delays on the Project:

Knight & Wilson	\$198,556.00
Trane	\$21,620.00
BMCC OH&P (15%)	\$33,026.40
Total:	\$253,202.40

BMCC is entitled to a change order in this amount so that it can issue corresponding change orders to its subcontractors that have been impacted by the delays on the Project.

M. Productivity Claim - \$2,140,450.00

Productivity is a measurement of rate of output per unit of time or effort usually measured in labor hours. For example, cubic yards/cubic meters of concrete placed, linear feet/meters of conduit installed or pipe placed, etc. per crew hour or some other standard measure. Productivity loss, therefore, is experienced when a contractor is not accomplishing its anticipated achievable or planned rate of production and is best described as a contractor producing less than its planned output per work hour of input. Thus, the contractor is expending more effort per unit of production than originally planned. The result is a loss of money for a contractor.

Construction contractors are typically paid for work completed in place that conforms to the terms of the contract. This is sometimes referred to as pay item work and is generally true whether the contract is lump sum/firm fixed price, cost reimbursable, target cost, unit cost or pay item work or as a percentage of previously defined categories of work, often referred to as a schedule of values or bill of quantities. That is, unlike automotive manufacturers, construction contractors are rarely paid on the basis of the entire completed product. And, unlike craft labor, construction contractors are rarely paid by hours of labor. Therefore, productivity is related to project cash flow and profitability.

On this Project, significant design changes and poor coordination resulted in a substantial impact to BMCC's productivity. Using the MCAA Productivity Manual factors to determine percentages, BMCC has calculated its loss of productivity claim as follows:

MCAA PRODUCTIVITY		
	Man Hours	Man Days
Original Estimate: Man Hours	41,800	
Estimated C.O. Man Hours	50,760	
Revised Man Hours	92,560	10,926
Learning Curve	10%	1,157
DIL of Supervision	15%	1,736
Crew Inefficiency	20%	2,314
Reassignment of Man Power	5%	579
Errors and Omissions	6%	694
Ripple Effect	7%	752
Total Man Days		7,231
MD Rate		\$296
Total Productivity Claim		\$2,140,450

BMCC is entitled to a change order in the amount of **\$2,140,450.00** for costs associated with lost productivity as a result of the delays, disruptions and inefficiencies caused by delays on the Project.

III. Conclusion

BMCC respectfully requests that Balfour issue the requested change orders within the next fourteen (14) days, or by February 6, 2019. Further, BMCC's General Counsel, Michael Durham, and President, Philip Catanzaro, request a meeting with Balfour's legal counsel and president to discuss the outstanding issues at the Project and a path forward. BMCC reserves any and all rights it may have under the Subcontract, under South Carolina law, in equity, or otherwise.

BMCC Claim – Exhibit 5
Marion Square Project

FROM THE DESK OF RANDY P. LYNN

**P.O. BOX 610
MONTGOMERY, TEXAS 77356**

**PHONE: 832-654-5429
FAX: 936-582-2603**





To: Paul Amend
From: Randy P. Lynn
Date: February 5, 2018
Subject: January 4, 2018 Marion Square Hotel Schedule

The Balfour Beatty "BB" January 4, 2018 schedule has been reviewed and compared to the October 5, 2017 BB schedule. The substantial completion date has pushed out 41 calendar days to May 7, 2018 since the 10/05/17 schedule. The substantial completion date is now 313-calendar days later than the TCO date in the Exhibit H schedule. The longest path to completion appears to be the casework on level 6. BMCC's work does not appear to be driving the longest path to completion, but the remaining fixture work is being pushed out by the progress of the casework.

The following additional comments are offered for your consideration:

1. General

- a. As shown on the graphic below, there are still breaks in the continuity for setting plumbing fixtures on levels 3-8. In addition, the plumbing fixtures on levels 8 are now scheduled to start before the plumbing fixtures on level 7.

TASK	2017	2018		
	December	January	February	March
PLUMBING FIXTURES				
INSTALL PLUMBING FIXTURES LEVEL 5	12/19 	1/19		
INSTALL PLUMBING FIXTURES LEVEL 6		1/26 	2/12	
INSTALL PLUMBING FIXTURES LEVEL 7			2/21 	3:8
INSTALL PLUMBING FIXTURES LEVEL 8			2/8 	2/23

2. Level 6

- a. The setting of the vanities is currently scheduled to complete 33 days later than the date shown in the 10/05/17 schedule.

3. Level 7

- a. The setting of the vanities is currently scheduled to complete 35 days later than the date shown in the 10/05/17 schedule.

4. Level 8

- a. The tape and finish of the ceilings scheduled to complete 20 days (4 weeks) later than the date shown in the 10/05/17 schedule.
- b. The hard tile installation in the restrooms is scheduled to complete 24 days (5 weeks) later than the date shown in the 10/05/17 schedule.
- c. The setting of the vanities is currently scheduled to complete 20 days later than the date shown in the 10/05/17 schedule.

BMCC Claim – Exhibit 6
Marion Square Project

FROM THE DESK OF RANDY P. LYNN

P.O. BOX 610
MONTGOMERY, TEXAS 77356

PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: September 29, 2015
Subject: Hilton Garden Inn / Homewood Suite
Marion Square Hotel – Levels 3-9 Preliminary Schedule

A MCC schedule (schedule file MA01) for levels 3 through 9 has been developed using the level 3 09/17/15 version schedule. The following comments / observations are offered for your consideration:

1. The MCC schedule divides each floor into two halves, area A and area B.
2. The schedule contemplates the structure will flow across each floor and each half floor in the sequence can be ready for layout to start every 10 days.
3. The MCC work has been scheduled with separate crews assigned tasks and working those tasks across each floor. These separate crews start the next floor once their task has completed on the floor below. The separate tasks are:

Plumbing Tasks

Plumbing Risers & Distribution Piping
In-wall Plumbing & Testing
Plumbing Fixtures

HVAC Piping Tasks

CHW Risers & Distribution Piping
CHW Connections to FCU's

Sheet Metal Tasks

Duct Risers
Horizontal Duct / FCU's / VAV's
Mechanical R/I at Framed Ceilings
Grilles and Diffusers

4. The schedule meets the durations requested by MCC for its tasks on each floor, and the overall duration of 105 days for each floor desired by the client. Overall hammocked durations are shown for MCC's tasks and the overall duration for each level.
5. The schedule philosophy used in the MCC schedule also provides a longer overall interior fit-up duration for levels 3 through 9. The 00H schedule showed a duration of approximately 9 months for the interior fit-up on levels 3-9 (4/6/16 through 1/9/17). The MCC schedule has approximately 10-1/2 months for interior fit-up on levels 3-9 (4/21/16 through 3/9/17).
6. The 00H schedule showed 7 months for punch and acceptance (9/26/16 through 4/27/17). The MCC schedule also has 7 months for punch list work (8/25/16 through 3/20/17).
7. To be consistent with the 00H schedule, The MCC schedule also has 15 days for TCO and 50 days for project closeout, over 3 months, set aside after the punch list work is completed.
8. The MCC schedule shows the project can be completed on June 20, 2017, almost 2 months earlier than the August 10, 2017 completion date shown in the 00G schedule.

A schedule print showing all activities has been enclosed for your review. A separate schedule print showing just the MCC activities has also been enclosed.

FROM THE DESK OF RANDY P. LYNN

P.O. BOX 610
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PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: November 24, 2015
Subject: Hilton Garden Inn / Homewood Suite
November 17, 2015 Marion Square Hotel Schedule – Levels 3-9

The MCC baseline schedule for levels 3 through 9 (schedule file MA01) was copied to a new file (schedule file MA02) and updated to reflect the revised dates shown in the Balfour Beatty “BB” November 17, 2015 schedule. The Balfour Beatty schedule shows a June 2, 2017 substantial completion date, 6-1/2 weeks later than the date shown in the MCC baseline schedule. The following additional comments / observations are offered for your consideration:

1. Structure

- a. The first re-shores on level 3 are currently scheduled to be removed 21 work days, or 1 month later than originally planned in the MCC schedule.
- b. The BB schedule divides the structure on levels 3 through 9 into 4 separate areas for each level now.
- c. The last re-shores on level 8 are scheduled to be removed 44 working days, or 9 weeks earlier than originally planned in the MCC schedule; therefore, the overall duration of the structure appears is 3 months shorter from what was shown in the MCC schedule.

2. MEP Rough-In and Finishes

- a. MCC’s level 3 rough-in is currently scheduled to start on 07/14/16, 58 working days (3 months) later than originally planned in the MCC schedule.
- b. Although the rough-in on level 3 is starting 3 months later, the rough-in for level 8 is currently scheduled to complete within a few days of the originally planned date; therefore, the overall duration for MCC’s rough-in on levels 3 through 8 has been reduced 3 months.
- c. There were numerous logic revisions that had to be made on each floor to match the dates shown in the BB schedule.
 - The start of rough-in on each level is now on the same day wall layout starts. Previously there was a 2 day lag between the start dates for each of those activities.
 - The horizontal duct / FCU’s / VAV activities were previously scheduled to start after the completion of the duct risers in each area. The logic had to be changed to a start to start plus 6 day lag between those two activities on each level.

- The interior framing was previously scheduled to start 5 days after the duct rises started on each level. The logic had to be revised to a start to start plus 3 day lag on each level.
 - The in-wall activities were previously scheduled to start after the completion of the plumbing risers in each area. The logic had to be changed to a start to start plus 6 day lag between those two activities on each level.
 - The start of MCC's in-wall rough-in for area B on each level was previously tied to the completion of the plumbing testing on each level. The area B in-wall rough-in on each level is now scheduled to start before the completion of the testing in area A. This same logic revision was also required for the horizontal duct / FCU's / VAV activities, and the CHW connections to the FCU's activities.
- d. The overall durations on each level for MCC's tasks have been reduced to match the dates shown in the BB schedule. The schedule print below shows the baseline durations and current durations for each MCC task on level 4. Each activity was reduced the same number of days on all of the other levels as well.

Activity ID	Activity Description	Current Duration	Baseline Schedule Duration
INTERIOR ROUGH-IN & FINISHES			
LEVEL 4 OVERALL DURATIONS - HAMMOCKED			
4010	LEVEL 4 RISERS & OVHD PLBG - OVERALL DURATION	15*	19*
4020	LEVEL 4 OVERALL PLUMBING R/I DURATION	23*	32*
4030	LEVEL 4 IN-WALL PLUMBING R/I OVERALL DURATION	17*	20*
4040	LEVEL 4 DUCT R/I OVERALL DURATION	23*	32*
4050	LEVEL 4 CHW PIPING OVERALL DURATION	25*	30*
4070	LEVEL 4 GRILLES / DIFFUSERS OVERALL DURATION	5*	10*
4060	LEVEL 4 PLBG FIXTURES OVERALL DURATION	12*	20*

- e. The BB schedule shows the 9th floor as a mechanical room. The MCC schedule has been revised to incorporate the activities shown in the BB schedule for level 9. The BB schedule shows the start up of the level 9 equipment being complete and providing conditioned air on 01/05/17.

A schedule print showing all activities has been enclosed for your review. A separate schedule print showing just the MCC activities has also been enclosed. Each schedule print shows a start date variance column and a finish date variance column to the MCC baseline schedule. A negative number in that column indicates the activity is scheduled to start or finish later than planned in the baseline schedule. A positive number indicates it is earlier than planned.

FROM THE DESK OF RANDY P. LYNN

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PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: September 1, 2016
Subject: August 8, 2016 Marion Square Hotel Schedule – Levels 3-9

The Balfour Beatty “BB” August 8, 2016 schedule has been reviewed and compared to the November 17, 2015 BB schedule. The substantial completion date has pushed out 1 month to July 6, 2017 since the 11/17/15 schedule. The following additional comments are offered for your consideration:

1. General

- The current schedule adds interim milestone TCO dates for various areas that were not in the 11/17/15 schedule.
- The overall duration for the tile on each floor has been increased from 15 days to 20 days on each floor.

2. Lower Levels

- The work on the lower levels is not in the MCC schedule; however, the following is the delay to the start of the rough-in by each area since the 11/17/15 schedule.

Area	11/17/15 Schedule Start Date	08/08/16 Schedule Start Date	Comments
Level 1 Spa & retail	06/10/16	08/19/16	Pushed out 2 months and 1 week
Lobby, Rotunda & Retail	06/08/16	08/30/16	Pushed out almost 3 months
Back of House	06/20/16	09/08/16	Pushed out 2-1/2 months
1st Floor Kitchen	06/16/16	09/08/16	Pushed out 2 months and 3 weeks
Dining & Private Dining	06/23/16	09/13/16	Pushed out 2 months and 3 weeks
Camelias Lounge	06/30/16	09/20/16	Pushed out 2 months and 3 weeks
2nd Floor Spa	07/05/16	09/14/16	Pushed out 2 months and 1 week
Prefunction Room & Ballroom	06/30/16	09/12/16	Pushed out 2-1/2 months
2nd Floor Kitchen	07/01/16	09/15/16	Pushed out 2-1/2 months

3. Level 3

- The completion date for the removal of the re-shores has pushed out 65 working days (13 weeks) since the 11/17/15 schedule.
- The start dates for the MEP rough-in have pushed out 51 working days (2-1/2 months) since the 11/17/15 schedule.
- The overall durations for the MEP rough-in on level 3 have not been compressed anymore since the 11/17/15 schedule.

4. Level 4

- The completion date for the removal of the re-shores has pushed out 68 working days (13-1/2 weeks) since the 11/17/15 schedule.
- The start dates for the MEP rough-in have pushed out 52 working days (2-1/2 months) since the 11/17/15 schedule.
- The overall durations for the MEP rough-in on level 4 have not been compressed anymore since the 11/17/15 schedule.
- Level 4 is now scheduled to complete 4 months later than the date in the 11/17/15 schedule.

5. Level 5

- The completion date for the removal of the re-shores has pushed out 78 working days (4 months) since the 11/17/15 schedule.
- The start dates for the MEP rough-in have pushed out 53 working days (2-1/2 months) since the 11/17/15 schedule.
- The overall durations for the MEP rough-in on level 5 have not been compressed anymore since the 11/17/15 schedule.
- Level 5 is now scheduled to complete 4 months later than the date in the 11/17/15 schedule.

6. Level 6

- The completion date for the removal of the re-shores has pushed out 83 working days (4 months) since the 11/17/15 schedule.
- The start dates for the MEP rough-in have pushed out 54 working days (2 months & 3 weeks) since the 11/17/15 schedule.
- The overall durations for the MEP rough-in on level 6 have not been compressed anymore since the 11/17/15 schedule.
- Level 6 is now scheduled to complete 4 months later than the date in the 11/17/15 schedule.

7. Level 7

- The completion date for the removal of the re-shores has pushed out 109 working days (5-1/2 months) since the 11/17/15 schedule.
- The start dates for the MEP rough-in have pushed out 77 working days (4 months) since the 11/17/15 schedule. The start dates appear to be driven by the date the CMU walls

are scheduled to be completed. This create a 2 week gap between the completion of the rough-in for level 6 and the start of the rough-in for level 7.

- The overall durations for the MEP rough-in on level 7 have not been compressed anymore since the 11/17/15 schedule.
- Level 7 is now scheduled to complete 4-1/2 months later than the date in the 11/17/15 schedule.

8. Level 8

- The completion date for the removal of the re-shores has pushed out 119 working days (6 months) since the 11/17/15 schedule.
- The start dates for the MEP rough-in have pushed out 77 working days (4 months) since the 11/17/15 schedule.
- The overall durations for the MEP rough-in on level 8 have not been compressed anymore since the 11/17/15 schedule.
- The logic between the start of final paint and the other predecessor finishes appears to have changed. The final paint is now scheduled to finish 3 weeks earlier than the plumbing fixtures.
- Level 8 is now scheduled to complete 4-1/2 months later than the date in the 11/17/15 schedule.

9. Level 9

- The start date for setting the AHU's has pushed out 16 working days (3 weeks) since the 11/17/15 schedule. The duration has been reduced from 5 days to 2 days.
- The start dates for the MEP rough-in have pushed out 93 working days (5 months) since the 11/17/15 schedule.
- The overall durations for the MEP rough-in on level 9 have not been compressed anymore since the 11/17/15 schedule.
- The start date for AHU start-up has pushed out 101 working days (5 months) since the 11/17/15 schedule.

FROM THE DESK OF RANDY P. LYNN

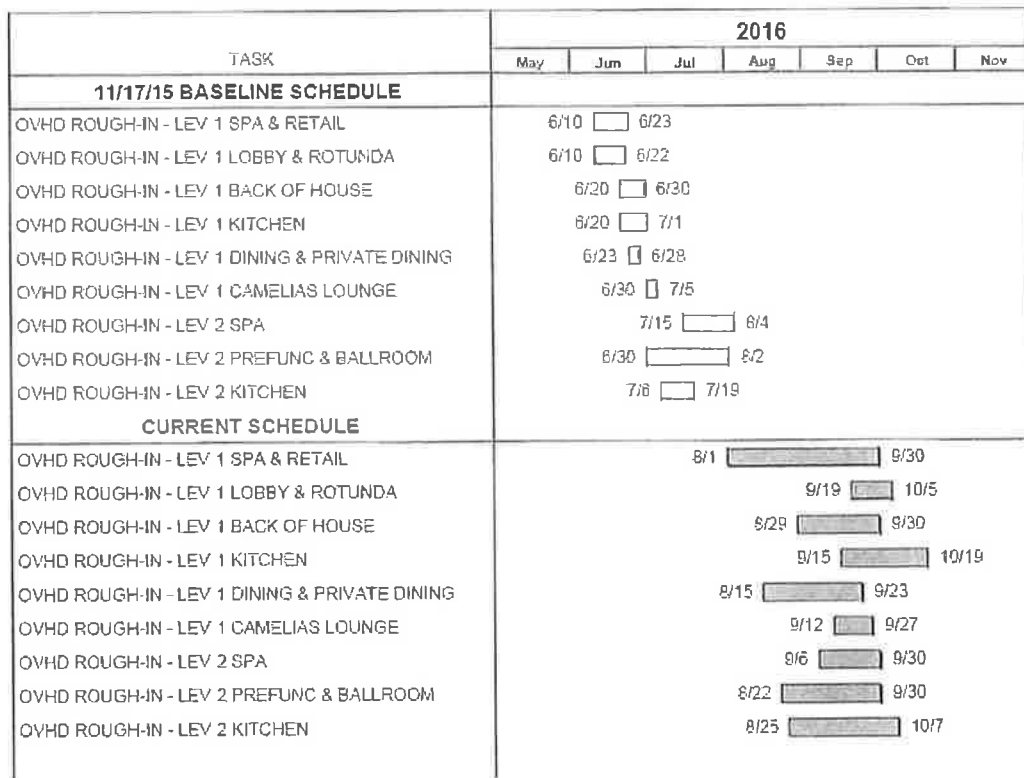
P.O. BOX 610
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PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: September 25, 2016
Subject: September 14, 2016 Marion Square Hotel Schedule

The Balfour Beatty "BB" September 14, 2016 schedule has been reviewed and compared to the November 17, 2015 BB schedule. The substantial completion date has pushed out 2 months to August 1, 2017 since the 11/17/15 schedule. The following additional comments are offered for your consideration:

1. Lower Levels - The start dates for the rough-in work on levels 1 and 2 have pushed out since the baseline schedule, but the overall duration for the work has not been compressed. As shown on the graphic below, the durations for many areas are longer than in the baseline durations, and the overall duration is 3 weeks longer.



2. Levels 3 - 8

- The start dates for the rough-in on each floor have pushed out 5 months since the baseline schedule. This slippage has resulted in there now being a six week period of time from the completion of the overhead rough-in on levels 1 & 2 and the start of the rough-in on level 3 where there is virtually no available work.
- The logic between Bernhard MCC's rough-in durations and the drywall activities have not changed.
- The overall durations for the rough-in on each floor have not been compressed.
- The overall duration for the rough-in on levels 3-8 has not changed. The baseline schedule had an overall duration of 76 days (07/14/16-10/28/16), and the current schedule has an overall duration of 76 days (12/05/16 – 03/22/17).

A schedule print for the activities on levels 3 – 8 has been enclosed.

FROM THE DESK OF RANDY P. LYNN

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PHONE: 832-654-5429
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To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: November 18, 2016
Subject: November 15, 2016 Marion Square Hotel Schedule

The Balfour Beatty "BB" November 15, 2016 schedule has been reviewed and compared to the September 14, 2016 BB schedule. The substantial completion date has pushed out 1 month to August 31, 2017 since the 09/14/16 schedule. The following additional comments are offered for your consideration:

1. Lower Levels

- a. The start date for overhead duct in the level 1 lobby and rotunda has pushed out 3 months to 12/12/16.
- b. The overhead duct at the back of house is scheduled to complete 6 weeks later than previously planned.
- c. The duration for the overhead duct in the dining area has increased to 25 days.
- d. The completion date for the overhead duct at the 2nd floor spa has pushed out 6 weeks.
- e. The start date for the duct at the pre-function ballroom pushed out 3 weeks.
- f. The completion date for the overhead duct at the 2nd floor kitchen has pushed out 6 weeks.

2. Levels 3 - 8

- The start date for rough-in on level 3 has moved up 2-1/2 weeks.
- The BB schedule shows a 6 month lead time to get plumbing fixtures. This is pushing out the start date for plumbing fixtures on level 3 6 weeks later than the date shown in the 09/14/16 schedule.
- The start date for rough-in on level 4 has moved up 3-1/2 weeks.
- The start date for plumbing fixtures on level 4 has pushed out 3 months to 07/12/17.
- The start dates for plumbing fixtures on levels 5-8 are earlier than the plumbing fixture start date on level 4.
- The logic between Bernhard MCC's rough-in durations and the drywall activities have not changed.
- The re-shore removal dates on level 8 have pushed out 23 days. As a result, the start date for setting the equipment on level 9 has pushed out 5 weeks

A schedule print for the activities on levels 3 – 8 has been enclosed.

FROM THE DESK OF RANDY P. LYNN

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MONTGOMERY, TEXAS 77356

PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: December 20, 2016
Subject: December 12, 2016 Marion Square Hotel Schedule

The Balfour Beatty "BB" December 12, 2016 schedule has been reviewed and compared to the November 15, 2016 BB schedule. The substantial completion date has pushed out 3 days to September 5, 2017 since the 11/15/16 schedule. The longest path to substantial completion appears to be running through the release and delivery of the plumbing fixtures. The following additional comments are offered for your consideration:

1. The BB schedule has displayed the total float column.
2. The BB schedule has added conditioned air activities which are shown below.

TASK ID	TASK	WORK DAYS	START DATE	FINISH DATE	TOTAL FLOAT
	CONDITIONED AIR AVAILABLE	86	27-Jan-17	30-May-17	-8
		86	27-Jan-17	30-May-17	-8
		86	27-Jan-17	30-May-17	-8
		86	27-Jan-17	30-May-17	-8
		86	27-Jan-17	30-May-17	-8
1032	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 2	0	27-Jan-17	27-Jan-17	37
25144	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 1	0	27-Jan-17	27-Jan-17	-9
25160	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 3	0	17-Feb-17	17-Feb-17	-1
25162	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 4	0	11-Apr-17	11-Apr-17	-28
25164	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 5	0	20-Apr-17	20-Apr-17	-25
25166	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 6	0	01-May-17	01-May-17	-22
25168	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 7	0	15-May-17	15-May-17	-22
25170	TEMPORARY CONDITIONED AIR AVAILABLE @ LEVEL 8	0	30-May-17	30-May-17	-8

3. Lower Levels

- a. The completion date for the overhead duct at the 2nd floor spa has pushed out 1 week since the 11/15/16 schedule (activity 5210). The BB schedule indicates the other duct rough-in activities for levels 1 and 2 have been completed.

4. Level 3

- a. The plumbing riser, CHW riser, and duct riser activities for level 3 do not appear in the BB schedule indicating they are complete.

- b. The BB schedule shows the in-wall plumbing on level 3 started 7 days later the date shown in the 11/15/16 schedule. The duration has also been increased from 15 days to 27 days.
 - c. The BB schedule shows the duct insulation on level 3 being completed 2 weeks before the horizontal duct is completed.
 - d. The start date for the plumbing fixtures on level 3 has pushed out another 20 days (1 month) since the 11/15/16 schedule. The start date is being driven by lead time to get plumbing fixtures (activity 2968).
5. Level 4
- a. The plumbing riser activity for level 4 does not appear in the BB schedule indicating it is complete. The duct riser activity has 2 days of remaining duration.
 - b. The start date for in-wall rough-in on level 4 pushed out 3 weeks since the 11/15/16 schedule.
 - c. The BB schedule shows the duct insulation on level 4 being completed 2 weeks before the horizontal duct is completed.
 - d. The start date for plumbing fixtures on level 4 has moved in 2 weeks since the 11/15/16 schedule.
6. Levels 5 - 8
- a. The rough-in is scheduled to start 2 days earlier than the date shown in the 11/15/16 schedule.
 - b. The BB schedule shows the duct insulation being completed 1 week before the horizontal duct is completed.
 - c. The start date for plumbing fixtures on level 5 has pushed out 11 weeks since the 11/15/16 schedule.
 - d. The start date for plumbing fixtures on level 6 has pushed out 10 weeks since the 11/15/16 schedule.
 - e. The start date for plumbing fixtures on level 7 has pushed out 9 weeks since the 11/15/16 schedule.

The 09/14/16 schedule showed 56 days of duration to set the plumbing fixtures on levels 3 – 8. The current schedule shows 42 days of duration.

A schedule print for the activities on levels 3 – 8 has been enclosed.

FROM THE DESK OF RANDY P. LYNN

P.O. BOX 610
MONTGOMERY, TEXAS 77356

PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: January 12, 2017
Subject: January 9, 2017 Marion Square Hotel Schedule

The Balfour Beatty "BB" January 9, 2017 schedule has been reviewed and compared to the December 12, 2016 BB schedule. The substantial completion date has pushed out 2 weeks to September 19, 2017 since the 12/12/16 schedule. The following additional comments are offered for your consideration:

1. The BB schedule has displayed the total float column.
2. The dates for conditioned air from levels 1 through level 7 have pushed out 2 weeks since the 12/12/16 schedule. The date for conditioned air from level 8 has pushed out 1 week since the 12/12/16 schedule.
3. Level 3
 - a. The start of drywall has pushed out 8 days since the 12/12/16 schedule. The in-wall plumbing and fire-caulking activities appear to be driving out the start date.
 - b. Level 3 is scheduled to complete 3 days earlier than the date shown in the 12/12/16 schedule because there has been a 3-day improvement on the delivery of the plumbing fixtures.
4. Level 4
 - a. The start of drywall has pushed out 11 days since the 12/12/16 schedule. A resource logic tie between the start of drywall on level 3 and the start of drywall on level 4 appears to be driving the start date.
 - b. Level 4 is scheduled to complete 3 days earlier than the date shown in the 12/12/16 schedule because there has been a 3-day improvement on the delivery of the plumbing fixtures.
5. Level 5
 - a. The start of drywall has pushed out 11 days since the 12/12/16 schedule. A resource logic tie between each floor.

- b. Level 5 is scheduled to complete 3 days earlier than the date shown in the 12/12/16 schedule because there has been a 3-day improvement on the delivery of the plumbing fixtures.
6. Level 6
 - a. The ongoing rough-in is running 2 to 3 weeks ahead of the pace shown in the 12/12/16 schedule.
 - b. The start of drywall has pushed out 11 days since the 12/12/16 schedule. A resource logic tie between each floor.
 - c. Level 6 is scheduled to complete 3 days earlier than the date shown in the 12/12/16 schedule because there has been a 3-day improvement on the delivery of the plumbing fixtures.
7. Level 7
 - a. The wall layout is scheduled to start 5 days later than the date shown in the 12/12/16 schedule.
 - b. The late start of the wall layout and the faster than planned progress of the rough-in on level 6 is causing a gap of time between the completion of the riser activities on level 6 and the start of those same activities on level 7.
 - c. Level 7 is scheduled to complete 2 days earlier than the date shown in the 12/12/16 schedule because there has been a 3-day improvement on the delivery of the plumbing fixtures.
8. East Terrace
 - a. The date for setting MAU 2 has pushed out 4 weeks since the 12/12/16 schedule.
 - b. The start date for the rough-in has pushed out 1 week since the 12/12/16 schedule.

The 09/14/16 schedule showed 56 days of duration to set the plumbing fixtures on levels 3 – 8. The 12/12/16 schedule showed 42 days of duration. The current schedule shows 42 days of duration.

A schedule print for the activities on levels 3 – 8 has been enclosed.

FROM THE DESK OF RANDY P. LYNN

P.O. BOX 610
MONTGOMERY, TEXAS 77356

PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: March 6, 2017
Subject: February 20, 2017 Marion Square Hotel Schedule

The Balfour Beatty "BB" February 20, 2017 schedule has been reviewed and compared to the February 6, 2017 BB schedule. The substantial completion date has moved up 2 days to October 24, 2017 since the 02/06/17 schedule. The following additional comments are offered for your consideration:

1. Conditioned Air
 - a. The dates for conditioned air on levels 1 through 4 have pushed out 1 month to 03/14/17 since the 02/06/17 schedule.
 - b. The date for conditioned air on level 5 has pushed out 2 weeks to 03/17/17 since the 02/06/17 schedule.
 - c. The date for conditioned air on level 6 moved in 4-1/2 months to 03/22/17 since the 02/06/17 schedule.
 - d. The date for conditioned air on level 7 has moved in 4-1/2 months to 03/27/17 since the 02/06/17 schedule.
 - e. The date for conditioned air on level 8 has moved in 5 months to 03/27/17 since the 02/06/17 schedule.

2. Level 3
 - a. The in-wall plumbing is scheduled to complete 7 days later than the date shown in the 02/06/17 schedule.
 - b. The ceiling & soffit framing has proceeded ahead of the wall drywall mitigating any delay caused by the in-wall plumbing.
 - c. The start date for mechanical trim out (grilles) has moved up 25 days (5 weeks) since the 02/06/17 schedule.
 - d. The plumbing fixtures are scheduled to complete 6 days earlier than the date shown in the 02/06/17 schedule. Plumbing fixture installation is being impacted by the procurement of the plumbing fixtures and trim.
 - e. Level 3 is scheduled to complete 1 day earlier than the date shown in the 02/06/17 schedule.

3. Level 4
 - a. The in-wall plumbing is scheduled to complete 9 days later than the date shown in the 02/06/17 schedule.
 - b. The start date for mechanical trim out (grilles) has moved up 16 days (3 weeks) since the 02/06/17 schedule.
 - c. The plumbing fixtures are scheduled to complete 6 days earlier than the date shown in the 02/06/17 schedule.
 - d. Level 4 is scheduled to complete 7 days earlier than the date shown in the 02/06/17 schedule.

4. Level 5
 - a. The completion date for the wall framing has pushed out 10 days since the 02/06/17 schedule.
 - b. The start date for in-wall plumbing on level 5 has been moved up 4 days in relation to the start date for in-wall plumbing on level 4 since the 02/06/17 schedule.
 - c. The start date for drywall has pushed out 6 days (1 week) since the 02/06/17 schedule.
 - d. The start date for mechanical trim out (grilles) has moved up 16 days (3 weeks) since the 02/06/17 schedule.
 - e. Level 5 is scheduled to complete 12 days (2-1/2 weeks) earlier than the date shown in the 02/06/17 schedule.

5. Level 6
 - a. The completion of wall framing, horizontal duct, and chilled water piping pushed out 10 days since the 02/06/17 schedule.
 - b. Level 6 is scheduled to complete 2 days earlier than the date shown in the 02/06/17 schedule.

6. Level 7
 - a. The start date for the wall layout has pushed out 2 days since the 02/06/17 schedule.
 - b. The duct and chilled water risers started 3 days earlier than the date shown on the 02/06/17 schedule.
 - c. The start date for the punch list has moved up 8 days in relation to the start date for the level 6 punch list.
 - d. Level 7 is scheduled to complete 8 days earlier than the date shown in the 02/06/17 schedule.

7. Level 8
 - a. The start date for the wall layout has pushed out 2 days since the 02/06/17 schedule.
 - b. Level 8 is scheduled to complete 8 days earlier than the date shown in the 02/06/17 schedule.

A schedule print for the remaining activities on levels 3 – 8 has been enclosed.

FROM THE DESK OF RANDY P. LYNN

P.O. BOX 610
MONTGOMERY, TEXAS 77356

PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: April 13, 2017
Subject: April 3, 2017 Marion Square Hotel Schedule

The Balfour Beatty "BB" April 3, 2017 schedule has been reviewed and compared to the February 20, 2017 BB schedule. The substantial completion date has moved up 1 day to October 23, 2017 since the 02/20/17 schedule. The following additional comments are offered for your consideration:

1. General

- a. The longest path to completion on levels 3-8 shows -73 days of float. The longest path starts with the procurement and installation of the plumbing fixture valves on level 6. However, levels 6-8 are scheduled to completed 7 days (1-1/2 weeks) earlier than the dates shown on the 02/20/17 schedule.
- b. The activity for the Hotel opening show -87 days of float. The longest path to the Hotel opening appears to be the fabrication and delivery of light fixtures for level 1.

TASK ID	TASK	WORK DAYS	START DATE	FINISH DATE	Total Float
3074	RELEASE, FABRICATE & DELIVER - LIGHTING FIXTURES (OWNER) 1ST FLOOR ONLY	208	06-Sep-16 A	29-Jun-17	-87
2182	INSTALL FIXTURES & TRIMOUT @ LOBBY, ROTUNDA & RETAIL	10	30-Jun-17	14-Jul-17	-87
2188	INSTALL TILE FLOORING @ LOBBY, ROTUNDA & RETAIL	60	17-Jul-17	09-Oct-17	-87
2134	INSTALL FORM GLASS @ LOBBY, ROTUNDA & RETAIL	8	10-Oct-17	19-Oct-17	-87
2574	INSTALL OWNER FFE @ LOBBY, ROTUNDA & RETAIL	10	20-Oct-17	02-Nov-17	-87
2198	BBC CREATES PUNCHLIST @ LOBBY, ROTUNDA & RETAIL	5	30-Oct-17	03-Nov-17	-87
2222	FINAL PUNCH, REPAIRS & CLEAN @ LOBBY, ROTUNDA & RETAIL	15	09-Nov-17	28-Nov-17	-87
1024	ARCH / ENGINEER PUNCH & REPAIRS @ INTERIORS	25	16-Nov-17	22-Dec-17	-87
1050	HOTEL OPENING	0		22-Dec-17*	-87

2. Conditioned Air

- a. The date for conditioned air on level 5 has pushed out 3 weeks to 04/10/17 since the 02/20/17 schedule.
- b. The date for conditioned air on level 6 has pushed out 4 weeks to 04/19/17 since the 02/20/17 schedule.
- c. The date for conditioned air on level 7 has pushed out 5 weeks to 04/28/17 since the 02/20/17 schedule.
- d. The date for conditioned air on level 8 has pushed out 6 weeks to 05/08/17 since the 02/20/17 schedule.

The conditioned air dates appear to be driven by the dates the electrical rooms are scheduled to be energized on each level.

3. Level 3

- a. The ceiling and soffit framing is scheduled to be completed 24 days (5 weeks) later than the date shown in the 02/20/17 schedule.
- b. The plumbing fixtures are scheduled to complete on the same date that was shown in the 02/20/17 schedule. Plumbing fixture installation is being impacted by the procurement of the plumbing fixtures and trim.
- c. Level 3 is scheduled to complete on the same date that was shown in the 02/20/17 schedule.

4. Level 4

- a. The ceiling and soffit framing is scheduled to be completed 15 days (3 weeks) later than the date shown in the 02/20/17 schedule.
- b. Level 4 is scheduled to complete 5 days later than the date shown in the 02/20/17 schedule, because there is now a 5 day lag between the start of the final punch list repairs on level 3 and the activity start of the final punch list repairs on level 4.

5. Level 5

- a. The in-wall plumbing is scheduled to be completed 16 days (3 weeks) later than the date shown in the 02/20/17 schedule.
- b. Level 5 is scheduled to complete 8 days later than the date shown in the 02/20/17 schedule.

6. Level 6

- a. The in-wall plumbing is scheduled to be completed on 04/14/17, 21 days (4 weeks) earlier than the date shown in the 02/20/17 schedule.
- b. The in-wall inspections are scheduled to complete 7 days (1-1/2 weeks) earlier than the date shown in the 02/20/17 schedule. The start of the in-wall inspections is being driven by a new activity "Install Plumbing Fixture Valves". The start date for this new activity is 04/24/17, and appears to be driven by the procurement time for the fixture valves.
- c. The finishes through final paint are scheduled to complete 7 days (1-1/2 weeks) earlier than the date shown in the 02/20/17 schedule.
- d. Level 6 is scheduled to complete 7 days earlier than the date shown in the 02/20/17 schedule.

7. Level 7

- a. The chilled water piping is scheduled to be completed 30 days (6 weeks) later than the date shown on the 02/20/17 schedule.
- b. The wall framing is scheduled to be completed 15 days (3 weeks) later than the date shown on the 02/20/17 schedule.
- c. The in-wall plumbing is scheduled to be completed 7 days (1-1/2 weeks) earlier than the date shown in the 02/20/17 schedule.

- d. The in-wall inspections are scheduled to complete 7 days (1-1/2 weeks) earlier than the date shown in the 02/20/17 schedule.
 - e. The finishes through final paint are scheduled to complete 7 days (1-1/2 weeks) earlier than the date shown in the 02/20/17 schedule.
 - f. Level 7 is scheduled to complete 7 days earlier than the date shown in the 02/20/17 schedule.
8. Level 8
- a. The chilled water piping is scheduled to be completed 18 days (3-1/2 weeks) later than the date shown on the 02/20/17 schedule.
 - b. The wall framing is scheduled to be completed 7 days (1-1/2 weeks) later than the date shown on the 02/20/17 schedule.
 - c. The in-wall plumbing is scheduled to be completed 5 days (1 week) earlier than the date shown in the 02/20/17 schedule.
 - d. The in-wall inspections are scheduled to complete 11 days (2 weeks) earlier than the date shown in the 02/20/17 schedule.
 - e. The finishes through final paint are scheduled to complete 7 days (1-1/2 weeks) earlier than the date shown in the 02/20/17 schedule.
 - f. Level 8 is scheduled to complete 7 days earlier than the date shown in the 02/20/17 schedule.

A schedule print for the remaining activities on levels 3 – 8 has been enclosed.

FROM THE DESK OF RANDY P. LYNN

P.O. BOX 610
MONTGOMERY, TEXAS 77356

PHONE: 832-654-5429
FAX: 936-582-2603

To: Eric Stoehr, Scott Delbridge
From: Randy P. Lynn
Date: June 21, 2017
Subject: June 13, 2017 Marion Square Hotel Schedule

The Balfour Beatty "BB" June 13, 2017 schedule has been reviewed and compared to the April 3, 2017 BB schedule. The substantial completion date has pushed out 107 calendar days to February 7, 2018 since the 04/03/17 schedule, and is now 228 calendar days later than the TCO date in the Exhibit H schedule. The longest path appears to run through the finish work on levels 3 through 8.

Twenty-five of the 107 days the substantial completion date pushed out is attributed to a later than planned completion of the in-wall electrical rough-in and in-wall inspections on level 8. Eighty-two of the 107 calendar days appears to be attributable to logic revisions and added activities on levels 3 through 8.

The following additional comments are offered for your consideration:

1. Level 3

- a. The start date for the hard tile installation in the restrooms has pushed out 46 days (9 weeks) since the 04/03/17 schedule. There
- b. The first coat of paint has been re-sequenced to start after the vanities are set.
- c. The duration for the mechanical trim out at the restrooms has been reduced from 10 days to 5 days.
- d. There have been numerous new activities added to the schedule. Some of the new activities are:
 - Previously there were two painting activities in the schedule. The current schedule shows 5 painting activities.
 - One new Owner FFE activity has been added for the installation of bookcases.
 - Previously there was one activity for the installation of doors and hardware. The current schedule shows 5 door installation activities.
 - Another millwork, crown molding, and baseboard activity has been added for the corridors.
 - The carpet installation has been split into two activities; one activity for the guestrooms and one activity for the corridors.
 - Two final cleaning activities have been added.

- e. The completion date for the punch list on level 3 has pushed out 68 working days (13-1/2 weeks) since the 04/03/17 schedule.
 - f. There were 81 days from the start of the hard tile through the completion of the punch list on level 3 in the 04/03/17 schedule. As a result of the new activities and logic revisions, there are now 114 days from the start of the hard tile through the completion of the punch list on level 3 in the current schedule.
2. Level 4
- a. The ceiling and soffit framing is scheduled to be completed 38 days (7-1/2 weeks) later than the date shown in the 04/03/17 schedule.
 - b. The duration for the mechanical trim out at the restrooms has been reduced from 10 days to 5 days.
 - c. New activities have also been added on level 4.
 - d. The completion date for the punch list on level 4 has pushed out 68 working days (13-1/2 weeks) since the 04/03/17 schedule.
 - e. There were 61 days from the start of the hard tile through the completion of the punch list on level 4 in the 04/03/17 schedule. As a result of the new activities and logic revisions, there are now 105 days from the start of the hard tile through the completion of the punch list on level 4 in the current schedule.
3. Level 5
- a. The ceiling and soffit framing is scheduled to be completed 41 days (2 months) later than the date shown in the 04/03/17 schedule.
 - b. The duration for the mechanical trim out at the restrooms has been reduced from 10 days to 5 days.
 - c. The hard tile and prime painting activities are on a 6-day work week.
 - d. New activities have also been added on level 5.
 - e. The completion date for the punch list on level 5 has pushed out 74 working days (15 weeks) since the 04/03/17 schedule.
 - f. There were 59 days from the start of the hard tile through the completion of the punch list on level 5 in the 04/03/17 schedule. As a result of the new activities and logic revisions, there are now 109 days from the start of the hard tile through the completion of the punch list on level 5 in the current schedule.
4. Level 6
- a. The installation of drywall on the walls is scheduled to be completed 18 days (3-1/2 weeks) later than the date shown in the 04/03/17 schedule.
 - b. The ceiling and soffit framing is scheduled to be completed 21 days (1 month) later than the date shown in the 04/03/17 schedule.
 - c. The duration for the mechanical trim out at the restrooms has been reduced from 10 days to 5 days.
 - d. New activities have also been added on level 6.
 - e. The completion date for the punch list on level 6 has pushed out 59 working days (12 weeks) since the 04/03/17 schedule.
 - f. There were 61 days from the start of the hard tile through the completion of the punch list on level 6 in the 04/03/17 schedule. As a result of the new activities and logic

revisions, there are now 102 days from the start of the hard tile through the completion of the punch list on level 6 in the current schedule.

5. Level 7

- a. The installation of drywall on the walls is scheduled to be completed 15 days (3 weeks) later than the date shown in the 04/03/17 schedule.
- b. The ceiling and soffit framing is scheduled to be completed 15 days (3 weeks) later than the date shown in the 04/03/17 schedule.
- c. The duration for the mechanical trim out at the restrooms has been reduced from 10 days to 5 days.
- d. New activities have also been added on level 7.
- e. The completion date for the punch list on level 7 has pushed out 59 working days (12 weeks) since the 04/03/17 schedule.
- f. There were 60 days from the start of the hard tile through the completion of the punch list on level 7 in the 04/03/17 schedule. As a result of the new activities and logic revisions, there are now 104 days from the start of the hard tile through the completion of the punch list on level 7 in the current schedule.

6. Level 8

- a. The in-wall inspections are scheduled to be completed 36 days (7 weeks) later than the date shown in the 04/03/17 schedule. The later completion date appears to be driven by the in-wall electrical rough-in.
- b. The installation of drywall on the walls is scheduled to be completed 23 days (4-1/2 weeks) later than the date shown in the 04/03/17 schedule.
- c. The duration for the mechanical trim out at the restrooms has been reduced from 10 days to 5 days.
- d. New activities have also been added on level 8.
- e. The completion date for the punch list on level 7 has pushed out 65 working days (13 weeks) since the 04/03/17 schedule.
- f. There were 58 days from the start of the hard tile through the completion of the punch list on level 8 in the 04/03/17 schedule. As a result of the new activities and logic revisions, there are now 104 days from the start of the hard tile through the completion of the punch list on level 8 in the current schedule.

FROM THE DESK OF RANDY P. LYNN

P.O. BOX 610
MONTGOMERY, TEXAS 77356

PHONE: 832-654-5429
FAX: 936-582-2603

To: Paul Amend
From: Randy P. Lynn
Date: November 3, 2017
Subject: October 5, 2017 Marion Square Hotel Schedule

The Balfour Beatty "BB" October 5, 2017 schedule has been reviewed and compared to the September 6, 2017 BB schedule. The substantial completion date has moved in 23 calendar days to March 27, 2018 since the 09/06/17 schedule. The substantial completion date is now 272-calendar days later than the TCO date in the Exhibit H schedule. The longest path to completion finishes on levels 3-8. BMCC's work does not appear to be driving the longest path to completion.

The following additional comments are offered for your consideration:

1. General

- a. As shown on the graphic below, there are still breaks in the continuity for setting plumbing fixtures on levels 3-8. In addition, the plumbing fixtures on levels 7 and 8 are now concurrent.

TASK	2017				2018	
	September	October	November	December	January	February
PLUMBING FIXTURES						
INSTALL PLUMBING FIXTURES LEVEL 3		10/16 [] 10/31				
INSTALL PLUMBING FIXTURES LEVEL 4		10/30 [] 11/14				
INSTALL PLUMBING FIXTURES LEVEL 5		11/14 [] 12/1				
INSTALL PLUMBING FIXTURES LEVEL 6				12/19 [] 1/5		
INSTALL PLUMBING FIXTURES LEVEL 7					1/11 [] 1/26	
INSTALL PLUMBING FIXTURES LEVEL 8					1/11 [] 1/26	

2. Level 3

- b. The installation of the Owner furnished vanities is scheduled to complete 2 days later than the date shown in the 09/06/17 schedule.

- c. The plumbing fixtures are now scheduled to start 10 days (2 weeks) later than the date shown in the 09/06/17 schedule. The start of the plumbing fixtures appears to be driven by the millwork in the guest rooms.
 - d. The installation of the grilles on levels 3 and 4 are concurrent.
3. Level 4
 - a. The hard tile installation in the restrooms is scheduled to complete 12 days (1-1/2 weeks) later than the date shown in the 09/06/17 schedule.
 - b. The setting of the vanities is currently scheduled to complete 14 days (3 weeks) later than the date shown in the 09/06/17 schedule.
4. Level 5
 - a. The hard tile installation in the restrooms is scheduled to complete 17 days (3-1/2 weeks) later than the date shown in the 09/06/17 schedule.
 - b. The setting of the vanities is currently scheduled to complete 15 days (3 weeks) later than the date shown in the 09/06/17 schedule.
 - c. The installation of the vanities is scheduled to complete before the installation of the tile.
 - d. The plumbing fixtures on level 4 and level 5 are now scheduled to start on the same day.
5. Level 6
 - a. The installation of drywall on the ceilings is now scheduled to complete 2 days later than the date shown in the 09/06/17 schedule.
 - b. The hard tile installation in the restrooms is scheduled to complete 1 day later than the date shown in the 09/06/17 schedule.
 - c. The setting of the vanities is currently scheduled to complete 1 day later than the date shown in the 09/06/17 schedule.
6. Level 7
 - a. The ceiling and soffit inspections are scheduled to complete 6 days (1 week) later than the date shown in the 09/06/17 schedule.
 - b. The hard tile installation in the restrooms is scheduled to complete 1 day later than the date shown in the 09/06/17 schedule.
 - c. The setting of the vanities is currently scheduled to complete 1 day later than the date shown in the 09/06/17 schedule.
7. Level 8
 - a. The drywall on the walls is scheduled to complete 3 days later than the date shown in the 09/06/17 schedule.
 - b. The ceiling and soffit framing scheduled to complete 3 days later than the date shown in the 09/06/17 schedule.
 - c. The tape and finish of the walls is scheduled to complete 10 days (2 weeks) later than the date shown in the 09/06/17 schedule.

- d. The hard tile installation in the restrooms is scheduled to complete 4 days (1 week) later than the date shown in the 09/06/17 schedule.
- e. The setting of the vanities is currently scheduled to complete 3 days later than the date shown in the 09/06/17 schedule.
- f. The plumbing fixtures on levels 7 and 8 are now concurrent.
- g. The final paint for levels 7 and 8 is now concurrent.

BMCC Claim – Exhibit 7
Marion Square Project

This waiver is contingent upon the releaser receiving check in the amount of \$ 137,918 and for the check to clear the bank upon which it was drawn.

Subcontractor's and Other Lower Tier's Conditional Partial Waiver and Release of Lien (Upon Progress Payment)

KNOW ALL MEN BY THESE PRESENTS:

Notwithstanding any language to the contrary herein, this lien waiver applies solely to the work performed under the specific payment application referenced herein

That **Bernhard MCC, LLC**, (the "Lienor") for and in consideration of the payment of the sum of **\$137,917.73** and other good and valuable consideration paid by **Balfour Beatty Construction, LLC** (the "Contractor") or **Library Associates, LLC** ("Owner"), receipt of which is hereby acknowledged, hereby releases, waives and quit claims to Contractor, the Owner, and their respective successors and assigns, all liens, lien rights, claims or demands of any kind whatsoever, which Lienor now has or might have against Contractor and/or Owner and/or the buildings and improvements on the premises legally described as: See Exhibit "A" attached hereto (the "Property") on account of labor and services performed and/or material furnished for the construction of any improvements thereon; except for retention, and open change order requests, claims or disputes identified as follows:

That the undersigned has the right and authority to execute this Conditional Partial Waiver and Release of Lien on behalf of the Lienor. That this is a waiver of all lien rights and other claims which Lienor has against the Property, the Contractor, and the Owner for all labor, material and services performed thereon, including all extras and change orders, that all laborers retained or employed by the Lienor for construction of improvements on the Property, all suppliers and sub-contractors of Lienor who have furnished labor, material and services for the undersigned for the construction of improvements on the Property, and all labor, services and materials used by the undersigned in the construction of said improvements, have been paid in full for work performed or materials supplied, up to and including the **31st day of May, 2018**, excluding the items identified hereinabove, if any.

THE UNDERSIGNED ACKNOWLEDGES THAT THE CONTRACTOR AND OWNER AND OTHER PARTIES HAVE A RIGHT TO RELY UPON THIS WAIVER AND RELEASE AND THAT MAKING ANY FALSE STATEMENTS SHALL CONSTITUTE PERJURY AND PUNISHMENT CAN BE MADE IN ACCORDANCE WITH THE LAWS OF THE STATE OF SOUTH CAROLINA.

IN WITNESS THEREOF, I have hereunto set my hand seal this 25 day of May, 2018.

Signed, sealed and delivered in the presence of:

Bernhard MCC, LLC
a Louisiana corporation

Signature
[Signature]
Vickie Besancon

Signature
[Signature]
Ralph Stingo, BU

Print Name
STATE OF North Carolina
COUNTY OF Wake



Print Name & Title

The foregoing instrument was acknowledged before me this 25 day of May, 2018, by R. Stingo of **Bernhard MCC, LLC**, a Louisiana corporation on, on behalf of the corporation. He/she is personally known to me.

[Signature]
NOTARY PUBLIC, STATE OF North Carolina

Commission Expires: 12/13/21

ELECTRONICALLY FILED - 2023 May 16 10:41 AM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

TO CONSTRUCTION MANAGER: PROJECT: HOTEL AT MARION SQUARE

Balfour Beatty Construction
1930 Camden Rd., Suite 280
Charlotte, NC 28210

FROM CONTRACTOR: VIA ARCHITECT:

Bernhard MCC, LLC.
9233 Forsyth Park Drive
Charlotte, NC 28273

CONTRACT FOR: CONSTRUCTION

APPLICATION NO 31

PERIOD TO: 5/31/2018

PROJECT NO: #13026000
BMCC Project # 8350248

Distribution to:

Table with 2 columns: Distribution to, and checkboxes for OWNER, ARCHITECT, INSPECTOR.

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

The undersigned Construction Manager (CM) certifies that to the best of the CM's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the CM for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

- 1. ORIGINAL CONTRACT SUM \$ 8,628,350.00
2. Net change by Change Orders \$ 834,283.15
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 8,862,633.15
4. TOTAL COMPLETED & STORED TO DATE (Column J on G703) \$ 8,759,720.39
5. RETAINAGE \$ 875,972.04
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 7,883,748.35
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 7,745,850.62
8. CURRENT PAYMENT DUE \$ 137,917.73
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)

SUBCONTRACTOR

By: [Signature] Date: 5/25/2018

CONTRACTOR

By: _____ Date: _____

CONSTRUCTION MANAGER

By: _____ Date: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect advises the Owner that to the Architect's knowledge, information and belief the Work has progressed as indicated, the Work is in general accordance with the Contract Documents, and the Contractors are entitled to payment of the AMOUNT REQUESTED.

AMOUNT REQUESTED\$ 137,917.73

(Attach explanation if amount requested differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount requested.) ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT REQUESTED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Table with 3 columns: CHANGE ORDER SUMMARY, ADDITIONS, DEDUCTIONS. Rows include Total changes approved, Total approved this Month, TOTALS, and NET CHANGES by Change Order.

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, DC 20006-5292

Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

CONTINUATION SHEET

Page 3 of 4
 APPLICATION NO: 31
 APPLICATION DATE: 5/12/18
 PERIOD TO: 5/31/2018

APP DOCUMENT C203

ALL DOCUMENTS, APPLICATION AND CERTIFICATION FOR PAYMENT, contain the

Contractor's signed certification is attached.

In tabular form below, amounts are stated in the nearest dollar.

The Column 1 on Contracts where variable retainage for this item may apply.

26

BID PACKAGE #	CONTRACTOR	SCHEDULED VALUE	TOTAL CHANGE ORDERS	REVISED CONTRACT	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE
					FROM PREVIOUS APPLICATION (D+E+F)	THIS PERIOD (H - E)					
1	MOBILIZATION HVAC EQUIPMENT	40,000.00		40,000.00	40,000.00			40,000.00	100.00%	(C - G)	10%
2	TRANE EQUIPMENT	650,000.00		650,000.00	650,000.00			650,000.00	100.00%		65,000.00
3	PACE PUMPS & EQUIPMENT	300,000.00		300,000.00	300,000.00			300,000.00	100.00%		30,000.00
4	HOFFMAN FANS, VALVS & EQUIPMENT	90,000.00		90,000.00	90,000.00			90,000.00	100.00%		9,000.00
5	VIBRATION/SEISMIC	96,000.00		96,000.00	96,000.00			96,000.00	100.00%		9,600.00
6	PLUMBING EQUIPMENT										
7	FIXTURES	1,045,000.00		1,045,000.00	953,499.80	91,500.20		1,045,000.00	100.00%		104,500.00
8	GREASE TRAP	10,000.00		10,000.00	10,000.00			10,000.00	100.00%		1,000.00
9	PUMPS/WATER HEATER	50,000.00		50,000.00	50,000.00			50,000.00	100.00%		5,000.00
10	SUBMITTALS	75,000.00		75,000.00	75,000.00			75,000.00	100.00%		7,500.00
11	SUBCONTRACTORS										
12	SHEETMETAL	1,296,689.00		1,296,689.00	1,296,689.00			1,296,689.00	100.00%		129,668.90
13	CONTROLS	108,711.00		108,711.00	105,451.23	2,500.00		107,951.23	99.30%	759.77	10,795.12
14	INSULATION	493,950.00		493,950.00	490,874.00	2,500.00		493,374.00	99.88%	576.00	49,337.40
15	INNCOMM SYSTEM	165,000.00		165,000.00	162,250.00	2,750.00		165,000.00	100.00%		16,500.00
16	DRAWINGS AND BIM	175,000.00		175,000.00	175,000.00			175,000.00	100.00%		17,500.00
17	PLUMBING UNDERGROUND										
18	MATERIAL	60,000.00		60,000.00	60,000.00			60,000.00	100.00%		6,000.00
19	LABOR	65,000.00		65,000.00	65,000.00			65,000.00	100.00%		6,500.00
20	SUB LEVEL										
21	MATERIAL	100,000.00		100,000.00	100,000.00			100,000.00	100.00%		10,000.00
22	LABOR	85,000.00		85,000.00	85,000.00			85,000.00	100.00%		8,500.00
23	FIRST FLOOR										
24	MATERIAL	100,000.00		100,000.00	100,000.00			100,000.00	100.00%		10,000.00
25	LABOR	175,000.00		175,000.00	175,000.00			175,000.00	100.00%		17,500.00
26	SECOND FLOOR										
27	MATERIAL	75,000.00		75,000.00	75,000.00			75,000.00	100.00%		7,500.00
28	LABOR	150,000.00		150,000.00	150,000.00			150,000.00	100.00%		15,000.00
29	FOURTH FLOOR										
30	MATERIAL	50,000.00		50,000.00	50,000.00			50,000.00	100.00%		5,000.00
31	LABOR	75,000.00		75,000.00	75,000.00			75,000.00	100.00%		7,500.00
32	FIFTH FLOOR										

CONTINUATION SHEET

114 EXHIBIT 6703

ALL DOCUMENTS, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Columns 1 on Contracted where applicable; otherwise, for these items may apply.

APPLICATION NO: ST
 APPLICATION DATE: 5/12/2018
 PERIOD TO: 5/31/2018

Balfour Beatty Project 0

BID PACKAGE #	CONTRACTOR	SCHEDULED VALUE	TOTAL CHANGE ORDERS	REVISED CONTRACT	WORK COMPLETED		MATERIALS PRESENTLY STOCKED (NOT IN DORE)	TOTAL COMPLETED AND STORED TO DATE (D+EFF)	% (G+C)	BALANCE TO FINISH (C-G)	RETAINAGE
					FROM PREVIOUS APPLICATION (D+E+H)	THIS PERIOD (E-E)					
27	MATERIAL	40,000.00		40,000.00	40,000.00			40,000.00	100.00%	-	4,000.00
28	LABOR	50,000.00		50,000.00	50,000.00			50,000.00	100.00%	-	5,000.00
29	SIXTH FLOOR MATERIAL										
30	LABOR	40,000.00		40,000.00	40,000.00			40,000.00	100.00%	-	4,000.00
31	SEVENTH FLOOR MATERIAL										
32	LABOR	40,000.00		40,000.00	40,000.00			40,000.00	100.00%	-	4,000.00
33	EIGHT FLOOR MATERIAL										
34	LABOR	75,000.00		75,000.00	75,000.00			75,000.00	100.00%	-	7,500.00
35	NINTH FLOOR MATERIAL										
36	LABOR	20,000.00		20,000.00	20,000.00			20,000.00	100.00%	-	2,000.00
37	HVAC										
38	BASEMENT MATERIAL	40,000.00		40,000.00	40,000.00			40,000.00	100.00%	-	4,000.00
39	LABOR	70,000.00		70,000.00	69,800.00			69,800.00	99.71%	200.00	6,980.00
40	FIRST FLOOR MATERIAL	150,000.00		150,000.00	149,750.00			149,750.00	99.83%	250.00	14,975.00
41	LABOR	250,000.00		250,000.00	249,750.00			249,750.00	99.90%	250.00	24,975.00
42	SECOND FLOOR MATERIAL	40,000.00		40,000.00	39,800.00			39,800.00	99.50%	200.00	3,980.00
43	LABOR	100,000.00		100,000.00	99,750.00			99,750.00	99.75%	250.00	9,975.00
44	THIRD FLOOR MATERIAL	12,000.00		12,000.00	11,750.00			11,750.00	97.92%	250.00	1,175.00
45	LABOR	50,000.00		50,000.00	49,750.00			49,750.00	99.50%	250.00	4,975.00
46	FOURTH FLOOR MATERIAL	30,000.00		30,000.00	29,800.00			29,800.00	99.33%	200.00	2,980.00
47	LABOR	150,000.00		150,000.00	149,750.00			149,750.00	99.83%	250.00	14,975.00
48	FIFTH FLOOR MATERIAL	12,000.00		12,000.00	11,750.00			11,750.00	97.92%	250.00	1,175.00
49	LABOR	35,000.00		35,000.00	34,800.00			34,800.00	99.43%	200.00	3,480.00
50	SIXTH FLOOR MATERIAL	20,000.00		20,000.00	19,800.00			19,800.00	99.00%	200.00	1,980.00
51	LABOR	5,000.00		5,000.00	4,800.00			4,800.00	96.00%	200.00	480.00
52	SEVENTH FLOOR MATERIAL	20,000.00		20,000.00	19,750.00			19,750.00	98.75%	250.00	1,975.00
53	LABOR	5,000.00		5,000.00	4,750.00			4,750.00	95.00%	250.00	475.00
54	EIGHTH FLOOR MATERIAL	20,000.00		20,000.00	19,750.00			19,750.00	98.75%	250.00	1,975.00
55	LABOR	1,000.00		1,000.00	1,000.00			1,000.00	100.00%	-	100.00
56	NINTH FLOOR MATERIAL	5,000.00		5,000.00	4,800.00			4,800.00	96.00%	200.00	480.00
	FIXTURE SET OUT										

CONTINUATION SHEET

ATA Document 0701 - APPLICATION AND CERTIFICATION FOR PAYMENT, enclosing Contractor's signed certification, is attached.

In tabulations below, amounts are stated in the nearest dollar.

Use Column 1 on Contracts where variable retainage for Ins Items may apply.

APPLICATION NO: 51

APPLICATION DATE: 5/1/2016

PERIOD TO: 5/31/2018

BID PACKAGE #	CONTRACTOR	SCHEDULED VALUE	TOTAL CHANGE ORDERS	REVISED CONTRACT	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G+C)	BALANCE TO FINISH (G-G)	RETAINAGE
					FROM APPLICATION (D+E+F)	THIS PERIOD (H-E)					
57	MATERIAL	10,000.00		10,000.00	9,000.00	1,000.00	-	10,000.00	100.00%	-	1,000.00
58	LABOR	25,000.00		25,000.00	21,000.00	4,000.00	-	25,000.00	100.00%	-	2,500.00
	MOCK UP										
59	MATERIAL	8,000.00		8,000.00	8,000.00		-	8,000.00	100.00%	-	800.00
60	LABOR	10,000.00		10,000.00	10,000.00		-	10,000.00	100.00%	-	1,000.00
	FABRICATION										
61	MATERIAL	350,000.00		350,000.00	350,000.00		-	350,000.00	100.00%	-	35,000.00
62	LABOR	400,000.00		400,000.00	400,000.00		-	400,000.00	100.00%	-	40,000.00
	CHANGE ORDERS								#DIV/0!		
63	CO#1 DEWAT RELOC CRANE PROT	-	2,074.13	2,074.13	2,074.13		-	2,074.13	100.00%	-	207.41
64	FCO 004 MOD 1 UG STORM PIPING	-	59,200.00	59,200.00	59,200.00		-	59,200.00	100.00%	-	5,920.00
65	BBC CO#4 BMCC PCO #24 & # 60	-	13,961.00	13,961.00	13,961.00		-	13,961.00	100.00%	-	1,396.10
66	BMCC PCO 06 MOD 123 PIPING ONLY	-	100,689.97	100,689.97	100,689.97		-	100,689.97	100.00%	-	10,069.00
67	BMCC PCO 020 MOD 4 PIPING ONLY	-	29,929.00	29,929.00	29,929.00		-	29,929.00	100.00%	-	2,992.90
68	BMCC PCO 018 GUESTROOM GRILLS	-	82,222.47	82,222.47	82,222.47		-	82,222.47	100.00%	-	8,222.25
69	BMCC PCO 029 EXT CHWSR SUPPORT	-	16,691.00	16,691.00	14,791.00		-	14,791.00	88.62%	1,900.00	1,479.10
70	BMCC PCO 030 SI 26	-	95,527.00	95,527.00	-		-	-	0.00%	95,527.00	-
71	BMCC PCO 035 O.T. LEVEL 3 EAST	-	2,479.00	2,479.00	2,479.00		-	2,479.00	100.00%	-	247.90
72	BMCC PCO 048 GUESTROOM FIXTURES	-	147,100.00	147,100.00	147,100.00		-	147,100.00	100.00%	-	14,710.00
73	BMCC PCO 069 DUCT CHANGES POCKET DOOR	-	3,216.00	3,216.00	3,216.00		-	3,216.00	100.00%	-	321.60
74	BMCC PCO 072 SI 26 SAR GRILL CHANGE	-	7,947.08	7,947.08	7,947.08		-	7,947.08	100.00%	-	794.71
75	BMCC PCO 077 DAMAGED DUCT INSULATION	-	2,415.00	2,415.00	2,415.00		-	2,415.00	100.00%	-	241.50
76	BMCC PCO 0110 RFI 0991 PLBG REVISIONS	-	633.44	633.44	633.44		-	633.44	100.00%	-	63.34
77	CO # 12 BIM / Level 2 Control Delay	-	8,780.80	8,780.80	8,780.80		-	8,780.80	100.00%	-	878.08
78	CO # 13 MOD 6 Mech Revisions (BIM Excl'd)	-	1,198.27	1,198.27	1,198.27		-	1,198.27	100.00%	-	119.83
79	CO # 14 RFI 682 & 1006 Cond. Pumps	-	2,112.59	2,112.59	2,112.59		-	2,112.59	100.00%	-	211.26
80	CO # 15 Dom Hot Wtr Riser Offsets	-	16,143.56	16,143.56	16,143.56		-	16,143.56	100.00%	-	1,614.36
81	CO # 16 MOD's 2 & 4 Ductwork Revisions	-	34,822.00	34,822.00	34,822.00		-	34,822.00	100.00%	-	3,482.20
82	CO # 17 SI-23 & RFI 338 Less BIM	-	58,322.94	58,322.94	58,322.94		-	58,322.94	100.00%	-	5,832.29
83	CO # 18 MOD 7 Mechanical Revisions	-	25,475.53	25,475.53	25,475.53		-	25,475.53	100.00%	-	2,547.55
84	CO # 19 SI-32	-	59,201.82	59,201.82	59,201.82		-	59,201.82	100.00%	-	5,920.18
85	CO # 20 SI-48	-	6,249.00	6,249.00	6,249.00		-	6,249.00	100.00%	-	624.90
86	CO # 21 RFI 1025 Relocate Fire Damper	-	1,941.88	1,941.88	1,941.88		-	1,941.88	100.00%	-	194.19
87	CO # 22 Reroute Waste Line Mgr's Apt.	-	473.69	473.69	473.69		-	473.69	100.00%	-	47.37
88	CO # 23 - RFI 1160 Floor Drain at Pool Deck	-	2,507.52	2,507.52	2,507.52		-	2,507.52	100.00%	-	250.75
89	CO # 24 - RFI 915	-	8,330.33	8,330.33	8,330.33		-	8,330.33	100.00%	-	833.03

CONTINUATION SHEET

ALL DOCUMENTS, SPECIFICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed and dated application is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column I or Columns where variable retainage for line items may apply.

174 DOCUMENT 02702

Page 6 of 4
 APPLICATION NO: 31
 APPLICATION DATE: 5/1/2018
 PERIOD TO: 5/31/2018

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BID PACKAGE #	CONTRACTOR	SCHEDULED VALUE	TOTAL CHANGE ORDERS	REVISED CONTRACT	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G+C)	BALANCE TO FINISH (C - G)	RETAINAGE
					FROM PREVIOUS APPLICATION (D-E+F)	THIS PERIOD (G - E)					
90	CO #25 - S137		(4,353.58)	(4,353.58)	(4,353.58)			(4,353.58)	100.00%	-	(435.36)
91	CO #26 S1-38		3,109.50	3,109.50	3,109.50			3,109.50	100.00%	-	310.95
92	CO #27 Common Area Fixtures		45,882.22	45,882.22	45,882.22			45,882.22	100.00%	-	4,588.22
	GRAND TOTALS	8,028,350.00	834,283.16	8,862,633.16	8,606,478.47	153,241.92	0.00	8,759,720.39	98.84%	102,912.77	875,972.04

BMCC Claim – Exhibit 8
Marion Square Project

**Exhibit 8
BMCC Proposed Change Orders**

ELECTRONICALLY FILED - 2023 May 16 10:41 AM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108

BM	PCO	Description	Submit Date	PCO Amount
6.1		MOD #1, 2, 3 Drawing Revisions Knight & Wilson HVAC		\$49,851.35
##		MOD 4 Drawing Revisions - Knight & Wilson	4/27/16	\$3,554.65
25		Mock Up Fixtures	6/3/16	\$9,722.10
30		Supplemental Instruction #26	5/27/16	\$95,527.28
36		MOD 5 Drawings	7/15/16	\$276,838.84
40		Interior Mock Up Duct Changes	6/27/16	\$952.20
47		RFI 0451 Added manifold valves guestrooms	6/5/17	\$21,060.83
47		RFI 0451 Deduct for lav valves	11/20/17	(\$2,399.17)
##		New Fixture Selections Rvsd per owner 1-20-17 Floors 3-8	11/18/16	\$34,598.55
57		BBC RFI 0730 Elevator Equipment Room 800M	6/5/17	(\$315.68)
59		Damaged Duct Sub-Level ONSM	11/28/16	\$1,953.00
62		RFI 0765 1st Flr Duct Changes due to Shear Wall	2/3/17	\$2,101.05
66		Damaged Duct Parking Garage ONSM Forklift 2nd Time	1/10/17	\$1,953.00
67		Clogged Drain 3rd Floor Masonry Debris	1/12/17	\$500.63
68		Fire Damper M Line 2nd Floor Kitchen	1/9/17	\$1,006.25
71		MOD 8	6/5/17	\$2,152.89
74		RFI 0832 New BT-2 Fixture Selection	2/13/17	(\$8,262.58)
75		Correspondence 00082 Supplemental Instruction 34	6/6/17	\$4,698.90
78		RFI 0801 221B 222B Shower Fixtures	2/23/17	\$1,352.23
80		Supplemental Instruction 36 & 36 R1	6/7/17	\$6,157.42
82		RFI 0932 HFCU Shift Rms 739 737 pocket door framing	6/3/17	\$1,209.00
83		RFI 0938 Rm 640 Structure Conflict/HVAC Duct	6/3/17	\$1,323.13
85		Add Fire Caulking Level 3 Due To PASCO	6/3/17	\$661.76
86		RFI 0945 L3 Electrical Room R/A Grill	6/7/17	\$1,182.83
91		T&M Ticket M10152 4th Floor Condensate	6/4/17	\$4,780.70
92		T&M Ticket M10153 Double Bowl Vanities Levels 3 4 5	6/4/17	\$3,267.17
93		RFI 0861	6/6/17	\$698.68
94		RFI 0936	6/6/17	\$1,032.79
96		RFI 0968 Plbg Drain Pan Elev Equip Rm 800M	7/12/17	\$2,031.94
101		Broken 4in. PVC pipe under parking slab	6/23/17	\$2,777.38
113		Guestroom Lavatory Faucet Replacements	6/23/17	\$930.00
114		Broken Waste Arm Room 134	6/23/17	\$309.87
115		Elevator 6 Sump Pump Piping Repair	7/12/17	\$1,186.57
120		T&M Ticket 10187 Rm 317 Ptrap clogged with grout	9/8/17	\$250.00
121		T&M Ticket 10171 Rm 327 Light conflict with waste piping	9/8/17	\$250.00
122		T&M Ticket 10181 Rm 407 Light conflict with waste piping	9/8/17	\$250.00
123		T&M Ticket 10191 Rm 407 Replaced broken LAV1 rough in	7/24/17	\$319.00
124		T&M Ticket 10190 Rm 409 Light conflict with waste piping	9/8/17	\$250.00
125		T&M Ticket 10180 Rm 410 Light conflict with waste piping	9/8/17	\$250.00
126		T&M Ticket 10189 Rm 413 Light conflict with waste piping	9/8/17	\$250.00

BMCC PCO	Description	Submit Date	PCO Amount
127	T&M Ticket 10179 Rm 424 Light conflict with waste piping	9/8/17	\$250.00
128	T&M Ticket 10185 Rm 428 Light conflict with waste piping	9/8/17	\$250.00
129	T&M Ticket 10188 Rm 433 Light conflict with waste piping	9/8/17	\$250.00
130	T&M Ticket 10184 Rm 442 Light conflict with waste piping	9/8/17	\$250.00
131	T&M Ticket 10183 Rm 447 Light conflict with waste piping	9/8/17	\$250.00
132	T&M Ticket 10182 Rm 448 Light conflict with waste piping	9/8/17	\$250.00
133	T&M Ticket 10177 Rm 449 Ceiling framing conflict cond pipe	9/8/17	\$250.00
134	T&M Ticket 10192 Rm 502 Ceiling framing conflict cond pipe	9/8/17	\$250.00
135	T&M Ticket 10178 Rm 543 Ceiling framing conflict cond pipe	9/8/17	\$250.00
136	T&M Ticket 10186 Rm 622 Replacd broken tub valve roughin	7/24/17	\$315.00
137	T&M Ticket 10194 Rm 346 Clogged drain by Stucco	7/24/17	\$222.00
143	T&M Ticket 10196 Waste Line Room 300	9/8/17	\$250.00
144	T&M Ticket 10197 Waste Line Room 400	9/8/17	\$250.00
145	T&M Ticket 10193 Waste Line Room 402	9/8/17	\$250.00
146	T&M Ticket 10198 Waste Line Room 500	9/8/17	\$250.00
147	T&M Ticket 10195 Room 848 Broken Lav Valve	9/8/17	\$314.76
149	RFI 996 Soffit / Duct Conflicts	9/5/17	\$8,913.85
150	RFI 1079	3/19/18	\$7,861.11
152	T&M Ticket 6867 Reroute waste pipe Room 644	9/8/17	\$250.00
153	T&M Ticket 6866 Reroute waste pipe Room 627	9/8/17	\$250.00
154	T&M Ticket 6865 Reroute waste pipe Room 624	9/8/17	\$250.00
155	T&M Ticket 6864 Reroute waste pipe Room 610	9/8/17	\$250.00
156	T&M Ticket 6863 Reroute waste pipe Room 606	9/8/17	\$250.00
157	T&M Ticket 6862 Reroute waste pipe Room 611	9/8/17	\$250.00
158	T&M Ticket 6871 Reroute waste pipe Room 722	9/8/17	\$250.00
159	T&M Ticket 6872 Reroute waste pipe Room 724	9/8/17	\$250.00
160	T&M Ticket 6873 Reroute waste pipie Room 723	9/8/17	\$250.00
161	T&M Ticket 6868 Reroute waste pipe Room 719	9/8/17	\$250.00
162	T&M Ticket 6869 Reroute waste pipe Room 721	9/8/17	\$250.00
163	T&M Ticket 6870 Cut and capped lines at 3rd floor terrace	9/8/17	\$500.00
164	T&M Ticket 6860 Level 4 drain extensions	9/8/17	\$866.39
165	T&M Ticket 6861 Drain extensions	9/22/17	\$5,436.53
166	T&M Ticket 10199 Composite Clean up crew 7_22_2017	9/8/17	\$250.00
167	T&M Ticket 10200 Composite Clean up crew 7_27_2017	9/8/17	\$250.00
168	Alternate Deduct - Stainless Steel Drip Pans in Guestroom FCU's	9/9/17	(\$20,000.00)
169	FCU Relocation - Sub Level Elec Room	9/18/17	\$509.10
170	SI #54 Managers Apartment Relocate Sink	9/19/17	\$1,500.00
171	Hurricane Irma Impact	9/21/17	\$16,607.91
172	ane Valve Packs	9/21/17	\$5,004.73
175	T&M Ticket 6876 Light Conflict with Waste Piping Rm 725	9/20/17	\$250.00
176	T&M Ticket 6877 Light Conflict with Waste Piping Rm 726	9/20/17	\$250.00
177	T&M Ticket 6878 Light Conflict with Waste Piping Rm 727	9/20/17	\$250.00

BMCC PCO	Description	Submit Date	PCO Amount
178	T&M Ticket 6880 Light Conflict with Waste Piping Rm 606	9/20/17	\$250.00
179	T&M Ticket 6882 Broken Tub Valve Rm 621	9/20/17	\$314.76
180	SI 54 Managers Apartment Kitchen - Sink Relocation	9/19/17	\$1,500.00
181	VOID - See PCO 192		\$0.00
182	T&M Ticket 6883 Light Conflict with Waste Piping Rm 729	9/20/17	\$250.00
183	T&M Ticket 6884 Light Conflict with Waste Piping Rm 735	9/20/17	\$250.00
184	RFI 985 - Elevator Smoke Relief	9/21/17	\$12,778.00
185	T&M Ticket 6885 Light Conflict with Waste Piping Rm 728	9/22/17	\$250.00
187	T&M Ticket 6887 Light Conflict with Waste Piping Rm 726	9/22/17	\$250.00
189	Rm RT18	11/6/17	\$790.35
190	Rm RT20	11/6/17	\$790.10
191	Lav Valve Relocation - Vanity Conflict (Floors 3-5)	10/4/17	\$18,385.63
192	T&M Ticket 6890 - Electrical Switchgear Shutdown	10/5/17	\$849.53
194	top of wall	11/16/17	\$1,625.70
196	Filter Changes	11/13/17	\$37,411.79
198	SI-57 Managers Apartment	11/15/17	\$3,619.86
199	Correspondence RFP 002 Patio Revisions	11/19/17	\$15,946.63
200	RFI 1146 9th Floor Pantry	11/27/17	\$1,468.55
202	RFI 1127 1st Floor Ice Maker	12/7/17	\$4,265.72
203	RFI 1148 9th Floor Fire Dampers	3/20/18	\$3,455.75
206	Return Air Grills in Patisserie	11/20/17	\$1,759.50
207	Gutter Downspout Relocation	12/7/17	\$3,882.65
209	RFI 1164 - Guestroom 839 Supply Duct Relocation	2/7/18	\$1,293.18
210	SI-58	3/20/18	\$25,622.00
212	Clogged Shower Drains - Roto Rooter Levels 3, 4 and 5	3/6/18	\$6,141.86
216	9th Floor MUA - Damaged Duct Repair / Replace	2/28/18	\$17,946.90
218	RFI-972 Decorative Access Panels	3/14/18	\$1,370.17
219	T&M Lav Relocation Levels 6, 7 and 8 Plus rework on 4 and 5	3/17/18	\$4,779.83
220	Rm 837 Fire Damper	3/19/18	\$1,659.45
221	Replacement of Damaged T-stats	3/20/18	\$17,113.22
##	Replace Damaged Stats / Clean Others	3/20/18	\$4,392.07
222	T&M Ticket 7220 Gas Regulators	3/17/18	\$364.81
223	T&M Ticket 7221 Grease Waste Repair	3/17/18	\$499.53
224	Drains	3/17/18	\$250.00
225	Roto Rooter Additional Clogged Drains on Levels 4 and 5	3/20/18	\$1,133.90
226	Credit for Trap Primers Not Installed	3/22/18	(\$2,046.45)
227	Water Heater Acid Neutralizer Kit	3/20/18	\$528.14
230	T&M Ticket 9455 Nail in Drain Line Room 644	4/5/18	\$389.56
233	RFI 1192 - Pool Heater Grilles and Venting	1/5/19	\$1,500.46
234	Roto Rooter Additional Clogged Drains Rooms 435 and 444	4/9/18	\$1,110.33
235	CCD # 8 Managers Apartment (To be billed as T&M)	1/5/19	\$6,468.27
236	CCD # 10 MUA Duct (To be billed as T&M)	1/5/19	\$21,950.36

BMCC PCO	Description	Submit Date	PCO Amount
237	FVAC-3 Replacement	4/11/18	\$1,268.16
240	Rm 326 & 415 HFCU Broken Drain	4/23/18	\$476.99
242	CCD # 11 Kitchen Drain Pans (To be billed as T&M)	1/5/19	\$5,069.93
243	CCD # 12 VFCU Lighting Control Room (To be billed as T&M)	1/5/19	\$11,733.33
244	CCD # 13 Kitchen Sink (To be billed as T&M)	1/5/19	\$1,456.62
246	Tub Repairs	1/5/19	\$4,656.93
247	6th Floor FCUs Not Operating	1/5/19	\$3,171.27
248	Damaged Boiler Vent	ROM	\$1,500.00
249	CCD # 21 Chilled Water to Ice Makers (To be billed as T&M)	1/5/19	\$5,786.86
250	CCD # 22 Patisserie Casework (To be billed as T&M)	1/5/19	\$519.94
251	Room 408 - CHW Insulation line cut (PWI access panel install)	1/5/19	\$1,138.93
252	Control 4 Thermostat Integration	7/24/18	\$23,648.00
253	CCD # 34 Foyer Decorative Grills	1/5/19	\$831.88
254	VOID - See PCO 250	1/5/19	\$635.09
255	Heat Trace at Freezers	1/5/19	\$2,078.53
256	Condensate Pumps - FCU's	ROM	\$2,500.00
257	CCD # 25 FCU Main Electrical Room	1/5/19	\$6,837.21
258	FCU Control Boards	ROM	\$500.00
259	CCD # 44 Pool Equipment Room	ROM	\$12,000.00
260	Cap Replacement - Solid Debris Rms 327 629 644	1/5/19	\$1,394.73
			\$871,282.45

For Settlement Purposes Only

JN 1259

Marion Square Hotel

12/7/2017

ONSM provides the following initial claim's analysis and reserves the right to amend the claim as the job is completed and/or additional analysis is conducted.

Area of impacts/ Change in Scope:

- 1 Coordination, scheduling, planning, sequencing of all trades in a logical manner meeting scheduling committed dates/durations
 - a. Block work impacts/obstacles
 - 1 Hoisting
 - 2 Completion of preceding activities in a logical manner to avoid conflict of access and installation
 - 3 Conflicts with other trades
 - a. Plumber stubbing up conduit from the floor below impacting access to the work (4th & 5th floor)
 - b. Stud walls erect in disregard to the block walls
 - 4 Waterproofing and merkrete on the 3rd floor courtyard (horseshoe)
 - 5 Hoisting of the precast on the 5th floor resultant in our of sequence, illogical work sequence and access to work issues
 - 6 Length of time to resolve added scope (change order) so not to impact the progress of the project.
 - 7 Acceleration + stacking of activities on the last 3 floors
 - 8 Access
 - b. Veneer work impacts/obstacles
 - 1 Hoisting
 - 2 Concrete work
 - 3 Precast & Artiscraft
 - 4 Lintels installation
 - 5 Waterproofing
 - 6 Woodblocking
 - 7 Sequencing of the work
 - 8 Length of time to resolve added scope (change order) so not to impact the progress of the project.
 - 9 Scaffolding availability
 - 10 Access
- 2 Work not presented in the manner and time that is indicated in our Contract agreement
- 3 Stop work of the vertical structure for design changes-caused by Owner
Bottleneck and stacking of trades caused by the limitations of reshoring limitations
- 4 Design Changes from the waterproofing consultants
- 5 Coordination of the work, coordination of the trades in a logical sequence for both the block work and stone veneer work
 - e. Stop of work due to scope issues and precedent requirement, and changes in hoisting methods
- 6 Acceleration of work areas, premium costs, multiple floors due to delay in shoring removal due to upper floor design changes

- a. Out of sequence work directed. Multiple floors work concurrently
- 7 Work areas not given to ONSM complete or as anticipated per schedule
- 8 Work areas given to ONSM in variance to contract document
- 9 Multiple design changes without proper design coordination of veneer
 - a. Flashings and waterproofing detailing
- 10 Onsite management and lack of control and knowledge (Gross Negligence)of what was the root cause of the projects issues and how to correctly sequence and build this project

Summary:

ONSM started block work on the project on approximately 7/6/16 and immediately encountered issues and pulled off site and provided notice of delay to Balfour Beatty a number of time The blockwork was never turned over to ONSM as scheduled or planned, Literally encountered obstructions and impact from the the beginning. ONSM was impacted on every floor (See Narrative--Attachment A) upto the 5th floor. On 5th floor Balfour Beatty did not provide proper hoisting for the precast band which was incorporated into the block work. This brought the 5th floor block work to a stand still. Balfour Beatty allowed the other interior trades to leap frog in front of the exterior block operation thereby cutting off access to the work areas. Balfour Beatty completely abandoned their obligation and left it up to ONSM to develop and manufacturer appropriate hoisting for the 5th precast, as a consequence ONSM had to wait for the other trades to removed their work to allow ONSM an opportunity to have access to our work. The upper floors encounter numerous issues with direction and coordination of the other trades and also presented a significant change in scope of work with all of the reshoring being removed due to the stop work of the structure by the Owner. ONSM brought in supplemental forces at a significant cost to work multiple levels of upper floors

The Blockwork was started on approximately July 6, 2016 and was substantially completed as of June 14, 2017 representing a **49 week** duration

As severe as the block work obstacles and impact were the precast stone and artiscraft veneer issues were as severe and impactful. Please see (Attachment B-summary of the impacts along with Attachment C daily report) which were turned in daily to Balfour Beatty in hopes of them providing resolution to the issues. Unfortunately this was not the case; the issues of impact are summarized above.

The veneer was started on approximately February 1, 2017 and will be substantially complete as of Dec. 15, 2017 representing a **45 week** duration

Overall masonry "AS BUILT" duration on the project equals approximately **76 weeks** in total duration

The Contract masonry duration, as depicted in the approved Change order C.O. #1 is **29 weeks** (Attachment D)

Based on this the change in scope duration of the masonry is

47 weeks

3 Change order Dollars that should be Approved for work already completed = \$ 71,066.63

(See Attachment "D")

4 Total additional costs without Overhead = 1.a+1.b+ 2.d+3 = \$ 980,928.51

5 Overhead & Profit 15% \$ 136,479.28

6 Bond Costs 1% \$ 10,463.41

7 Outstanding Change Requests (Submitted separately) \$ -

Total Cost of Claim \$ 1,127,871.20

ATTACHMENT "A"**Marion Square Hotel-Masonry Work**

We were asked to start block work in the basement to accommodate some concrete work around July 1, 2016, at that time ONSM was told the project would be ready for block work on the first floor the following week. Once ONSM started it was clear Balfour Beatty was not prepared for the masonry to start. This caused ONSM to provide "notice" to Balfour Beatty on July 14, 2016 noting they were not ready to start masonry on the first floor due to clean up and access issues as well as a grout sleeve issue.

Response email from Tim Spano July 18, 2016

Toby, great strides were made last week in getting material removed from the first floor. Lithko has another truck scheduled to arrive this afternoon that will remove another large amount of materials leaving only a small amount to work around – and this will be removed Tuesday. With the above I would ask that you mobilize crews here tomorrow to start building where you have your starter course. All rebar has been installed in all these areas and we will continue with subsequent floors verifying rebar is in.

There continued to be issues with the grouting and vertical cells, this prompted Balfour Beatty to issue the email below in a total disregard to how these issues were impacting ONSM.

Email: Nick Starcevic on the July 19, 2016

We cannot wait on an answer for grouting the bond beams and vertical cells to remobilize. We need a commitment from ONSM that you will be back onsite ready to continue work tomorrow, July 20th, even if that means you cannot top out some walls.

Issues continued to obstruct and impact ONSM progress, as evident by the email below.

Email: Toby Holloway on July 29, 2016

We will not have the basement completed by next week I am not sure who gave you any indication that we would; as for the first floor we still need to come to terms with the added time and cost based on the proposal we gave you this week due to the rebar situation at the head of walls. You will need to approve the proposal for added time and cost before we can top out that first floor, please get with me at your convenience so that there is no misunderstanding of durations moving forward as our scope of work has changed due to the rebar situation. thank you

Clearly by the correspondence there was confusion as to how to facilitate this rebar and grouting situation; causing a delay and cost impact on the first floor with no commitment

from Balfour Beatty on how to resolve it at this point in the project or provide appropriate direction and proper coordination.

ONSM moves to the second floor around August 8, 2016 without completing of the first floor due to lack of response on how to correct rebar sleeve and grout on first floor.

Email is sent from Toby Holloway on August 27, 2016

I just want to follow up on our conversation in the weekly meeting held Wednesday the August 24, 2016; we spoke about the schedule for masonry on second floor, it showed us complete this week and that will not be the case due to shoring on third floor needing to be removed before masonry can finish. I was told re-shoring on third floor east should be removed towards the end of next week and I will need approx. 5 days after that to complete masonry on 2nd floor. As of today, there is still shoring on 3rd floor west as well. That will need to be removed before we can complete that area. The North-east corner 2nd floor has not started yet as well due to mechanical equipment and pads being placed, once placed we can start that area as well.

As of the end of August 2016 ONSM is still not done on 1st floor, can't finish 2nd floor and being asked to go to the third-floor generating this next email from Toby on August 29, 2016.

Email: Toby Holloway on August 29, 2016

The weldable rebar is only at third floor and not provided by ONSM, the first lift has been poured on second floor. Per the structural drawings CMU is to be placed only after dead loads have occurred and as Dan R. stated in the weekly meeting last week you guys owe it to us to only go up and touch that portion of work one time; hence the reason we need the shoring removed which was why I made the statement to your team that after shoring is removed I would need five more days to complete this work. The plans do show block outs at the third-floor on detail 1A and 1B on 304. As for the beam on the first floor being poured on Friday; when I left Thursday night there were no birds mouth's placed and as I have expressed to you I am not comfortable with placing this work the way it is currently framed due to potential blow outs. So, if the intent is to pour that as is; please sub this work to someone else as I will not take on the responsibility of that work. That is why my competent person told you he would not pour that on Friday. Please understand I'm not trying to be difficult with your team; however, I owe it to you to give you realistic expectations of when the work will be complete and what impacts/obstacles are in front of us regardless of what your schedule shows. My only intentions are to point out to you what the obstacles are, so we can be successful in meeting the durations needed to complete your project; not to give you excuses of why we didn't meet it but what we need to make it. Thank you

On September 1, 2016 ONSM moved to the third floor; still not completing first floor or second floor, and now working on third floor and must stop again waiting for window sill flashing by others. At this time, we had still not started stairs 1,3,4,6 on any floors yet due to shoring. **It took until the last part of December (2016) until we finally start stairwells number three and four**

Toby Holloway receives the following email from Dan Richie on September 21, 2016.

Email form Dan Richie 9/21/16

I spoke with Rob and he said if we are stressed, and shoring is removed we can lay block on Level 4 and then come back down to Level 3 when we get the go ahead on the waterproofing detail. Ryan can you capture this and send it in as a confirming RFI. Who knows we may need to do this on other floors as we go up so make it typical and vague **like a subcontractor's contract...** Toby I will let you confirm with us that by going to Level 4 and skipping Level 3 we don't incur any additional costs that are not captured in your current change order already that is still being discussed with Nick and Tim.

Toby Holloway Email response

I will confirm by end of week also as we spoke today I have sent a few masons away as we are being stopped on third floor due to waterproofing as we finish the courtyard we will need to go back down to the first floor south west corner and complete the block now that the tie beam has been placed as well as stair 6 now that the shoring has been removed. Please give me as much notice as possible to get the crew back Thank you

As of the end of September (2016) ONSM is working on three floors concurrently; and cannot complete any of the three as well as sending people home at this time

September 28, 2016 Joe Anastasi sends two emails to Tim Spano

Due to the extended duration as represented in the revised construction schedule of Sept 21, 2016, Balfour Beatty requested an order of magnitude of the impacts as presented in the Sept 21, 2016 revised schedule. On the same date we presented Balfour Beatty an order of magnitude extended duration (only) claim of only 2.5 months and cautioned of the significant potential impacts that we were concerned of.

November 2, 2016, Toby Holloway sends Email response to Nick Starcevic's email of the same date.

L1 still to this date have no access due to other trades go out there and look.

L3 only areas not complicate are due to sleeve and rebar issues the inspector should inspect today this is not an Old North State issue once inspected we will complete

L2 only area not complete is south wall where 3 concrete arch needs poured before we can complete as well as buck hoist area, again not ONSM.

L4 inspector is still having issues with rebar not going through slab, again not ONSM as well as you are still letting other trades stock their materials on 4th floor blocking our access

To date you have not given ONSM one floor completely ready for us to start; if your expectation is for us to complete on schedule you will have to be ready for us start without any interruptions.

Thank you

November 2, 2016 Nick Starcevic sends email response to Toby Holloway

“Thanks for walking the site with us today, I need to apologize to your team as I was unaware of the obstacles you are facing....”

Working on 4th floor ONSM encounters the same problems of re-shoring one floor above keeping us from topping out the fourth floor. Carla Harwell notifies Balfour Beatty in a daily report the fourth-floor slab to deck is up to 2 1/4 inches off from the fourth floor to the fifth floor.

On November 15, 2016, Toby Holloway walks with Dan Richie on the fourth floor and fifth floor to confirm we had pulled off control and set our block correctly and the slab edge was sticking out and in. Toby H. confirmed with Dan Richie that we had pulled our measurements from control and were told at that time to stay with the control line; not the slab edge by Dan Richie.

On November 17, 2016, Toby Holloway walked with Dan Richie to show him the problem with access being blocked from the floor below. The Plumber is sticking up pipes into the floor we are working on causing obstacles and blocking access to areas.

On November 21, 2016, ONSM notified Balfour Beatty that the concrete is out of range from control and we would follow control lines for our block placement

Still waiting on several answers for missing rebar on the fourth floor caused by others not allowing us to complete our scope of work.

Note: Window shop drawings caused issues with the size of the openings + lug sills versus regular precast sills.

November 22, 2016 Joe Anastasi met on site with Shelly Goodwin, among several topics covered. ONSM confirmed we had verified our work in-house and felt our work was laid out correctly and built within tolerance floor to floor. Several walls were spot checked demonstrating this. Balfour Beatty stated they had a 3rd party survey done of the exterior and would distribute it once it was received.

November 29, 2016, ONSM notifies (Carla Harwell) of issues with the 3rd party inspectors interpretation of the documents as to the requirements of the vertical reinforcement. ONSM has waited a week at this point to have this resolved for the fourth and fifth floors.

Dec. 3, 2016 Joe Anastasi points out to Nick Starcevic in an email response of the obstacles encountered and that ONSM can not be held liable if we are not given and opportunity to

complete our work in an unobstructed/impacted manner. Also, informs the obstructions/impacts are being reported in our daily reports.

Dec. 5, 2016 Chip Venable informs Balfour Beatty that as of this date we have not be given written direction on how to proceed with the layout of the 6th floor, therefore we were proceeding with lay out from controls. He requests confirmation of the sleeve layout is sufficient and finally we need direction on the hoisting and the waterproofing for the precast band on the 5th floor.

Furthermore, ONSM request Balfour Beatty to provide clear direction on the wall placement modifications from the "as planned" to avoid confusion

Dec.7, 2016 (Joe Anastasi w/ONSM) addresses scheduling issues in the most recent schedule update of dated 11.15.16. there are serious logic flaws that need to be addressed regarding the precast band placement. The waterproofing and flashing need to be completed and considered in the schedule. The hoisting accommodations have not been resolved by Balfour Beatty and the schedule is showing stacking multiple floors thereby compressing and accelerating our scope of work. We note this material change in the schedule.

Dec. 16, 2016 ONSM (Chip Venable) informs Balfour Beatty that the most recent updated schedule (12.13.16) has logic flaws and erroneously depicts the veneer starting on 12.30.16. Which does not make sense due the preceding activities not being completed.

Dec. 16, 2016, Balfour Beatty issues a Notice of Delay and Demand for Cure. ONSM meets with Balfour Beatty on site Dec. 19, 2016 and provides written response on Dec. 20, 2016, incorporating observations and discussions from the on-site meeting

We then start the fifth floor ONSM must stop after two courses of block installed (1'-4") due to lack of precast hoisting provided by Balfour Beatty.

ONSM met with Shelly Goodwin on Dec. 19, 2016, to go over hoisting that was to be provided by Balfour Beatty. There was a malfunction with the tower crane causing some safety concerns that then led to Nick Starcevic demanding a lifting plan before proceeding. It was determined in a conversation between Toby Holloway and Shelly Goodwin that ONSM had done nothing wrong; as a matter of fact; from a safety standpoint we had done everything correct. Over 2 weeks are lost due to lack of hoisting for the precast until finally ONSM designed and manufactured hoists to commence to placement of the precast on the fifth floor

After resolving the 5th floor precast hoisting needs, ONSM was again obstructed with our block laying from other trades completely blocking off access on this floor. This goes on for a period of four weeks causing us to move to the sixth floor to be productive and starting seventh floor, which is stacking masonry activities for all the remaining floors. Keep in mind we are still not complete on any floor at this time; and all re-shoring from the upper floors has now been removed due to the Owner design change impact.

Not completing the fifth floor keeps us from starting precast on the exterior of the building.

December 20, 2016 ONSM notified Balfour Beatty management we were told to come off concrete columns not control for layout 6th floor door frames.

January 23, 2017 Balfour Beatty issues a notice of delay and demand for cure.

On January 24, 2017 ONSM responds to this notice.

January 31 ONSM is still working on the fifth, sixth and seventh floors out of sequence. ONSM brought in a supplemental subcontractor to assist in laying multiple floors concurrently to try and accelerate the block work.

On February 7, 2017 Balfour Beatty issues a notice of delay and demand to cure.

ONSM responds to this notice on February 8, 2017

It is mid-February before ONSM is finally able to lay the last block on the fifth-floor east elevation.

February 7, 2017 ONSM notified BB that the eighth slab is 2 inches off control line, we are told to go with slab edge.

February 22, 2017 a small crane arrived to set the precast at second-floor east elevation

March 6, 2017 still no flashing for precast caps on six floor parapets (provided by others), this is preventing ONSM from installing this work. Also, there is an issue of access to set the sixth-floor precast band on the east elevation.

March 15, 2017 Balfour Beatty issues notice of delay.

ONSM responds on March 17, 2017 and sets up site meeting for March 23rd, 2017

March 16, 2017 Toby Holloway met with Shelly Goodwin and walked job to show where we were being held up. The following represents the areas of concern; basement area, east elevation precast base, waterproofing problems at base of wall west elevation, concrete sticking out of building at north, south and west elevation, concrete foundation too high on south elevation and north elevation. It was agreed if Shelly Goodwin committed to resolve these problems ONSM would send down another crew for precast.

On March 20, 2017 ONSM sent another foreman Santos Perez and an additional crew down to start precast on south elevation. However multiple problems were consistently encountered causing impacts and obstructions; please refer to ONSM's in daily reports.

March 23, 2017 ONSM and Balfour Beatty met on site (Tim Spano and Jeff Sandeen, Nick Starcevic, Scott Griffin, Joe Anastasi, and Toby Holloway) to discuss several items from quality of the stone, chips, cutting/modifying of stone to accommodate other trades issues,

waterproofing requirements and the stucco as it related to any deficiencies of our cmu walls. It was agreed at that prior to any stucco beginning on any elevation if there was a problem with the masonry it would be discussed between Tim Spano and Toby Holloway. They would be the only people to address these issues from our firms to confirm if there is a problem with our work. The only area Toby Holloway was asked to look at with Tim Spano was a small area on the third-floor balcony (approximately 200 sq. ft2). Toby Holloway was asked to try and close the communication gap between Tim Spano and Carla Harwell on issues of delays/obstacles. Finally, ONSM agreed to rent a scissor lift to start flashing on the west elevation before stucco scaffold arrived.

The daily impacts and obstructions continue with the stone veneer (please review ONSM's daily reports)

On May 1, 2017, we send Santos Perez and his crew to another job due to lack of areas ready for precast.

On May 23, 2017, Joe Anastasi email confirming a conversation between Tim Spano had with Scott Griffin regarding the exterior elevations. Wherein the agreement for evaluating any exterior CMU concerns was not followed or even addressed since our March 23, 2017 meeting. In addition, the 3rd party exterior survey that was committed to be forward to ONSM back in November and on several other occasions was never sent to us.

On June 5, 2017 Nick Starcevic sends a group email to the subcontractors requesting claim submissions if any from the subcontractors

On June 16, 2017 ONSM submitted our revised draft of our previously submitted claim. The magnitude of our claim has increased substantially, reflecting the as built conditions of the project.

The last four months ONSM has had a small crew to go back and complete work that was not available at the time we were on the floors as well as piece meal of the precast. ONSM has had to leap frog around the entire perimeter to accommodate work left behind as well as areas impacted by other trades as noted in daily reports.

CC: Exhibit XX



July 14, 2016

Tim Spano
Balfour Beatty Construction
306 Meeting St
Suite 300
Charleston, SC 29401

Re: The Marion Square Hotel -- Notice of Delay

Mr. Spano,

Please accept this letter as official notice of delay to the masonry scope of work. As of today we have demobilized from your job. When we arrived on your job Monday this week numerous areas were brought to you and your team's attention for rebar either completely missing or in the wrong place. This has not been corrected at this point. Other areas of delay are materials and post shores preventing us from stocking out and performing our work.

More importantly, while on site this week it has come to our attention that the grout pour holes (Detail S303-4) are missing in all the slabs currently poured. These are required at all vertical rebar locations to insure the top bond beam gets grouted and for the rebar to extend through. We cannot install and grout the CMU without these pour holes. Please provide Old North State Masonry with direction of how to proceed.

Toby Holloway has discussed all of these issues with you and your team while onsite this week.

In conclusion, Old North State Masonry will return to the site when these issues noted above are resolved. Please inform us when this is all taken care of and we will set up a meeting to come and walk the site with you and your team to verify. If all issues are resolved, we will schedule our crews to come back to the site and start the masonry.

Chip Venable

Chip Venable
Project Manager

Cc: Joe Anastasi
Cc: Toby Holloway
Cc: Nicholas Starcevic
Cc: Dan Ricci
Cc: Marty Dale
Cc: Peter Waterfield

Joe Anastasi

From: Chip Venable
Sent: Thursday, August 11, 2016 3:02 PM
To: Spano, Tim
Cc: Joe Anastasi; Toby Holloway; Starcevic, Nicholas; Ricci, Daniel; Dale, Marty; Waterfield, Peter
Subject: 2nd Notice of Delay
Attachments: 1259-2nd Notice of Delay 8.11.2016.pdf

Tim,

I tried to give you a call and discuss the issues prior to sending out this letter. Toby has had numerous conversations with your team and we still do not have a clear direction of how to proceed. As stated in the letter we will be completing the CMU in the basement and the 1st floor and will not be coming back to the site until we have clear direction of how to build the CMU walls.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

ELECTRONICALLY FILED - 2023 May 16 10:41 AM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108



August 11, 2016

Tim Spano
Balfour Beatty Construction
306 Meeting Street
Suite 300
Charleston, SC 29401

Re: The Marion Square Hotel – 2nd Notice of Delay

Mr. Spano,

Please accept this letter as our official 2nd notice of delay to the masonry scope of work. Once we complete the basement and 1st floor CMU we will be de-mobilizing from the job. We still do not have a clear direction as to what is happening with the rebar. As an update to the job schedule we are still being delayed due to rebar on the 2nd floor not being installed per the drawings. This has caused a complete loss of production this week. The missing grout pour holes is impacting our grouting procedures. The last lift of CMU cannot be vibrated, as you cannot fit the vibrator down the last lift. We do understand your team is to have a conversation with the inspector, trying to resolve this issue. However, we are losing valuable time to the schedule due to the confusion of the rebar spacing, rebar not passing through the floor and our inability to vibrate the last lift of CMU. We expect your team to take lead on this and make sure all parties concerned have a clear understanding of the expectations structurally to get the CMU walls built. Toby Holloway will visit with your team once you have everything figured out and have clear direction ready to discuss.

X Chip Venable

Chip Venable
Project Manager

Cc: Joe Anastasi
Cc: Toby Holloway
Cc: Nicholas Starcevic
Cc: Dan Ricci
Cc: Marty Dale
Cc: Peter Waterfield

Joe Anastasi

From: Joe Anastasi
Sent: Wednesday, September 28, 2016 12:48 PM
To: 'Spano, Tim'
Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com); JSandeen@Balfourbeattyus.com; Chip Venabel (cvenable@oldnorthstatemasonry.com)
Subject: Revised schedule dated Sept. 21, 2016

Tim,

We have reviewed the most recent revised schedule (9.21.16) of the Marion Square Hotel Project. Based on this revised schedule it appears the masonry completion dated has been extended approx.. 2.5 months. In addition there appears to be several items outstanding that have a significant potential of impacting the project beyond what is shown on the revised schedule. These items include the sleeves omitted on the 1st, 3rd and 4th floor, the precast sill issues at the 5th and 8th floor and finally the flashing and waterproofing details.

Please know we will assist the project team in minimizing these effect. But we wanted to notify you of the potential of the added expenses so all parties are informed properly so everyone has the opportunity to mitigate the expenses.

I hope you understand this notice is provided so that everyone is informed.

Best regards,

Joe Anastasi
President
Cell (704) 400-6802
janastasi@onsmllc.com

Joe Anastasi

From: Joe Anastasi
Sent: Wednesday, September 28, 2016 3:27 PM
To: 'Spano, Tim'
Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com); Chip Venabel (cvenable@oldnorthstatemasonry.com)
Subject: Emailing - 1259 Claim Draft 9.28.16.pdf
Attachments: 1259 Claim Draft 9.28.16

Tim,
Toby asked for me to provide an order of magnitude of the impact for the added duration as presented in the Sept. 21, 2016 revised schedule. Please note this "draft version" is only the impact of the added duration and not the change in sequencing logic, stacking or acceleration of the individual components of the work. Please use this as an order of magnitude of what we foresee for the added durations thus far.

Please contact me if you have any questions.

Joe Anastasi

JN 1259

Marion Square Hotel
 Claim Draft

9/28/2016

Area of impacts/ Change in Scope:

Coordination, sequencing and scheduling of other trades work
 Work not presented in the manner and time that is indicated in our Contract agreement
 Stop work of the vertical structure for design changes

Summary:

ONSM started block work on the project on approximately 7/6/16 and as of today's date have install approximately 17,500 block or 22% of the blockwork in 12 weeks of work. Based on the work available we have significantly reduced our forces. Currently we have 1 operations manager, 1 site foreman and 2 to 3 masons on site with the appropriate number of laborers.

The original masonry schedule versus the revised schedule of the 9.21.16 extends our masonry duration by at least 10 weeks. The sequencing of the segments of work, particularly the precast durations appear to be shortened and stacked which will further impact the costs on the project. At this point this is a "draft" and does not consider the inefficiencies of stacking, accelerating and a change in the nature of how the work will be turned over to ONSM. These effects will be calculated when they become known to us and will be in addition to the extended duration of the revised schedule.

Based only on the extended duration of 10 weeks

ONSM anticipates a change in scope (longer duration) of approx. 10 weeks. 10

12

Therefore the added costs associated with this change in scope is as follows:

1 Additional Indirect Variable Costs:

1.a

	Daily costs (as of 6/28/16)	weekly costs	Added costs for the extended duration of 10 weeks
Added indirect costs on a daily basis	\$ 1,967	\$ 9,835.00	\$ 98,350.00

Claim Calculations- (Attachment 1)

\$ 98,350.00

2 Additional Labor Costs

2a

Additional supervision (10 weeks X \$1,500.00/week)	\$ 15,000.00
Additional VP of Operations 3 days/week (10wks * \$2,310/3days per week) incl. burdens + benefits	\$ 23,100.00
Total additional supervision costs	\$ 38,100.00

3 Change order Dollars that should be Approved for work already completed =

4 Total additional costs without Overhead = 1.a+1.b+ 2.d =

\$ 136,450.00

5 Overhead & Profit

15%

\$ 20,467.50

6 Bond Costs

1%

\$ 1,569.18

7 Outstanding Change Requests (Submitted separately)

\$ -

Total Cost of Claim \$ 158,486.68

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Wednesday, November 02, 2016 10:17 PM
To: Toby Holloway
Cc: Chip Venable; Joe Anastasi; Dale, Marty; Ledford, Ryan; Ricci, Daniel; Spano, Tim; cdharwell@gmail.com; Eldridge, Johnny; Waterfield, Peter
Subject: RE: Masonry Completion floors 1 and 2

Toby,

Thanks for walking with us today. I need to apologize to your team as I was unaware of the obstacles you are facing. My notes from our walk below...

L1 is behind and needs attention. There is material in your way on the South West entry, but per today's walk that material will be out of your way tomorrow and ONSM needs manpower for this area. Our team will ensure the material is moved tomorrow.

We agree that ONSM is not holding up L3. You should be complete tomorrow.

L4 was held up by rebar issues with Lithko and will restart tomorrow. BBC committed to moving material for better access, and ONSM committed to 11/18 completion.

We would like to meet with you, Carla, and our team for 15-20 minutes tomorrow morning. Will 7:30 work?

And we will not hold payment for September.

Nick Starcevic | Project Manager
 mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
 Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com

Build to Last

-----Original Message-----

From: Toby Holloway [mailto:tholloway@oldnorthstatemasonry.com]
Sent: Wednesday, November 02, 2016 1:35 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Dale, Marty <mdale@balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; cdharwell@gmail.com
Subject: Re: Masonry Completion floors 1 and 2

L1 still to this date have no access due to other trades go out there and look.

L3 only areas not complicate are due to sleeve and rebar issues the inspector should inspect today this is not a old North Star issue once inspected we will complete.

L2 only area not complete is south wall where 3 concrete arch need poured before we can complete as well as buck hoist area ,again not ONSM

R -13368

L4 inspector is still having issues with rebar not going through slab ,again not ONSM as well as you are still letting other trades stock there materials on 4th fl blocking our access To date you have not given ONSM one floor completely ready for us to start if your expectation is for us to complete on schedule you will have to be ready for us start without any interruptions.

Thank you

Toby Holloway
Vice president operations
Old North State Masonry
704-622-0803

> On Nov 1, 2016, at 8:20 AM, Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com> wrote:

>

> Toby, Chip, Joe,

>

> We have loose ends all over L1 (SW corner has had no activity for 2 weeks, stairwells incomplete, no work on punch, etc), L3 still isn't topped out, and we're only 1 course up on L4. L1 and L2 are preventing dry in and holding up other trades. You should already be past your first lift on L4.

>

> Since we cannot get a response from ONSM, we are going to hold payment until L1 and L2 are complete. L1 and L2 were both billed @ 90% labor and 100% material in September so cannot release payment for work you haven't completed. Best we can tell you are 2 weeks from having your scope complete on these floors. Once you complete all loose ends and start punch, we'll release payment.

>

> Thanks,

>

> Nick Starcevic | Project Manager

> mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com Balfour

> Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

>

> www.balfourbeattyus.com

> Build to Last

> -----Original Message-----

> From: Starcevic, Nicholas

> Sent: Monday, October 31, 2016 2:06 PM

> To: Ricci, Daniel <DRicci@Balfourbeattyus.com>; Spano, Tim

> <timspano@Balfourbeattyus.com>; THolloway@oldnorthstatemasonry.com;

> Chip Venable <CVenable@oldnorthstatemasonry.com>; cdharwell@gmail.com

> Cc: Dale, Marty <mdale@balfourbeattyus.com>; Ledford, Ryan

> <RLedford@Balfourbeattyus.com>

> Subject: RE: Masonry Completion floors 1 and 2

>

> We can't push the end date for this area as it is already behind. Why aren't we finishing L3 until Wednesday now?

>

> Nick Starcevic | Project Manager

> mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com Balfour

> Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

>

> www.balfourbeattyus.com

> Build to Last

> -----Original Message-----

> From: Ricci, Daniel

> Sent: Monday, October 31, 2016 1:28 PM

> To: Spano, Tim <timspano@Balfourbeattyus.com>;

> THolloway@oldnorthstatemasonry.com; Starcevic, Nicholas

> <NStarcevic@Balfourbeattyus.com>; Chip Venable

> <CVenable@oldnorthstatemasonry.com>; cdharwell@gmail.com

> Cc: Dale, Marty <mdale@balfourbeattyus.com>; Ledford, Ryan

> <RLedford@Balfourbeattyus.com>

> Subject: RE: Masonry Completion floors 1 and 2

>

> They have a bad mixer and some faulty equipment (Saws) they are working on getting fixed today. They are hooked up with the welder to fix the mixer. I have a call into Toby as well but I already got the update from Carla. The plan is to start again hopefully tomorrow on this elevation and knock it out along with stair #3 and finish stair #4.

>

> -----Original Message-----

> From: Ricci, Daniel

> Sent: Friday, October 28, 2016 8:19 AM

> To: Spano, Tim <timspano@Balfourbeattyus.com>;

> THolloway@oldnorthstatemasonry.com; cdharwell@gmail.com

> Cc: Chip Venable <CVenable@oldnorthstatemasonry.com>; Starcevic,

> Nicholas <NStarcevic@Balfourbeattyus.com>; Dale, Marty

> <mdale@balfourbeattyus.com>; Dooley, Alec

> <adooley@Balfourbeattyus.com>; Ledford, Ryan

> <RLedford@Balfourbeattyus.com>

> Subject: RE: Masonry Completion floors 1 and 2

>

> We spoke about this when Toby was here. Unfortunately not much happened over there this week. My hope is that next week we get more work done to get this entire area completed by 11/11. They have an easy 2 weeks over there from what I see. I am also moving the overhead protection at stair #3 this morning so they can knock that out while the mixer and the manpower is on that scaffold.

>

> -----Original Message-----

> From: Spano, Tim

> Sent: Saturday, October 22, 2016 12:33 PM

> To: THolloway@oldnorthstatemasonry.com

> Cc: Chip Venable <CVenable@oldnorthstatemasonry.com>; Starcevic,

> Nicholas <NStarcevic@Balfourbeattyus.com>; Ricci, Daniel

> <DRicci@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>;

> Dooley, Alec <adooley@Balfourbeattyus.com>; Ledford, Ryan

> <RLedford@Balfourbeattyus.com>

> Subject: Masonry Completion floors 1 and 2

>

> Toby, floors 1 & 2 have got to be completed next week. The Entry has sat idle since Wed and was already behind. The stair wells need to be laid up with the walls on each floor, they are two floors behind and the 2nd floor south center knee wall needs to be poured, it has sat like that for weeks now. We need to dry-in floors 1 & 2 completely. We need drywall and conditioned air. We must button up floors as we move up the structure. If something is needed for this to happen that's out of your control. Please let our team know. Thanks

Joe Anastasi

Fr: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Wednesday, November 23, 2016 7:58 AM
To: Joe Anastasi
Cc: Chip Venable; Toby Holloway; Carla Harwell; Ricci, Daniel; Goodwin, Shelly; Ledford, Ryan; Dale, Marty; Spano, Tim; Dooley, Alec
Subject: HMS Exterior CMU Review

Joe,

Thank you for meeting our team onsite yesterday. Here are the notes and commitments that were made, please advise if you have any questions or concerns.

- ONSM –
- Original Mock Up – complete, punched, cleaned, etc by 12/2. Joe to confirm cast stone base will be onsite and install by 12/2.
- New Mock Up – agreed to deduct \$1,500. BBC directive to proceed, COR will follow.
- Exterior Punch – complete on East, North, and South by 12/2.
- L1-4 All open Work – complete by 11/30.
- L5 – start 11/30
- Low Break Wall – ONSM to core and break cores to determine if testing methods were at faults.

- BBC
- Change Order – Tim and Nick to get together on 11/29 to send. Mock Up COR (less \$1,500) to be sent.
- RFI if vertical rebar is necessary in window openings.
- Grade West elevation for access.
- Exterior Survey – BBC will distribute our survey as soon as we get the results. Any additional remedial work will be addressed at that time.

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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Joe Anastasi

From: Chip Venable
Sent: Monday, November 28, 2016 8:54 AM
To: Starcevic, Nicholas; Joe Anastasi
Cc: Toby Holloway; Carla Harwell; Ricci, Daniel; Goodwin, Shelly; Ledford, Ryan; Dale, Marty; Spano, Tim; Dooley, Alec
Subject: RE: HMS Exterior CMU Review
Attachments: 1259-CR-013 Additional Mock up Panels-revised 11.22.2016.pdf

Nick,

Please see the attached pricing with the \$1,500 credit.

Best Regards,

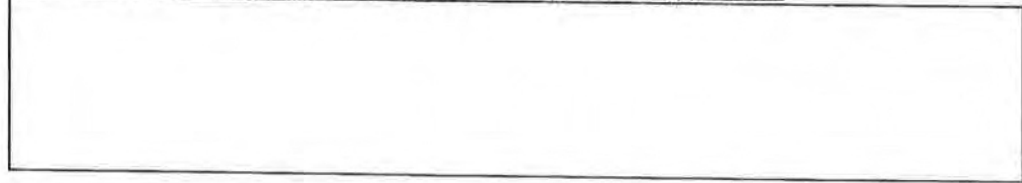
Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Monday, November 28, 2016 8:36 AM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Carla Harwell <cdharwell@gmail.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: RE: HMS Exterior CMU Review

Understood. Can you provide the \$1,500 credit to the exterior mock up and I'll send to owner?

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]
Sent: Wednesday, November 23, 2016 11:37 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Carla Harwell <cdharwell@gmail.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: RE: HMS Exterior CMU Review

Nick,

I left you a message yesterday to give me a call. I want to make sure you understand the mistake made during the pricing of the mock up panels. I have attached the email I sent yesterday concerning the revised pricing of the mock ups.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Wednesday, November 23, 2016 8:34 AM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Carla Harwell <cdharwell@gmail.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim <tjmspano@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: Re: HMS Exterior CMU Review

So we're clear, the base will be delivered 11/28, correct?

We agreed to a Wednesday start, but we'll start your duration on 12/1.

And you meant 11/28 for a Spec Mix response, correct?

Nick Starcevic | Balfour Beatty Construction
Cell: 704.361.3265

11/23/16

On Nov 23, 2016, at 8:30 AM, Joe Anastasi <Janastasi@oldnorthstatemasonry.com> wrote:

Thanks Nick

I have a couple of notes/ updates on the commitment list below. They are in red

Joe Anastasi

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Wednesday, November 23, 2016 7:58 AM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Carla Harwell <cdharwell@gmail.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim <tjmspano@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: HMS Exterior CMU Review

Joe,

Thank you for meeting our team onsite yesterday. Here are the notes and commitments that were made, please advise if you have any questions or concerns.

R - 13373

ONSM –

Original Mock Up – complete, punched, cleaned, etc by 12/2. Joe to confirm cast stone base will be onsite and install by 12/2. -Base will be delivered to site 12/28/19

New Mock Up – agreed to deduct \$1,500. BBC directive to proceed, COR will follow. -Chip Venable needs to discuss the base price, but ONSM will provide a \$1,500 reduction

Exterior Punch – complete on East, North, and South by 12/2. -Correct-obviously there has to be access provided to the elevations so the work can occur.

L1-4 All open Work – complete by 11/30. -yes all available

L5 – start 11/30-I believe we agreed to 12/1-thursday

Low Break Wall – ONSM to core and break cores to determine if testing methods were at faults. -I understand the cores are not recognized as acceptable “ in field” testing. We have asked Spec-Mix to provide a position on this --We need the actual test report results so we can forward to them for their review and official response. Best case scenario we will not have that information from them until Monday 12/28.. Can you ask the testing agency if they can provide the procedures they are following and if they are consistent industry standards.

BBC

Change Order – Tim and Nick to get together on 11/29 to send. Mock Up COR (less \$1,500) to be sent. Please get with Chip regarding the Mock up Panel

RFI if vertical rebar is necessary in window openings.

Grade West elevation for access.

Exterior Survey – BBC will distribute our survey as soon as we get the results. Any additional remedial work will be addressed at that time. At this point ONSM has verified our work in-house and feel we are laid out correctly and built to within our tolerances floor to floor.

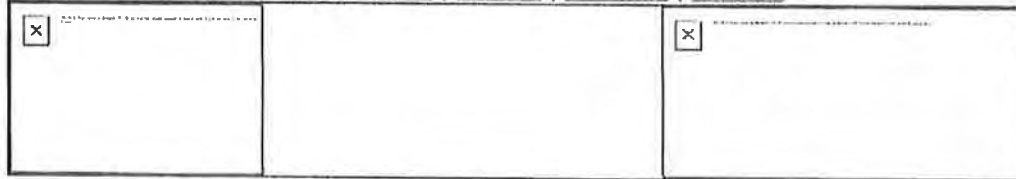
Thanks,

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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TRIAL EXHIBIT #11

Part 2 of 7

Joe Anastasi

From: Goodwin, Shelly <sgoodwin@balfourbeattyus.com>
Sent: Monday, November 28, 2016 5:33 PM
To: Ricci, Daniel
Cc: Starcevic, Nicholas; Joe Anastasi; Chip Venable; Toby Holloway; Carla Harwell; Ledford, Ryan; Dale, Marty; Spano, Tim; Dooley, Alec; Sandeen, Jeff
Subject: Re: HMS Exterior CMU Review

Dan get with Nick and Marty, they both were there during the discussion and commitments with ONSM, (Joe and Carla). Thanks.

Sent from my iPhone

On Nov 28, 2016, at 4:29 PM, Ricci, Daniel <DRicci@Balfourbeattyus.com> wrote:

I am just getting back from vacation today and getting caught up on emails. I will get with Carla and Toby to track these commitments. Thanks

From: Starcevic, Nicholas
Sent: Wednesday, November 23, 2016 7:58 AM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Carla Harwell <cdharwell@gmail.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim <tmspano@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: HMS Exterior CMU Review

Joe,

Thank you for meeting our team onsite yesterday. Here are the notes and commitments that were made, please advise if you have any questions or concerns.

ONSM –

Original Mock Up – complete, punched, cleaned, etc by 12/2. Joe to confirm cast stone base will be onsite and install by 12/2.

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L1-4 All open Work – complete by 11/30.

L5 – start 11/30

Low Break Wall – ONSM to core and break cores to determine if testing methods were at faults.

BBC

Change Order – Tim and Nick to get together on 11/29 to send. Mock Up COR (less \$1,500) to be sent. RFI if vertical rebar is necessary in window openings.

Grade West elevation for access.

Exterior Survey – BBC will distribute our survey as soon as we get the results. Any additional remedial work will be addressed at that time.

Thanks,

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

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Joe Anastasi

From: Chip Venable
Sent: Wednesday, November 30, 2016 11:10 AM
To: Joe Anastasi
Subject: FW: Level 4 CMU Update - JN 1259

See comments below

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Chip Venable
Sent: Tuesday, November 29, 2016 11:31 AM
To: 'Carla Harwell' <cdharwell@gmail.com>
Subject: RE: Level 4 CMU Update

Great email Carla. Thank you for your efforts

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Carla Harwell [<mailto:cdharwell@gmail.com>]
Sent: Tuesday, November 29, 2016 8:07 AM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>
Subject: Fwd: Level 4 CMU Update

Sent from my iPad

Begin forwarded message:

From: Carla Harwell <cdharwell@gmail.com>
Date: November 29, 2016 at 7:50:25 AM EST
To: "Ricci, Daniel" <DRicci@balfourbeattyus.com>
Subject: Re: Level 4 CMU Update

After reviewing your email , I've rewalked the fifth floor and are still short 47 sleeves. There seems to be a break down in communication because S & ME will not approve the wall to grout unless there is a sleeve every 32inches.

Old North State Masonry has been a week waiting on this matter to be resolved. We are dedicated to finishing each project in a timely manner but until this matter is resolved we are

unable to move forward on the fourth floor or even the fifth floor.

We appreciate your assistance and are eagerly waiting a solution so we can move forward.

Thank you

Carla Harwell

ONSM

On Nov 28, 2016 6:20 PM, "Ricci, Daniel" <DRicci@balfourbeattyus.com> wrote:

I left Toby a VM and he will be on site tomorrow to discuss but in doing my update for Joe Lauricella for tomorrow the information I have is ONSM completed 90% of L4 on 11-22. They have not started keying out the top course yet anywhere on L4. When I asked in this morning's meeting what the hold was, I was told it was because the rebar will not drop down from L5 to L4 and we were waiting on a survey. I have been covered up all day catching up but I just walked the floors. I only see an issue in the SE corner but everywhere else we can drop bar and top out and I don't need a survey to tell me we can do this. Unless I am seeing it wrong we have plenty of ammunition to finish this floor.

We also can be laying out and starting to lay block on L5 since everything is staged and ready to go. Re-shores are a non-issue to get a course going and roll, we top out on Wednesday morning and all re-shores disappear everywhere starting with the balance of 5E on Friday and then all other upper floors....

Carla/Ryan/Pete, Let's regroup in the morning and I will help anywhere that is needed.

Dan Ricci | Superintendent

office: [704.319.4000](tel:704.319.4000) | mobile: [704.400.2290](tel:704.400.2290) | email: dricci@balfourbeattyus.com

Balfour Beatty Construction | 1930 Camden Rd Ste 280, Charlotte, NC 28203 | www.balfourbeattyus.com

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Joe Anastasi

From: Joe Anastasi
Sent: Saturday, December 03, 2016 11:26 AM
To: 'Starcevic, Nicholas'
Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com); Chip Venable
Subject: RE: Change Orders for the 1st, 3rd and 4th floor.

Nick,
 Thanks for taken care of the change orders.

As for the other items mentioned. I know Toby has had numerous conversations and there were/are issues that are getting in our way and your team is well aware of them and will require direction to be provided. We can't be liable if we are not giving the opportunity do to other obstructions. This is similar to change in scope on the 4th floor—it wasn't until we got everyone together on the conference call on Thursday of last week until it became evident that the 4th floor was impacted as we had reported. We would like to work together at resolving the project issues, but unless you accept what the issues are it is very difficult to do so. I don't know the specifics but please have your team get with Toby and Karla. I know these issues are being reported on the daily reports.

I'll talk with you next week

Joe Anastasi

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Saturday, December 03, 2016 11:06 AM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Subject: Re: Change Orders for the 1st, 3rd and 4th floor.

Joe, I have written the change order and will have purchasing send Monday.

I do need to mention that ONSM has not held up their end of the bargain. The front entree is still at least a week away from completion, level 4 is not complete, and level 5 probably had less than 300 block laid when the masons left Friday. We foresee a major problem and costs associated with these delays if something doesn't turn around quick.

Nick Starcevic | Balfour Beatty Construction
 Cell: 704.361.3265

On Dec 3, 2016, at 10:57 AM, Joe Anastasi <Janastasi@oldnorthstatemasonry.com> wrote:

Nick,
 Could you please forward the above change orders on Monday? Thank you

Best regards,

Joe Anastasi
 President
 Cell (704) 400-6802
janastasi@onsmlc.com

R - 13381

2016 12/05

Joe Anastasi

From: Chip Venable
Sent: Monday, December 05, 2016 9:46 AM
To: Starcevic, Nicholas; Spano, Tim; Ricci, Daniel; Dale, Marty; Ledford, Ryan; Dooley, Alec
Cc: Toby Holloway; Joe Anastasi; charwell1260@icloud.com
Subject: Marion Square - Layout 5th, Sleeves 6th, Setting of Precast Sills 6th

Nick,

We have not been given any written direction of how to proceed with the layout of the 6th floor, at this point we are proceeding with layout from control. Please note the slab stick out 1.5" past the face of CMU on the West elevation.

We need your firm to confirm the sleeves on the 6th floor are sufficient and will be located in the CMU cells. This need to be done before we can start the 5th floor CMU. We need to know exactly where to place rebar so that it works with the 5th floor sill piece.

The 5th floor sill cannot be set until we have clear direction on hoisting and what is being done with the waterproofing. The sill piece covers the face of the CMU.

Please advise as not to delay the masonry work.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

Joe Anastasi

From: Chip Venable
Sent: Monday, December 05, 2016 3:44 PM
To: Ledford, Ryan; charwell1260@icloud.com
Cc: Toby Holloway; Joe Anastasi; Dooley, Alec; Dale, Marty; Spano, Tim; Starcevic, Nicholas
Subject: RE: Marion Square - Layout 5th, Sleeves 6th, Setting of Precast Sills 6th
Attachments: 1259-RFI-014.pdf

Ryan,

Please see the attached RFI for the missing sleeves along column line A.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Ledford, Ryan [mailto:RLedford@Balfourbeattyus.com]
Sent: Monday, December 05, 2016 1:17 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; charwell1260@icloud.com
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: RE: Marion Square - Layout 5th, Sleeves 6th, Setting of Precast Sills 6th

Can you show me where the structural drawings show this?

Ryan Ledford | Sr. Project Engineer
mobile: (828)545-7759 | email: yledford@balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401
ZERO HARM Make Safety Personal



From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]
Sent: Monday, December 05, 2016 1:12 PM
To: Ledford, Ryan <RLedford@Balfourbeattyus.com>; charwell1260@icloud.com
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: RE: Marion Square - Layout 5th, Sleeves 6th, Setting of Precast Sills 6th

Ryan,

Also some of the wall on A line should have sleeves.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Ledford, Ryan [<mailto:RLedford@Balfourbeattyus.com>]
Sent: Monday, December 05, 2016 1:02 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; charwell1260@icloud.com
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>;
Dooley, Alec <adooley@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Spano, Tim
<timspano@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: RE: Marion Square - Layout 5th, Sleeves 6th, Setting of Precast Sills 6th

Chip/ ONSM Team,

Pete and I will walk this after lunch and provide final direction on layout. Due to the large precast band at level 5 window sill elevation, we will need to continue in the same plane from the top of CMU on the level below (so it will need to stay flush with slab).

There are no sleeves required through the 6th floor perimeter slab, just a bond beam at this location. The only areas that need rebar through the slab is at the inner "horseshoe" area overlooking the 3rd floor terrace (we will work on getting these exposed/drilled). This should not slow you down or prohibit ONSM from moving forward on level 5.

As soon as the 2nd course is up we will have Premier waterproof the CMU that gets hidden as well as install the counterflashing (which needs to go on before the precast sill). If you guys hit a lull between setting second course and the flashing/waterproofing activity, the 6th floor parapet wall will be accessible.

Thanks,
Ryan Ledford | Sr. Project Engineer
mobile: (828)545-7759 | email: rledford@balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401
ZERO HARM Make Safety Personal



From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]
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To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; charwell1260@icloud.com
Subject: Marion Square - Layout 5th, Sleeves 6th, Setting of Precast Sills 6th

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Best Regards,

Chip Venable
Project Manager
Old North State Masonry

Joe Anastasi

From: Joe Anastasi
Sent: Tuesday, December 06, 2016 1:24 PM
To: 'Starcevic, Nicholas'
Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com); Chip Venable
Subject: Hotel at Marion Square

Nick,

I don't mean to badger you on these matters but I believe it needs your attention.

I believe Chip resent the correct info. Please issue the change order based on this revised information. Also please reissue the change order for the back charge from the stucco subcontractor previously issue.

In addition can you please provide the any modifications to the layout of the fifth floor. If any of the walls are moved from the "as planned", and so there is no confusion on exactly what that direction is, please provide the adjusted wall lines on the slab. Hopefully that will avoid any possible confusion. Unless that is provided we will layout our walls from the controls as we have noted previously. Also, the confirmation that all sleeves for the next level will work without need of any modifications to the filled cell location as we discussed last Thursday in our conference call. The reason we are being so persistent with this is that we believe the fifth floor will be as bad in not more than the fourth floor. I asked Toby to get with you personally tomorrow on site so you can evaluate the floor.

I know the addition to the sample panels are needed please issue the change order so we may proceed with this additional work as well

I appreciate you efforts and hope your meeting/discussions with Toby tomorrow will help both our firms continue to improve the site issues.

Thanks,
 Joe Anastasi

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Tuesday, December 06, 2016 7:30 AM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Subject: RE: Hotel at Marion Square

Please resend. Last version I saw still had OH&P on it.

Nick Starcevic | Project Manager
 mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
 Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Joe Anastasi [mailto:Janastasi@oldnorthstatemasonry.com]
Sent: Monday, December 05, 2016 1:26 PM

R₁ - 13387

To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>

Subject: Fwd: Hotel at Marion Square

Nic doesn't look like the T&M work for the 1st floor was included. Can you look into this?

Thank you

Joe Anastasi
(704) 400-6802

Begin forwarded message:

From: Chip Venable <cvenable@oldnorthstatemasonry.com>

Date: December 5, 2016 at 1:14:32 PM EST

To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>

Subject: FW: Hotel at Marion Square

Joe,

See attached. CO#4 seems to be issued for the wrong amount.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Ashe, Candice [<mailto:CAshe@Balfourbeattyus.com>]

Sent: Monday, December 05, 2016 1:11 PM

To: Chip Venable <cvenable@oldnorthstatemasonry.com>

Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>

Subject: Hotel at Marion Square

Chip,

I am showing the attached change orders are still pending. Can you please sign and email them to me?

Thank you,

Candice Ashe | Project Accountant
office: 704-319-4016 | email: CAshe@Balfourbeattyus.com
Balfour Beatty Construction. | 1930 Camden Road, Suite 280, , Charlotte, NC 28203

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Joe Anastasi

From: Joe Anastasi
Sent: Wednesday, December 07, 2016 4:29 PM
To: 'Spano, Tim'; Starcevic, Nicholas
Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com)
Subject: FW: Preparation of meeting and information to latest schedule (11/15/16)

Are we going to discuss this today? If so please send out a conference call invite. If not tonight can we do it at 9:00am tomorrow? Please let me know

Joe

From: Joe Anastasi
Sent: Wednesday, December 07, 2016 9:40 AM
To: 'Spano, Tim' <timspano@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com) <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>
Subject: Preparation of meeting and information to latest schedule (11/15/16)

Tim and Nick,

In preparation for our conference call and moving forward with the schedule as noted in the most recent published schedule (11/15/16) there are a number of items we need to discuss.

The interface of the precast sills on the fifth floor.

1. Shoring was removed last Thursday/ Friday and the schedule shows the block starting on the 12/5/16, which was available but for the layout and sleeves issues have impacted this
2. The schedule does not show the activity of the precast band that is set at the 2'-0" level. Precedent to the precast there needs to be an activity for the waterproofing and flashing. That duration needs to be considered in scheduling.
3. Also what accommodation for the crane will be provided to install the precast. We have talked about this but it is still unresolved. As the precast is installed we will require continuous crane. Until we know how you intent to provide the hook we do not know how long it will take to install.

Overlap of the block from floor to floor.

We cannot commit to working two floors at the same time, that is a material change to our scope. We have been on site for months and until the previous obstructions are behind us we won't have an opportunity to complete the floors within our agreed durations. If we can eliminate those items we will be able to meet our agreed duration, but we cannot accelerate and work multiple levels

I hope we can incorporate these items into our discussions so we all have a better understanding.

Thanks
 Joe Anastasi

Joe Anastasi

Fr: Spano, Tim <timspano@Balfourbeattyus.com>
Sent: Wednesday, December 07, 2016 9:06 AM
To: Joe Anastasi; Starcevic, Nicholas
Cc: Toby Holloway; Chip Venable; Ricci, Daniel; Dooley, Alec; Dale, Marty; Waterfield, Peter; Ledford, Ryan; Eldridge, Johnny
Subject: RE: Hotel at Marion Square

Joe, we need a competent person on site. Toby is not at the sub meeting and Karla's answer to every question is talk to Toby. Not going to work. Will discuss further on the call. Thanks

Tim Spano | Sr. Project Manager Carolina's
 office: 843.974.4590 | mobile: 813.917.1656 | email: timspano@balfourbeattyus.com
 Balfour Beatty Construction | www.balfourbeattyus.com
 306 Meeting St., Suite 300, Charleston, SC 29401
 Connect with us: [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)

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From: Joe Anastasi [mailto:Janastasi@oldnorthstatemasonry.com]
Sent: Wednesday, December 07, 2016 8:54 AM
To: Spano, Tim <timspano@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Waterfield, Peter <PWaterfield@Balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Eldridge, Johnny <JEldridge@Balfourbeattyus.com>
Subject: RE: Hotel at Marion Square

Tim,
 We'll coordinate the call when Toby gets on site. He'll be with your folks on site and we'll call in once everyone is together it will be between 10:00 and 12:00. He'll confirm a time once he gets up with you guys.
 joe

From: Spano, Tim [mailto:timspano@Balfourbeattyus.com]
Sent: Wednesday, December 07, 2016 8:49 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Waterfield, Peter <PWaterfield@Balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Eldridge, Johnny <JEldridge@Balfourbeattyus.com>
Subject: RE: Hotel at Marion Square

Joe, Toby and Chip, Does 10 am work?

Tim Spano | Sr. Project Manager Carolina's
office: 843.974.4590 | mobile: 813.917.1656 | email:tspano@balfourbeattyus.com
Balfour Beatty Construction | www.balfourbeattyus.com
306 Meeting St., Suite 300, Charleston, SC 29401
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From: Starcevic, Nicholas
Sent: Wednesday, December 07, 2016 8:39 AM
To: Spano, Tim <tspano@Balfourbeattyus.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Waterfield, Peter <PWaterfield@Balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Eldridge, Johnny <JEldridge@Balfourbeattyus.com>
Subject: Re: Hotel at Marion Square

Let's do 10:00am. A good part of our team is tied up from 10:30-1:00pm with the design team.

Nick Starcevic | Balfour Beatty Construction
Cell: 704.361.3265

On Dec 7, 2016, at 8:25 AM, Spano, Tim <tspano@Balfourbeattyus.com> wrote:

All, We need a meeting or call with ONS (Joe, Toby, Chip, Karla and our whole team. The delays on the entry, stairwells, 5th floor and exterior repairs are greatly affecting our critical path and building dry in. I want to discuss the schedule effects from the completion delay in these areas as a team so everyone understands what's at stake and how we are getting these areas expedited. Between 10 and 12 would be the best time for BBC to discuss as we have meetings till 10 and all afternoon. Thanks

Tim Spano | Sr. Project Manager Carolina's
office: 843.974.4590 | mobile: 813.917.1656 | email:tspano@balfourbeattyus.com
Balfour Beatty Construction | www.balfourbeattyus.com
306 Meeting St., Suite 300, Charleston, SC 29401
Connect with us: [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)
<image001.jpg>

From: Joe Anastasi [<mailto:Janastasi@oldnorthstatemasonry.com>]
Sent: Wednesday, December 07, 2016 7:42 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>; Spano, Tim <tspano@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: RE: Hotel at Marion Square

Nick,

Thanks for the update. Most of your questions below have been addressed and answered multiple times, I'll address them here but Toby can provide additional details while on site today. Answers will be in red.

Best regards,
Joe Anastais

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Tuesday, December 06, 2016 8:44 PM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: RE: Hotel at Marion Square

Toby - Does 7am work? Outside of 7am-8am, I'm in meetings until 4pm. If not me, someone from our team can communicate re L5.

.T

Joe - Once I get the revised back charge from the stucco crew, I'll change it in the system and reissue. Consider this your directive to proceed with the new mock up based on the attached pricing. We'll issue the Charge Order for this work and the T&M through purchasing.

Can you answer the following for me?

1. Why was there no one from ONSM onsite today? There is plenty of clean up to do and today would have been a perfect opportunity for you to clean up with a half rain day. I know Karal was on site, Toby can address the specifics.
2. I'm being told I need to put ONSM on 72 notice to cure the front entry and stairs. This area is extremely delayed and impacting other trades. Access is no longer an excuse. We have been given 4 different commitments and feel that you are still 5-7 working days away if keep a crew on it. Why is it not complete? As you are well aware this is an access/ crane issue. Either provide adequate access or give us the hoisting needed. Please discuss in further detail with Toby today so you understand what the issues are
3. Will the remediation be complete by 12/12 as discussed? Our stucco vendor is mobilizing on Monday and our plan is to have them fix any areas that ONSM does not have addressed. No- for two reasons—weather and access--
4. When will L4 be 100%? – Toby will address
5. L5 should be complete per schedule, on 12/15. You are 40% through your duration for this floor, but not nearly that far along on the floor. Correct- time has been lost due to the lay out issues and the sleeves please resolve and provide the written direction as discussed. In addition your schedule can not be met due to the waterproofing requirements and the hoisting requirements for the precast, both of which will have a tremendous impact on schedule and costs. Toby can address the specifics, but I'm told your team is well aware of this .

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



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Sent: Tuesday, December 06, 2016 1:24 PM
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Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>
Subject: Hotel at Marion Square

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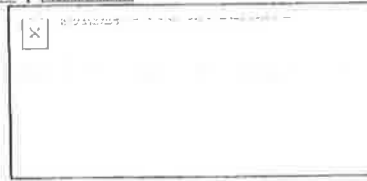
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Nick Starcevic | Project Manager
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From: Joe Anastasi [<mailto:Janastasi@oldnorthstatemasonry.com>]
Sent: Monday, December 05, 2016 1:26 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: Fwd: Hotel at Marion Square

Nick it doesn't look like the T&M work for the 1st floor was included. Can you look into this?

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Joe Anastasi
(704) 400-6802

Begin forwarded message:

From: Chip Venable <cvenable@oldnorthstatemasonry.com>
Date: December 5, 2016 at 1:14:32 PM EST
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Subject: FW: Hotel at Marion Square

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Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Ashe, Candice [<mailto:CAshe@Balfourbeattyus.com>]
Sent: Monday, December 05, 2016 1:11 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>
Subject: Hotel at Marion Square

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Thank you,

Candice Ashe | Project Accountant
office: 704-319-4016 | email: CAshe@Balfourbeattyus.com

Balfour Beatty Construction | 1930 Camden Road, Suite 280, , Charlotte, NC 28203

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Joe Anastasi

From: Joe Anastasi
Sent: Wednesday, December 07, 2016 4:29 PM
To: 'Spano, Tim'; Starcevic, Nicholas
Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com)
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Cc: Toby Holloway - ONSM (tholloway@oldnorthstatemasonry.com) <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>
Subject: Preparation of meeting and information to latest schedule (11/15/16)

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The interface of the precast sills on the fifth floor.

1. Shoring was removed last Thursday/ Friday and the schedule shows the block starting on the 12/5/16, which was available but for the layout and sleeves issues have impacted this
2. The schedule does not show the activity of the precast band that is set at the 2'-0" level. Precedent to the precast there needs to be an activity for the waterproofing and flashing. That duration needs to be considered in scheduling.
3. Also what accommodation for the crane will be provided to install the precast. We have talked about this but it is still unresolved. As the precast is installed we will require continuous crane. Until we know how you intent to provide the hook we do not know how long it will take to install.

Overlap of the block from floor to floor.

We cannot commit to working two floors at the same time, that is a material change to our scope. We have been on site for months and until the previous obstructions are behind us we won't have an opportunity to complete the floors within our agreed durations. If we can eliminate those items we will be able to meet our agreed duration, but we cannot accelerate and work multiple levels

I hope we can incorporate these items into our discussions so we all have a better understanding.

nks
 Joe Anastasi

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Wednesday, December 14, 2016 4:09 PM
To: Chip Venable
Cc: Spano, Tim; Dooley, Alec; Ricci, Daniel; Joe Anastasi; Toby Holloway; charwell1260@icloud.com
Subject: Re: Low Grout Break

10 4. We'll review this response and advise.

Nick Starcevic | Balfour Beatty Construction
 Cell: 704.361.3265

On Dec 14, 2016, at 4:07 PM, Chip Venable <cvenable@oldnorthstatemasonry.com> wrote:

Nick,

Based on the letter and the observation the testing agency is not following the ASTM C-1019 for procedures of testing masonry grout. S&ME should be the party you discuss this with. They have failed in testing the masonry grout. The Cardboard boxes they are using, cannot be used for testing masonry grout until they have performed 10 side beside comparison tests using the pin-wheel method as described in the ASTM. Plus the alternative testing shall be approved by the EOR, prior to usage. Where is the approval and where are the 10 comparison tests? What is the coefficient number they came up with? In addition, where are the min/max temperatures the grout specimens experienced? By the ASTM, the grout specimens must be kept between 60-80 degrees until they are set, which is usually 24 to 48 hours. With the current temperatures getting colder, you will find more low breaks due to the method S&ME is currently using to test/sample the grout.

Our stance is the grout in the wall in fine. S&ME can perform whatever testing they need to on the in-place grout, due to the fact they have not tested any of the grout to date correctly.

Best Regards,

Chip Venable
 Project Manager
 Old North State Masonry

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Wednesday, December 14, 2016 3:53 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Spano, Tim <timspero@Balfourbeattyus.com>
Cc: Dooley, Alec <adooley@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>
Subject: RE: Low Grout Break

Chip,

Thanks for sending that letter and information. We will surely pass along to the appropriate parties. It appears this is purely information and an observation report from Quikrete. This does not provide ONSM's stance on the situation nor does it provide an action plan. What is ONSM's plan to remediate or retest the area where the low grout was observed?

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)

<image001.jpg><image002.jpg><image003.jpg>

From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]

Sent: Wednesday, December 14, 2016 3:45 PM

To: Spano, Tim <timspano@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>

Cc: Dooley, Alec <adooley@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>

Subject: Low Grout Break

Nick,

Please see the attached information concerning the low grout break.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

<C1019 - 11.pdf>

Joe Anastasi

From: Spano, Tim <timspano@Balfourbeattyus.com>
Sent: Friday, December 16, 2016 12:39 PM
To: Chip Venable; Starcevic, Nicholas; Ricci, Daniel; Waterfield, Peter; Dooley, Alec; Denney, Brandon; Goodwin, Shelly; Dale, Marty
Cc: Joe Anastasi; Toby Holloway
Subject: RE: Hotel at Marion Square - Correspondence:00077 - Hotel at Marion Square - Schedule Update 12/13/2016

That's pushed due to CMU repairs on east that delayed the waterproofing process and the 6th floor parapet wall not starting yet. When schedule pushes, we make adjustments as needed to pull it back. These are the discussions that happen in the daily pull planning meetings on site. To pull dates back, the lower large cast will start when the waterproofing is done and will be coordinated with upper work to ensure a safe work zone. ONS also has to relocate any windows and fix all control joints properly as not to delay the exterior waterproofing or Cast. Thanks

Tim Spano | Sr. Project Manager Carolina's
 office: 843.974.4590 | mobile: 813.917.1656 | email:timspano@balfourbeattyus.com
 Balfour Beatty Construction | www.balfourbeattyus.com
 306 Meeting St., Suite 300, Charleston, SC 29401 Connect with us: Facebook | Twitter | YouTube | LinkedIn

-----Original Message-----

From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]
Sent: Friday, December 16, 2016 12:01 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Waterfield, Peter <PWaterfield@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Denney, Brandon <BDenney@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>
Subject: RE: Hotel at Marion Square - Correspondence:00077 - Hotel at Marion Square - Schedule Update 12/13/2016

Tim,

The current schedule dated 12.13.2016 shows the veneer starting 12.30.2016. The veneer cannot start until the 5th floor block and the 6th floor parapet is complete by elevations.

Best Regards,

Chip Venable
 Project Manager
 Old North State Masonry

-----Original Message-----

From: Alec Dooley [mailto:system@constructware.com]
Sent: Wednesday, December 14, 2016 2:10 PM

To: abarr@balfourbeattyus.com; adooley@balfourbeattyus.com; hazena@lithko.com; benjamin.schneider@otis.com; wbrittelli@watsonelec.com; bdenny@balfourbeattyus.com; Chip Venable <cvenable@oldnorthstatemasonry.com>; cfrancke@gulfstreamconstruction.com; DWinovich@watsonelec.com; dricci@balfourbeattyus.com; da_wondoor.com; dfarmer@watsonelec.com; David@lccm.com; david@premierexteriorsllc.com; dgoodpaster@pasco-inc.com; doug.ford@skylinesteel.com; dhelms@precisionwalls.com; ECarter@pasco-inc.com; elliottgarrou@davidallen.com; estoehr@mccgroup.com; greg@chesterpools.com; jkenna@heedesoutheast.com; jwarren@warcoconstruction.com; Joe Canitano <jcanitano@oldnorthstatemasonry.com>; jbyrnes@ses-sc.com; jeldridge@balfourbeattyus.com; beechj@lithko.com; keithc@chesterpools.com; kherrin@watsonelec.com; kwcox@maxsonassoc.com; ken.hummel@kochcorporation.com; krogers@cookandboardman.com; kirkstephens@davidallen.com; larry.vihlidal@kochcorporation.com; ldarre@wondoor.com; lge@pleasantplaces.com; mhylton@gulfstreamconstruction.com; marty@parkermarine.net; mdale@balfourbeattyus.com; mbazzle@balfourbeattyus.com; michael.beck@parkplusinc.com; mschneida@bernhardmcc.com; mzinna@precisionwalls.com; mike@mccallbro.com; npeak@warcoconstruction.com; nstarcevic@balfourbeattyus.com; pauldustin@glass1st.net; peggy.grover@kochcorporation.com; robg@wsi-nc.com; nolenr@lithko.com; rmkenney@rjkenney.com; rlawrence@balfourbeattyus.com; Rledford@balfourbeattyus.com; sam@seas-tr.com; sbullock@trimarkusa.com; scottm@meritnow.com; Sharris@tateornamental.com; smuenow@maxsonassociates.com; estimating@eliteawnings.net; quinnt@lithko.com; tmspano@balfourbeattyus.com; zcole@msikyle.com
Cc: pwaterfield@balfourbeattyus.com; sgreene@balfourbeattyus.com
Subject: Hotel at Marion Square - Correspondence:00077 - Hotel at Marion Square - Schedule Update 12/13/2016

Team,

Please see the attached updated for your use and field coordination.

Thank you,

A Dooley | Senior Project Engineer
mobile: 704.614.4907 | email: adooley@balfourbeattyus.com Balfour Beatty Construction | 306 Meeting Street, Suite 300, Charleston, SC 29401 | www.balfourbeattyus.com

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Friday, December 16, 2016 4:26 PM
To: Joe Anastasi
Cc: Chip Venable; Toby Holloway; Spano, Tim; Ricci, Daniel; Goodwin, Shelly; Sandeen, Jeff; Stoneking, Tony; Dale, Marty
Subject: 13026000-020-01 Notice of Delay and Demand for Cure - Hotel at Marion Square
Attachments: 13026000-020-01 Notification of Delay and Demand for Cure.pdf

Joe,

See attached notice of delay and demand for cure. The detail below provides additional clarification for items that Old North State needs immediate attention to. We have concerns that Old North State Masonry ("ONSM)" has the proper manpower and supervision onsite to meet the schedule and quality necessary to complete this project. We continue to get excuses on why work cannot be done instead of solutions to make this project a success. A recovery plan needs to be submitted to my attention by close of business 12/20/16.

1. Housekeeping – all CMU, trash, debris, and equipment needs to be removed from basement. There is no lay down on this project. CMU is to be delivered and staged in locations as it is required. We have agreed to allow precast storage in the basement, but all CMU needs to be delivered as it is required.
2. Quality Assurance and Control – ONSM needs to immediately address the distributed Field Report "Q245 Hotel at Marion Square FR-2". This was to be completed by 12/12/16. Additional manpower to be allocated to remedial work and not taken away from scheduled activities.
 - a. Window openings incorrectly located need to be addressed.
 - b. Control joints improperly located need to be corrected. A plan to correct and install control joints after walls have been grouted needs to be submitted immediately.
3. Schedule – ONSM needs to submit a plan to address all areas that are behind schedule with appropriate manpower.
 - a. Stairs – are to be completed in sequence with the floors
 - b. Front Entry In South West corner – well behind schedule and still needs to be grouted, keyed out, and scaffold broken down
 - c. Precast on L5 – additional certified masons needed to set precast so other areas do not fall behind. An additional crew needs to be available to start precast on L1 East when ready. We were told that the masons onsite would be setting the precast, but that will take manpower away from other areas.
 - d. L6 parapets – should have crew working on parapets and balconies.
 - e. Roof - crew needed on roof to start immediately
4. Hoisting – original schedule has tower crane removal at end of January. ONSM needs to submit hoisting plan for once the tower crane is removed. Any overtime and extended Tower Crane rental will be the responsibility of ONSM.

This notice is meant to draw attention to all the areas that we feel are lacking in production and quality. This is by no means a complete list of areas that are behind or need to be addressed, but some glaring deficiencies on the project. At the same time, we feel that Old North State can properly address these concerns in a timely fashion to get back on track. Please review and respond accordingly.

Thanks,

R 13401

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



Notice of Delay and Demand for Cure

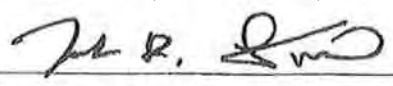
Subcontractor: Old North State Masonry, LLC Date: 16 December 2016
201 W. Matthews St. Project Name: The Hotel at Marion Square
Matthews, NC 28105 Project No./Document No.: 13026000-020-01

Re: Notice of Delay and Demand for Cure to Old North State Masonry, LLC.

Subcontractor is In default of the Subcontract in that it has failed to:

- (X) fully perform and timely complete its work in accordance with the Subcontract (Art 1.A; Art. 4.)
- () comply with safety requirements and other Legal Requirements applicable to safety (Art. 1.C);
- () comply with Legal Requirements applicable to subcontractor's work (Art. 1.D.i.; Art. 5.A);
- (X) provide written assurances of complete and timely performance (Art. 1.D.ii);
- (X) coordinate its work with that of Contractor and all other subcontractors (Art. 3.C);
- () timely and fully pay laborers, taxes, subcontractors, vendors and the like in respect to the work (Art. 3.G);
- (X) furnish sufficient labor, equipment, materials and supervision required for the proper and complete performance of the work (Art. 3.H.i);
- (X) correct defects in the work (Art. 3.H.vii);
- (X) clean up daily from its operations as required (Art. 3.H.x);
- (X) protect its work and stored materials from damage and destruction; and/or avoid damage to the work or materials of other trades (Art. 3.H.xvi);
- () timely furnish submittals, shop drawings, O&M manuals and/or other required documents or materials (Art. 3.H.vi);
- (X) Other: Correct deficiencies in work in distributed Field Report "Q245 Hotel at Marion Square FR-2"

Demand is hereby made that Subcontractor commence and continue to cure the aforementioned default(s) within three (3) business days of receipt of this notice. Failure to cure any default shall entitle BBC to take those actions described in the Subcontract or any action permitted by law including, without limitation, the remedies set forth in Articles 5 and 11.

Balfour Beatty Construction, LLC

(Signature)
Nick R. Starcevic
(Printed Name)
Project Manager
(Title)

Receipt Acknowledged by:

Joe Anastasi

From: Joe Anastasi
Sent: Tuesday, December 20, 2016 4:20 PM
To: 'Starcevic, Nicholas'
Cc: Chip Venable; Toby Holloway; Spano, Tim; Ricci, Daniel; Goodwin, Shelly; Sandeen, Jeff; Stoneking, Tony; Dale, Marty
Subject: RE: 13026000-020-01 Notice of Delay and Demand for Cure - Hotel at Marion Square
Attachments: 1259-Response to notice 12.20.16.pdf

Nick,
 As a follow-up to our walk yesterday please review our response.

Best regards,
 Joe Anastasi

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Friday, December 16, 2016 4:26 PM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Stoneking, Tony <tstoneking@balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>
Subject: 13026000-020-01 Notice of Delay and Demand for Cure - Hotel at Marion Square

Joe,

See attached notice of delay and demand for cure. The detail below provides additional clarification for items that Old North State needs immediate attention to. We have concerns that Old North State Masonry ("ONSM)" has the proper manpower and supervision onsite to meet the schedule and quality necessary to complete this project. We continue to get excuses on why work cannot be done instead of solutions to make this project a success. A recovery plan needs to be submitted to my attention by close of business 12/20/16.

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- d. L6 parapets – should have crew working on parapets and balconies.
 - e. Roof - crew needed on roof to start immediately
4. Hoisting – original schedule has tower crane removal at end of January. ONSM needs to submit hoisting plan for once the tower crane is removed. Any overtime and extended Tower Crane rental will be the responsibility of ONSM.

This notice is meant to draw attention to all the areas that we feel are lacking in production and quality. This is by no means a complete list of areas that are behind or need to be addressed, but some glaring deficiencies on the project. At the same time, we feel that Old North State can properly address these concerns in a timely fashion to get back on track. Please review and respond accordingly.

Thanks,

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

Balfour Beatty Construction | 306 Meeting St, Suite 300, Charleston, SC 29401

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Balfour Beatty
CONSTRUCTION

Build to Last
Lean. Expert. Trusted. Safe.



December 20, 2016

Nick Starcevic
Balfour Beatty Construction
306 Meeting Street
Suite 300
Charleston, SC 29401

Re: The Marion Square Hotel –Notice of Delay and Demand to Cure

Dear Nick,

This letter is in response to your email of Dec. 16, 2016 and attached notice of Delay and Demand for cure dated the same date along with our onsite walk Dec. 19th, 2016. Present for this walk was Shelly Goodwin, Toby Holloway, you and me.

It is apparent from our walk that your notice is not appropriate and that the issues experienced on this project are clearly a result of impacts caused by others and areas of work not accessible to complete at the time we were mobilized on the floors. The two main issues that have impacted the sequence are the redesign of the upper floors that delayed the upper floors being poured which prevented the shoring being removed sequentially and the missing/misplace grout sleeves in the post tension slabs, which we have addressed numerous times and it appears will continue to impact the upper levels of the blockwork. We will make every reasonable effort to improve the situation but there are things beyond our control that we cannot be responsible for.

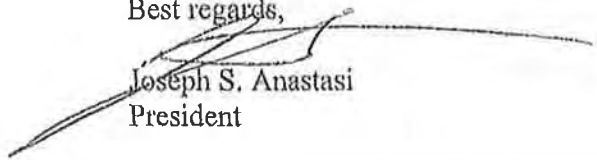
The items that we discussed in during our walk thru are as follows.

1. Masonry work at the ground floor entrance to the garage. The overhead protection will be moved beyond the block wall line and cutting of concrete, once completed ONSM will complete
2. Remedial work on the exterior –apart from south elevation all areas are rubbed, the south will be completed once area is accessible which should be within 2 days per our walk through. The control joints will be cut into the block walls from the stucco scaffolding.
3. The stairs
 - a. Stairs 1 & 2 at ground level were impacted by the tie beam that needed to be installed.
 - b. Stair 3 was used as access initially and was available starting 3 weeks ago
 - c. Stair 4 was also used for access into the building, and then the exterior wall along column line 33 could not be installed due to waiting on protection/direction at the courtyard 3rd floor/roof level
 - d. This work is now out of sequence with the typical floor work and causes access issues to the work areas.

4. Front Entry of the south west corner had the scaffold down and ready for underground work on 12/17/16
5. Precast on L5: For ONSM to provide information on additional masons we must be informed on your hoisting plan for the precast. The hoisting plan of the precast will dictate the durations and manpower requirements. As of today, this plan is not finalized. I understand Toby and Shelly are meeting tomorrow to try and formulate a plan moving forward. Contractually your firm must provide hoisting for the precast, how this is done will dictate the duration of the installation. We will not be responsible any hoisting costs for the precast. As of now no precast is being installed.
6. L6 parapets are on going
7. Roof area is not available for block work.
8. Work above the arches on the south elevation between columns 20 & 30 were poured approximately 12/9/16. Once the elevations are available to build scaffolding we will commence with this area. During the walk, it was indicated that area should be ready in 2 days.
9. Topping out level 4 is being impacted at areas where the reshoring for the outriggers has now been removed.

Please note these items are being addressed daily, discussed with your firm and noted in our daily report all to inform and hopefully improve the issues. Furthermore, the above are some of the reasons why we have taken exception to and cannot agree to the revised schedules. Moving forward the most important issue we need to resolve is the hoisting plan which will determine the number of masons we can put on this work. We will continue to try and improve the sequence and duration of the work in front of us.

Best regards,


Joseph S. Anastasi
President

Notice of Delay and Demand for Cure

Subcontractor: Old North State Masonry, LLC

Date: 16 December 2016

201 W. Matthews St.
Matthews, NC 28105

Project Name: The Hotel at Marion Square
Project No./Document No.: 13026000-020-01

Re: Notice of Delay and Demand for Cure to Old North State Masonry, LLC.

Subcontractor is in default of the Subcontract in that it has failed to:

- fully perform and timely complete its work in accordance with the Subcontract (Art 1.A; Art. 4.)
- comply with safety requirements and other Legal Requirements applicable to safety (Art. 1.C);
- comply with Legal Requirements applicable to subcontractor's work (Art. 1.D.i.; Art. 5.A);
- provide written assurances of complete and timely performance (Art. 1.D.ii);
- coordinate its work with that of Contractor and all other subcontractors (Art. 3.C);
- timely and fully pay laborers, taxes, subcontractors, vendors and the like in respect to the work (Art. 3.G);
- furnish sufficient labor, equipment, materials and supervision required for the proper and complete performance of the work (Art. 3.H.i);
- correct defects in the work (Art. 3.H.vii);
- clean up daily from its operations as required (Art. 3.H.x);
- protect its work and stored materials from damage and destruction; and/or avoid damage to the work or materials of other trades (Art. 3.H.xvi);
- timely furnish submittals, shop drawings, O&M manuals and/or other required documents or materials (Art. 3.H.vi);
- Other: Correct deficiencies in work in distributed Field Report "Q245 Hotel at Marion Square FR-2"

Demand is hereby made that Subcontractor commence and continue to cure the aforementioned default(s) within three (3) business days of receipt of this notice. Failure to cure any default shall entitle BBC to take those actions described in the Subcontract or any action permitted by law including, without limitation, the remedies set forth in Articles 5 and 11.

Balfour Beatty Construction, LLC



(Signature)

Nick R. Starcevic

(Printed Name)

Project Manager

(Title)

Receipt Acknowledged by:

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Thursday, December 29, 2016 12:22 PM
To: Joe Anastasi
Cc: Toby Holloway; Chip Venable; Ricci, Daniel
Subject: Re: L7 & L8

This isn't an obstacle for ONSM, this is clearly ONSM not coordinating onsite or refusing to coordinate. Toby is out and your field isn't listening to our superintendents so I'm going to someone who can make something happen. There is no onsite storage or staging of materials, and it is affecting other trades. If you're onsite superintendent doesn't understand the contract or is not willing to take direction from our superintendent, then I will absolutely go to you.

We don't have time to wait until Tuesday. If you're not taking care of it, we will.

Nick Starcevic | Balfour Beatty Construction
 Cell: 704.361.3265

On Dec 29, 2016, at 12:16 PM, Joe Anastasi <Janastasi@oldnorthstatemasonry.com> wrote:

Nick

If you want us to start making progress you need to stop putting obstacles in our way. Nick these issues are field issues and better served to be handled between our fields and not you and I trading emails. Let's plan on Daniel and Toby resolving this on Tuesday.

Joe Anastasi

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Thursday, December 29, 2016 11:59 AM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>; Spano, Tim <tims Spano@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Carla Harwell <cdharwell@gmail.com>; Waterfield, Peter <PWaterfield@Balfourbeattyus.com>
Subject: FW: L7 & L8
Importance: High

Joe,

You guys cannot stage material on floors you are not working. Once you are scheduled to go to that floor, you need to bring in your material.

ONSM needs to make every effort to either remove this material or place it in a location determined by one of our superintendents. If the material is in the way of other trades needing access to the floor, BBC will move it at your cost so it does not impede progress.

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Waterfield, Peter
Sent: Thursday, December 29, 2016 11:44 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: Fwd: L7 & L8

Can you forward this to Joe from Old North state. We need stop directive for material staging on L7&8 while layout is completed.

Pete Waterfield | Superintendent
C: 843-735-8354 | pwaterfield@balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting Street, Suite 300,
Charleston, SC 29401

Begin forwarded message:

From: <PWaterfield@Balfourbeattyus.com>
Date: December 29, 2016 at 9:46:24 AM EST
To: Toby Holloway <tholloway@oldnorthstatemasonry.com>
Cc: Carla <cdharwell@gmail.com>, Daniel Ricci <DRicci@Balfourbeattyus.com>, Marty Dale <mdale@balfourbeattyus.com>, Nicholas Starcevic <NStarcevic@Balfourbeattyus.com>, Tim Spano <tspano@balfourbeattyus.com>, Ryan Ledford <rledford@balfourbeattyus.com>, Alec Dooley <adooley@balfourbeattyus.com>
Subject: L7 & L8

Toby, No more material is to be staged on L7or L8. We need to complete layout on these floors.

Pete Waterfield | Superintendent
C: 843-735-8354 | pwaterfield@balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting Street, Suite 300,
Charleston, SC 29401



DAILY JOB LOG AND PRODUCTION REPORT

NAME OF JOB Marion hotel Date: 1/2/2017

JOB# 1259

Weather: (Clear) (P.Cloudy) (Cloudy): Temperature: 73 Min _____ Max _____
 Rainfall 0 Inches

NUMBER OF EMPLOYEES WORKED TODAY

	NO:	BLK HRS.	BRK HRS.	STONE HRS.
A. SUPT. (Forman)	1	8		
B. MASONS:	11	72		16
C. LABORS:	9	72		8
D. OPERATOR:	1	9		
E. OTHER CRAFTS:				
F. _____				
G. _____				
H. _____				

PRODUCTION REPORT

FACB BRICK		4" Concrete Block	
FACB BRICK ROWLOCK		6" Concrete Block	
FACB BRICK SOLDIERS		8" Concrete Block	1091
STONE FT'		12" Concrete Block	
STONE LF'		Arch. Block	
STONE PCS'	11 At 5th	floor band	
		Concrete Fill	
		Insulation	

Description and Location of:

1.) Work performed today: Laid block 6th floor west parapet and west units topped out east
Units other then center due to rebar needing to go through down to 5th fl
Set 5th floor precast band east elevation Still have no acess to west due to
Other trades working in area For precast band on 5th

2.) Areas of masonry delayed and causes of delays: No crain operator on site today did not work on
Stair 3 , need rebar driled for header on stair 4 at 3rd fl before we can continue
Will not be able to set precast or lay block on 5th floor west due to other trades
Allready starting before masonry.

3.) Verbal instructions received: _____

4.) Equipment received on site today: _____

R - 13411

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Se: Tuesday, January 03, 2017 10:50 PM
To: Toby Holloway
Cc: Chip Venable; Joe Anastasi; cdharwell@gmail.com; Cossette, Jen; Spano, Tim; Ledford, Ryan; Waterfield, Peter
Subject: Fwd: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results

Toby,

See below. There were a handful of low breaks noticed by S&ME, but the 3 below were highlighted. Now that we have identified the material used was at fault on L3 of the SW corner, we need a plan in place to rip out and repair. That plan is to be in writing to my attention by close of business tomorrow, 1/4/17, so we can address with the owner Thursday.

With 3 more potential low breaks, how does ONSM plan to prevent this from happening tomorrow. Please plan to stick around after the sub meeting to discuss.

Nick Starcevic | Balfour Beatty Construction
 Cell: 704.361.3265

Begin forwarded message:

From: Rob Berry <RBerry@lpbatlanta.com>
Date: January 3, 2017 at 10:43:23 PM EST
To: James Clements <jclements@matrixse.com>, "Marc D. Cerino" <MCerino@smeinc.com>, "Dan Ricci (DRicci@Balfourbeattyus.com)" <DRicci@Balfourbeattyus.com>
Cc: "Alec Dooley (adooley@balfourbeattyus.com)" <adooley@balfourbeattyus.com>, Jennifer Faulkinberry <JFaulkinberry@lpbatlanta.com>, Jimmy Jones <jimmyj@adcengineering.com>, Kim Brown <kbrown@bennetthospitality.com>, "Marty Dale" <mdale@balfourbeattyus.com>, "Nick Starcevic (NStarcevic@Balfourbeattyus.com)" <NStarcevic@Balfourbeattyus.com>, "Peter Waterfield (PWaterfield@Balfourbeattyus.com)" <PWaterfield@Balfourbeattyus.com>, Ryan Ledford <Rledford@balfourbeattyus.com>, Steve Eifert <seifert@shepconsult.com>, "Tim Spano (timspano@balfourbeattyus.com)" <timspano@balfourbeattyus.com>
Subject: RE: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results

1. I don't know who Carla with ONSM is, but WLA gave specific instructions on how some of the walls were to be grouted, especially the high lift grouted ones. Looks to me, Carla and ONSM ignored.
2. Masonry contractor per the reports is using spec-mix and an on-site mixer. This mix has a specific set of mixing instructions that must be followed and a time frame which the grout must be used. S&ME needs to ensure that all mixing instructions, are being followed.
3. Should have cubes to be tested at 28 days for these samples, so hopefully will achieve strength. at 28 days, or close enough to call them good, if not will have to be ripped out and replaced.

From: James Clements [<mailto:jclements@matrixse.com>]
Sent: Tuesday, January 03, 2017 8:55 PM
To: Marc D. Cerino; Dan Ricci (DRicci@Balfourbeattyus.com)
Cc: Alec Dooley (adooley@balfourbeattyus.com); Brandon Denney; Greg Brayfield; Jennifer Faulkinberry; Jimmy Jones; Kim Brown; Marty Dale; Nick Starcevic (NStarcevic@Balfourbeattyus.com); Peter Waterfield (PWaterfield@Balfourbeattyus.com); Rob Berry; Ryan Ledford; Steve Eifert; Tim Spano (tmspano@balfourbeattyus.com)
Subject: RE: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results

Thanks, Marc

Dan

Do you believe we have a QC issue ONSM? It appears so.

My recommendation is to immediately request a Plan of Action from the sub to address these results and how they will guard against future deficiencies. I am also concerned they may have changed grout material.

I believe it is in all of our best interests to have the sub's POA in hand by Thursday's OAC call. I will add it to the agenda.

Jim Clements
 Matrix Program Management Services, LLC

O. 704-676-9996
 C. 704-905-1165
www.matrixse.com

From: Marc D. Cerino [<mailto:MCerino@smeinc.com>]
Sent: Tuesday, January 3, 2017 11:29 AM
To: Alec Dooley (adooley@balfourbeattyus.com) <adooley@balfourbeattyus.com>; Brandon Denney <BDenney@Balfourbeattyus.com>; Dan Ricci (DRicci@Balfourbeattyus.com) <DRicci@Balfourbeattyus.com>; Greg Brayfield (gbrayfield@LPBatlanta.com) <gbrayfield@LPBatlanta.com>; Jennifer Faulkinberry <JFaulkinberry@lpbatlanta.com>; James Clements <jclements@matrixse.com>; Jimmy Jones <jimmyj@adcengineering.com>; Kim Brown <kbrown@bennetthospitality.com>; Marty Dale <mdale@balfourbeattyus.com>; Nick Starcevic (NStarcevic@Balfourbeattyus.com) <NStarcevic@Balfourbeattyus.com>; Peter Waterfield (PWaterfield@Balfourbeattyus.com) <PWaterfield@Balfourbeattyus.com>; Rob Berry (rberry@lpbatlanta.com) <rberry@lpbatlanta.com>; Ryan Ledford <Rledford@balfourbeattyus.com>; Steve Eifert <seifert@shepconsult.com>; Tim Spano (tmspano@balfourbeattyus.com) <tmspano@balfourbeattyus.com>
Subject: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results

Grout compressive strength test results attached.

I am concerned about the following samples at this time:

1. 92206 placed on 12/14/16 – 1,480 psi at 7 days
2. 92550 placed on 12/19/16 – 740 psi at 7 days
3. 92633 placed on 12/20/16 – 1,160 psi at 7 days

Please contact me with any questions.

R 2 13413

Marc D. Cerino, P.E.
Senior Engineer/Project Manager



S&ME, Inc.
620 Wando Park Boulevard
Mt. Pleasant, SC 29464
Ph: 843-884-0005
Fax: 843-881-6149
Mobile: 910-386-1587
mcerino@smeinc.com
www.smeinc.com

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Think Green - please don't print this email unless needed

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Tuesday, January 03, 2017 9:02 AM
To: Chip Venable; Spano, Tim
Cc: Dooley, Alec; Ricci, Daniel; Joe Anastasi; Toby Holloway; charwell1260@icloud.com
Subject: RE: Low Grout Break
Attachments: Core Test Results & Photos.pdf; RE: Low Grout Break

Chip,

See attached email and break report on the core sample taken in the area of concern. We are RFI'ing a solution and will forward all associated costs for the additional testing and remediation to ONSM.

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]
Sent: Wednesday, December 14, 2016 4:08 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Spano, Tim <tims Spano@Balfourbeattyus.com>
Cc: Dooley, Alec <adooley@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; charwell1260@icloud.com
Subject: RE: Low Grout Break

Nick,

Based on the letter and the observation the testing agency is not following the ASTM C-1019 for procedures of testing masonry grout. S&ME should be the party you discuss this with. They have failed in testing the masonry grout. The Cardboard boxes they are using, cannot be used for testing masonry grout until they have performed 10 side beside comparison tests using the pin-wheel method as described in the ASTM. Plus the alternative testing shall be approved by the EOR, prior to usage. Where is the approval and where are the 10 comparison tests? What is the coefficient number they came up with? In addition, where are the min/max temperatures the grout specimens experienced? By the ASTM, the grout specimens must be kept between 60-80 degrees until they are set, which is usually 24 to 48 hours. With the current temperatures getting colder, you will find more low breaks due to the method S&ME is currently using to test/sample the grout.

Our stance is the grout in the wall in fine. S&ME can perform whatever testing they need to on the in-place grout, due to the fact they have not tested any of the grout to date correctly.

Best Regards,

R₁- 13415

Chip Venable
Project Manager
Old North State Masonry

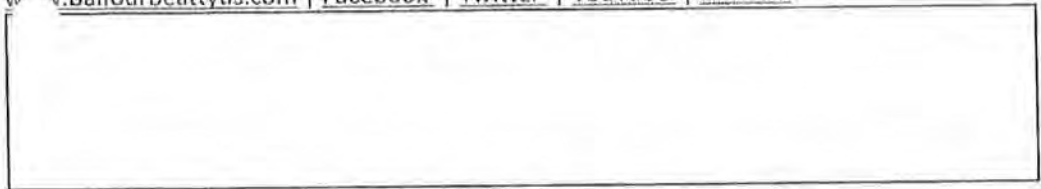
From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Wednesday, December 14, 2016 3:53 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>
Cc: Dooley, Alec <adooley@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>
Subject: RE: Low Grout Break

Chip,

Thanks for sending that letter and information. We will surely pass along to the appropriate parties. It appears this is purely information and an observation report from Quikrete. This does not provide ONSM's stance on the situation nor does it provide an action plan. What is ONSM's plan to remediate or retest the area where the low grout was observed?

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]
Sent: Wednesday, December 14, 2016 3:45 PM
To: Spano, Tim <timspano@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Dooley, Alec <adooley@Balfourbeattyus.com>; Ricci, Daniel <DRicci@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>
Subject: Low Grout Break

Nick,

Please see the attached information concerning the low grout break.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

Joe Anastasi

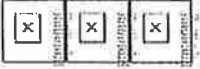
From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Wednesday, January 11, 2017 5:16 PM
To: Spano, Tim; Goodwin, Shelly; Cossette, Jen; Toby Holloway
Cc: Joe Anastasi
Subject: RE: Review ONSM Schedule and Manpower

Guys –

We want to run through current progress, loose ends, and make sure we have a handle on anywhere BBC is holding up ONSM. Let's get on the same page with communication and a plan moving forward. We feel strongly that ONSM needs more manpower and a plan to be out of the CMU business by Feb 18. See you in the AM.

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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-----Original Appointment-----

From: Starcevic, Nicholas
Sent: Wednesday, January 11, 2017 3:04 PM
To: Starcevic, Nicholas; Spano, Tim; Goodwin, Shelly; Jen Cossette (JCossette@Balfourbeattyus.com); Toby Holloway
Subject: Review ONSM Schedule and Manpower
When: Thursday, January 12, 2017 7:00 AM-7:45 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Marion Square Jobsite Office

Joe Anastasi

From: Chip Venable
Sent: Thursday, January 12, 2017 2:40 PM
To: Starcevic, Nicholas; Toby Holloway
Cc: Joe Anastasi; cdharwell@gmail.com; Cossette, Jen0; Spano, Tim; Ledford, Ryan; Waterfield, Peter
Subject: RE: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results
Attachments: Spec Mix letter 1.6.17.pdf; FW: ASTM C1314 Info; C1019.pdf; GroutTesting.pdf

Nick,

We have not identified the material used was at fault, what has been identified is the testing agency still is testing incorrectly. Please see attached information from Spec-Mix.

Please send us all the testing information to date from the 3rd party inspector. (Grout Breaks, etc.)

Best Regards,

Chip Venable
 Project Manager
 Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Tuesday, January 03, 2017 10:50 PM
To: Toby Holloway <tholloway@oldnorthstatemasonry.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; cdharwell@gmail.com; Cossette, Jen0 <JCossette@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>; Waterfield, Peter <PWaterfield@Balfourbeattyus.com>
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Nick Starcevic | Balfour Beatty Construction
 Cell: 704.361.3265

Begin forwarded message:

From: Rob Berry <RBerry@lpbatlanta.com>
Date: January 3, 2017 at 10:43:23 PM EST
To: James Clements <jclements@matrixse.com>, "Marc D. Cerino" <MCerino@smeinc.com>, "Dan Ricci

(DRicci@Balfourbeattyus.com)" <DRicci@Balfourbeattyus.com>

Cc: "Alec Dooley (adooley@balfourbeattyus.com)" <adooley@balfourbeattyus.com>, Jennifer Faulkinberry <JFaulkinberry@lpbatlanta.com>, Jimmy Jones <jimmyj@adcengineering.com>, Kim Brown <kbrown@bennethospitality.com>, "Marty Dale" <mdale@balfourbeattyus.com>, "Nick Starcevic (NStarcevic@Balfourbeattyus.com)" <NStarcevic@Balfourbeattyus.com>, "Peter Waterfield (PWaterfield@Balfourbeattyus.com)" <PWaterfield@Balfourbeattyus.com>, Ryan Ledford <Rledford@balfourbeattyus.com>, Steve Eifert <seifert@shepconsult.com>, "Tim Spano (timspano@balfourbeattyus.com)" <timspano@balfourbeattyus.com>

Subject: RE: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results

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Cc: Alec Dooley (adooley@balfourbeattyus.com); Brandon Denney; Greg Brayfield; Jennifer Faulkinberry; Jimmy Jones; Kim Brown; Marty Dale; Nick Starcevic (NStarcevic@Balfourbeattyus.com); Peter Waterfield (PWaterfield@Balfourbeattyus.com); Rob Berry; Ryan Ledford; Steve Eifert; Tim Spano (timspano@balfourbeattyus.com)

Subject: RE: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results

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My recommendation is to immediately request a Plan of Action from the sub to address these results and how they will guard against future deficiencies. I am also concerned they may have changed grout material.

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Jim Clements

Matrix Program Management Services, LLC

O. 704-676-9996

C. 704-905-1165

www.matrixse.com

From: Marc D. Cerino [mailto:MCerino@smeinc.com]

Sent: Tuesday, January 3, 2017 11:29 AM

R₂ 13419

To: Alec Dooley (adooley@balfourbeattyus.com) <adooley@balfourbeattyus.com>; Brandon Denney <BDenney@Balfourbeattyus.com>; Dan Ricci (DRicci@Balfourbeattyus.com) <DRicci@Balfourbeattyus.com>; Greg Brayfield (gbrayfield@LPBallanta.com) <gbrayfield@LPBallanta.com>; Jennifer Faulkinberry <JFaulkinberry@lpballanta.com>; James Clements <jclements@matrixse.com>; Jimmy Jones <jimmyj@adcengineering.com>; Kim Brown <kbrown@bennethospitality.com>; Marty Dale <mdale@balfourbeattyus.com>; Nick Starcevic (NStarcevic@Balfourbeattyus.com) <NStarcevic@Balfourbeattyus.com>; Peter Waterfield (PWaterfield@Balfourbeattyus.com) <PWaterfield@Balfourbeattyus.com>; Rob Berry (rberry@lpballanta.com) <rberry@lpballanta.com>; Ryan Ledford <Rledford@balfourbeattyus.com>; Steve Eifert <seifert@shepconsult.com>; Tim Spano (timspero@balfourbeattyus.com) <timspero@balfourbeattyus.com>

Subject: Hotel at Marion Square - Masonry Grout Compressive Strength Test Results

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3. 92633 placed on 12/20/16 – 1,160 psi at 7 days

Please contact me with any questions.

Marc D. Cerino, P.E.
Senior Engineer/Project Manager



S&ME, Inc.
620 Wando Park Boulevard
Mt. Pleasant, SC 29464
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mcerino@smeinc.com
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Joe Anastasi

From: Chip Venable
Sent: Tuesday, January 24, 2017 6:07 PM
To: Starcevic, Nicholas; Joe Anastasi
Cc: Toby Holloway; Spano, Tim; Cossette, Jen0; Sandeen, Jeff; Goodwin, Shelly
Subject: RE: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS
Attachments: 1259-ONSM Response to Notice of Delay and Demand for Cure dated 1.23.2017.pdf

Nick,

Please see the attached letter in response to your Notice of Delay and Demand for Cure dated 1.23.2017.

Best Regards,

Chip Venable
 Project Manager
 Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Monday, January 23, 2017 5:26 PM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Cossette, Jen0 <JCossette@Balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>
Subject: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Joe,

See attached 72 hour Notice to Cure. Below is a detailed breakout of areas that are in delay, mostly based on the attached 12/13 schedule and conversation onsite. We feel we have been more than lenient with Old North State and given ample opportunity for ONSM to cure their deficiencies. We have requested additional manpower to maintain the schedule, but have seen no substantial increase to the current production. Provide a recovery schedule with adequate manpower addressed to each activity by COB 1/24/17. This schedule needs to provide a plan for all deficient areas listed below to be complete by 1/28/17 and Level 7 complete by 2/3/17.

Southwest Front Entry – still incomplete. Was scheduled to complete in November 16.
Arches – notified to start 1/13/17. Scaffold still not complete and no masonry started. Needs to be complete by 1/27/17.
L3 Low Grout Break – identified on 11/28. ONSM denied responsibility, SM&E performed core test and ONSM maintains not a grout issue. ONSM verbally proposed fix on 1/18, BBC Rfid and gave direction to ONSM on 1/19. Activity still not started, causing delay.
All low breaks – direction provided on 11/19, still no action by ONSM.
Window in 309 - still wrong and in delay. Identified in November.
Control Joints – identified in October and November, multiple wrong, will slow down stucco if fixed on scaffold.
Stair 3 – not complete, in delay
Stair 4 – not complete, in delay
Level 3 Windows – opening 4" too large. Not complete and fix not started, in delay.
Level 5 – not complete, in delay. 12/13/16 schedule included precast activity completing on 1/16/17 and CMU finishing 1/23/17.
Level 6 – not complete, in delay. 12/13/16 schedule showed 1/11/17 completion.

R 13421

Level 7 – not started, in delay. 12/13/16 schedule showed activity 1/12/17-1/25/17.

Level 8 – not started, not yet in delay. 12/13/16 schedule shows this activity starting 1/26/17.

See link for 1 23 17 Masonry Progress Photos

<https://bbcus.egnyte.com/fl/hOTj,dZIPmm>

Thanks,

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)





January 24, 2017

Nick Starcevic
Balfour Beatty Construction
306 Meeting Street, Suite 300
Charleston, SC 29401

Re: ONSM Response to Notice of Delay and Demand for Cure dated 1.23.2017

Mr. Starcevic,

We are continuing to work diligently with your team to keep the job going. Over the past few months we have been constantly pointing out impacts to the masonry activities. Of which, none of these items have been figured into the durations of the schedule. These include site access, masonry sleeve issues, crane time, etc. The daily reports provided to your team over the past few months will show these continued impacts for our scope of work. In fact, we devised a system to allow the pick and set of the 5th floor stone, when your firm owed the hoisting for this. This was after losing 1.5 weeks for your team to come up with a way. From the development of the schedule to today we have pointed out numerous issues with the job schedule from logic and sequencing for all of the masonry activities. We have also placed a claim with your firm based on the extended time frame for the masonry activities. This was due to the structure not completing in a timely manner. Another item to note for time frame is the sleeve issue, which has not been incorporated into your schedule. By placing the wrong size sleeves for the masonry grout pour/rebar, it took at least month just to figure out what to do and then added an average of 8 days per floor once we knew what we were doing. Discussions about the missing sleeves started in July of 2016.

We will continue to do everything we can to mitigate the cost and time impacts for the job. However, your current schedule logic can't be met due to the nature of the block and stone work sequencing and we simply cannot agree to them. We are adding additional manpower to the job tomorrow. This additional manpower will be distributed by Toby Holloway to the necessary locations.

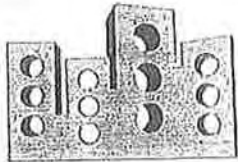
1. Southwest Front Entry – Complete by 2.03.2017
2. Arches – Complete by 2.01.2017
3. L3 Low Grout Break – Complete by 2.03.2017 – Provide ONSM with location
4. All low breaks – Provide ONSM Locations
5. Window in 309 – If pan flashing gets installed tomorrow – ONSM needs 4 hours to complete
6. Control Joints – On-Going, need access, ONSM will stay in front of the Stucco Contractor as discussed with your team and Toby Holloway
7. Stair 3 – Complete by 2.07.2017
8. Stair 4 – Complete by 2.03.2017
9. Level 3 Windows – angle will be delivered to the site first of next week – ONSM will complete in 7 days once the angles are delivered.
10. Level 5 – Complete by 2.03.2017 – issues have been access to west side, No crane to set stone
11. Level 6 – Complete by 2.20.2017 – issues can't go to the 6th floor until 5th complete
12. Level 7 – Complete by 3.08.2017 – issues can't go to the 7th floor until 6th complete
13. Level 8 – Complete by 4.21.2017 – issues will be crane to set the stone at sill height. Can't go to 8th floor until 7th complete.

Finally, Old North State Masonry is committed to completing our scope of work in a timely manner for the overall betterment of the project.

Cc: Joe Anastasi
Cc: Toby Holloway
Cc: Tim Spano
Cc: Jenö Cossette
Cc: Jeff Sandeen
Cc: Shelly Goodwin

Best Regards,

Chip Venable
Project Manager
Old North State Masonry



OLD NORTH STATE
MASONRY

— LLC —

DAILY JOB LOG AND PRODUCTION REPORT

NAME OF JOB Marion hotel

Date: 1/2/2017

JOB# 1259

Weather: (Clear) (P.Cloudy) (Cloudy): Temperature: 73 Min _____ Max _____
Rainfall 0 Inches

NUMBER OF EMPLOYEES WORKED TODAY

- A. SUPT. (Forman)
- B. MASONS:
- C. LABORS:
- D OPERATOR:
- E. OTHER CRAFTS:
- F. _____
- G. _____
- H. _____

NO:	BLK HRS.	BRK HRS.	STONE HRS.
1	8		
11	72		16
9	72		8
1	9		

PRODUCTION REPORT

FACE BRICK		4" Concrete Block	
FACE BRICK ROWLOCK		6" Concrete Block	
FACE BRICK SOLDIBRS		8" Concrete Block	1091
STONE FT'		12" Concrete Block	
STONE LF'		Arch. Block	
STONE PCS'	11 At 5th	floor band	51'6"
		Concrete Fill	
		Insulation	

Description and Location of:

1.) Work performed today: Laid block 6th floor west parapet and west units topped out east
Units other then center due to rebar needing to go through down to 5th fl
Set 5th floor precast band east elevation Still have no acess to west due to
Other trades working in area For precast band on 5th

2.) Areas of masonry delayed and causes of delays: No crain operator on site today did not work on
Stair 3 , need rebar drilled for header on stair 4 at 3rd fl before we can continue
Will not be able to set precast or lay block on 5th floor west due to other trades
Allready starting before masonry.

3.) Verbal instructions received:

4.) Equipment received on site today:

Joe Anastasi

From: Cossette, Jenö <JCossette@Balfourbeattyus.com>
Sent: Thursday, February 09, 2017 8:33 AM
To: Joe Anastasi; Starcevic, Nicholas; Chip Venable
Cc: Toby Holloway; Spano, Tim; Sandeen, Jeff; Goodwin, Shelly; Dooley, Alec; Ledford, Ryan
Subject: RE: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Guys,

To be productive with the R/T we will need all flashings above doorways and at the 2nd floor lintels released and on-site. ONS owns the flashing at the top of the ground level stone as I understand it but let's come to an agreement on the second floor materials today. Crane will be here tomorrow but we will not schedule an operator until the flashing is agreed upon.

Let me know today so we can schedule an operator. Also we need to turn loose the ninth floor parapet flashing for the horse shoe, there is no stone below to set from above so we can utilize the R/T to set these pieces between setting South side stone,

Thanks, let me know,

Jenö Cossette | General Superintendent
 office: 919-840-7936 | mobile: 919-291-1683 | email: jcossette@balfourbeattyus.com
 Balfour Beatty Construction
www.balfourbeattyus.com

From: Joe Anastasi [mailto:Janastasi@oldnorthstatemasonry.com]
Sent: Wednesday, February 08, 2017 11:44 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Cossette, Jenö <JCossette@Balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: RE: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Nick,

From our conference call on 2/2/16 you are right Toby and Jenö were to get together on Monday. They met this morning. Right now it appears the crane will arrive on site Friday and after set up will hoist joist to the roof initially. Afterwards we will begin setting precast. It does not appear the cherry picker will be on site this week. I need to make sure we clarify a couple points to your item number 1 below.

- A) ONSM will need the crane continuously for the 8 hours, if other picks are needed ONSM has to have priority in order to install as many pcs. as possible.
- B) The 8 pcs. per day is an average—you should expect that number fluctuate. This information was provided to assist in scheduling, you folks have the hoisting regardless of the number installed, which will be effected by site conditions encountered. It is our intent to work closely together to install as many pcs. as possible each and every day. We cannot agree to your prorated scenario.
- C) The number of hooks will be layout and agreed to by Toby and Jenö. But based on the site conditions and the lack of lay down space; physically 4 hooks will be improbable and 3 will be difficult. This conditions have not changed and have been known. All hooks need to work efficiently.

D) There are still some open items regarding the flashing we are providing as well as the flashing provided by other at the 6th floor parapet as well as the approval of our additional labor costs.

The balance of the outstanding items will be addressed by Toby later today.

We as we discussed we will do everything in our power to beat the scheduling information previously provided. The 8th floor, precast included, required 18 to 19 work days.

For months now, you have told me, the change order for the Time and Material work performed at first floor would be written. During our discussions on Thursday you said you would send to purchasing by Friday. In good faith can you please get this written.

Sincerely,

Joe Anastasi
President
Cell (704) 400-6802
janastasi@onsmllc.com

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Tuesday, February 07, 2017 11:08 AM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Joe Anastasi <janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Sandeen, Jeff <jsandeen@Balfourbeattyus.com>; Tim <timspano@Balfourbeattyus.com>; Cossette, Jen <JCossette@Balfourbeattyus.com>; Sandeen, Jeff <jsandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: RE: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS
Importance: High

Chip,

See below updates from today's pull planning meeting that ONSM was not in attendance.

1. Our team is unaware if Toby is back onsite. Jen and Toby were supposed to meet yesterday re hoisting for crane, but this did not happen. We have a RT 90T crane and cherry picker for the roof showing up Thursday afternoon / Friday AM for cast stone. ONSM has the RT crane for a minimum 8 hours a day and needs to set, at minimum, 8 pieces per day. If this is not hit, ONSM will pay for the rental and operator at a prorated rate.
 - a. Before we order additional hoisting, we need Toby back onsite to review with Jen. Our intention is to have 3-4 hooks on site to average setting 30 piece per week over the next 4 months.
2. Multiple locations where grout is not in walls as indicated on the contract documents. BBC determining the best way to test and proceed, but all identified areas need to be correct within 72 hours.
 - a. Parapet clean outs with no grout
 - b. Window headers and jambs not grouted.
3. SW front entry – ONSM 1.24.17 Response Letter (“ONSM RL”) indicated it would be complete 2.3.17. Still not complete, need radius windows cut and lintels installed.
4. L3 Low Grout Break – not complete
5. All other low grout breaks – not complete
6. Stair 3– will not be complete today as indicated
7. L3 angels not complete, not started. We will supplement this activity, but need confirmation that all headers and jambs are grouted.

- a. There will be a back charge for MSI attempting to install the lintel in the mock ups. Which they were unable to complete because the header and jambs were not grouted.

We have also not seen a response with dates for the CMU based on our conversation last Thursday. Please advise.

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

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From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]

Sent: Friday, January 27, 2017 4:41 PM

To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>

Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <holloway@oldnorthstatemasonry.com>;

Spano, Tim <tspano@Balfourbeattyus.com>; Cossette, Jenö <JCossette@Balfourbeattyus.com>; Sandeen, Jeff

<JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dooley, Alec

<adooley@Balfourbeattyus.com>

Subject: RE: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Nick,

We are going get the CMU completed as quickly as possible. Your responses below still fail to acknowledge items we have told your team and documented in our daily reports, notices and emails. The complete evaluation of time lost and cost associated will be conducted at a later time. it is Friday evening and I don't feel like arguing. This is the last email that I will reply to you today about the schedule.

Best Regards,

Chip Venable

Project Manager

Old North State Masonry

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]

Sent: Friday, January 27, 2017 4:18 PM

To: Chip Venable <cvenable@oldnorthstatemasonry.com>

Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <holloway@oldnorthstatemasonry.com>;

Spano, Tim <tspano@Balfourbeattyus.com>; Cossette, Jenö <JCossette@Balfourbeattyus.com>; Sandeen, Jeff

<JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dooley, Alec

<adooley@Balfourbeattyus.com>

Subject: RE: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Importance: High

Chip,

Manpower is onsite and has had time acclimate. The dates in your 1/24 response letter need to be updated on Monday and in line with the Notice to Cure dates set forth in our 1/23 demand.

There are few clarifications to your letter that need to be made...

BBC has acknowledged the extended dates and change in scope. We have committed to pay every penny and give every requested schedule extension to ONSM for the sleeve issue, but ONSM has not committed to keep the schedule. 80% of that value was been paid, but we're grossly behind schedule AFTER incorporating your requested extensions. See below for ACTUAL dates this project has experienced.

- a. L1 – ONSM requested 6 additional days bringing activity to 20 total days. 7/11 S – 8/23F, 32 days to complete, 12 days over schedule
 - i. 8/23 is substantial completion, but we're still chasing down punch issues so this floor is not complete.
- b. L2 – no additional days requested. We're starting fresh here since there were multiple issues on L1 that contributed to the 32 days to complete.
 - i. ONSM started 8/15 and "finished" 10/7 – 40 days, 26 days over schedule.
 - ii. 10/7 is substantial completion, but we're still chasing down punch issues so this floor is not complete.
- c. L3 – ONSM requested 8 additional days (22 total days). Scheduled activity was 9/1 – 9/30. Actual was 10/10 -11/15
 - i. 32 days over schedule, we're still chasing down punch issues so this floor is not complete.
- d. L4 – ONSM requested 8 additional days. Scheduled activity was 10/3 - 10/26. Actual was 10/31 - 12/14?
 - i. +/-32 days behind schedule, we're still chasing down punch issues so this floor is not complete.
2. L5 is an anomaly and we can admit that we were not prepared for the precast band. However, you start on 12/15 and it is 1/27. That's 35 working days and you're projecting completion by 2/3, 40 days. The slow down on this floor was lack of sleeves in the cast stone for rebar. ONSM admittedly missed this detail, but made no provisions to core the precast to keep schedule (i.e. coring 12 hours a day, bringing additional machines, etc). You have had 2 lifting mechanisms here for 4 weeks, but just finished with precast Monday. 24 days of setting ~130 precast pieces, or 2.5 per day per hook. That's nowhere near the 10 per hook that ONSM committed to.
3. L6 started 12/16 and you're projecting a 2/20 completion. This makes no sense given your requesting more than the 10 days per contract and you're already 60% complete with CMU.
4. L7 can start where you topped out which is enough to start. ONSM needs to top on East, West, and North walls on L7 by end of next week so it can start setting precast on L8 by 2/6.

The 1/24 response shows no commitment by Old North State Masonry to cure the schedule. We're now +/- 50 days behind schedule mostly, in part to masonry, after we acknowledge and pay for the added time on L1, L3 and L4. We have tried to be team players on this project and understood the difficulty of the logistics on this project; however, ONSM bid a job that had tight logistics, no lay down, an aggressive schedule, and tiered coordination. Old North State needs to provide, in writing, a commitment to finishing the CMU on this project by 2/24. That includes all punch, rework, topping out, misc walls, stairs, etc.

Thank you,

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

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From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]
Sent: Wednesday, January 25, 2017 9:01 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>;
Spano, Tim <timspero@Balfourbeattyus.com>; Cossette, Jen0 <JCossette@Balfourbeattyus.com>; Sandeen, Jeff
<JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>
Subject: RE: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Nick,

Let us get the additional manpower on-site and let Toby distribute them. Once we have them rolling we will be able to discuss.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Tuesday, January 24, 2017 6:24 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>;
Spano, Tim <timspero@Balfourbeattyus.com>; Cossette, Jen0 <JCossette@Balfourbeattyus.com>; Sandeen, Jeff
<JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>
Subject: Re: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Chip -

This isn't going to work as there is no plan on recovering L5, L6, L7, and L8. The durations you are proposing are longer than contractual and egregious. There appears to be no sense of urgency and acknowledgment that you need to accelerate.

Are you available to discuss tomorrow morning at 9:30?

Nick Starcevic | Balfour Beatty Construction
Cell: 704.361.3265

On Jan 24, 2017, at 6:07 PM, Chip Venable <cvenable@oldnorthstatemasonry.com> wrote:

Nick,

Please see the attached letter in response to your Notice of Delay and Demand for Cure dated 1.23.2017.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Monday, January 23, 2017 5:26 PM
To: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Cossette, Jen0 <JCossette@Balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>
Subject: 13026000-20-2 Notice of Delay and Demand to Cure - 72 Hours - HMS

Joe,

See attached 72 hour Notice to Cure. Below is a detailed breakout of areas that are in delay, mostly based on the attached 12/13 schedule and conversation onsite. We feel we have been more than lenient with Old North State and given ample opportunity for ONSM to cure their deficiencies. We have requested additional manpower to maintain the schedule, but have seen no substantial increase to the current production. Provide a recovery schedule with adequate manpower addressed to each activity by COB 1/24/17. This schedule needs to provide a plan for all deficient areas listed below to be complete by 1/28/17 and Level 7 complete by 2/3/17.

Southwest Front Entry – still incomplete. Was scheduled to complete in November 16.

Arches – notified to start 1/13/17. Scaffold still not complete and no masonry started. Needs to be complete by 1/27/17.

L3 Low Grout Break – identified on 11/28. ONSM denied responsibility, SM&E performed core test and ONSM maintains not a grout issue. ONSM verbally proposed fix on 1/18, BBC Rfid and gave direction to ONSM on 1/19. Activity still not started, causing delay.

All low breaks – direction provided on 11/19, still no action by ONSM.

Window in 309 - still wrong and in delay. Identified in November.

Control Joints – identified in October and November, multiple wrong, will slow down stucco if fixed on scaffold.

Stair 3 – not complete, in delay

Stair 4 – not complete, in delay

Level 3 Windows – opening 4" too large. Not complete and fix not started, in delay.

Level 5 – not complete, in delay. 12/13/16 schedule included precast activity completing on 1/16/17 and CMU finishing 1/23/17.

Level 6 – not complete, in delay. 12/13/16 schedule showed 1/11/17 completion.

Level 7 – not started, in delay. 12/13/16 schedule showed activity 1/12/17-1/25/17.

Level 8 – not started, not yet in delay. 12/13/16 schedule shows this activity starting 1/26/17.

See link for 1 23 17 Masonry Progress Photos
<https://bbcus.egnyte.com/fl/hOTgdZlPnm>

Thanks,

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

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<image001.jpg><image002.jpg><image003.jpg>

<1259-ONSM Response to Notice of Delay and Demand for Cure dated 1.23.2017.pdf>

Chip,

See attached Notice of Demand for Cure for the Hotel at Marion Square. Per yesterday and multiple coordination meetings onsite, these issues remain deficient and need to be addressed, see below. Per coordination meeting that was held on 3/15/17 there were only two item brought up to ONSM that needed our attention.

1. Clean Up –

- a. Overall cleanup, material storage, staging, etc, needs to be improved immediately. For clarity, Old North State Masonry is to clean all working spaces, remove mortar, remove grout, broom sweep, and dispose of trash **daily**. No exceptions. Clean up is under control and is being done daily, the staging of the precast is based on an installation sequence that has changed do to preceeding activities not being completed as planned. By changing the as planned installation to trying to install sporadically on various elevations not only congest the site but is extremely inefficient and will not allow the proper placement of the stone if it is piece mealed
- b. Neatly organize, stack, and locate material as indicated on the attached logistics plan. This is mandatory and must be strictly adhered to. Please see the above response.
- c. Remove all excess material from the site by COB 3/17/17. We are not aware of excess materials –what is on site should be ultimately installed as the deficiencies of the preceeding activites are addressed by BB
- d. Only bring material that will be used in the next two weeks to the project, all other material will be rejected. If the agreed to sequence is followed this should not be an issue form this point further

2. Schedule –

- a. The exterior skin continues to slip. It is evident that we are not achieving the agreed to rate of installation due to a multitude of issues (BBC acknowledges not all issues are 100% ONSM). BBC has gone above and beyond to coordinate with ONSM on the precast setting and provide the hooks necessary for installation. If precast needs to be cut, modified, repaired, etc it needs to be done in a manner that does not delay the installation. We can not be responsible for preceeding activities that are not installed or corrdinated properly. ONSM provided shop drawings for the precast which were approved. It is up the BB to coordinate this information with the other parties so they can install their work without confclt with ours. ONSM can not be held responsible to overcome the shortcomings of others. It is clear that the necessary manpower is not onsite as Toby Holloway promised an expert crew onsite 3/13/17 to speed up installation and that crew is not onsite as of 3/15/17. The Flashing was not installed last week as committed, therefore we pushing the crew one week until the flashing was installed. Please ensure the 6th floor flashing is installed timely.
- b. Due to lack of production, ONSM is directed to work on L9 Parapet, Because Southeast Door Surrounds, and L2 Cornice. Provide completion dates for these activities so we can plan accordingly. Can't provide completion dates until the work is a completely available, work that is available we will provide information requested
 1. Southeast Door Surrounds
 2. L2 Band
 3. L9 Parapet Cap
 4. L8 Band

- c. All open SME discrepancies to my knowledge it is only the L6 grout voids
 - d. L6 grout fix – confirm 3/22/17 completion yes
 - e. L3 stair completion bellow
 - f. L3 stair repair (see 13026000-20-03 Demand for Cure) Once egress to the upper floors is figured out we can then provide input
 - g. Control Lines fixed (scaffold will not be used). All float in schedule has been removed due to delays by ONSM so provide hoisting to fix deficient control lines. Couple hours of work
 - h. Repair any damage caused to other trades – This is not an issue that ONSM has to overcome--please prevent other trades from damaging our work
 - i. Mock Up completion –No ready to complete
 - j. See BBC daily masonry reports at the following link. BBC Masonry Daily Report <https://bbcus.org/nyte.com/fl/xagYggPp2G> --No access provided--please cross reference with our daily reports
3. Material Delivery
- a. All material deliveries are to be coordinated with Jenö Cossette or Marty Dale.
 - b. Provide a forklift to move material.
 - c. Any rigging, equipment, etc needed for the deliveries is to be provided by ONSM. BBC does not provide rigging, equipment, or labor to assist with material deliveries. BBC has all hoisting for the precast material per our contract
4. Quality Control
- a. Provide a written quality control plan for review. BBC remains concerned about the lack of protection on the precast and ONSM's ability to repair. The sample panel provided shows a example of precast patching following the manufactures recommendations as the same process will be done in the feild
 - b. BBC has witnessed chips in precast that need repaired or replaced.as shown in the sample panel all chips were addressed and we will maintane the same fix as precast is completed
 - c. BBC has witnessed discolored precast that needs to be cleaned or replaced the precast will be washed as it was in the sample panel to assure consistency
 - d. Walls out of tolerance need to be addressed. This is the stair 3 from 2nd floor to 5th floor that should start next week.

Do not hesitate to contact me should you have any question or concerns

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

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Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Friday, March 03, 2017 3:39 PM
To: Toby Holloway
Cc: Chip Venable; Cossette, Jen0; Spano, Tim; Dooley, Alec; Joe Anastasi
Subject: FW: Stair #3 block/concrete alignment issues
Attachments: Stair 3 CMU Survey (3-2-17).pdf; Pre-cast summary to date Marion Square; 13026000-20-03 ONSM Notice of Delay and Demand for Cure.pdf

Toby,

Per the below email and attached survey from Jen0, see attached notice to cure the masonry defects in stair 3. They walls out of plumb are to be demoed, rebuilt, and cleaned up by 3/17/17.

We also need to address the lack of manpower and efficiency in stone setting. I have attached daily and weekly summaries from Jen0. There were difficulties getting started, but 0 pieces set in consecutive days with the RT crane and <10 all week is a failure. ONSM has set 20 piece of precast in 15 days with the RT crane. ONSM has set 14 pieces of precast in 8 days with the deck crane. At this pace, we will literally still be setting stone in 2018. Our agreement was that ONSM would have a 4 man crew per hook (2 guys prepping and rigging, 2 guys setting) setting 8 piece per day. We counted 10 people working for ONSM onsite yesterday for both CMU and precast work.

We are back in the same position with ONSM when we sent the first two letters to cure. Your presence is needed on site for us to have any chance of success. Unfortunately, when you are not here the production and quality suffer. If there are ways we are holding you up that are not addressed in Jen0's attached pre-cast summary, please advise.

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Cossette, Jen0
Sent: Friday, March 03, 2017 9:19 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: Fwd: Stair #3 block/concrete alignment issues

Sent from my iPhone

(n forwarded message:

From: "Cossette, Jen0" <JCossette@Balfourbeattyus.com>
To: "'Toby Holloway'" <tholloway@oldnorthstatemasonry.com>

Cc: "Spano, Tim" <timspano@Balfourbeattyus.com>, "Ledford, Ryan" <RLedford@Balfourbeattyus.com>, "cdharwell@gmail.com" <cdharwell@gmail.com>
Subject: Stair #3 block/concrete alignment issues

Toby,

As discussed yesterday we surveyed stair #3 today for out of plumb block and concrete. The survey is attached, note that the dimensions shown are estimated. We would ask that ONS provide a lift and operator and we can put a tape measure to each level to confirm but it is quite obvious that the block face is not workable with the finish surface which is stucco (5/8" thick).

We can verify tomorrow but the remedy appears to be that this stair will have to be taken down from level 2 to 5 to match the block faces adjacent to it.

If you have any questions please do not hesitate to call,

Jeno Cossette | General Superintendent

office: 919-840-7936 | mobile: 919-291-1683 | email: jcossette@balfourbeattyus.com

Balfour Beatty Construction

www.balfourbeattyus.com

Notice of Delay and Demand for Cure

Subcontractor: Old North State Masonry, LLC Date: 1 March 2017
201 W. Matthews St. Project Name: The Hotel at Marion Square
Matthews, NC 28105 Project No./Document No.: 13026000-020-03

Re: Notice of Delay and Demand for Cure to Old North State Masonry, LLC.

Subcontractor is in default of the Subcontract in that it has failed to:

- fully perform and timely complete its work in accordance with the Subcontract (Art 1.A; Art. 4.)
- comply with safety requirements and other Legal Requirements applicable to safety (Art. 1.C);
- comply with Legal Requirements applicable to subcontractor's work (Art. 1.D.i.; Art. 5.A);
- provide written assurances of complete and timely performance (Art. 1.D.ii);
- coordinate its work with that of Contractor and all other subcontractors (Art. 3.C);
- timely and fully pay laborers, taxes, subcontractors, vendors and the like in respect to the work (Art. 3.G);
- furnish sufficient labor, equipment, materials and supervision required for the proper and complete performance of the work (Art. 3.H.i);
- correct defects in the work (Art. 3.H.vii);
- clean up daily from its operations as required (Art. 3.H.x);
- protect its work and stored materials from damage and destruction; and/or avoid damage to the work or materials of other trades (Art. 3.H.xvi);
- timely furnish submittals, shop drawings, O&M manuals and/or other required documents or materials (Art. 3.H.vi);
- Other: Tear down and rebuild wall at Stair 3 due to being out of plumb.

Demand is hereby made that Subcontractor commence and continue to cure the aforementioned default(s) within three (3) business days of receipt of this notice. Failure to cure any default shall entitle BBC to take those actions described in the Subcontract or any action permitted by law including, without limitation, the remedies set forth in Articles 5 and 11.

Balfour Beatty Construction, LLC



(Signature)

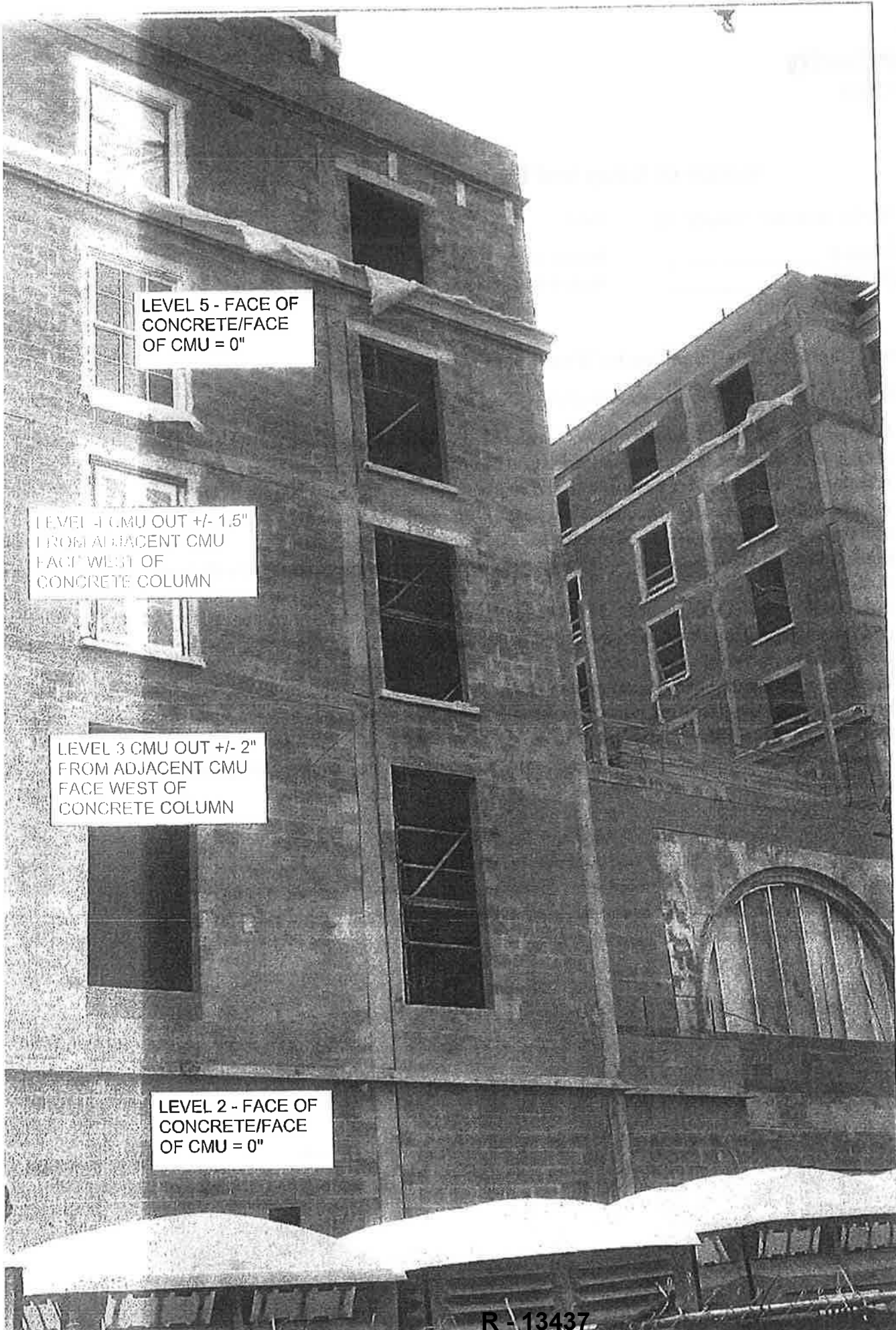
Nick Starzewic

(Printed Name)

Project Manager

(Title)

Receipt Acknowledged by:

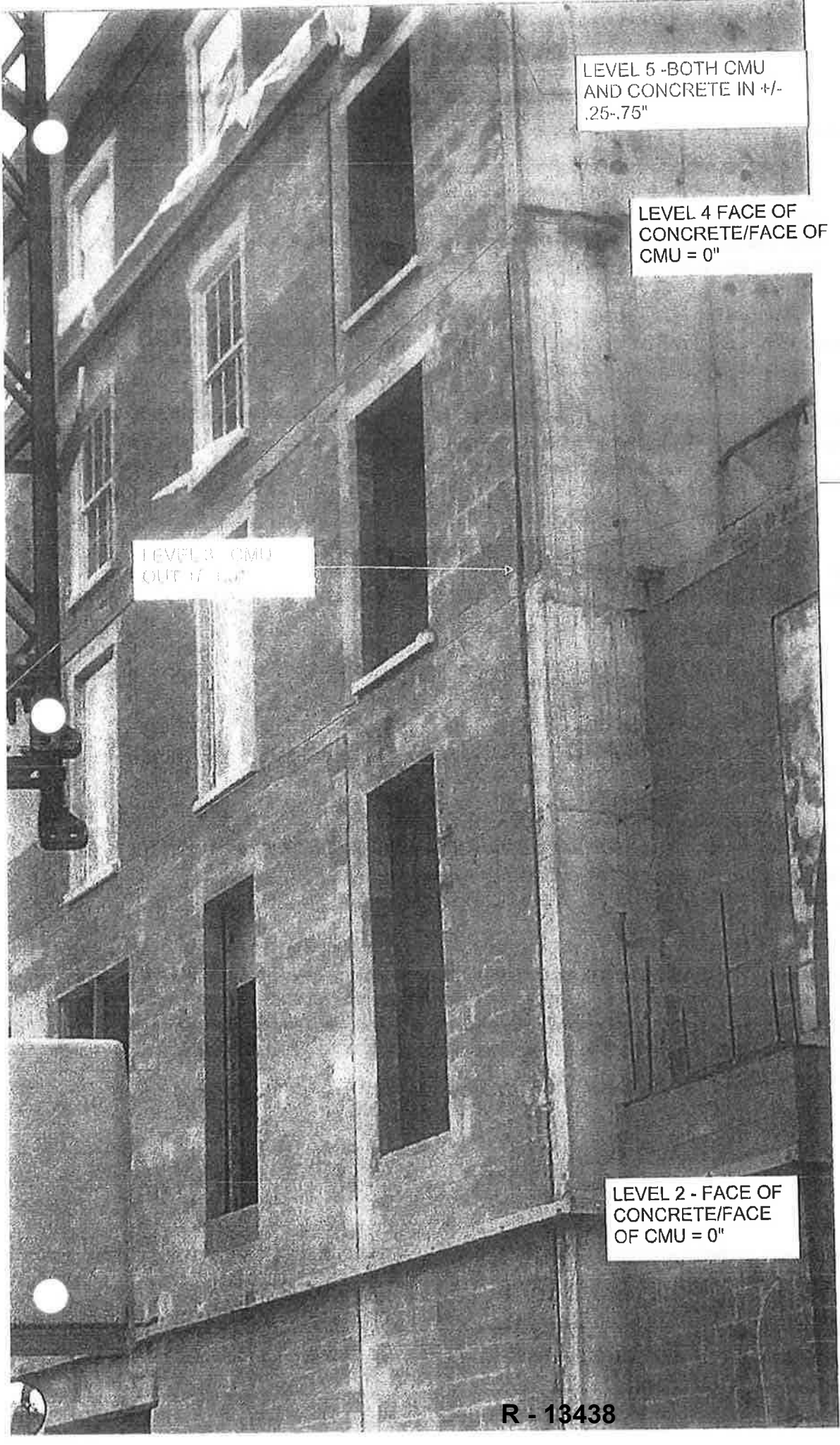


LEVEL 5 - FACE OF
CONCRETE/FACE
OF CMU = 0"

LEVEL 4 CMU OUT +/- 1.5"
FROM ADJACENT CMU
FACE WEST OF
CONCRETE COLUMN

LEVEL 3 CMU OUT +/- 2"
FROM ADJACENT CMU
FACE WEST OF
CONCRETE COLUMN

LEVEL 2 - FACE OF
CONCRETE/FACE
OF CMU = 0"



LEVEL 5 -BOTH CMU
AND CONCRETE IN +/-
.25-.75"

LEVEL 4 FACE OF
CONCRETE/FACE OF
CMU = 0"

CONCRETE IN +/- .25"

LEVEL 3 CMU
OUT 1/2"

LEVEL 2 - FACE OF
CONCRETE/FACE
OF CMU = 0"

R - 13438

ELECTRONICALLY FILED - 2023 May 16 10:41 AM -CHARLESTON - COMMON PLEAS - CASE#2019CP1001108

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Monday, March 06, 2017 7:51 AM
To: Toby Holloway
Cc: Chip Venable; Cossette, Jen0; Spano, Tim; Dooley, Alec; Joe Anastasi
Subject: RE: Stair #3 block/concrete alignment issues

Toby - if you read the notice, it was for the Stair 3 deficiency. We did our survey and determined that it needed to be torn down and rebuilt.

I will go through your reports, but at no point in our conversation was ONSM not going to use the RT crane Thursday and Friday. If that was the case we would have sent the operator home for the week. It is clear that we need a better plan to set pre cast as we are coming nowhere close to 8 pieces per hook each day.

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com
Build to Last

-----Original Message-----

From: Toby Holloway [mailto:tholloway@oldnorthstatemasonry.com]
Sent: Friday, March 03, 2017 5:00 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Chip Venable <cvenable@oldnorthstatemasonry.com>; Cossette, Jen0 <JCossette@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Subject: Re: Stair #3 block/concrete alignment issues

You obviously forgot the conversation we had on Wednesday as well as you are not looking at any of our daily reports as a relates to the precast setting I will formally respond to you on Monday I suggest you go through our daily reports before writing an email like this, as well we could be setting all of the parapet Stone had you had the flashing that you you committed to have two months ago while we are correcting the deficiencies in the concrete on the lower floor where your shelf has no consistency in elevation

Toby Holloway
Old North State Masonry
Vice President of operations
Mobile:704-622-0803

> On Mar 3, 2017, at 3:39 PM, Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com> wrote:

>

> Toby,

>

> Per the below email and attached survey from Jen0, see attached notice to cure the masonry defects in stair 3. They walls out of plumb are to be demoed, rebuilt, and cleaned up by 3/17/17.

R - 13439

>
> We also need to address the lack of manpower and efficiency in stone setting. I have attached daily and weekly summaries from Jenó. There were difficulties getting started, but 0 pieces set in consecutive days with the RT crane and <10 all week is a failure. ONSM has set 20 piece of precast in 15 days with the RT crane. ONSM has set 14 pieces of p íst in 8 days with the deck crane. At this pace, we will literally still be setting stone in 2018. Our agreement was that ONSM would have a 4 man crew per hook (2 guys prepping and rigging, 2 guys setting) setting 8 piece per day. We counted 10 people working for ONSM onsite yesterday for both CMU and precast work.

>
> We are back in the same position with ONSM when we sent the first two letters to cure. Your presence is needed on site for us to have any chance of success. Unfortunately, when you are not here the production and quality suffer. If there are ways we are holding you up that are not addressed in Jenó's attached pre-cast summary, please advise.

>
> Thanks,

>
> Nick Starcevic | Project Manager
> mobile: 704-361-3265 | email:
> NStarcevic@Balfourbeattyus.com<mailto:NStarcevic@Balfourbeattyus.com>
> Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston,
> SC 29401

>
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> <http://www.youtube.com/balfourbeattyus> | LinkedIn
> <https://www.linkedin.com/company/balfour-beatty-construction>
> [Balfour Beatty Construction][Build to Last: Lean. Expert. Trusted.
> Safe]

> m: Cossette, Jenó
> Sent: Friday, March 03, 2017 9:19 AM
> To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
> Subject: Fwd: Stair #3 block/concrete alignment issues

>
>
>
> Sent from my iPhone

>
> Begin forwarded message:
> From: "Cossette, Jenó"
> <JCossette@Balfourbeattyus.com<mailto:JCossette@Balfourbeattyus.com>>
> To: "'Toby Holloway"
> <tholloway@oldnorthstatemasonry.com<mailto:tholloway@oldnorthstatemaso
> nry.com>>
> Cc: "Spano, Tim"
> <timspano@Balfourbeattyus.com<mailto:timspano@Balfourbeattyus.com>>,
> "Ledford, Ryan"
> <RLedford@Balfourbeattyus.com<mailto:RLedford@Balfourbeattyus.com>>,
> "'cdharwell@gmail.com<mailto:cdharwell@gmail.com>"
> <cdharwell@gmail.com<mailto:cdharwell@gmail.com>>
> Subject: Stair #3 block/concrete alignment issues Toby,

>
> As discussed yesterday we surveyed stair #3 today for

> out of plumb block and concrete. The survey is attached, note that the dimensions shown are estimated. We would ask that ONS provide a lift and operator and we can put a tape measure to each level to confirm but it is quite obvious that the block face is not workable with the finish surface which is stucco (5/8" thick).

>
> We can verify tomorrow but the remedy appears to be that this stair will have to be taken down from level 2 to 5 to match the block faces adjacent to it.

>
> If you have any questions please do not hesitate to call, Jenö
> Cossette | General Superintendent
> office: 919-840-7936 | mobile: 919-291-1683 | email:
> jcossette@balfourbeattyus.com<mailto:tjohnson@balfourbeattyus.com>
> Balfour Beatty Construction
> www.balfourbeattyus.com<http://www.balfourbeattyus.com/>

>
> <Stair 3 CMU Survey (3-2-17).pdf>
> <Pre-cast summary to date Marion Square.eml>
> <13026000-20-03 ONSM Notice of Delay and Demand for Cure.pdf>

Joe Anastasi

Fr : Joe Anastasi
Sent: Friday, March 17, 2017 4:25 PM
To: 'Starcevic, Nicholas'
Cc: Toby Holloway; Cossette, Jen; Spano, Tim; Sandeen, Jeff; Goodwin, Shelly; Dale, Marty; Dooley, Alec; Andrew S. Culicerto (aculicerto@slk-law.com); Chip Venable
Subject: Response 3/17/17

Nick,

Old North State Masonry ("ONSM") is in receipt of Balfour Beatty Construction's ("Balfour") form "Notice of Delay and Demand to Cure" dated March 15, 2017. As ONSM has stated in writing on numerous occasions, it has been delayed on the Hotel at Marion Square ("Project") as a result of Balfour and the Owner's actions, and inactions. The delays encountered are well documented, have been consistent throughout the construction and are ongoing. ONSM continues to track the financial impact of the delays and do everything in its control to mitigate any impact. Once the financial impact is quantified, ONSM will provide the information to Balfour and the Owner for additional compensation. More importantly, ONSM has in no way delayed Balfour or the Owner in its construction progress on the Project. Any blanket assertions are inaccurate and do not accurately reflect the reality of this flawed construction Project. This reality is supported by the fact that ONSM was informed by Balfour that virtually all subcontractors on the Project received a similar version of the form "Notice of Delay and Demand for Cure" notice on March 15, 2017. This demonstrates the delays on this Project are systemic and not the result of any actions or inactions by ONSM. Nevertheless, ONSM is obligated to correct the false statements related to the accusations in the March 15, 2017 notice and respond in detail to the accompanying email narrative from Nick Starcevic.

1. Clean Up

- a. ONSM performs clean up on a daily basis and will continue to perform daily clean up required under the Subcontract. ONSM views this concern as unfounded, and unsupported by any previous correspondence or complaints regarding its daily clean up. If there are specific incidents Balfour witnessed or particular issues related to ONSM's clean up please be prepared to discuss them at our schedule site visit on Thursday, March 23, 2017. If there are any specific issues raised, ONSM will investigate and make any adjustments necessary to comply with its requirements under the terms of the Subcontract. However, the blanket assertion that ONSM needs to clean up daily, or is somehow remiss in its daily cleanup duties is fallacious.
- b. ONSM has brought material on site in order to perform its work pursuant to the as-planned Project Schedule. Unfortunately, the work has not followed the as-planned Project Schedule. After materials have been brought to the site, Balfour has changed the sequence of the as-planned work on numerous occasions. This has not only lead to piecemeal construction, inefficiencies and delays, but also stranded material on site, which will ultimately be incorporated into the Project. These stranded materials do in fact sit idle until the precedent work is completed. Once the precedent work is completed, ONSM can incorporate the material on site. In summary, ONSM brought the proper materials to site at the proper time per the as-planned Project Schedule. If the Project Schedule would have been followed, there would not be idle material on site. ONSM will continue to manage and store the material as efficiently as possible. However, if Balfour wants ONSM to remove the material from the site and then bring it back when the precedent work is completed, ONSM will need an executed change order for costs associated with removing and then returning the materials. Please advise at the March 23, 2017 meeting how Balfour would like ONSM to proceed.
- c. Balfour has asked that ONSM only bring enough material to the site for the next two weeks of work. This is ONSM's standard practice. ONSM will continue to follow this standard practice and will not result in logistical site problems so long as Balfour follows the sequence and scheduling currently outlined on the Project.

2. Schedule

- a. While ONSM appreciates Balfour's acknowledgment that the schedule slippage for the exterior skin results from some factors outside of ONSM's control, this does not tell the whole story. ONSM provided shop drawing which were approved. After the shop drawings were approved, Balfour requested modifications to the precast because of changes made in construction to accommodate other subcontractors. The requested modifications to precast are time consuming and not contemplated by ONSM in its original scope. The slippage results from changes that have nothing to do with ONSM. ONSM is simply attempting to problem solve with Balfour by field modifying approved material, and will not be held responsible for the actions of other subcontractors with which ONSM has no relationship.
- b. ONSM will perform the work on the L9 Parapet Cap. ONSM needed the flashing to be completed before it could begin its work. ONSM understands the flashing has been completed and ONSM will have a crew on site Monday, March 20, 2017 to perform the Parapet Cap. This work will be completed within one week if there are no unexpected delays or complications.
- c. ONSM will be happy to provide completion dates for any of its work on the Project but cannot reliably do so until such time as the work is available to perform.
- d. The Southeast Door Surrounds will be completed by March 20, 2017.
- e. ONSM is waiting on a correction of the L2 angle iron before it can complete this work. Once the L2 angle iron is corrected, ONSM can proceed with its work on L2.
- f. The L8 precedent work is not ready for ONSM to begin its scope of work on L8. Once the work is available, ONSM will be happy to provide a completion date.
- g. The SME discrepancies and L6 grout will be completed by March 22, 2017 if there are no unexpected delays or complications.
- h. The L3 Stair repair/completion is scheduled to begin next week and should be completed in approximately two weeks if there are no unexpected delays or complications.
- i. ONSM will repair control lines; however, these minor issues have no effect on the schedule and will only take a couple of hours of work.
- j. Although ONSM has had some of its own work damaged by other trades, it is unaware of any damage it has caused to any other trades work. Please provide evidence and specifics regard what work ONSM allegedly damaged and it will be promptly investigated. In the meantime, please prevent other trades from damaging ONSM's work.
- k. The contemplated mock up changes amount to an increase in scope of approximately \$70,000.00. ONSM has repeatedly requested a change order and confirmation of payment. It has been approximately four months and ONSM has yet to receive an executed change order. Please provide a change order and ONSM will begin the mock up.
- l. Balfour provided a link to its masonry reports. Unfortunately, the link does not work, so ONSM cannot respond appropriately; however, ONSM has provided detailed daily reports documenting the progress and difficulties associated with this Project.

3. Material Delivery

- a. ONSM has a forklift onsite and will continue to have a forklift on site;
- b. ONSM has its own rigging and does not expect Balfour to provide it; however, Balfour is responsible for providing all hoisting for the precast material per the terms of the Subcontract.

4. Quality Control

- a. The approved sample panel provided by ONSM addresses the concerns regarding chips and discoloration. The sample panel demonstrates the manufacturer's method of addressing chips. The method demonstrated on the approved sample panel will be followed. Likewise, the approved sample panel was washed to reach its color. ONSM intends to wash the precast upon completion of the installation. Once the completed precast is washed, the color will match the approved sample panel.
- b. In December of 2016, Balfour conducted a survey. ONSM has been told the survey showed the walls were intolerance. ONSM is only aware of issues related to Stair 3 from the 2nd to the 5th floor. Work on those

known issues will begin next week, and should be concluded in approximately two weeks if there are no unexpected delays or complications. If there are any other walls in question, please provide the December 2016 survey for review and discussion.

As mentioned previously, ONSM has not delayed the Project. Any attempts to insinuate otherwise are disingenuous and self-serving. However, it is undisputed ONSM has continuously been delayed on this Project. The delays are ongoing and resulting in a significant financial impact to ONSM. ONSM has given proper notice and will continue to track all costs while attempting to mitigate any impact. ONSM is concerned the constant delays will eventually necessitate an acceleration. Any acceleration would be the result of actions taken by Balfour and/or the Owner, and not the responsibility of ONSM. Moreover, any acceleration will result in additional costs to ONSM and will require additional compensation.

While ONSM vehemently disagrees with the contents of the March 15, 2017 "Notice of Delay and Demand for Cure," it is willing to address any concerns Balfour may have during its schedule site visit on Thursday, March 23, 2017 and work with Balfour in any reasonable manner to address any legitimate concerns.

Joe Anastasi
President
Cell (704) 400-6802
janastasi@onsmllc.com

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Wednesday, March 15, 2017 12:48 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Cossette, Jeni <JCossette@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: 13026000-20-04 ONSM Demand for Cure

Chip,

See attached Notice of Demand for Cure for the Hotel at Marion Square. Per yesterday and multiple coordination meetings onsite, these issues remain deficient and need to be addressed, see below.

1. Clean Up –
 - a. Overall cleanup, material storage, staging, etc, needs to be improved immediately. For clarity, Old North State Masonry is to clean all working spaces, remove mortar, remove grout, broom sweep, and dispose of trash **daily**. No exceptions.
 - b. Neatly organize, stack, and locate material as indicated on the attached logistics plan. This is mandatory and must be strictly adhered to.
 - c. Remove all excess material from the site by COB 3/17/17.
 - d. Only bring material that will be used in the next two weeks to the project, all other material will be rejected.
2. Schedule –
 - a. The exterior skin continues to slip. It is evident that we are not achieving the agreed to rate of installation due to a multitude of issues (BBC acknowledges not all issues are 100% ONSM). BBC has gone above and beyond to coordinate with ONSM on the precast setting and provide the hooks

necessary for installation. If precast needs to be cut, modified, repaired, etc it needs to be done in a manner that does not delay the installation. It is clear that the necessary manpower is not onsite as Toby Holloway promised an expert crew onsite 3/13/17 to speed up installation and that crew is not onsite as of 3/15/17.

- b. Due to lack of production, ONSM is directed to work on L9 Parapet, Southeast Door Surrounds, and L2 Cornice. Provide completion dates for these activities so we can plan accordingly.
 1. Southeast Door Surrounds
 2. L2 Band
 3. L9 Parapet Cap
 4. L8 Band
 - c. All open SME discrepancies
 - d. L6 grout fix – confirm 3/22/17 completion
 - e. L3 stair completion
 - f. L3 stair repair (see 13026000-20-03 Demand for Cure)
 - g. Control Lines fixed (scaffold will not be used). All float in schedule has been removed due to delays by ONSM so provide hoisting to fix deficient control lines.
 - h. Repair any damage caused to other trades
 - i. Mock Up completion
 - j. See BBC daily masonry reports at the following link. BBC Masonry Daily Report
<https://bbcus.egnyte.com/fl/xaqYcigPj2G>
3. Material Delivery
 - a. All material deliveries are to be coordinated with Jenö Cossette or Marty Dale.
 - b. Provide a forklift to move material.
 - c. Any rigging, equipment, etc needed for the deliveries is to be provided by ONSM. BBC does not provide rigging, equipment, or labor to assist with material deliveries.
 4. Quality Control
 - a. Provide a written quality control plan for review. BBC remains concerned about the lack of protection on the precast and ONSM's ability to repair.
 - b. BBC has witnessed chips in precast that need repaired or replaced.
 - c. BBC has witnessed discolored precast that needs to be cleaned or replaced
 - d. Walls out of tolerance need to be addressed.

Do not hesitate to contact me should you have any question or concerns

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401.

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Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
S Saturday, March 18, 2017 3:43 PM
To: Joe Anastasi
Cc: Toby Holloway; Cossette, Jen; Spano, Tim; Sandeen, Jeff; Goodwin, Shelly; Dale, Marty; Dooley, Alec; Andrew S. Culicerto (aculicerto@slk-law.com); Chip Venable
Subject: RE: Response 3/17/17

Joe,

We disagree with this response and will be prepared to discuss Thursday. Our formal response will follow Thursday's meeting so we are all clear on the facts.

FYI, here is the link for access to our daily Masonry reports. Let me know if you have trouble accessing this one.

<https://bhcus.egnyte.com/fl/DoOB6hcUg0>

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Joe Anastasi [mailto:Janastasi@oldnorthstatemasonry.com]
Sent: Friday, March 17, 2017 4:25 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Cossette, Jen <JCossette@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Andrew S. Culicerto (aculicerto@slk-law.com) <aculicerto@slk-law.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>
Subject: Response 3/17/17

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- c. Balfour has asked that ONSM only bring enough material to the site for the next two weeks of work. This is ONSM's standard practice. ONSM will continue to follow this standard practice and will not result in logistical site problems so long as Balfour follows the sequence and scheduling currently outlined on the Project.

2. Schedule

- a. While ONSM appreciates Balfour's acknowledgment that the schedule slippage for the exterior skin results from some factors outside of ONSM's control, this does not tell the whole story. ONSM provided shop drawing which were approved. After the shop drawings were approved, Balfour requested modifications to the precast because of changes made in construction to accommodate other subcontractors. The requested modifications to precast are time consuming and not contemplated by ONSM in its original scope. The slippage results from changes that have nothing to do with ONSM. ONSM is simply attempting to problem solve with Balfour by field modifying approved material, and will not be held responsible for the actions of other subcontractors with which ONSM has no relationship.
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- c. ONSM will be happy to provide completion dates for any of its work on the Project but cannot reliably do so until such time as the work is available to perform.
- d. The Southeast Door Surrounds will be completed by March 20, 2017.
- e. ONSM is waiting on a correction of the L2 angle iron before it can complete this work. Once the L2 angle iron is corrected, ONSM can proceed with its work on L2.
- f. The L8 precedent work is not ready for ONSM to begin its scope of work on L8. Once the work is available, ONSM will be happy to provide a completion date.
- g. The SME discrepancies and L6 grout will be completed by March 22, 2017 if there are no unexpected delays or complications.

- h. The L3 Stair repair/completion is scheduled to begin next week and should be completed in approximately two weeks if there are no unexpected delays or complications.
 - i. ONSM will repair control lines; however, these minor issues have no effect on the schedule and will only take a couple of hours of work.
 - j. Although ONSM has had some of its own work damaged by other trades, it is unaware of any damage it has caused to any other trades work. Please provide evidence and specifics regard what work ONSM allegedly damaged and it will be promptly investigated. In the meantime, please prevent other trades from damaging ONSM's work.
 - k. The contemplated mock up changes amount to an increase in scope of approximately \$70,000.00. ONSM has repeatedly requested a change order and confirmation of payment. It has been approximately four months and ONSM has yet to receive an executed change order. Please provide a change order and ONSM will begin the mock up.
 - l. Balfour provided a link to its masonry reports. Unfortunately, the link does not work, so ONSM cannot respond appropriately; however, ONSM has provided detailed daily reports documenting the progress and difficulties associated with this Project.
3. Material Delivery
- a. ONSM has a forklift onsite and will continue to have a forklift on site;
 - b. ONSM has its own rigging and does not expect Balfour to provide it; however, Balfour is responsible for providing all hoisting for the precast material per the terms of the Subcontract.
4. Quality Control
- a. The approved sample panel provided by ONSM addresses the concerns regarding chips and discoloration. The sample panel demonstrates the manufacturer's method of addressing chips. The method demonstrated on the approved sample panel will be followed. Likewise, the approved sample panel was washed to reach its color. ONSM intends to wash the precast upon completion of the installation. Once the completed precast is washed, the color will match the approved sample panel.
 - b. In December of 2016, Balfour conducted a survey. ONSM has been told the survey showed the walls were intolerance. ONSM is only aware of issues related to Stair 3 from the 2nd to the 5th floor. Work on those known issues will begin next week, and should be concluded in approximately two weeks if there are no unexpected delays or complications. If there are any other walls in question, please provide the December 2016 survey for review and discussion.

As mentioned previously, ONSM has not delayed the Project. Any attempts to insinuate otherwise are disingenuous and self-serving. However, it is undisputed ONSM has continuously been delayed on this Project. The delays are ongoing and resulting in a significant financial impact to ONSM. ONSM has given proper notice and will continue to track all costs while attempting to mitigate any impact. ONSM is concerned the constant delays will eventually necessitate an acceleration. Any acceleration would be the result of actions taken by Balfour and/or the Owner, and not the responsibility of ONSM. Moreover, any acceleration will result in additional costs to ONSM and will require additional compensation.

While ONSM vehemently disagrees with the contents of the March 15,2017 "Notice of Delay and Demand for Cure," it is willing to address any concerns Balfour may have during its schedule site visit on Thursday, March 23, 2017 and work with Balfour in any reasonable manner to address any legitimate concerns.

Joe Anastasi
President
Cell (704) 400-6802
joeanastasi@onsmllc.com

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Wednesday, March 15, 2017 12:48 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Cossette, Jen0 <JCossette@Balfourbeattyus.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Sandeen, Jeff <JSandeen@Balfourbeattyus.com>; Goodwin, Shelly <sgoodwin@balfourbeattyus.com>; Dale, Marty <mdale@balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Subject: 13026000-20-04 ONSM Demand for Cure

Chip,

See attached Notice of Demand for Cure for the Hotel at Marion Square. Per yesterday and multiple coordination meetings onsite, these issues remain deficient and need to be addressed, see below.

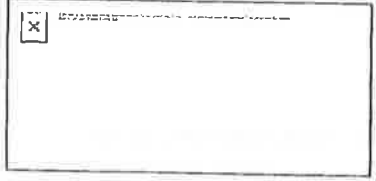
1. Clean Up –
 - a. Overall cleanup, material storage, staging, etc, needs to be improved immediately. For clarity, Old North State Masonry is to clean all working spaces, remove mortar, remove grout, broom sweep, and dispose of trash **daily**. No exceptions.
 - b. Neatly organize, stack, and locate material as indicated on the attached logistics plan. This is mandatory and must be strictly adhered to.
 - c. Remove all excess material from the site by COB 3/17/17.
 - d. Only bring material that will be used in the next two weeks to the project, all other material will be rejected.
2. Schedule –
 - a. The exterior skin continues to slip. It is evident that we are not achieving the agreed to rate of installation due to a multitude of issues (BBC acknowledges not all issues are 100% ONSM). BBC has gone above and beyond to coordinate with ONSM on the precast setting and provide the hooks necessary for installation. If precast needs to be cut, modified, repaired, etc it needs to be done in a manner that does not delay the installation. It is clear that the necessary manpower is not onsite as Toby Holloway promised an expert crew onsite 3/13/17 to speed up installation and that crew is not onsite as of 3/15/17.
 - b. Due to lack of production, ONSM is directed to work on L9 Parapet, Southeast Door Surrounds, and L2 Cornice. Provide completion dates for these activities so we can plan accordingly.
 1. Southeast Door Surrounds
 2. L2 Band
 3. L9 Parapet Cap
 4. L8 Band
 - c. All open SME discrepancies
 - d. L6 grout fix – confirm 3/22/17 completion
 - e. L3 stair completion
 - f. L3 stair repair (see 13026000-20-03 Demand for Cure)
 - g. Control Lines fixed (scaffold will not be used). All float in schedule has been removed due to delays by ONSM so provide hoisting to fix deficient control lines.
 - h. Repair any damage caused to other trades
 - i. Mock Up completion
 - j. See BBC daily masonry reports at the following link. BBC Masonry Daily Report <https://bbcus.egnyte.com/fl/xaqYcgPp2G>
3. Material Delivery
 - a. All material deliveries are to be coordinated with Jen0 Cossette or Marty Dale.
 - b. Provide a forklift to move material.

- c. Any rigging, equipment, etc needed for the deliveries is to be provided by ONSM. BBC does not provide rigging, equipment, or labor to assist with material deliveries.
- 4. Quality Control
 - a. Provide a written quality control plan for review. BBC remains concerned about the lack of protection on the precast and ONSM's ability to repair.
 - b. BBC has witnessed chips in precast that need repaired or replaced.
 - c. BBC has witnessed discolored precast that needs to be cleaned or replaced
 - d. Walls out of tolerance need to be addressed.

Do not hesitate to contact me should you have any question or concerns

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



Joe Anastasi

From: Spano, Tim <timspano@Balfourbeattyus.com>
Sent: Monday, April 10, 2017 10:08 AM
To: Joe Anastasi
Subject: RE: East Elevation floors 2-5 mason clean-up

Joe, That scaffolding has been up for a while but Carla did make an attempt last week and we stopped it because we were bushing down slabs. Yawl have men on it now and I suggest they keep going around the SE elevation to get ahead of the grinding work. Thanks

Tim Spano | Sr. Project Manager Carolina's
office: 843.974.4590 | mobile: 813.917.1656 | email:timspano@balfourbeattyus.com
Balfour Beatty Construction | www.balfourbeattyus.com
306 Meeting St., Suite 300, Charleston, SC 29401 Connect with us: Facebook | Twitter | YouTube | LinkedIn

-----Original Message-----

From: Joe Anastasi [mailto:Janastasi@oldnorthstatemasonry.com]
Sent: Monday, April 10, 2017 10:04 AM
To: Spano, Tim <timspano@Balfourbeattyus.com>
Subject: RE: East Elevation floors 2-5 mason clean-up

Tim,
We made several attempts last week to work on this elevation, but were directed off the elevations while the floor edges were being chipped back. I confirmed with Karla this morning that we have access to the areas and have people on it. ONSM is taking care of anything that is our responsibility. Thanks

P.S. Toby arrives back in the country late tomorrow afternoon and will be in touch with you.

Best regards,
Joe Anastasi

-----Original Message-----

From: Spano, Tim [mailto:timspano@Balfourbeattyus.com]
Sent: Monday, April 10, 2017 7:52 AM
To: cdharwell@gmail.com; Toby Holloway <tholloway@oldnorthstatemasonry.com>
Cc: Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Ledford, Ryan <RLedford@Balfourbeattyus.com>
Subject: East Elevation floors 2-5 mason clean-up

I have 5 premier guys on site prepping the East and will be cleaning the pictures below as a back-charge to ONS. We are trying to get stucco going. You better jump on this immediately to reduce any BC's.

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Monday, July 10, 2017 11:58 AM
To: Toby Holloway
Cc: Chip Venable; Stanton, David; Spano, Tim; Joe Anastasi; Janssen, Michael; Ledford, Ryan
Subject: FW: Window casing issue / block not plumb

Toby – here is further proof of the block walls out of plumb. As we’re casing out windows on L3 we are seeing anywhere from ½” to 1” out of plumb. Since there is nothing we can do at this point from the CMU perspective, we will track these issues and forward to costs. We’ll continue to update you as we move on, but the added time and cost will be forwarded to ONSM.

Consider this your notice, so take any measurements or surveys if you wish. It is evident the exterior walls far exceed your tolerances.

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Janssen, Michael
Sent: Monday, July 10, 2017 11:53 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Cc: Spano, Tim <timspano@Balfourbeattyus.com>; Eldridge, Johnny <JEldridge@Balfourbeattyus.com>
Subject: Window casing issue / block not plumb



Sent from my iPad



Joe Anastasi

From: Joe Anastasi
Sent: Tuesday, May 23, 2017 4:51 PM
To: 'Spano, Tim'
Cc: Toby Holloway; Scott Griffin (sgriffin@griffinmasonry.com); Chip Venable
Subject: Site discussions on May 18th between Scott Griffin and Tim Spano regarding

Tim,
In an effort to avoid any future conflict I wanted to address a concern we have. Last week you and Scott Griffin had a discussion on site regarding the exterior elevations of Marion Square project. We are very concerned that the agreements reached during our March 23, 2017 onsite meeting are not being followed in regards to the evaluation of our exterior cmu walls. It was agreed that Toby Holloway would be the only individual from ONSM that would evaluate the exterior elevations with you. To date, with an exception of a very small area, Toby has not been notified of any issues by you. This arrangement was reached so we all would have a clear understanding of any issues with the concrete frame and the exterior cmu. Our walls were laid off controls from the inside of the building independent of the concrete frame, unless specifically instructed to be adjusted by BB. ONSM has verified our work off the controls provided. Supposedly there was a 3rd party survey of the controls and our walls, BB committed to forward this to ONSM in our March meeting. We still are awaiting this information.

If you have any concerns please contact Toby and he'll make himself available within a reasonable time frame. Please call if you have an questions with the above.

Joe Anastasi
Old North State Masonry, LLC
President
Cell (704) 400-6802
janastasi@onsmlc.com

Joe Anastasi

From: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Sent: Friday, June 16, 2017 3:51 PM
To: Joe Anastasi
Cc: Spano, Tim; Stanton, David; Dooley, Alec; Pieniak, Shanti; Chip Venable; Toby Holloway
Subject: RE: Hotel at Marion Square - Correspondence - Claim

Joe – Is Old North State making a separate submission today with your supporting documentation?

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Joe Anastasi [<mailto:Janastasi@oldnorthstatemasonry.com>]
Sent: Friday, June 16, 2017 2:58 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Spano, Tim <tims Spano@Balfourbeattyus.com>; Stanton, David <DStanton@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Pieniak, Shanti <SPieniak@Balfourbeattyus.com>; Chip Venable <cvenable@oldnorthstatemasonry.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>
Subject: Hotel at Marion Square - Correspondence - Claim

Nick,
As previously submitted; please find our updated claim draft. As all costs are realized we will adjust this claim as required.
Please let me know of any questions.
Best regards,
Joe Anastasi

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Monday, June 05, 2017 8:14 AM
Cc: Spano, Tim <tims Spano@Balfourbeattyus.com>; Stanton, David <DStanton@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Pieniak, Shanti <SPieniak@Balfourbeattyus.com>
Subject: Hotel at Marion Square - Correspondence - Potential Claim

To the extent that you have any claim for time and/or money related to any change, impact, delay, acceleration or any other event on the project through April 30, 2017, Balfour Beatty Construction is requesting that any such claim, together with all supporting documentation required by your subcontract, be submitted to us by June 16, 2017. Obviously, if you don't have any such claims, nothing need be provided; however, if nothing is provided we will presume that there are no such claims. Nothing in this request waives or relinquishes any rights or defenses we may have under the subcontract and we reserve all rights under the subcontract and at law. Should you have any comments or questions, please don't hesitate to contact me.

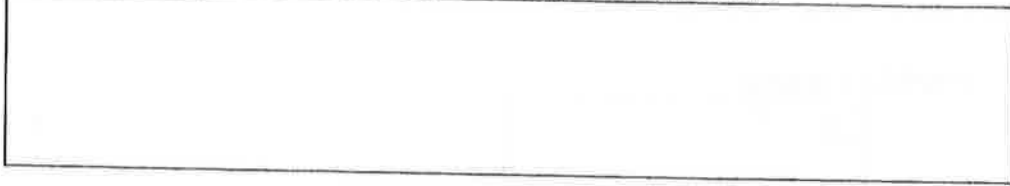
Thanks,

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

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Joe Anastasi

From: Joe Anastasi
Sent: Friday, June 16, 2017 2:58 PM
To: 'NStarcevic@Balfourbeattyus.com'
Cc: 'Spano, Tim'; 'Stanton, David'; 'Dooley, Alec'; 'Pieniak, Shanti'; Chip Venable; Toby Holloway
Subject: Hotel at Marion Square - Correspondence - Claim
Attachments: 1259 Claim Draft 6.15.17.pdf

Nick,

As previously submitted; please find our updated claim draft. As all costs are realized we will adjust this claim as required.

Please let me know of any questions.

Best regards,

Joe Anastasi

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Monday, June 05, 2017 8:14 AM
Cc: Spano, Tim <timsSpano@Balfourbeattyus.com>; Stanton, David <DStanton@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>; Pieniak, Shanti <SPieniak@Balfourbeattyus.com>
Subject: Hotel at Marion Square - Correspondence - Potential Claim

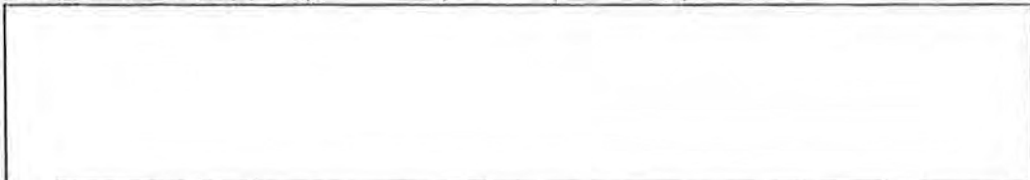
All

To the extent that you have any claim for time and/or money related to any change, impact, delay, acceleration or any other event on the project through April 30, 2017, Balfour Beatty Construction is requesting that any such claim, together with all supporting documentation required by your subcontract, be submitted to us by June 16, 2017. Obviously, if you don't have any such claims, nothing need be provided; however, if nothing is provided we will presume that there are no such claims. Nothing in this request waives or relinquishes any rights or defenses we may have under the subcontract and we reserve all rights under the subcontract and at law. Should you have any comments or questions, please don't hesitate to contact me.

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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Claim Calculations- (Attachment 1)

JN 1259
 Marion Square Hotel
 Revised Draft Claim

6/14/2017

Area of impacts/ Change in Scope:

- Coordination, sequencing and scheduling of other trades work
- Work not presented in the manner and time that is indicated in our Contract agreement
- Stop work of the vertical structure for design changes-caused by Owner
- Acceleration of work areas, premium costs, multiple floors due to delay in shoring removal due to upper floor design changes
- Stop of work due to scope issues and precedent requirement, and changes in hoisting methods
- Work areas not given to ONSM complete
- Out of sequence work directed. Multiple floors work concurrently
- Work areas given to ONSM in variance to contract document
- Multiple design changes without proper design coordination of veneer

Summary:

ONSM started block work on the project on approximately 7/6/16 and as of today's date have approximately 2,000 block left to install or 98% of the blockwork in 49 weeks of work. Based on how the work was turned over, we have significantly cost impacts. Currently the buck hoist areas is not available and the 3rd and 6th floor terrace walls are not available based on the stone work and the block ONSM will be substantial by the end of July, 2017, but will have multiple remobilizations through Oct to complete the project.

The original masonry schedule versus the revised schedule of the 9.2.1.16 extends our masonry duration by at least 32 weeks.

Based only on the extended duration of 32weeks

ONSM anticipates a change in scope (longer duration) of approx. 32 weeks. 32

Therefore the added costs associated with this change in scope is as follows:
1 Additional Variable Costs: (Based on actual cost to date 6/14/17)

Cost cat.	cost to date 7/6/2016	cost to date 6/14/2017	weekly costs	Projected added costs
1a				
1a.1	Fuel \$ 760	\$ 11,899	\$ 227.33	\$ 7,274.45
1a.2	Freight \$ -	\$ 875	\$ 17.86	\$ 571.43
1a.3	Construction Equip. costs \$ -	\$ 16,912	\$ 345.14	\$ 11,044.57
1a.4	Auto/Truck expense \$ -	\$ 12,840	\$ 262.04	\$ 8,385.31

1.a.5	Equip. Repair & Maint.	\$	207	\$	7,391	\$	146,611	\$	4,691,599
1.a.6	Equip. Rental	\$	3,976	\$	49,279	\$	924,555	\$	29,585,633
1.a.7	Scaffold Rental	\$	1,174	\$	2,974	\$	36,733	\$	1,175,511
1.a.8	Field Trailer	\$	-	\$	-	\$	-	\$	-
1.a.9	Legal fees	\$	-	\$	2,799	\$	57,122	\$	1,827,922
1.a.10	Small tools	\$	552	\$	64,085	\$	1,296,599	\$	41,490,944
1.a.11	Blades	\$	418	\$	4,153	\$	76,222	\$	2,439,188
1.a.12	Plank	\$	-	\$	10,211	\$	208,399	\$	6,668,411
1.a.13	Travel & Lodging	\$	2,794	\$	256,260	\$	5,173,399	\$	165,548,411
1.a.14	Safety	\$	206	\$	13,657	\$	274,511	\$	8,784,333
1.a.15	Misc. expenses	\$	54	\$	4,376	\$	88,200	\$	2,822,533

\$ 292,310.20

2 Additional Labor Costs

2a	Additional supervision (32 weeks X \$11,500.00/week)	\$		\$		\$	48,000.00
	Additional VP of Operations 5 days/week (8wks * \$3,850/5 days per week) incl. burdens + benefits	\$		\$		\$	30,800.00
	Total additional supervision costs	\$		\$		\$	78,800.00

2b. Labor Impacts/Inefficiencies

	Labor inefficiencies for the project	\$		\$		\$	386,045.00
	Mobilizations	\$		\$		\$	10,000.00

- 3 Change order Dollars that should be Approved for work already completed = \$ 132,579.28
- 4 Total additional costs without Overhead = 1.a.+1.b+ 2.d+3 = \$ 899,734.48
- 5 Overhead & Profit 15% \$ 115,073.28
- 6 Bond Costs 1% \$ 8,822.28
- 7 Outstanding Change Requests (Submitted separately) \$ -

Total Cost of Claim \$ 1,023,630.05

Joe Anastasi

From: Chip Venable
Sent: Thursday, July 27, 2017 2:47 PM
To: Starcevic, Nicholas; Joe Anastasi; sgriffin@griffinmasonry.com
Cc: Toby Holloway; Spano, Tim; Ashe, Candice
Subject: RE: July Pay Request
Attachments: IMG_2341.jpg; IMG_2340.jpg; IMG_2339.jpg; Photo_Jan_23_17 03-34-28 PM.JPG; Photo_Jan_23_17 03-34-16 PM.JPG; Photo_Jan_23_17 03-33-43 PM.JPG; Photo_Jan_23_17 03-33-41 PM.JPG; Photo_Jan_23_17 03-31-13 PM.JPG; Photo_Jan_23_17 03-30-19 PM.JPG; 1259-Concrete Column-2.PNG; 1259-Concrete Slab.PNG; 1259-Concrete Column.PNG

Nick,

I was on-site yesterday for about 5 hours. The review I had is not of vast defects to the Arriscraft and precast, it is typical masonry installations. Patching of precast is normal and to date we have spent less than \$3,000 dollars for this. There are still areas that will require precast patching and none I have located for the Arriscraft. So 5% is an outrageous number for this item (\$27,300.00).

The fact that you have stated that ample opportunities and notices to our team as it relates to the exterior plumbness is a false statement. The last discussion your team had with Joe Anastasi and Toby Holloway on 3.23.2017 is that each area/elevation (if anything arose) Toby would meet with your team on-site to evaluate the exterior CMU walls, to see if they fall within the masonry tolerances set forth by ACI 530. To date this has **never happened**, your team has failed to notify us of any conditions. The biggest issue I see and have known is the actual concrete structure, not the masonry walls. The concrete slabs, columns and beams are all over the place.

As for you comment concerning the drywall installation is a direct reflect of the CMU not being plumb is another false statement. You need to look into whoever installed the wood blocking around the windows. As you can see in the attached photos you have areas that the wood blocking is sticking out 3/8 of an inch causing some of this problem and another issue you have is the electrical box and the romex wire ran to this box causing some of this issue. This is not the CMU wall.

Link you have below requires a username and password. How do we access? Once we can gain access to whatever you have on the link below, it will be reviewed. Then we can respond to this.

Best Regards,

Chip Venable
 Project Manager
 Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Wednesday, July 26, 2017 4:14 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>
Subject: RE: July Pay Request

Chip – I heard you were onsite today so hopefully you reviewed the concerns we’ve voiced. I hope you also looked at the vast number of precast and arriscraft defects and damage. Retaining 5% for repairs, replacements, punch is fair and reasonable.

Also, we have provided ample opportunities and notices to your team to exterior plumbness with us, but here is a link to pictures, surveys, clean up, floating, walls out of tolerance, etc. This is not all of our documentation and we’ll continue to add to this link. Also, take a look at the L3 windows that your team reviewed and Toby gave the attached response. The drywall is applied with furring channel per spec so the windows are a telling example where the return goes from 0 - >3/4”.

Premier Stucco - Exterior

<https://bbc.us.eg.nyte.com/fl/uunBTP55Rw>

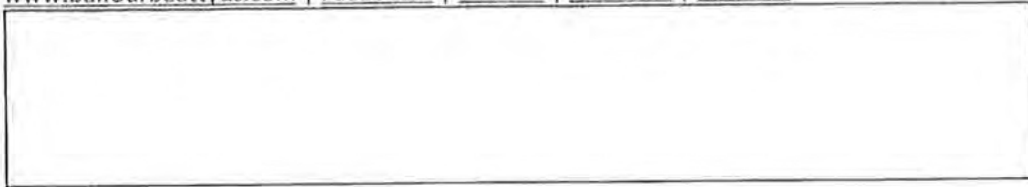
I’ll review our mark ups with the owner tomorrow and carry that amount in the draft draw. If the requested revisions are not received this week, we will remove your draw from this month’s request so we do not hold up owner funding.

Nick Starcevic | Project Manager

mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401.

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From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]

Sent: Tuesday, July 25, 2017 1:47 PM

To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>

Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAsh@Balfourbeattyus.com>

Subject: RE: July Pay Request

Nick,

We are not going to revise our pay request until you provide proper documentation the CMU walls have been installed out of masonry tolerances set forth within the ASTM Standards, ACI 530 and job specifications.

Furthermore, the precast/arriscraft has been delivered to the site. If we are not getting paid the vendors will be forced to lien the job for lack of payment. This also goes for the change orders you owe us for work already completed, (ie. Added Sample Panels, added grout at precast base, cutting precast due to concrete, added work to close in your elevator shaft, added plinth on mock up, added hoist costs and added flashing per RJ Kenney’s review)

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]

Sent: Tuesday, July 25, 2017 7:41 AM

To: Chip Venable <cvenable@oldnorthstatemasonry.com>

Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>
Subject: FW: July Pay Request

Chip,

See attached comments. Please remove all of the CMU due to ongoing concerns of walls out of plumb.

Also, adjust Arrisicraft and Precast material to 95% until it is all installed and punched. There is still concern that pieces will need to be replaced.

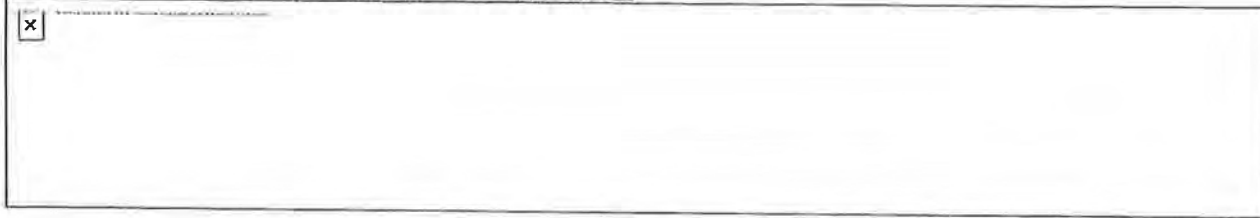
Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401.

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Spano, Tim
Sent: Tuesday, July 25, 2017 7:32 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: RE: July Pay Request

Tim Spano | Sr. Project Manager Carolina's
office: 843.974.4590 | mobile: 813.917.1656 | email: timspano@balfourbeattyus.com
Balfour Beatty Construction | www.balfourbeattyus.com
306 Meeting St., Suite 300, Charleston, SC 29401
Connect with us: [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Starcevic, Nicholas
Sent: Monday, July 24, 2017 11:21 PM
To: Spano, Tim <timspano@Balfourbeattyus.com>
Subject: FW: July Pay Request

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401



From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]

Sent: Friday, July 21, 2017 8:50 AM

To: Ashe, Candice <CAsh@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>

Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>

Subject: RE: July Pay Request

Candice,

See attached.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Ashe, Candice [<mailto:CAsh@Balfourbeattyus.com>]

Sent: Thursday, July 20, 2017 10:57 AM

To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>

Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>

Subject: RE: July Pay Request

Chip,

Based on the revised June pay app, I show the previous amount should be \$2,235,350.40.

Thank you,

Candice Ashe | Project Accountant
office: 704-319-4016 | email: CAsh@Balfourbeattyus.com
Balfour Beatty Construction | 1930 Camden Road, Suite 280, , Charlotte, NC 28203

Joe Anastasi

From: Chip Venable
Sent: Thursday, July 27, 2017 4:38 PM
To: Starcevic, Nicholas; Joe Anastasi; sgriffin@griffinmasonry.com
Cc: Toby Holloway; Spano, Tim
Subject: RE: July Pay Request
Attachments: BBC Link.PNG

Nick,

I will work on a response to this outlandish email. Ridiculous is about the best word I can come up with. From the meeting in March till now, not one person from your team has tried to get with ONSM to review any walls currently having stucco on them. It is funny, the way you guys like to fire off emails, not one of us has received an email stating, (Tried to get with Toby, Tried to get with Joe, Tried to get with Scott, Tried to get with Chip) for review of walls prior to receiving stucco. So any charges associated with stucco build up is on you. Not ONSM.

So yes, we would love the opportunity to review the North Elevation with you and your team, if you find there is a problem with the masonry. I reviewed this yesterday, and the only thing I noticed is the slab and beams sticking out to cause the entire Elevation to require a buildup of Stucco. At least this is a step in the right direction. You should have been doing this all along, as stated and agreed by your team during the meeting in March 2017.

However, in the meantime, this link is not accessible. What username have you set up for us to access. See attached. I have tried logging in with my email address "not found".

Best Regards,

Chip Venable
 Project Manager
 Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Thursday, July 27, 2017 4:14 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; sgriffin@griffinmasonry.com
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>
Subject: RE: July Pay Request

Chip,

I respectfully disagree with most of your assessment below. Carla, your competent person, was fully aware of what was happening onsite and according to our team, the phone calls and emails to ONSM management went unreturned. Your stance in March was no different than it is now so we proceeded to fix the defects.

Regardless, short of demoing CMU walls that were already behind schedule, the highbuild on the stucco walls was necessary to meet the specifications (the pictures on the link prove that). The scaffolding is going up now on the North elevation and we believe high build will be required. We have an opportunity to review these conditions together so consider this your notification that we believe the CMU walls are out of tolerance on the north side so Joe and Toby

should be onsite next week while we are preparing to prep the north side. Our guys pull string lines with Premier and measure the walls to ensure we're meeting the specifications. We invite ONSM to help and review during this process.

And if you've spent ~\$3,000 on precast, then \$27,000 balance to finish is probably a good number. Every piece of precast cap on L3, L6, and the roof will need to be patched. The areas you already patched will require at least 1 more pass so it is not beyond belief that you're only 10% complete since none of it has been accepted.

Highbuild / CMU pictures
<https://bbcus.egnyte.com/f/ZvzxiBPOux>

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From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]
Sent: Thursday, July 27, 2017 2:47 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; sgriffin@griffinmasonry.com
C Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>
Subject: RE: July Pay Request

Nick,

I was on-site yesterday for about 5 hours. The review I had is not of vast defects to the Arriscraft and precast, it is typical masonry installations. Patching of precast is normal and to date we have spent less than \$3,000 dollars for this. There are still areas that will require precast patching and none I have located for the Arriscraft. So 5% is an outrageous number for this item (\$27,300.00).

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Link you have below requires a username and password. How do we access? Once we can gain access to whatever you have on the link below, it will be reviewed. Then we can respond to this.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Wednesday, July 26, 2017 4:14 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>
Subject: RE: July Pay Request

Chip – I heard you were onsite today so hopefully you reviewed the concerns we’ve voiced. I hope you also looked at the vast number of precast and arriscraft defects and damage. Retaining 5% for repairs, replacements, punch is fair and reasonable.

Also, we have provided ample opportunities and notices to your team to exterior plumbness with us, but here is a link to pictures, surveys, clean up, floating, walls out of tolerance, etc. This is not all of our documentation and we’ll continue to add to this link. Also, take a look at the L3 windows that your team reviewed and Toby gave the attached response. The drywall is applied with furring channel per spec so the windows are a telling example where the return goes from 0 - >3/4”.

Premier Stucco - Exterior
<https://bbcus.egnyte.com/fl/uunBTP55Rw>

I’ll review our mark ups with the owner tomorrow and carry that amount in the draft draw. If the requested revisions are not received this week, we will remove your draw from this month’s request so we do not hold up owner funding.

Nick Starcevic | Project Manager
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www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]
Sent: Tuesday, July 25, 2017 1:47 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>
Subject: RE: July Pay Request

Nick,

We are not going to revise our pay request until you provide proper documentation the CMU walls have been installed out of masonry tolerances set forth within the ASTM Standards, ACI 530 and job specifications.

Furthermore, the precast/arriscraft has been delivered to the site. If we are not getting paid the vendors will be forced to lien the job for lack of payment. This also goes for the change orders you owe us for work already completed, (ie. Added Sample Panels, added grout at precast base, cutting precast due to concrete, added work to close in your elevator shaft, added plinth on mock up, added hoist costs and added flashing per RJ Kenney's review)

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]

Sent: Tuesday, July 25, 2017 7:41 AM

To: Chip Venable <cvenable@oldnorthstatemasonry.com>

Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>

Subject: FW: July Pay Request

Chip,

See attached comments. Please remove all of the CMU due to ongoing concerns of walls out of plumb.

Also, adjust Arriscraft and Precast material to 95% until it is all installed and punched. There is still concern that pieces will need to be replaced.

Nick Starcevic | Project Manager

phone: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com

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From: Spano, Tim

Sent: Tuesday, July 25, 2017 7:32 AM

To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>

Subject: RE: July Pay Request

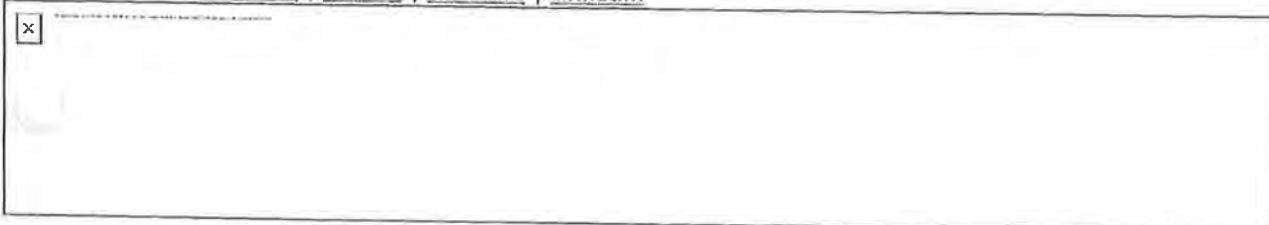
Tim Spano | Sr. Project Manager **Carolina's**

office: 843.974.4590 | mobile: 813.917.1656 | email: timspano@balfourbeattyus.com

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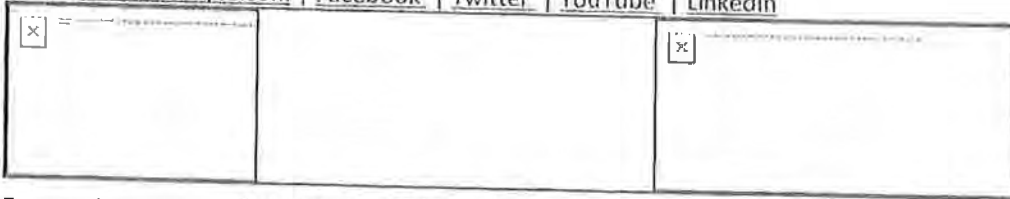


From: Starcevic, Nicholas
Sent: Monday, July 24, 2017 11:21 PM
To: Spano, Tim <timspano@Balfourbeattyus.com>
Subject: FW: July Pay Request

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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Sent: Friday, July 21, 2017 8:50 AM
To: Ashe, Candice <CAsh@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>
Subject: RE: July Pay Request

Candice,

See attached.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Ashe, Candice [<mailto:CAsh@Balfourbeattyus.com>]
Sent: Thursday, July 20, 2017 10:57 AM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>
Subject: RE: July Pay Request

Chip,

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Thank you,

Candice Ashe | Project Accountant
office: 704-319-4016 | email: CAsh@Balfourbeattyus.com

Joe Anastasi

From: Spano, Tim <timspano@Balfourbeattyus.com>
Sent: Monday, July 31, 2017 5:58 PM
To: Chip Venable
Cc: Starcevic, Nicholas; Joe Anastasi; sgriffin@griffinmasonry.com; Stanton, David; Toby Holloway; Carla Harwell; Ledford, Ryan
Subject: RE: July Pay Request

Chip The Cap beam was cleared a month ago except where the buck hoist pad was and was repaired and inspected. Since rains have washed some mud in it, ONS will need to clean the dirt off. ONS has stacked scaffold boards etc. along that wall which you can see in the picture. There is one small section to be cleaned where the BH was and the Inspector will look at that area when he inspects the dowel waterproofing after you install the dowels. There is a large area to the West of the Buckhoist that has had base installed and waterproofing at the window bucks for some time where window surrounds can be installed and then L2 band to allow more Stucco scaffolding to be installed. All permanent hose bibs around the building are operational and the temp water can have the valve shut at any time. ONS did nothing on the North elevation today, not even L2 flashing.

It appears that ONS may be waiting for BBC's snorkel lift that was brought in for caulking CJ's and for PT cable repairs. This lift was called off today so ONS needs to make other arrangements for reaching the North side work if that is the case. ONS can use the lift while it's there but has already missed opportunities to use it last week. ONS is delaying the building waterproofing by ignoring the North elevation. I have already explained the interior water intrusion coming through the cast stone end joints on the 8th and 5th floor bands but North bands are still not caulked.

Tim Spano | Sr. Project Manager **Carolina's**

office: 843.974.4590 | mobile: 813.917.1656 | email: tspano@balfourbeattyus.com

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306 Meeting St., Suite 300, Charleston, SC 29401

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Balfour Beatty
Construction

Build to Last
Lean. Expert. Trusted. Safe.

From: Chip Venable [mailto:cvenable@oldnorthstatemasonry.com]
Sent: Monday, July 31, 2017 2:33 PM
To: Spano, Tim <timspano@Balfourbeattyus.com>
Cc: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; sgriffin@griffinmasonry.com; Stanton, David <DStanton@Balfourbeattyus.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Carla Harwell <charwell1260@icloud.com>
Subject: RE: July Pay Request

Tim,

As you can see in the attached pictures the foundation is still not cleaned of as of today. We cannot start until the foundation has been cleaned off. There is also a water clean out station in this area where the painter, drywall and others are using and the foundation is covered with muck. I could be wrong but the air barrier is not complete to the foundation. The pictures showing the insulation not removed does not have the air barrier on it. I understand the waterproofing needs to be completed in conjunction with air pressure dowels. It does not appear as though any

waterproofing has been applied to the foundation, can't see for all the crap on it. If there has been waterproofing applied you will need to check its integrity at this point with all the material, mud, muck, construction debris, etc. that has been placed on it.

Please let us know when the foundation will be cleaned off and the waterproofing that has been installed is checked for its integrity.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Spano, Tim [<mailto:timspano@Balfourbeattyus.com>]
Sent: Saturday, July 29, 2017 11:11 AM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>;
sggriffin@griffinmasonry.com; Stanton, David <DStanton@Balfourbeattyus.com>; Toby Holloway <tholloway@oldnorthstatemasonry.com>; Carla Harwell <charwell1260@icloud.com>
Subject: Re: July Pay Request

Chip, see comments below in Bold. I'm not sure where you came up with your list bellow but ONS is holding up scaffolding on North. ONS needs the main manpower on North elevations installing Base pins, Base stone, flashing on L2 angle, Surrounds and L2 Bands from West to East. If not started Monday morning, it will cause a delay to skin completion. I was told L2 flashing and band would start since Wednesday.

Tim Spano | Sr. Project Manager **Carolina's**
office: 843.974.4590 | mobile: 813.917.1656 | email: timspano@balfourbeattyus.com
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On Jul 28, 2017, at 11:41 AM, Chip Venable <cvenable@oldnorthstatemasonry.com> wrote:

Nick,

The North Elevation will not be ready for stucco scaffold for a couple of weeks, minimum.

Items to be completed prior to stucco scaffold set:

1. BBC to clean off foundation- **completed three weeks ago**
2. BBC to remove overhead protection- **takes 10 min but not until stone gets close, last section to put stone**
3. BBC to get waterproofing complete at foundation - **done three weeks against except for dowels that ONS has to install**
4. BBC to get air-barrier installed from 1st to 2nd - **the entire elevation completed last Tuesday but large section done for a while.**
5. ONSM to set precast base/door surrounds – waiting on BBC - **waiting on ONS to drill pins to WP pins but Cap has been completed.**

6. ONSM to install Arriscraft – waiting on BBC. It's on ONS. SC has WP, entry has loose lintels on site, North needs cast stone set, East/SE to be cleaned, caulked, patched & punched.
7. ONSM to install 2nd floor precast cornice – waiting on BBC. Waiting on ONS to flash and set.
Was to start 7/24/17 per pull planning.

CJ's need correcting, mortar needs cleaning, voids need filling, grout over spill needs cleaning on CMU , Block in basement is delaying framing. Block on ramp needs block completed.

Once all these items are complete and the stucco scaffold is erected we will review the North Elevation.

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [mailto:NStarcevic@Balfourbeattyus.com]
Sent: Thursday, July 27, 2017 5:26 PM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>; sgriffin@griffinmasonry.com
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>
Subject: RE: July Pay Request

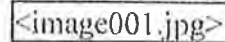
I'll get some help on this link and resend tomorrow. I will probably never understand how masonry walls being out of plumb is BBC's fault, but that appears to be your stance so we will have this same conversation again when the back charge is totaled.

And this is once again notification to ONSM that the north walls are out of plumb. We will not wait to start the high build since it is affecting dry in. If you want the opportunity to review the walls then you need to be onsite while the scaffold is being erected and we are pulling string lines. Fixing ONSM's issues continues to delay the exterior envelope.

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
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Cc: Toby Holloway <holloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAshe@Balfourbeattyus.com>
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Sent: Wednesday, July 26, 2017 4:14 PM
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Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAsh@Balfourbeattyus.com>
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Also, we have provided ample opportunities and notices to your team to exterior plumbness with us, but here is a link to pictures, surveys, clean up, floating, walls out of tolerance, etc. This is not all of our documentation and we'll continue to add to this link. Also, take a look at the L3 windows that your team reviewed and Toby gave the attached response. The drywall is applied with furring channel per spec so the windows are a telling example where the return goes from 0 - >3/4".

Premier Stucco - Exterior
<https://bbcus.egnyte.com/fl/uunBTP55Rw>

I'll review our mark ups with the owner tomorrow and carry that amount in the draft draw. If the requested revisions are not received this week, we will remove your draw from this month's request so we do not hold up owner funding.

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]
Sent: Tuesday, July 25, 2017 1:47 PM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Joe Anastasi <Janastasi@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAsh@Balfourbeattyus.com>
Subject: RE: July Pay Request

Nick,

We are not going to revise our pay request until you provide proper documentation the CMU walls have been installed out of masonry tolerances set forth within the ASTM Standards, ACI 530 and job specifications.

Furthermore, the precast/arriscraft has been delivered to the site. If we are not getting paid the vendors will be forced to lien the job for lack of payment. This also goes for the change orders you owe

us for work already completed, (ie. Added Sample Panels, added grout at precast base, cutting precast due to concrete, added work to close in your elevator shaft, added plinth on mock up, added hoist costs and added flashing per RJ Kenney's review)

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Starcevic, Nicholas [<mailto:NStarcevic@Balfourbeattyus.com>]
Sent: Tuesday, July 25, 2017 7:41 AM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>
Cc: Toby Holloway <tholloway@oldnorthstatemasonry.com>; Spano, Tim <timspano@Balfourbeattyus.com>; Ashe, Candice <CAsh@Balfourbeattyus.com>
Subject: FW: July Pay Request

Chip,

See attached comments. Please remove all of the CMU due to ongoing concerns of walls out of plumb.

Also, adjust Arrisicraft and Precast material to 95% until it is all installed and punched. There is still concern that pieces will need to be replaced.

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

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From: Spano, Tim
Sent: Tuesday, July 25, 2017 7:32 AM
To: Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>
Subject: RE: July Pay Request

Tim Spano | Sr. Project Manager **Carolina's**
office: 843.974.4590 | mobile: 813.917.1656 | email: timspano@balfourbeattyus.com
Balfour Beatty Construction | www.balfourbeattyus.com
306 Meeting St., Suite 300, Charleston, SC 29401
Connect with us: [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Starcevic, Nicholas
Sent: Monday, July 24, 2017 11:21 PM
To: Spano, Tim <tspano@Balfourbeattyus.com>
Subject: FW: July Pay Request

Thanks,

Nick Starcevic | Project Manager
mobile: 704-361-3265 | email: NStarcevic@Balfourbeattyus.com
Balfour Beatty Construction | 306 Meeting St. Suite 300, Charleston, SC 29401

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)



From: Chip Venable [<mailto:cvenable@oldnorthstatemasonry.com>]
Sent: Friday, July 21, 2017 8:50 AM
To: Ashe, Candice <CAsh@Balfourbeattyus.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>
Subject: RE: July Pay Request

Candice,

See attached,

Best Regards,

Chip Venable
Project Manager
Old North State Masonry

From: Ashe, Candice [<mailto:CAsh@Balfourbeattyus.com>]
Sent: Thursday, July 20, 2017 10:57 AM
To: Chip Venable <cvenable@oldnorthstatemasonry.com>; Starcevic, Nicholas <NStarcevic@Balfourbeattyus.com>; Dooley, Alec <adooley@Balfourbeattyus.com>
Cc: Cara Chambers <cchambers@oldnorthstatemasonry.com>
Subject: RE: July Pay Request

Chip,

Based on the revised June pay app, I show the previous amount should be \$2,235,350.40.

Thank you,

Candice Ashe | Project Accountant
office: 704-319-4016 | email: CAsh@Balfourbeattyus.com
Balfour Beatty Construction | 1930 Camden Road, Suite 280, , Charlotte, NC 28203

www.balfourbeattyus.com | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)

DATE	DESCRIPTION OF DAILY	Level	Dimensional	Information	Layout	Access	3rd Party	Area of	Completion	Weather	Concrete	Radar	Stress	Condition	Strength	Wood	Flashing	Angle	scuffing	Water	lifting	precast	OTHER
3/28/2017	We were set up at door surrounds east had to stop and remobilize on scaffolding for second floor and per Jern, due to other trades completing their scope. This happened at noon	1,2																					
3/29/2017	Had to cut base piece where 2 c/was to high	1							1														
3/29/2017	Phone not seen the flashing on floor parapets																						
3/11/2017	We were working on base at boys mud to pull off due to others clearing hole at the south/west area. Scott ran over from at 10:00	4						1															
3/11/2017	Base piece that was set at foyer had to be cut at the back of the stone to fit column dimensions. One piece set today at this location	1						1															
3/14/2017	scoping out big cone missing material to get floor against west side of 6th floor. All material on the ground to fly up at foyer area where we were going to set stone	1						1															
3/15/2017	will stage stone for 2nd floor parapet on south/west side of stone as planned with BBC																						
3/15/2017	will stage stone for 2nd floor parapet on south/west side of stone as planned with BBC																						
3/15/2017	There was a safety stone down at 1pm today we were told not to continue to work to stone and clean up areas through out 7-2 floors. ONSM was given the 5th floor balcony to clean. We are keeping it clean as we work there. Start scaffolding still being worked on																						
3/17/2017	missing brick on level 6 SOUTH was asked and said they would show up at 7 am inspection showed up at 6 am. Still such a tight schedule for completion on this fix we had to stay in between the period of time that we can try and make 3.5 the morning the today that they did not the next Sunday. Scaffolding on east side of building where we were pointing up the scaffolding on the north end was being shown out of plumb due to racking on the scaffolding and high wind gust. No studs pins are in place	6																					1
3/22/2017	The east stone in this area that workers were not on the outside scaffolding today no security in this area except ONSM. ONSM wanted to start at 1:00 PM and the CMU team was told have to wait for access to the masonry. 7:30 AM	4																					1
3/22/2017	Underpinning of CVU outside has started. We remain on the 4th and 5th floor moved off of the 5th floor balcony	4																					1
3/22/2017	Parapet walls on new 6th flashing was started. It was up to 75% complete and ONSM scouted scaffolding stone. Walls has concrete on north side of job blocked off from us being able to receive stone from north to south. Angle on outside 6th floor was welded today and expected ready for scaffolding to be adjusted for our stone work to begin. ONSM will get on scaffolding to place flashing on angle when it is turned over to us	6						1															1
3/24/2017	Waterproofing is not completed on the west/west side floor parapet wall	6																					1
3/25/2017	We walls had to block off the north side for a few hours	1						1															1
3/27/2017	Waterproofing is not completed on the west/west side floor parapet wall. ONSM scouted scaffolding stone. Walls has concrete on north side of job blocked off from us being able to receive stone from north to south. Angle on outside 6th floor was welded today and expected ready for scaffolding to be adjusted for our stone work to begin. ONSM will get on scaffolding to place flashing on angle when it is turned over to us	6						1															1
3/28/2017	Scaffolding is not removed on east/west side of wall. In sub meeting this morning the roofing said that closer to the end of the week they would have the metal flashing on site and installed								1														1
3/28/2017	Scaffolding on south/west corner is not completed yet. Overhead equipment has not been removed yet to start back on stone wall. Parapet walls on the 5th floor are not able to complete yet due to walls waiting to be completed with flashing. 6th floor parapet wall waterproofing and flashing is now set back till next week. Roofing said waterproofing material will be on site next week.								1														1
3/29/2017	We were told to scoping 3 tires today from BBC. On the west base of wall on saw was making so much noise, for a meeting BBC stop having in the office. Rain has come through several times at 12:00 client								1														1

DATE	DESCRIPTION OF DAILY WORK	Level	Dimensional	Information	Layout	Access to work area	3rd Party involvement	Aerial work and ladder	Coordination with trades	Weather	Demolish	Rebar	Secure	Condition	Search	Wood	Roofing	Angle	Waterproofing	Waterproofing	Handing	miscellaneous
4/26/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
4/26/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
4/27/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
4/28/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/1/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/2/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/3/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/4/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/5/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/6/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/7/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/8/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/9/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/10/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/11/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/12/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/15/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				
5/16/2017	OSNSM is in process of erecting the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor. OSNSM will need to erect the steel deck for the 2nd floor.	2nd																				

DATE	DESCRIPTION OF DAILY	Level	Dimensional	Issue	Information	Layout	Ascent to work areas	3rd Party Inspection	Area of work not ready	Coordination	Weather	Concrete	Rebar	Stone	Coordination with Precast	5# rebar	Wood Decking	Framing	Angle	scolding	Water proofing	Hoisting	Installation by others	ONSMA
6/12/2017	North w ndows sill not waterproofing, roof bar c score can not be set until cure to flashing. Level 3 courtyard concrete base material and damage in the way for ONSMA to start work. Other trades have not made bleed off for their delivery	3					1		1	1											1			
6/14/2017	Level 3 need flashing completed at pool deck and at roof for ONSMA to complete our work at that level, at the third floor ONSMA needs this from clearance off so we can build our joists and set stone. In the main room ONSMA needs angle installed at 1 leaders so we can set air brack and cast stone sand. ONSMA needs wood blocking water proofed on the perimeter so we can set windows and door surrounds. ONSMA needs the permit on the north side to get 6th floor done	3,2,6					1		1	1											1			
6/15/2017	ONSMA needs flashing at the pool deck, and at the roof for us to finish our scope of work. ONSMA needs level 3 at about joists cleaner and material from other trades moved so we can start our scope of work here as well. ONSMA needs window and door surrounds waterproofing completed so we can complete our work on the area. ONSMA needs frame moved to the north side of 2nd floor so we can complete the 6th floor sand pieces here. We will have to get ONSMA to start waterproofing on top of base piece #22 and D10 because of the 45 degree corners. After a discussion with them and with Tony's slope work order was issued because of no areas for us to work. The crew was sent home.	3,3,5,1																			1		1	
6/15/2017	North at windows waterproofing above the windows in not called up high enough for our stone surrounds to be installed																				1			
6/15/2017	waterproofing on the north side not completed, call on 1 red up high enough for our stone surround, flashing needs to be finished at roof for ONSMA to complete our scope of work, crane still has not been moved to the east for ONSMA to complete 6th floor band, water is standing at footer for base stone north center																				1		1	
6/15/2017	level 9 at roof, flashing is still not installed for ONSMA to come site stone band. ONSMA needs scaffolding completed in the stream for us to complete the 5th, 6th, 5th, and 5th floor bands west. ONSMA needs wood blocking around 3th door south center then water proofing for us to complete stone door surround and structure. ONSMA needs angle at leaders in the main entry for ONSMA to complete our work there. ONSMA needs waterproofing completed at roof for door and window surrounds. ONSMA needs water proofing at 2nd floor outer north outside	3,3,5,1,2																			1		1	
6/15/2017	level 6th floor sand piece #4E13 angle that was installed to carry this corner was not to be. ONSMA has to cut this angle to be able to move forward from workers work not done. Rebar needs to be installed at the roof for ONSMA to complete stone door surround and blocking and flashing needs to be installed for ONSMA to complete the door and structure column on this situation. #8 @ 17 the main entry needs to be installed for ONSMA to be able to complete work in 5th area. Stone piece 0-1721 in with BCC wants this stone inside with a milled corner and not the miter 45 corner that the drawing shows. Waterproofing on the northeast side was not roled up high enough to allow door and window surrounds to be installed. ONSMA needs scaffolding at west horseshoe for us to complete bands at level 5, two level 8, level 6 and level 5. In the basement at the hallway ONSMA needs to complete work here. This is not ready for ONSMA to work here	3,1,5,6					1		1	1											1		1	
6/15/2017	ONSMA needs to be staged on the northwest side of building and to be moved to the northeast side. The crane was moved to the north outside yesterday evening street to avoid heavy traffic. All level 5 ONSMA still needs flashing here to complete roof band complete roof band frame. Main entry was still not angle installed here. North outside still needs waterproofing above windows and door for ONSMA to complete. In this area. Wood blocking and waterproofing needs to be installed for ONSMA to complete work here	3,1							1	1											1		1	

DATE	DESCRIPTION OF DAILY WORK	Level	Dimensional Issue	Information /RFI	Layout Issue	Access to work area	3rd Party Inspection	Availability of work not other trades	Coordination with trades	Weather	Quantity	Rebar	Stencils	Coordination with process	Spalls Cast	Wood Blocking	Reinforcing	Angle	scalloping	Water proofing	Hoisting	miscounting by others	ONSIV
6/22/2017	20th floor at roof needs flashing for ONSM to complete our scope of work. Need flashing completed on several areas on north for door surrounds and window surrounds. need wood blocking and flashing on 20 door on north center side, basement is not ready for ONSM to complete our work here as well angle in main entry needs to be installed for us to complete work here. Base stone's D72,D71, D93 need a direction from ABC. On these stone's Tin does not like the 45 degree he wants milled corners. I have been held up on the RFI/craft on these pieces	Fl,lb		1																			
6/23/2017	All roof flashing needs to be installed for ONSM to complete stone cap bands, and flashing at pool edges to have both of these are at level 5. angle needs to be finalized at main entry for ONSM to complete our work here. base stone at main entry still needs to be ordered by Tim ABC. We need wood blocking and flashing at center south for ONSM to complete gear surround and aircraft above the door. ONSM still needs waterproofing on the north east. elevation to be extended up to the 2nd floor angle for our window and floor surrounds. Waterproofing needs to be done on at the 2nd floor band north east, north center and parts of north west. ONSM needs to block one last wall in the basement. This area is not ready for ONSM. Sluck at the east ramp needs cmu, this area is not ready.	Fl,lb		1																			
6/24/2017	No crane had to set with ONSM hoist	Fl,lb		1																			
6/26/2017	at roof flashing needs to be installed and at the 5th floor roof deck of ONSM to complete our work at this area, scaffolding needs to be completed around the west shear walls in the north side area for ONSM to complete the stone bands at level 5, two bands at level 8 level 6 and at level 5. Wood blocking at door #147 has been installed but no waterproofing so ONSM can not install stone surround or aircraft there until this is done. Angle in main entry is still not installed for ONSM to complete our work here. waterproofing on the north needs to be completed at all door and window surrounds and at the second floor band for us to complete our work here. In the basement we have two areas that we can not work at due to other trades still working there and not completed	Fl,lb		9,8,5, 5,1				1															
6/27/2017	Flashing needs to be installed at roof. 5th floor deck flashing needs to be completed for ONSM to complete their work. Scaffold needs to be completed around the west shear wall in the north side area for ONSM to complete the stone bands at levels 8,5, 6,5. Waterproofing around door #147 needs to be completed for ONSM to complete the gear surrounds and aircraft in this area. Angle at main entry needs to be installed for ONSM to complete work in this area. Waterproofing needs to be completed on the north elevation, all doors windows surrounds and 20th floor band before ONSM can complete their work in basement et. work that cannot be completed because of other trades working in the area	Fl,lb		9,8,6, 5,1,2				1															
6/28/2017	Same as 6/27/17 flashing needs to be installed at roof. 5th floor deck flashing needs to be completed for ONSM to complete their work. Scaffold needs to be completed around the west shear wall in the north side area for ONSM to complete the stone bands at levels 8,5, 6,5. Waterproofing around door #147 needs to be completed for ONSM to complete the gear surrounds and aircraft in this area. Angle at main entry needs to be installed for ONSM to complete work in this area. Waterproofing needs to be completed on the north elevation, all doors windows surrounds and 20th floor band before ONSM can complete their work in basement et. work that cannot be completed because of other trades working in the area	Fl,lb		9,8,6, 5,1,2				1															

DATE	DESCRIPTION OF DAILY	Level	Dimensional	Information	Layout	Access	3rd Party	Area of	Coordination	Weather	Complete	Clear	Shovel	Coordinate	Section	Warning	Fishing	Artic	scuffolding	Water	Handling	maneuvering	precast	OSISM
5/24/2023	Fishing needs to be installed at roof. 9th floor deck fishing needs to be completed for OSISM to complete their work. Angle at main entry needs to be installed for OSISM to complete work in this area. Work in basement that cannot be completed because of other trades are working in the area. Waterproofing needs to be completed on the porch elevation. All doors windows surrounds and second floor hand before onsm can complete their work. Scaffold need to be completed around the west stair well in the horseshoe area for OSISM to complete the stone bands at levels 9,8,6,5. Waterproofing around floor #147 needs to be completed for OSISM to complete the precast parounds and aircraft in this area.	9, 8, 6, 5, 1, b																						
5/24/2023	Fishing needs to be installed at roof. 9th floor deck fishing needs to be completed for OSISM to complete their work. Angle at main entry needs to be installed for OSISM to complete work in this area. Work in basement that cannot be completed because of other trades are working in the area. Waterproofing needs to be completed on the porch elevation. All doors windows surrounds and second floor hand before onsm can complete their work. Scaffold need to be completed around the west stair well in the horseshoe area for OSISM to complete the stone bands at levels 9,8,6,5. Waterproofing around floor #147 needs to be completed for OSISM to complete the precast parounds and aircraft in this area.	9, 8, 6, 5, 1, b																						
7/2/2023	Fishing needs to be installed at roof. 9th floor deck fishing needs to be completed for OSISM to complete their work. Angle at main entry needs to be installed for OSISM to complete work in this area. Work in basement that cannot be completed because of other trades are working in the area. Waterproofing needs to be completed on the porch elevation. All doors windows surrounds and second floor hand before onsm can complete their work. Scaffold need to be completed around the west stair well in the horseshoe area for OSISM to complete the stone bands at levels 9,8,6,5. Waterproofing around floor #147 needs to be completed for OSISM to complete the precast parounds and aircraft in this area.	9, 8, 6, 5, 1, b																						
7/12/2023	Fishing needs to be installed at roof. 9th floor deck fishing needs to be completed for OSISM to complete their work. Angle at main entry needs to be installed for OSISM to complete work in this area. Work in basement that cannot be completed because of other trades are working in the area. Waterproofing needs to be completed on the porch elevation. All doors windows surrounds and second floor hand before onsm can complete their work. Scaffold need to be completed around the west stair well in the horseshoe area for OSISM to complete the stone bands at levels 9,8,6,5. Waterproofing around floor #147 needs to be completed for OSISM to complete the precast parounds and aircraft in this area.	9, 8, 6, 5, 1, b																						

DATE	DESCRIPTION OF DAILY	Level	Dimensional	Information	Layout	Access to work area	3rd Party Inspection	Area of work not ready	Coordination other trades	Weather	Complete	Ribbar	Shieve	Coordination with Precast	Scratch Coat	Wood Scaffolding	Forming	ANSI	scaffolding	Water proofing	Hurling	miscellaneous	Others	OSSM
7/11/2017	Flashing needs to be installed at roof. 9th floor deck flashing needs to be completed for OSNM to complete their work. Angle at main entry needs to be installed for OSNM to complete work in 7-9 area. Work in basement that cannot be completed because of other trades are working in the area. Waterproofing needs to be completed on the north elevation all doors windows surrounds and second floor band before onen can complete their work. Scaffolding need to be completed around the west sheer wall in the horseshoe area for OSNM to complete the stone bands at levels 3, 4, 5, 6, 5. Waterproofing around floor #147 need to be completed for OSNM to complete the precast surrounds and struts in this area.	3, 4, 5, 6, 1, b						1						1				1	1	1	2			
7/12/2017	Flashing needs to be installed at roof. 9th floor deck flashing needs to be completed for OSNM to complete their work. Angle at main entry needs to be installed for OSNM to complete work in this area. Work in basement that cannot be completed because of other trades are working in the area. Waterproofing needs to be completed on the north elevation all doors windows surrounds and second floor band before onen can complete their work. Scaffolding need to be completed around the west sheer wall in the horseshoe area for OSNM to complete the stone bands at levels 3, 4, 5, 6, 5. Waterproofing around floor #147 need to be completed for OSNM to complete the precast surrounds and struts in this area.	3, 4, 5, 6, 1, b						1						1				1	1	1	2			
7/13/2017	Flashing needs to be installed at roof. 9th floor deck flashing needs to be completed for OSNM to complete their work. Angle at main entry needs to be installed for OSNM to complete work in this area. Work in basement that cannot be completed because of other trades are working in the area. Waterproofing needs to be completed on the north elevation all doors windows surrounds and second floor band before onen can complete their work. Scaffolding need to be completed around the west sheer wall in the horseshoe area for OSNM to complete the stone bands at levels 3, 4, 5, 6, 5. Waterproofing around floor #147 need to be completed for OSNM to complete the precast surrounds and struts in this area.	3, 4, 5, 6, 1, b						1						1				1	1	1	2			
7/14/2017	3rd floor stratum OSNM can not start cast stone due to Drainage elements at columns and heater issues. 3rd floor we can not work in due to substat p/c cables. Waiting on sk from BAC. North elevation not ready. OSNM needs waterproofing rolled on above we can set stone bands at 2nd floor and window surrounds, horizontal at stone ledge under water due to rain OSNM needs this pumped out and waterproofed for us to start stone. South center OSNM needs waterproofing for us to start stone. South center OSNM needs waterproofing for us to set stone columns.	3, 4, 5, 6, 1, b						1			1			1				1	1	3				
7/19/2017	North elevation is still missing angle from and waterproofing at level 1 and 2 and 3rd floor in two areas where stone is to be set. OSNM is waiting for scaffolding in the courtyard to finish the 8th, 9th, 10th and 9th floors stone bands. South center at the first floor OSNM is waiting for door surrounds to be waterproofed for us to finish stone work there. We are waiting for the 9th floor flashing to be completed at the pool deck for us to finish here as well.	3, 4, 5, 6, 1, b						1						1				1	1	1	1			
7/20/2017	South center, main entry, north elevations has no waterproofing level 8 and 9 stratum no scaffolding for us to complete the band stone	1, 2, 3, 4, 5												1					1	1				
7/21/2017	Element was down two days difference times today OSNM had to stop working at back most area due to no way of getting pour -> to hours needed \$100000 in the other areas to work	1, 2, 3, 4, 5												1					1	1				1

DATE	DESCRIPTION OF DAILY	Level	Dimensional	Information	Layout	Access	3rd Party	Area of	Coordination	Weather	Concrete	Rebar	Steele	Coordination	Search	Word	Flashing	Waffle	Scalloping	Water	Heating	Insulation	Pre-cast	By Others	ONSM
7/24/2012	Due to rain no masonry was laid. Scaffolding has been set up for ONSM to set last of the banding stone for the south and west, now these walls need waterproofing for us to complete. At the 3rd floor terrace above street, this needs flashing completed for ONSM to install stone band here. In the main entry waterproofing and angle iron needs to be installed for ONSM to complete work here. Waterproofing of the north elevation was started today but rock comp. needed for ONSM to work here. At the 3rd floor, where bulk head was ONSM still needs flashing, plan to install stone sill. At pool deck level, flashing needs to be completed here for ONSM to complete this scope. Door surround at ground level south east corner need waterproofing for ONSM to complete this corner. ONSM is waiting for crates cost on building to start and finish the glue centers on the south west and west elevations.	3								1					1	1	3	1		4					
7/25/2012	North elevation is seen, waterproofing for ONSM to start base and window door surround stone south east corner door blocking is being set. At level 3 ONSM was going to start band stone at pool level, this is not ready due to waterproofing main entry angle iron and waterproofing needs to be completed here for ONSM to complete our scope of work here. Inspector with S.A.M.E did not show up today to look over. ONSM is still waiting to set stone on the level 3 balcony and bulkhead and door. On the north elevation at level 3 where bulk head was stone needed flash on an installed for stone sill. Work was shown needed flash on an installed for stone sill.	3																1			3				
7/26/2012	Main and 3rd floor stone around and stone employees forming stone for masonry scums.									1															
7/27/2012	AS WE SHOWED UP ON 8th then at 8:50am and we was getting pulled to another jobsite. We only inspected the 8th floor. We have 22 walls on the 3rd floor to be ready to inspect and pour. This can't be done until inspector comes back.	1						1																	
7/28/2012	No crane and elevator were down at 8:30am inspector for ground level will be back in the morning. No inside still needs waterproofing around door where waterproofing not complete main entry sill is south center at 3rd floor waterproofing not complete main entry sill is not ready for ONSM to work and complete our stone. 9th floor is not ready for us to complete our work we had our material staged on the pool deck for our work here we had to move it again because area was not ready.	1						1												2		1			
8/1/2012	Pen floor at pool deck flash in 2 was to start today for our stone band. North scum was cleaned out, lobby deposits are cleaned, where over head protection and frame is. Waterproofing was completed on the north scums, got an inspector and started our flashing.	1																							
8/1/2012	ONSVM started flashing the rest of the night from on the north elevation, there was material from a wall coming out in the building at the 3rd floor window this was our stay, a number of more the scaffolding was better 2 was by either. Scum over the garage door entrance is 4, 4 and rock a SXS cast ONSVM need to set the first of 2 panels that are here. This is going to cause ONSVM to have to lecture back at the scene in order for it to fit. Elevator was down again today for 1 1/2 hours.	1																							
8/2/2012	Package for 2 1/2 bags stone are under water not waterproofing. Where the overhead protection is located the door surrounds that sit here return back into the condition. 3" need to temp door and waterproofing site wood blocking installed for ONSVM to complete work here.	1																							
8/2/2012	Heavy rain started today need to start masonry before heavy rain start raining.	1																							
8/2/2012	Heavy rain started at 3 pm.	1																							
8/2/2012	Heavy rain started at 3 pm.	1																							
8/2/2012	On the main spec cover flashing and to get on the scum. We to get material to the roof that took a hour, then at 1:50pm the lift had to be used to move the overhead protection for ONSVM to continue with banding stone. It was more by 3:00pm other trades are not respecting the O&E that has been placed for ONSVM to do our work with out running others.	1																							

DATE	DESCRIPTION OF DAILY	Level	Dimensional Information /RFI	Layout Issue	Access to work area	3rd Party Inspection	Area of work not ready	Coordination with trades	Weather	Concrete	Rebar Issue	Slurry Wall	Coordination with trades	Scratch Cast	Wood Scaffolding	Formwork Erection	Water Erection	Hoisting	Finishing Issues by others	OSHA
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Tasks	5	21	5	74	4	49	59	33	9	7	7	126	4	11	52	41	36	105	50	8	12
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DAILY JOB LOG AND PRODUCTION REPORT

NAME OF JOB Marion hotel Date: 1/2/2017

JOB# 1259

Weather: (Clear) (P.Cloudy) (Cloudy); Temperature: 73 Min _____ Max _____
Rainfall 0 Inches

NUMBER OF EMPLOYEES WORKED TODAY

	NO:	BLK HRS.	BRK HRS.	STONE HRS.
A. SUPT. (Forman)	1	8		
B. MASONS:	11	72		16
C. LABORS:	9	72		8
D OPERATOR:	1	9		
E. OTHER CRAFTS:				
F. _____				
G. _____				
H. _____				

PRODUCTION REPORT

FACE BRICK		4" Concrete Block	
FACE BRICK ROWLOCK		6" Concrete Block	
FACE BRICK SOLDIERS		8" Concrete Block	1091
STONE FT'		12" Concrete Block	
STONE LF'		Arch. Block	
STONE PCS'	11 At 5th	floor band	51'6"
		Concrete Fill	
		Insulation	

Description and Location of:

1.) Work performed today: Laid block 6th floor west parapet and west units topped out east Units other then center due to rebar needing to go through down to 5th fl
Set 5th floor precast band east elevation Still have no access to west due to Other trades working in area For precast band on 5th

2.) Areas of masonry delayed and causes of delays: No crain operator on site today did not work on Stair 3 , need rebar drilled for header on stair 4 at 3rd fl before we can continue Will not be able to set precast or lay block on 5th floor west due to other trades
Allready starting before masonry.

3.) Verbal instructions received:

4.) Equipment received on site today:

R - 13497



DAILY JOB LOG AND PRODUCTION REPORT

NAME OF JOB Marion hotel Date: 1/3/2017

JOB# 1259

Weather: (Clear) (P. ~~C~~loudy) (Cloudy): Temperature: 73 Min _____ Max _____
Rainfall Rain 1 hr Inches

NUMBER OF EMPLOYEES WORKED TODAY

	NO:	BLK HRS.	BRK HRS.	STONE HRS.
A. SUPT. (Forman)	1	9.5		
B. MASONS:	11	72		16
C. LABORS:	10	108		8
D. OPERATOR:	1	10.5		
E. OTHER CRAFTS:				
F. _____				
G. _____				
H. _____				

PRODUCTION REPORT

FACE BRICK		4" Concrete Block	
FACE BRICK ROWLOCK		6" Concrete Block	722
FACE BRICK SOLDIERS		8" Concrete Block	414
STONE FT'		12" Concrete Block	
STONE LF'	51 LF	Arch. Block	
STONE PCS'			
		Concrete Fill	
		Insulation	

Description and Location of:

1.) **Work performed today:** Laid block 6th floor west units to header height
Set 5th floor precast band east elevation and N
Still have no access to west due to Other trades working in area
Grout stair 3 3rd fl

2.) **Areas of masonry delayed and causes of delays:**
Will not be able to set precast or lay block on 5th floor west due to other trades
Allready starting before masonry. Walked with BB team to identify

3.) **Verbal instructions received:**

4.) **Equipment received on site today:** Load of mortor

ELECTRONICALLY FILED - 2023 May 16 10:41 AM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108



DAILY JOB LOG AND PRODUCTION REPORT

NAME OF JOB Marion hotel Date: 1/4/2017

JOB# 1259

Weather: (Clear) (~~P. Cloudy~~) (Cloudy): Temperature: 63 Min _____ Max _____
 Rainfall X Inches

NUMBER OF EMPLOYEES WORKED TODAY

	NO:	BLK HRS.	BRK HRS.	STONE HRS.
A. <u>SUPT. (Forman)</u>	1	9.5		
B. <u>MASONS:</u>	11	88		
C. <u>LABORS:</u>	13	121.5		
D. <u>OPERATOR:</u>	1	9.5		
E. <u>OTHER CRAFTS:</u>				
F. _____				
G. _____				
H. _____				

PRODUCTION REPORT

FACE BRICK		4" Concrete Block	
FACE BRICK ROWLOCK		6" Concrete Block	
FACE BRICK SOLDIERS		8" Concrete Block	786
STONE FT'		12" Concrete Block	
STONE LF'	56'	Arch. Block	
STONE PCS'			
Lintels			114
		Concrete Fill	1
		Insulation	

Description and Location of:

1.) Work performed today: Laid block 6th floor west units top out and north
 Set 5th floor precast band east elevation and N And cortyard
 Still have no access to west due to Other trades working in area
 Grout stair 3 3rd fl

2.) Areas of masonry delayed and causes of delays: Still need rebar drilled and epoxied on stair
 Three third-floor and four on fourth floor Cannot go any further until complete
 Will not be able to set precast or lay block on 5th floor west due to other trades
 Allready starting before masonry. Walked with BB team to identify

3.) Verbal instructions received:

4.) Equipment received on site today:



DAILY JOB LOG AND PRODUCTION REPORT

Feb?

NAME OF JOB Marion hotel

Date: 1/3/2017 ~~1-4-17~~ / ~~5-17~~

JOB# 1259

Weather: (Clear) (P.~~X~~oudy) (Cloudy): Temperature: 73 Min _____ Max _____
 Rainfall Rain 1 hr Inches

NUMBER OF EMPLOYEES WORKED TODAY

PRODUCTION REPORT

	NO:	BLK HRS.	BRK HRS.	STONE HRS.
A. SUPT. (Forman)	1	9.5		
B. MASONS:	11	88		
C. LABORS:	13	121.5		X
D. OPERATOR:	1	9.5		
E. OTHER CRAFTS:				
F. _____				
G. _____				
H. _____				

FACE BRICK		4" Concrete Block	
FACE BRICK ROWLOCK		6" Concrete Block	
FACE BRICK SOLDIERS		8" Concrete Block	
STONE FT'		12" Concrete Block	
STONE LF'	51 LF	Arch. Block	
STONE PCS'			
Lentels			
		Concrete Fill	
		Insulation	

Description and Location of:

1.) Work performed today: Laid block 6th floor west units to header height

Set 5th floor precast band east elevation and N

Still have no access to west due to Other trades working in area

Grout stair 3 3rd fl

2.) Areas of masonry delayed and causes of delays:

Will not be able to set precast or lay block on 5th floor west due to other trades

Allready starting before masonry. Walked with BB team to identify

3.) Verbal instructions received:

4.) Equipment received on site today:

