

EXHIBIT 21

From: John Friel <JFriel@HNTB.com>
To: bbfengr@aol.com
Subject: RE: Teaming for Detroit TSC Proposal
Date: Sat, 30 Jun 2007 7:50 am

Bellandra

The past Proposal had HNTB as prime with SSI (survey), Tyme & 5 Star.

If you would team with us exclusive, we could give you 20-25% and still keep the same team together. From what we hear, this would be a good set-up. This would probably give you the ability to include Pat Lawton, Love Charles and 2 additional inspectors, depending on the amount of work provided by the TSC.

Please let me know what you are thinking.

Thanks
John

Enjoy the holiday.

From: bbfengr@aol.com [mailto:bbfengr@aol.com]
Sent: Fri 6/29/2007 5:35 PM
To: John Friel
Subject: Re: Teaming for Detroit TSC Proposal

What teaming obligations do you already have regarding the Jason Voigt proposal?

Bellandra Foster

-----Original Message-----

From: John Friel <JFriel@hntb.com>
To: bbfengr@aol.com
Sent: Fri, 29 Jun 2007 8:42 am
Subject: Teaming for Detroit TSC Proposal

Bellandra

I understand the Detroit TSC is revising and re-advertising the Jason Voigt as-needed contract with a much larger \$ amount. Would you be interested in teaming with us on this re-submittal? I know you submitted as a prime last time, but a revised team may be advantageous to both of us.

Please let me know if interested.

Enjoy your time off. I will be out until next Friday July 6, 2007 but will be checking email.

Thanks
John

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying this e-mail is strictly prohibited.

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.

Bellandra Foster

From: Victor Frendo [VFrendo@HNTB.com]
Sent: Tuesday, October 26, 2010 9:18 AM
To: 'Gray, Thomas L.'; 'Steven Drummond, P.E.'; 'bbfoster@bbfes.com'
Subject: FW: Price Proposal
Attachments: BBF Cover Sheet 10-26-10.xls; SOMAT Cover Sheet 10-26-10.xls; FTC&H Cover Sheet 10-26-10.xls

Importance: High

All,

For uniformity purposes I have changed the cover sheets to reflect Victor's requests, sign the attached and overnight them to my Allen Park office. Please do not make any changes to these documents.

Thanks

Victor W. Frendo

HNTB Michigan, Inc.
18805 Wick Road, Suite B
Allen Park, MI 48101
(313) 383-2124
Fax (313) 383-1686
Mobile (313) 790-0663
www.hntb.com

-----Original Message-----

From: Victor Judnic [<mailto:judnicv@michigan.gov>]
Sent: Monday, October 25, 2010 4:19 PM
To: Victor Frendo
Subject: RE: Price Proposal

Also, we are getting our paperwork together to rush this for the December ad-board.

>>> Victor Frendo <VFrendo@HNTB.com> 10/25/2010 4:15PM >>>
I will take care of this.

Thanks

Vic

-----Original Message-----

From: Victor Judnic [<mailto:judnicv@michigan.gov>]
Sent: Monday, October 25, 2010 4:13 PM
To: Victor Frendo
Subject: Price Proposal
Importance: High

**** High Priority ****

Victor,

Here are some comments which require re submittal and followup info:

HNTB, Somat and BBF need to show the same project description as FTCH, any pages asking for a project description. This contract is not limited to M-39 Reconstruction.

The HNTB Rental Vehicle cost is very high? How about we add 2 leased vehicles and if we use them part-time MDOT is ahead? We may discuss.

The HNTB Leased Vehicle Mileage seems very high?

May we get a breakdown of the environmental testing equipment?

FTCH control section and job numbers need to show: various, various (no numbers)

BBF and Somat Cover Sheets: the Basis for Reimbursement and Method of Payment should be filled out only on the right side for subconsultants.

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed.

If you are NOT the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying this e-mail is strictly prohibited.

Avery Williams

From: Bellandra Foster <bbfoster@bbfes.com>
Sent: Thursday, June 07, 2012 2:02 PM
To: Thomas Weston
Cc: Leonard Becker
Subject: RE: I-94 Detroit Analysis of Design Modifications HNTB Project Briefing teleconference - Utility Coordination - BBFES

Tom,

I noted that the subconsultant service to be provided by BBF Engineering Services for the I-94 project consist of Utility Coordination. I am not sure whether you were aware that my company did not receive the renewal for this prequalification category due to lack of past work assignments awarded for MDOT projects in the area of Utility Coordination. Please review the requirements for the provider of this service relative to prequalification and inform me of how you would like to proceed.

Bellandra B. Foster, Ph.D., P.E.

From: Dr. Bellandra Foster [<mailto:bbfengr@aol.com>]
Sent: Thursday, June 07, 2012 1:00 PM
To: bbfoster@bbfes.com
Subject: Fwd: I-94 Detroit Analysis of Design Modifications HNTB Project Briefing teleconference

-----Original Message-----

From: Thomas Weston <tweston@HNTB.com>
To: Leonard Becker <lebecker@HNTB.com>; Daniel Enser <DEnser@HNTB.com>; Peter Kinney <PKinney@HNTB.com>; Alysia Lorincz <ALorincz@HNTB.com>; Tony Migaldi <tmigaldi@HNTB.com>; Eric Morris <EMorris@HNTB.com>; Eric Polvi <EPolvi@HNTB.com>; Matt Simon <MASimon@HNTB.com>; Shaun Winwood <SWinwood@HNTB.com>; 'Canham, Jim' <jcanham@benesch.com>; 'Salman, John' <JSalman@benesch.com>; hhimes <hhimes@hhengltd.com>; 'bbfengr@aol.com' <bbfengr@aol.com>;

'bbfoster@bbfes.com' <bbfoster@bbfes.com>; 'eaustell@comcast.net' <eaustell@comcast.net>

Sent: Wed, Jun 6, 2012 8:13 am

Subject: I-94 Detroit Analysis of Design Modifications HNTB Project Briefing teleconference

To all I-94 Detroit Team members,

The HNTB Team was recently selected to provide Analysis of Design Modifications services on the I-94 Detroit project, from I-96 to Conner Ave! As a member of the HNTB Team you're invited to participate in a briefing call this afternoon to discuss next steps.

Background

HNTB had the opportunity to meet with the MDOT PM, Terry Stepanski, this past Friday (6/1/12) to discuss MDOT expectations. Please review the attached meeting minutes which summarizes Terry's expectations for this contract. Also, attached is additional information about the I-94 Success Management workshop conducted in November 2011, along with a copy of the HNTB proposal schedule and team organizational chart.

Call Agenda:

- Review MDOT's Expectations
 - Scope
 - Schedule
 - Budget
- Priced Proposal Production Schedule/format
- Other?
- Next steps/Planned actions

If you are not able to join this call please let both Peter Kinney (HNTB Deputy PM) and myself know via email, and we'll look to schedule a separate 1:1 discussion with you later this week.

Thanks!

Tom Weston, PE

Vice President

■ HNTB Michigan, Inc.

333 Albert Ave., Suite 333

East Lansing, MI 48823

Tele (517) 333.3330 ext. 15621

Cell (517) 204.2376

Fax (517) 333.9393

www.hntb.com

EXHIBIT 22

Interview Cedric Dargin

October 28, 2010

10:46 a.m.

I interviewed Mrs. Bellandra Foster on Wednesday, October 28, 2010. She informed me that Cedric Dargin had told her that she was in the top 3 during a selection team scoring meeting and that Mark Steucher, project manager, changed her scores. I asked Mr. Dargin if this was true and he responded, "Yes." He said that there were two contracts under consideration, for the meeting held on May 11, 2009:

- (1) Contract 63152-72403 – Cass Avenue in the City of Pontiac, Oakland County. There were 6 consultants considered. Full Construction Engineering
- (2) Contract 63052 Job no.72404 – Square Lake Road from Telegraph to Woodward. There were 7 consultants. Full Construction Engineering

The panel consisted of Mark Steucher, Sean Kerley, Brian Turczynski, and Cedric Dargin.

The following dialogue provides detail of what transpired during the meeting and other information to help determine the merits of Mrs. Foster's claim of discrimination based on race and gender, as follows:

Dargin: I was invited to sit on that selection team. Mark Steucher was the team leader. We were just getting started when Mark got a telephone call and had to leave the team meeting because he was scheduled for a meeting with FHWA that day. He stated that he wanted the team to proceed without him and he would catch up with us once he returned. By the time he returned, the team had already made their selections. Mark was gone probably about an hour and forty-five minutes. Upon reviewing the results he was giving his opinions of the teams choices. And on one of the contracts, the team did select BBF as number 1, the primary candidate. I do not remember which one. Anyway, when Mark saw that he wasn't happy with it.

Hudson: Did he say why?

Dargin: Yes. He said, "I hate her."

Hudson: He actually said that in front of everybody?

Dargin: Yes

Hudson: What was your reaction?

Dargin: I was shocked.

Hudson: Did he say why he hated her?

Dargin: No.

Hudson: So then what happened?

Dargin: What he did was that he placed the consultants in the order that he preferred. I never told Bellandra the part about him saying that he hated her. He did not explain why he said that.

Hudson: Did the others react?

Dargin: They were silent. They did seem kind of surprised, but they did not say anything, because the other two are assistant resident engineers. Sean Kearly is Mark's assistant. And Brian Turczynski is Dennis Cooper's assistant. Both out of the Oakland TSC.

Hudson: What did you tell Bellandra?

Dargin: She saw that my name was on the selection report and she was wondering how things went. I am trying to remember what I told her. I told her something to the effect that she might have had a higher rating before Mark came in... I can't recall exactly, but it was that she may have had a higher rating.

Hudson: She remembers that she was in the top 3.

Dargin: I may have said that. I must have said that he changed the numbers (because Bellandra had knowledge of that).

Hudson: Did you tell anyone else about this incident?

Dargin: Yes. I told Paul Ajegba.

Hudson: What did Paul say?

Dargin: I mentioned it to him on two different occasions. The first time it was in the hall of this building, Metro Region Office, in passing. The next time it was a few months later. I mentioned it in discussion in his office. The second time, he said, "Why didn't you tell me this before? He said, "I don't remember you saying that." I said, "I did mention it to you." He said, "If you did mentioned it to me, I either did not hear you or I did not understand or forgot, otherwise I would have taken some type of action at that time. I believe he either didn't remember or forgot. Because the second time he did do something.

Hudson: What did he do?

Dargin: He asked me about all the circumstances of it. I told him and he said that he talked to the other panel members and they have no recollection of that. He wanted me to talk to Brian and Sean and see if they remembered what happened. Matter of fact, Sean Kerley was in the building a day or so later and he sent him downstairs to talk to me. I asked Sean if he recalled what happened at the selection team meeting. He said, "Involving whom?" He said, "No." I didn't repeat all the essential details of what Mark said, but Sean said he didn't recall. He asked for information on the project and the location and said he couldn't recall the details of the meeting. He doesn't recall which consultants were involved or what consultants were selected.

Dargin: And then I believe I spoke to Brian by telephone and he had no recall. At the selection team meeting, neither Brian nor Sean were familiar with BBF. We were told to select based on the proposals that were submitted. Both thought BBF was the best of those we had to consider.

Hudson: Why did they think BBF's proposal was the best?

Dargin: Because we had a list of factors such as Understanding of Project, Qualification and Experience of Staff. These were the two main criteria.

Hudson: Were you swayed by any other factors?

Dargin: I did not tell them that I was familiar with BBF or share past experience with them. They were completely unbiased.

Hudson: Do you know if Paul told anyone else?

Dargin: I am not aware of that. It is my understanding that Paul did take some additional action. He probably told Mia Silver the TSC Manager. From that point forward, Mark Steucher was not allowed to sit in on any other contract selection teams.

Hudson: Do you know if Mark Steucher is friends with Victor Judnic?

Dargin: I don't know that. I never see them talking together.

Hudson: Have you felt any repercussion since bringing this forward?

Dargin: No, however, Mark doesn't speak to me when he sees me anymore. We had a fairly good relationship prior to that. We have served on different teams or committees prior to that, but not on any selection teams prior to that.

Hudson: When he said he hated her, what was his affect/demeanor?

Dargin: He was going through the names. He said, "BBF." "No." "I hate her."

Hudson: Did it seem like a joke?

Dargin: He wasn't smiling or laughing. He said it in a matter of fact way.

Hudson: What was Paul's classification at the time?

Dargin: He was Deputy Region Engineer for Metro at the time.

Hudson: Did he tell Tony Kratofil about it?

Dargin: That I do not know.

Hudson: Did they inform Greg Johnson?

Dargin: I don't know that.

Hudson: How did you feel about this when it happened?

Dargin: I felt that it was something that was not fair and figured I had to tell someone. I told Paul within that week, before the week was over.

Hudson: Did you recognize that was discrimination?

Dargin: I thought so.

Hudson: Had you ever thought Mark was discriminatory before.

Dargin: I knew him to be outspoken. I never worked directly in an office with him.

Hudson: Was Mark ever talked to about it?

Dargin: He was prohibited from being on any more consultant selection teams. I heard he was in some additional trouble.

Hudson: Do you think BBF has been given a fair shake?

Dargin: In that particular instance no.

Hudson: Are you aware if any other engineers who feel that way about her?

Dargin: I have never heard anyone else express something like that.

Dargin: She has told me different things that have happened.

Hudson: When did you tell Bellandra?

Dargin: It was sometime after I discussed it with Paul. I would guess it was within a month of that time. It was after I had spoken with Paul. And the reason I told her was that since I hadn't heard anything else from Paul, I thought maybe nothing was being done, or was not sure anything was being done.

Hudson: When did you know they had removed him from selection teams?

Dargin: Sometime after we had our second conversation and after Paul had conducted his investigation. So between that time is when I told Bellandra, but I didn't tell her every thing that had happened. I wasn't sure how much I could or should say.

Dargin: She had mentioned to me within the last several years... [Things that have happened and how she felt about it]. I was one of the resident engineers working out of the Detroit TSC when I was replaced by Victor Judnic. And then shortly after that for the last few years she has mentioned different things.

Hudson: Such as?

Dargin: She told me that either Victor said it to her or to somebody else, "I don't think a black woman should make that much money."

Hudson: She told you this when?

Dargin: A few years ago. Sometime after I had left the Detroit TSC. It was sometime between 2003 and 2004. She said she was having a difficult time down there because she would ask for planning meetings and he would refuse to meet with her. I thought that was something that was regularly done with the consultants. Also, she mentioned something about the M10 reconstruction project, around 3 years ago, where she was selected as a prime consultant, that

Victor either did or attempted to cut her contract in half and give some of the work to another consultant. Up to that time I had no idea that he had any attitudes like that.

Dargin: In 2003, I was promoted from resident engineer to region construction engineer. I was on the interviewed selection team that got him hired.

Dargin: Also something else she said, "Some of her employees were not very well liked at the Detroit TSC – black male employees." I recall back then, several years ago, where she was attempting to get some work out of the Taylor TSC, someone from Taylor made a negative comment about Charles Covington, about his quality of work. I read that and I was surprised, and I stated that I had the opposite experience that Charles Covington was a good worker, who did good work and worked independently. As a result of that I believe that he was accepted for whatever work he was trying to get at the time. I did write an email on that. I may be able to retrieve that. It was in response to an email that was sent around saying disparaging things about him.

Hudson: Who sent that email?

Dargin: I think it was someone from the Taylor TSC. It was somebody from construction. I can't recall the name. Because Bellandra mentioned that she was having difficulty getting work at the Taylor TSC at the time.

Dargin: I know that she has been having difficulty back from 1997, since she first started. She is very qualified, acts in a professional manner, and has well qualified staff. Dargin: I believe her first consultant contract was with me in 1997. I was a resident engineer, prior to us being organized into TSCs, so what happened was that I was the primary resident doing contract work in Detroit. We were short staffed as were quite often, and we were told to advertise for consultant assistance. At that time BBF was the only consultant that applied. Back at that time, we knew that other consultants didn't want to work in the city of Detroit. We heard that Lansing announced that BBF had the contract, and so I recall that, I told Denoris Everett, now resident engineer at Macomb TSC. So anyway, BBF did start work, and when I came back to work after a few days off, Den Everett said he received a call from Lansing stating that we had to send the BBF staff home. Which Den did. The reason being was that the contract was not yet authorized. We were not familiar with that process, and since we were not familiar with the process, Kathy Hulley said to send them home until we have it authorized. I spoke to Kathy who said that she understood that the contractor had started to work, and she could send another consultant until BBF is authorized for that contract. I said, "No." We will just wait. I thought, "How could they get another consultant into work when no one was authorized?" I believe Kathy wanted to bring in HRC. Then what happened after BBF started working on our project, I remember for quite a long time that her payments were slow from Lansing. She would submit the invoices to us and we would promptly submit them to Lansing, and it would be months before she would get paid. I asked her how she survived. Most of her staff were retired MDOT employees and she said that she would pay them when she gets paid and that is how she survived. She told me that she was making phone calls to executive people in Lansing on a regular basis.

Hudson: What people?

Dargin: Well, one name I recall is Jim Culp. She made numerous calls to Kathy Hulley. I do know that Kathy was swamped at the time. I don't know how long it took others to get paid. It was a new process that started up. So, I don't know who all she called, but she was calling everybody so that she could get paid.

June 2010 – Current Concern

Dargin to Hudson: Are you aware of the issues she had at the Detroit TSC?

Hudson: [Not sure what concerns he meant]

Dargin: She was a sub consultant down at the Detroit TSC. Her invoices were not being processed in a timely manner by URS – Mike Guter. She made complaints to the TSC, then to Paul Ajeba and Tony Kratofil. Paul wanted me and Gian Taneja to go down to the TSC and interview Victor Judnic and Mike Guter (URS). And he wanted us to make a report to him what we saw. It is my understanding she made the complaint to Paul and Tony.

Hudson: What was the result of your meeting?

Dargin: The result was that we did interview them. We had some prepared questions – me and Gian Taneja. And so, Gian gave me his notes and together I combined them with my notes and we sent a report to Paul. The conclusion was that the consultant, URS, did experience some payment delays within the MDOT payment system, and payment problems with the URS payment process caused further delays. Mike Guter suggested in the future that BBF invoices could be processed faster if they were sent to the URS office in Texas (sub consultant invoices would be processed faster in Texas).

Hudson: And this was how long ago? End of June 30, 2010.

Hudson: Do we have concerns about other consultants getting paid?

Dargin: A few years ago we did, because some of them worked beyond their budget, and then would request back payment from MDOT, then MDOT decided to put a stop to this – they would have to track their budget. They set a date and said that anyone going beyond their date would not get paid. I haven't heard any other... except, one other is Delora Hall (black female). She is a PR consultant in Oakland and Macomb Counties. She complained of slow payments being an MDOT sub-consultant, this year.

Hudson: What was the outcome? She said that she thinks that MDOT needs to streamline their process because it takes up to 120 days and that should be stream lined some how. She could have gone bankrupt but she borrowed money from family members. She said she talked to people in Lansing and talked to Myron Frierson. And she said that he tried to help her. He looked at all the invoices. She said payment was being hung up by MDOT. Myron reviewed payment records with her and said MDOT had paid the prime, but she had not received the money from the prime. Officially we do not deal with the subs because they are not under contract to us per se. Later it was determined that the prime had not been paid by MDOT and Myron had the wrong information.

Hudson: And was she subsequently paid?

Dargin: I called Carol Rademacher and she said that the prime was expected to be paid by MDOT on October 14, 2010.

Hudson: Do we know if Ms. Hall has been paid to date?

Dargin: That I do not know.

Dargin: The reason I get involved in this is that I have been designated as the DBE technical representative. We reorganized since we lost our DBE consultant technicians. We did have working for us two consultants, or two technicians who had contracts through MDOT, who were former MDOT employees - Larry Douglas and Love Charles. Love Charles did double duty. He retired out of Detroit TSC. I heard that he was not received very well. He worked for me prior to his retirement and then as a consultant and he was very efficient.

Hudson: Why did he have a hard time down there?

Dargin: I don't have direct information, but what I hear is that Victor didn't care for him.

Hudson: Who did you hear that from?

Dargin: Bellandra.

Hudson: Did she go into detail?

Dargin: She said something about Victor complaining about the quality of his work... something along those lines. As a result of using fewer consultants within the past year, that function of DBE Technical Services was transferred to me and my staff. I wanted to keep both Love Charles and Larry Douglas.

Hudson: The decision came from whom?

Dargin: I don't know who made the ultimate decision. The news was brought to us by Paul Ajegba. The reason I wanted to keep those two guys is because they had been doing it since the 80's and they were good at it. The two that are named on the DBE contact list for Metro are fairly new to the DBE Program and haven't been trained in it, and they have other duties that consume 95% of their time, so they don't have a lot of time to spend on DBE Technical Assistance. Jeffery Grossklaus and I primarily perform the DBE technical services along with our other duties.

Hudson: What is the function of the DBE Technical Services consultant?

Dargin: They are an advocates for the DBE Program, primarily working with DBE contractors and assisting them with problems they may experience in preparing bids or once they get on the project in helping them to resolve any problems they may experience on the project such as, prompt pay, technical issues with plans or specifications of the contract; also we resolve issues that arise between the resident/project engineer and the DBE contractors. DBE Technical Assistance is a requirement of the federal regulations. Additionally, we participate in workshops sponsored by the Office of Business Development in training exercises for the DBEs. So anyway, we've been assisting lots of DBE contractors with all kinds of issues.

Hudson: Do the DBE's know that they can complain under Title VI?

Dargin: I am not sure if they understand that or not?

Hudson: I think that would come under Pat Collins. I have been assisting the program since back in the 80's and I don't hear any conversation about Title VI. We had an FHWA review on

AARA projects this past summer and it revealed that MDOT resident engineers are not knowledgeable about the DBE Program. Non-DBEs and DBEs are experiencing prompt pay problems. There is one that recently went out of business complaining about prompt payment issues.

Hudson: Who was that?

Dargin: It was Coleman Heavy Construction Inc. He had two complaints with prompt pay. One out of Macomb, on M3 – Gratiot Avenue, and his other was on local government project in University Region, Plymouth Road. I couldn't give him much help. Based on the investigation, he had not submitted timely, certified payrolls. He ran into cash flow problems and eventually had to walk off of both projects. Now if he were more knowledgeable about the process, he would have not had that problem. DBEs are educated through workshops. He should have contacted DBE resources, but didn't. I heard he was an MBA but he didn't have much construction experience. He needed some training and may not have taken advantage of it.

Dargin: Mr. Dargin called me from his cell phone on October 29, 2010, to correct the information on Coleman Heavy Construction. Mr. Dargin left me a voicemail stating that Mr. Coleman Brown was the contractor but he was not a DBE. He refused to join the DBE Program.

E-mail dated October 29, 2010, from Cedric Dargin

~~I would like to make a correction to my interview with you yesterday. Previously, I stated that Coleman Heavy Construction Co. was a DBE Contractor. I do recall now that in past conversations with Coleman Brown, President of the company, that he stated that he refuses to join the DBE program because he thought that there were certain benefits from not being a DBE Contractor. He perceived the benefits for example, as being able to receive direct help from a prime contractor, which is the Program restricts.~~

Not being a DBE member may have greatly contributed to his misunderstanding of how contractors get paid. Particularly, that certified payrolls must be submitted to the prime contractor then to the Engineer to be eligible for payment.

I have never met Mr. Brown in person but we have had numerous telephone conversations about his difficulties in getting paid on the two projects previously mentioned.

EXHIBIT 23

Interview Marilyn Caldwell

I interviewed Marilyn Caldwell on November 9, 2010, at approximately 9:00 p.m., by phone. Mrs. Caldwell has been Mr. Victor Judnic's secretary for the past 5 years. Mrs. Caldwell provided the following information:

I asked Mrs. Caldwell if she recalled talking with Dr. Bellandra Foster about Victor Judnic in 2006; more specifically did she recall the following conversation that Dr. Foster said she had with her, to wit:

"In 2006 Victor's secretary, Marilyn Caldwell overheard him make a comment. She told me he said [that], "No woman or no black woman should be making money like this." "I have a note to the file." She said she confronted him on it and said she told him, "You act like she makes up the rules here." "You don't have problems when other firms submit invoices, but you have a problem with everything she submits."

At first Mrs. Caldwell stated that she can't be 100% sure. She said, I "kinda-sorta" remember. Mrs. Caldwell was hesitant and said, "I know he says a lot of things." I asked Mrs. Caldwell if she had spoken to Dr. Foster recently. She said, "I can't say what month - it was warm outside." I was standing by the truck. I sensed Mrs. Caldwell's reluctance to talk to me. I again asked her if she could verify Dr. Foster's allegation, and read it to her again.

Mrs. Caldwell recalled part of the conversation with Mr. Judnic. She remembered that he stated that, "No woman should be making money like that," but added that she did not know if he said black woman. However, since Dr. Foster was the only black female consultant firm that Mr. Judnic was using, she surmised it was BBF that he was referring to. She did not recall saying, "You don't have problems when other firms submit invoices, but you have a problem with everything she submits." Rather, Mrs. Caldwell said, "I told him she doesn't make the rules. You shouldn't blame her." I asked if Mr. Judnic responded to her statement. Did he get upset when you challenged him? Mrs. Caldwell said that he did not and she just walked away. I asked her if she was surprised by what Mr. Judnic said, and she responded, "I was surprised." She went on to say that this is America and everyone is entitled to make a living. She said that it is not easy being female [in the construction business].

I asked Mrs. Caldwell where she and Mr. Judnic were standing when the comments were made. She said that they were standing in the hall way outside of his office. Mrs. Caldwell did not recall if others were present at the time or if she might have been coming out of his office. She said that she really didn't think anything about it, but added, "I just know that she is being treated unfairly." Mrs. Caldwell said that Bellandra has a right to file a complaint. She said that she has heard some of Victor's assistants making comments about BBF. Mrs. Caldwell has heard them say, when BBF did not get a contract, that she would get the next one, when in Mrs. Caldwell's opinion she was qualified and should have gotten the one under consideration. She said that they were

trying to rate her low. Prior to Mr. Judnic's arrival, BBF was getting contracts. She said that they talked about Love Charles, who was doing a great job in his consultant capacity. She also shared that she has heard some of the assistants to Mr. Judnic say, "We'll give her a contract just to shut her up." Mrs. Caldwell said that she would ask his assistants, Sharleta Paris, Steve Griffith, and others, why BBF was not selected. She said that Steve Griffith would say that he doesn't want to get involved.

I asked Mrs. Caldwell if she shared Mr. Judnic's comment with Dr. Foster, and she said that she did tell Bellandra, but doesn't recall when. I asked if she had spoken to her recently. She said that it could have been the last time she was in the office [Summer 2010]. Dr. Foster asked her if she would make a statement.

[Closer to her own circumstances] Mrs. Caldwell said that she just wants to work in peace. She said that sometimes Mr. Judnic "gives me hell." She said that staff walks around on pins and needles since he came. They have to consider whether he is having a bad day or not. Mrs. Caldwell said that at times Mr. Judnic can be mean. She said that she has never had a supervisor yell at her, and on one occasion she went to Rita Screws and complained. She felt that she was being harassed daily, but then it stopped. She recalled another occasion when Victor yelled at her about Tia Schnee's time sheet. She had forgotten to enter it.

I asked Mrs. Caldwell if BBF was still getting contracts. She affirmed that she was. She said that Mr. Judnic liked working with Pat Laughten who is an employee of BBF.

Mrs. Caldwell was aware of the complaint that BBF filed. She stated that she did not think that Mr. Judnic meant any "harm-harm" when he made the statement cited above. I asked her what "harm-harm" meant. She said, "It is just the way he is. "Some men feel that women shouldn't [be in this field]." "They should be at home." "It's kind of like being a male chauvinist."

EXHIBIT 24

Farmington Hills - Ben Brown
Kurt S. *present

Look at originals / compare to copies

- Do We trust the originals + will
the originals answer OCA's questions.

- Show documentation + ^{answer} ~~explain~~
our questions.

EXHIBIT 25

Intentionally Omitted

EXHIBIT 26

BBF

Michigan Department
of Transportation
5100D (07/07)

REQUEST FOR PROPOSAL COVER SHEET

Exhibit D

| | | | |
|---|----------------------------|---------------------------------|-------------------------|
| MDOT PROJECT MANAGER Mr. Victor Judnic, P.E. | JOB NUMBER (JN) Various | CONTROL SECTION (CS) Various | RFP DUE DATE 9/10/09 |
|---|----------------------------|---------------------------------|-------------------------|

DESCRIPTION OF WORK

MDOT Detroit TSC As-Needed Construction Engineering Services

PRIME CONSULTANT
BBF Engineering Services, P.C.

ADDRESS
719 Griswold Street, Suite 820

| | | |
|-----------------|-------------|-------------------|
| CITY Detroit | STATE MI | ZIP CODE 48226 |
|-----------------|-------------|-------------------|

| | |
|-----------------------------|---------------------------|
| PHONE NO. (313) 967-9652 | FAX NO. (248) 262-5777 |
|-----------------------------|---------------------------|

| | |
|---|--------------------------|
| CONTACT Bellandra B. Foster, Ph.D., P.E. | EMAIL bbfengr@aol.com |
|---|--------------------------|

| | |
|---|---|
| FEDERAL IDENTIFICATION NUMBER 38-3362264 | <input type="checkbox"/> INDIVIDUAL OR SOLE PROPRIETORSHIP <input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION |
|---|---|

| | |
|---|---|
| LICENSED TO OPERATE IN THE STATE OF MICHIGAN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | DBE PARTICIPATION GOAL (if applicable) 0 % |
|---|---|

| |
|---|
| CERTIFIED AS A DISADVANTAGED BUSINESS ENTERPRISE (DBE) IN MICHIGAN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
|---|

| SUBCONSULTANT | ADDRESS/PHONE | WORK TYPE OR PREQUALIFICATION CLASSIFICATION | %OF CONTRACT | DBE | |
|-----------------------------|---|--|--------------|-------------------------------------|-------------------------------------|
| | | | | YES | NO |
| URS Corporation Great Lakes | 27777 Franklin Road Suite 2000 Southfield, MI 48034 | Constr. Engg. | 10% | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Surveying Solutions, Inc. | 211 West Park Street St. Johns, MI 48879 | Constr. Staking | 10% | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Somat Engineering, Inc | First National Building 660 Woodward Avenue, Suite 2430 Detroit, MI 48226 | Materials Testing | 10% | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |

| | |
|---|----------------|
| PRIME CONSULTANT SIGNATURE (SIGNER MUST HAVE CONTRACTING AUTHORITY) | DATE 9/9/09 |
|---|----------------|

Identification of Prime and Sub Vendors

PROJECT: MDOT Detroit TSC Consultant Construction Engineering Services including project inspection, construction staking, technical assistance, engineering assistance, quality control testing and reporting, measurement, computation and documentation of quantities, reporting and record keeping and assistance in close out of project documentation. Various projects to be assigned by the MDOT Project Engineer Manager, Victor Judnic, P.E.

Anticipated Contract Start Date: November, 2009

Anticipated Contract Completion Date: November, 2011

REQUIRED PROPOSAL INFORMATION:

IDENTIFICATION OF PRIME VENDOR AND SUB-VENDORS

VENDOR CAPACITY CERTIFICATION DOCUMENT 5100G

CONFLICT OF INTEREST STATEMENT 5100I

DISADVANTAGED BUSINESS ENTERPRISE (DBE) INFORMATION

Prime Vendor



**BBF ENGINEERING
SERVICES, P.C.**

Civil, Construction and Transportation Engineering

BBF Engineering Services, P.C.

719 Griswold Street
Suite 820
Detroit, MI 48226-3311

Phone: 313.967.9652
248.262.5777

Fax: 248.262.5778

Contact: Bellandra B. Foster, Ph.D., P.E.
Email: bbfoster@bbfes.com

Federal I.D. Number: 38-3362264

BBF Engineering Services, PC is an MDOT
Certified DBE.

Primary Prequalification Classifications:

**Bituminous Pavement Inspection
Portland Cement Concrete Inspection and
Testing Services**

Secondary Prequalification Classifications:

**Aggregate Testing
Engineering Assistance
Technical Assistance**

Approved Negotiator:

Bellandra B. Foster, Ph.D., P.E. – President
Email: bbfoster@bbfes.com

BBF Engineering Services, PC is incorporated
and licensed to operate in the State of Michigan.

Sub Vendor



URS Corporation Great Lakes

27777 Franklin Road
Suite 2000
Southfield, MI 48034

Phone: 248.204.5900

Fax: 248.204.5901

Contact: Michael Guter, P.E.

Email: mike_guter@URSCorp.com

Federal I.D. Number: 38-1776252

Primary Prequalification Classifications:

Bituminous Pavement Inspection
Portland Cement Concrete Inspection and
Testing Services

Secondary Prequalification Classifications:

Aggregate Testing
Engineering Assistance
Technical Assistance

Approved Negotiator:

Theresa Petko, AICP – Vice President

Email: theresa_petko@URSCorp.com

URS Corporation Great Lakes is incorporated
and licensed to operate in the State of Michigan

Sub Vendor



Surveying Solutions, Incorporated

211 West Park Street
St. Johns, MI 48879

Phone: 989.227.9212

Fax: 989.224.2729

Contact: Anthony Thelen, P.S.

E-mail: tthelen@ssi-mi.com

Cell: 989.737.2756

Federal I.D. Number: 38-3620839

Surveying Solutions, Incorporated is an
MDOT Certified DBE.

Primary Prequalification Classifications:

NA

Secondary Prequalification Classifications:

Construction Staking

Approved Negotiators:

Anthony D. Thelen, P.S. - Lead Project Surveyor

Email: tthelen@ssi-mi.com

Jeffrey D. Bartlett, P.S.

Project Surveyor

Email: jbartlett@ssi-mi.com

Surveying Solutions is incorporated and licensed
to operate in the State of Michigan.

Sub Vendor



SOMAT Engineering, Incorporated
First National Building
660 Woodward Avenue, Suite 2430
Detroit, MI 48226

Branch Office:
26445 Northline Road
Taylor, MI 48180

Phone: 313.963.2721
Fax: 313.963.2736

Contact: Steve Drummond, P.E.
E-mail: sdrummond@somateng.com

Federal I.D. Number: 38-2639838

SOMAT Engineering, Incorporated is an
MDOT Certified DBE.

Primary Prequalification Classification:

Bituminous Pavement Inspection
Portland Cement Concrete Inspection and
Testing Services

Secondary Prequalification Classifications:

Aggregate Testing
Density Inspection and Testing
Engineering Assistance
Technical Assistance

Approved Negotiator:

G. Ramanujam (Ram) – President
Email: ram@somateng.com

SOMAT Engineering is incorporated and
licensed to operate in the State of Michigan.

Capacity

Capacity Document 5100G is following representing the staff from the following team members:

- ◆ BBF Engineering Services, P.C.
- ◆ URS Corporation Great Lakes
- ◆ Surveying Solutions, Incorporated
- ◆ SOMAT Engineering, Incorporated

Other Interests/Conflict of Interest Statement

The following firms as a member of this team do not represent any conflicts of interest with the services to be provided as outlined in the MDOT Request for Proposals. Conflict of Interest Document 5100I follows.

- ◆ BBF Engineering Services, P.C.
- ◆ URS Corporation Great Lakes
- ◆ Surveying Solutions, Incorporated
- ◆ SOMAT Engineering, Incorporated

Disadvantaged Business Enterprise and Contract Percentages

BBF Engineering Services, P.C.
MDOT Certified DBE
Estimated Contract Percentage – 70%

URS Corporation Great Lakes, Incorporated
Estimated Contract Percentage – 10%

Surveying Solutions, Incorporated
MDOT Certified DBE
Estimated Contract Percentage – 10%

SOMAT Engineering, Incorporated
MDOT Certified DBE
Estimated Contract Percentage – 10%

The MDOT DBE Goal for this vendor request for proposals is listed as N/A.
The total estimated DBE percentage for this team is 90%.

PROPOSAL INFORMATION FOR EVALUATION SCORING:

- A1. UNDERSTANDING OF SERVICE: Pages 1-8
- A2. INNOVATIONS: NOT REQUESTED AS PART OF THIS RFP
- A3. SAFETY PROGRAM: NOT REQUESTED AS PART OF THIS RFP

- B. QUALIFICATIONS OF TEAM:
 - B1. STRUCTURE OF THE PROJECT TEAM: Pages 9-12
 - B2. STAFF SERVICE EXPERIENCE
KEY STAFF RESUMES – SEE EXHIBIT A
 - B3. ORGANIZATION CHART: PAGE 13

- C. PAST PERFORMANCE: Pages 14-18

- D. QUALITY ASSURANCE/QUALITY CONTROL: PAGES 18-19

- E. LOCATION OF SERVICE PERSONNEL: Page 19

CERTIFICATION OF AVAILABILITY OF KEY PERSONNEL

| | | |
|---|----------------------------|---------------------------------|
| MDOT PROJECT MANAGER Mr. Victor Judnic, P.E. | JOB NUMBER (JN) Various | CONTROL SECTION (CS) Various |
|---|----------------------------|---------------------------------|

DESCRIPTION IF NO JN/CS
MDOT Detroit TSC As Needed Construction Engineering Services

BBF ENGINEERING SERVICES, P.C. (Consultant) certifies that the following key personnel are available and have sufficient time to provide the services as outlined in the Request for Proposal for the life of the above project.

| NAME | TITLE | AVERAGE NUMBER OF HOURS PER WEEK ON PROJECT | PHONE NUMBER |
|----------------------------------|------------------------|---|----------------|
| Bellandra B. Foster, Ph.D., P.E. | Vendor Project Mgr. | 10 | (313) 967-9652 |
| Patrick Lawton, B.S. | Technical Asst./Insp. | 40 | (313) 967-9652 |
| Allen Hinchcliff | Inspector | 40 | (313) 967-9652 |
| Ray Stewart | Insp./Technical Asst. | 40 | (313) 967-9652 |
| Willis Stewart | Insp. Technical Asst. | 40 | (313) 967-9652 |
| Charles Latimer | Inspector | 40 | (313) 967-9652 |
| Asia Denson, B.S. | Inspector | 40 | (313) 967-9652 |
| LaKeisha Hamilton, B.S. | Inspector | 40 | (313) 967-9652 |
| Chad Godbout | Inspector | 40 | (313) 967-9652 |
| Jason Jackson | Inspector | 40 | (313) 967-9652 |
| Michael Wilks | Inspector | 40 | (313) 967-9652 |
| Michael Guter, P.E. | Engineering/Tech Asst. | 10 | (616) 574-8477 |
| Jason Fisher, P.E. | Engineering/Tech Asst. | 10 | (248) 204-4923 |
| Peter Bugar, E.I.T. | Inspector | 40 | (248) 204-4942 |
| Anthony Thelen, P.S. | Lead Surveyor | 30 | (989) 227-9212 |
| Jeffrey D. Bartlett, P.S. | QA/QC Surveyor | 5 | (989) 846-6601 |
| Randall G. Heiss, L.S.I.T. | Construction Surveyor | 40 | (989) 227-9212 |
| David J. LaCross, L.S.I.T. | Construction Surveyor | 40 | (989) 227-9212 |
| Steven Drummond, P.E. | Materials QA/QC | 2 | (313) 963-2721 |
| Richard Anderson, P.E. | Materials QA/QC | 2 | (313) 963-2721 |

Any changes in key personnel, including the unavailability of key personnel, must be noted on Page 2 of this form and approved by MDOT by signing form on page 2.

CONSULTANT AUTHORIZED SIGNATURE (Signer must have contracting authority)

Bellandra B. Foster

DATE *9-9-09*

Understanding of Service

General

The Team presenting this proposal consists of the following consulting firms: BBF Engineering Services (Prime), URS Corporation Great Lakes, Surveying Solutions, Incorporated and Somat Engineering. We understand that MDOT is requesting as-needed construction engineering services which include construction inspection, technical assistance, construction staking, quality control testing and reporting, measurement, computation and documentation of quantities, reporting and record keeping for project closeout to assist the MDOT staff with various construction projects assigned to the Detroit TSC and Metro Region. We will perform this work in accordance with the Scope of Services provided by MDOT and at the direction of Mr. Victor Judnic, The MDOT Project Engineer Manager, or his designees. As requested in the scope of services, the Project Team will provide a minimum of the requested number of inspectors, in addition to materials testing staff and surveyors available to work on various construction projects assigned by Mr. Victor Judnic for a two year period between November, 2009 and November 2011. Our Team also understands that we will furnish all services and labor necessary to furnish the as needed Construction Services described herein. All materials, equipment, supplies and incidentals necessary to complete these services, other than those designated to be furnished by MDOT, will be supplied by Our Team. We will coordinate all assignments through the MDOT PEM Mr. Victor Judnic, P.E. or his designee.

The BBF Engineering Services Team is fully experienced and has the staffing capability to perform the Construction Engineering "as needed" services for the MDOT Detroit TSC Projects. The services include providing personnel to perform a maximum of 30,000 hours of construction engineering and related services for various MDOT Detroit TSC projects. All of the key staff proposed within this Team have MDOT project experience.

Our team provides staff experienced in MDOT road and bridge construction in addition to a comprehensive background oriented in MDOT Construction Engineering, Construction Inspection, Technical and Engineering Assistance, Construction Testing, and Surveying procedures. All of the team members have proven ability in responding to aggressive project schedules. We understand the scope, structure and requirements of the MDOT as needed Construction Engineering and Inspection contracts from having successfully completed them for the Detroit TSC in past years. This team of locally-based personnel has accumulated hundreds of years of MDOT construction engineering and inspection experience. We will provide you with efficient project operations, appropriate expertise and sufficient manpower to complete your projects on time and within budget. BBF Engineering Services has the distinction of having one of the lowest overhead rates among MDOT professional engineering consultants. This is extremely important at the present time within the state of Michigan due to the need for governmental agencies to get the best service based upon qualifications and fiscal responsibility.

The Team presented within this proposal will agree to provide, to the satisfaction of the Department, Construction Engineering and Inspection As-Needed Services in the areas which may include roadway construction, bridge construction, communications infrastructure construction, traffic signal construction, roadway lighting, roadway signage construction, underground utility construction, signal, sign and pavement marking construction, CPM construction and general landscaping on an as-needed basis as directed by the MDOT Project Engineer Manager. The assigned staff will provide reporting, measurement, computation, and documentation requirements as directed by the Project Engineer Manager or his designee as referenced in the MDOT Specifications for Construction, plans, proposal, the MDOT Construction Manual, the MDOT Materials Sampling Guide, Materials Source Guide, Materials Quality Assurance Procedures Manual, Density Control Handbook and all other applicable references, guidelines, and procedures manuals and to industry standards.

Understanding of Service

Construction Engineering

The Vendor Coordinator (Bellandra Foster) shall contact the MDOT PEM (Victor Judnic) prior to beginning any project assignments for this contract. The staff within this team has the experience to fulfill the requested requirements to attend any meetings pertaining to design, project partnering, preconstruction issues, progress meetings, utility and permits issues and post construction meetings as requested by the MDOT PEM or his designee. The Consultant shall furnish all services and labor necessary to conduct and complete the As-Needed Services described herein. The BBF Engineering Services team shall also furnish all materials, equipment, office supplies, and incidentals necessary to perform the engineering, inspection, testing and surveying services (other than those designated in writing within the Request for Proposals to be furnished by the Department). The Consultant shall furnish laptop computers and wireless internet cards for staff as deemed necessary by the MDOT PEM. In addition, the Consultant will be required to furnish and maintain three digital cameras for project photo documentation. The MDOT PEM will provide review and approval regarding the type of digital camera to purchase and the assignment of the cameras. The Consultant shall supply and wear personal safety equipment in accordance with MDOT policy while on any project.

This proposal lists key staff categories in accordance with the requests of the Project Engineer Manager (PEM) within the Request for Proposals. The Team structure is also organized to show supplemental staff which details the depth of experience on this team. We understand the PEM will reserve the right to adjust the staff recommendations in the manner he deems as necessary since many of the proposed inspection staff are experienced in MDOT road and bridge construction engineering and inspection.

The BBF Engineering Services team will provide the following Construction Engineering, Inspection and Technical Assistance services as requested by the MDOT Project Engineer Manager. Our proposed staff is highly qualified to perform these duties. These services shall include, but not be limited to the following:

- Provide technical assistance to the MDOT Project Manager for review, analysis and decision regarding Contract Modifications, Contractor Claims and Force Acct. negotiations. The Consultant shall be responsible for all decisions made by their employees, or any sub-consultant for the assigned services. Errors which result in increased project costs may result in a back charge to the consultant.
- Provide technical assistance to the MDOT Project Engineer Manager (V. Judnic) in administering projects.
- The Consultant Technical Assistant shall perform duties as assigned by the MDOT PEM, which may include processing shop drawing reviews and investigating design questions which may arise during construction.
- Check and compute final pay quantities for project plans.
- Provide project close-out and delivery engineer certification.
- Review and finalize as-built plans.
- Review and recommend approval for concrete mixes.
- Check inspector daily reports (IDR's).
- Generate concrete quality assurance documentation.
- Review concrete projects and documentation for quality initiative.
- Review bituminous projects and documentation for quality initiative.
- Review pavement surface ride quality calculations.
- Review construction plans prior to project letting.
- Verify project final field measurements.
- Assist with negotiations with contractors to mitigate or eliminate claims.
- Provide assistance with construction plan interpretation.
- Review survey quality assurance plans.

Understanding of Service

Construction Engineering (cont'd)

- Research and advise MDOT PEM, Delivery Engineer(s), Assistant Delivery Engineer and MDOT Construction Technician 11 and 12 on various issues.
- Review, research and solve complex field problems.
- Coordinate and provide inspection for projects Wayne County Department of Public Services (WCDPS) traffic signal unit, Detroit Public Lighting Department (PLD) and the Detroit Water and Sewer Department (DWSD).
- Provide coordination, contact, public relations and cooperation (as requested by the MDOT PEM) with affected local, state and/or federal agencies, including the Department Personnel, FHWA, other Consultants and Contractors, the public, utilities and local emergency services which may be affected by construction Projects.
- The technical assistant may be requested to arrange and conduct progress and periodic meetings, in addition to preparing and distributing meeting minutes. Technical assistant shall be requested to periodically arrange, attend, conduct and prepare meeting notes as requested by the PEM.

Engineering/Technical Assistance Provided by Professional/Project Engineer:

This team offers extensive technical expertise in all areas of MDOT construction engineering. The depth of technical expertise gives the Detroit TSC an opportunity to draw on that experience on an as-needed basis. The engineers that are offered are intimately familiar with how the Detroit TSC operates, having worked on large construction projects with them for over four years. Some of the areas where engineering and/or technical assistance can be provided include the following:

- For assisting with project administration, the project engineers will be available to provide assistance by being available to chair contractor meetings, write meeting minutes, proactively prevent construction issues, resolve construction issues, resolve conflicting information, perform construction schedule reviews, monitor progress, prepare work orders, assist with contract modifications, exercise cost containment, and negotiate with contractors.
- For processing and performing construction submittal reviews, the consultant professional/project engineer will understand what submittals are required, make sure that the contractor is providing those submittals, understand who is responsible for reviewing the submittals, distributing the submittals to the reviewers, receiving comments, tracking the submittals, and finally distributing final approved submittals. A website is recommended that will serve to distribute and tracks the submittals.
- For investigating design questions, the consultant professional/project engineer will first review the original contract documents, understand the design intent that may require communication with the designer, formulate solution options, coordinate solutions with the contractor, and offer recommendations to the PEM. The consultant will also be available to coordinate necessary design changes, as requested.
- Perform constructability reviews of Detroit TSC projects, and subsequently provide comments and prepare reports of these reviews. The team has extensive experience performing constructability reviews, including numerous large projects designed by URS and their constructability review contract for the University Region. In addition, BBF Engineering Services has provided staff to the Detroit TSC for a range of technical assistance services for over seven years.
- Conduct Reviews of the consultant, MDOT or Local Government project files for compliance with the oversight policies of the FHWA and good record keeping standards.
- Collect copies of tests or reports and conduct random quality reviews of documents generated by the consultant team. BBF Engineering Services shall coordinate and obtain the approval of the PEM on the type AND amount of tests or reports to be collected and reviewed.
- Assist the MDOT PEM in the coordination of necessary project design changes.

Technical Assistance Provided by Lead Construction Technicians (10+ Years):

This team also offers several Lead Construction Technicians with a minimum of 10 years of MDOT construction experience to provide technical assistance on projects overseen by the Detroit TSC. Some of the areas where technical assistance can be provided by Senior Technicians include the following:

- Review Force Account Submittals
- Review Final Field Measured Quantities
- Assist in the drafting of Contract Modifications and the review of project extras and overruns
- Conduct Reviews of the consultant, MDOT or Local Government project files for compliance with the oversight policies of the FHWA and good record keeping standards
- Attend Meetings as requested by the MDOT PEM or his designee
- Review project drawings and perform constructability reviews for projects assigned by the PEM and report review results
- Assist with project close out
- Work closely with MDOT technicians to review and finalize quantities and contract modifications
- Provide on-site inspection expertise and supervision of co-op inspectors
- Collect copies of tests or reports and conduct random quality reviews of documents generated by the consultant team. BBF Engineering Services shall coordinate and obtain the approval of the PEM on the type and amount of tests or reports to be collected and reviewed.

Construction Staking/Surveying:

This Team provides a highly experience company certified in Construction Staking who is capable to meet the surveying needs of MDOT. Surveying Solutions, Incorporated (SSI) will provide construction staking services on this project in accordance with the Contractor Staking item, which will be included in the Construction Contract. The Consultant (BBF Team/SSI) will NOT be required to perform the Contractor Staking as defined in the Special Provision or 2003 Standard Specification for Construction. It is our understanding that we will perform all staking in accordance with MDOT Standards to be performed by the Engineer as indicated in the 2003 Standard Specifications for Construction. SSI understands they will be responsible for reviewing information to ensure accuracy and compliance with the contract documents. If problems are found, SSI will work with the Project Team to resolve any plan errors, discrepancies or omissions identified by the Contractor and/or Vendor and notify the MDOT Project Manager and Prime Vendor Consultant. SSI will provide staking services throughout the project including performing verification of project control prior to construction, verification staking services during construction, and office work to transmit information in an effective format to benefit and assist the Project Team. In addition to the minimum verification staking indicated in the specifications and the MDOT Construction Manual, the Consultant shall verify the Contractor's bench loops and verify the "as constructed" plan information provided by the Contractor and incorporate it into the final As-Constructed plans as deemed necessary by the MDOT PEM.

During construction, our team leader will schedule crews to meet the needs of this contract. Field crews will perform all requested verification staking tasks in a timely manner and will be familiar with the standard construction practices of the Department, other project-specific documents, and any other references, guidelines, procedures or manuals needed to carry out the work described herein. We will verify all plan grades, sewer invert and outlet grades, top of casting grades, and alignment data to be sure that the information makes sense with existing conditions. We will discuss any potential conflicts with the MDOT PEM and Vendor Project Manager as soon as possible. Our field crews will complete staking documentation that will be legally bound, signed, checked, and dated. As necessary, the field notes can be provided at any time. At the direction of the MDOT PEM and Team Prime Consultant, SSI staff will routinely meet with the MDOT Project Team to ensure all necessary staking tasks are being completed and all potential conflicts are being worked on or resolved. A constant line of communication between all personnel will keep the contractor moving forward without claims of time loss, thus saving MDOT valuable money in the end. Most of SSI's work consists of Staking for MDOT TSC's. We understand and adhere to the MDOT 24 hour staking request policy. We strive to keep field crews circulating in every area, enabling us to mobilize a field crew to a

Understanding of Service

Construction Engineering (cont'd)

staking request very promptly. All SSI field crews understand the importance of communication when making even small changes. If any change is made, no matter how small, we will contact the MDOT PEM (or his designee) and the team prime consultant, detailing the change.

When verification staking tasks are complete, SSI will quickly finalize and return project-specific materials in a neat and orderly manner. We will provide the information in a format that is effective and clear, so field personnel will easily be able to utilize the information. We will perform as needed preliminary staking tasks and measures needed to allow the contractor to begin performing construction. These tasks will include (but are not limited to) right-of-way staking where needed, establishing horizontal and vertical control, cross-sectioning for tie-ins, verifying under clearances, reviewing plans for possible errors, field checking invert elevations, etc. Our field crews will complete staking documentation that will be legally bound and dated.

When survey projects are complete, we will finalize and return project-specific materials in an efficient and orderly manner. SSI has the ability to provide services to include (not limited to) verification of the following:

I. CONTROL

- A. Horizontal and vertical control at each project site.
- B. Re-establish horizontal and vertical control where necessary.
- C. Location of centerline control and right-of-way corners
- D. Witness all control and government section corners within project area.

II. BASE TOPOGRAPHIC SURVEY

- A. Conducted at all bridge approaches (as requested).
- B. Conducted where ramp work and improvements are being made (as requested).
- C. To locate elevations for drainage and installation of all proposed cross tiles (if plans do not provide invert elevations).
- D. Profile areas of roadway where necessary to verify proper paving of all super elevation grades.
- E. Locate all right-of-way fence that is being replaced so as to layout for installation at its original location.

III. CONSTRUCTION LAYOUT FOR PROPERTY

- ~~A. Rough Grading~~
 - 1. Layout according to MDOT Specifications for sub-grading of roadway base.
 - 2. Layout of all bridge approaches and ramps.
- B. Final Grading
 - 1. Layout according to MDOT Specifications for final paving.
 - 2. Layout of bridge approaches and ramps.

IV. CONSTRUCTION LAYOUT OF BRIDGES

- A. Layout of bridge work in accordance with MDOT Specifications.
- B. Provide necessary layout as it pertains to each bridge.
- C. Obtain cross section profiles at all connections to existing roadways and bridges to verify plan tie-ins and check plan grades versus field verification at all bridges for underclearance as deemed necessary by the PEM.

V. MISCELLANEOUS CONSTRUCTION LAYOUT

- A. Layout of all necessary signage (temporary and permanent).
- B. Layout of all right-of-way fences that are being replaced.
- C. Verify plan grades for sewer invert and outlet grades, top of casting grades and ditch and other drainage grades.

VI. AS-BUILTS

- Profile updated information for as-built plans.
- A. Verify measurements bridge clearance of overpasses.

Understanding of Service

Construction Engineering / As-Needed Inspection

Our experienced project team is committed to completing the Construction Inspection Services in accordance with MDOT. Our inspection areas of work will include but not be limited to the following:

- Perform functions as the assigned project inspector consistent with the Department's practices and in accordance with the MDOT specifications, plans, proposal, Michigan Construction Manual, Materials Sampling Guide, and any other applicable references.
- Monitoring and documenting all work in conformance with the contract documents.
- Providing necessary communication and correspondence with the MDOT project engineer manager, MDOT senior technician(s), and construction contractor. Provide project documentation using the MDOT FieldBook Program.
- Provide utility inspectors qualified and experienced to inspect facilities for City of Detroit public agencies including Detroit Public Lighting and Detroit Water and Sewer Department in addition to MDOT freeway lighting, MITSC, pumphouse construction and traffic signal upgrading projects.
- Perform special inspections within the construction influence areas as directed by the PEM.
- Vendor shall furnish materials, equipment, supplies and incidentals needed to conduct the required field inspections, observations and field testing services.
- Complete all measurements and calculations necessary to determine various quantities eligible for payment under the respective pay items. Inspectors shall be prepared to turn in pay items on a daily basis to the assigned office technician.
- Maintain and keep records of construction work performed by the contractor.
- Keep the MDOT Project Manager (V. Judnic) and his designee(s) advised of unanticipated issues and changes that may result in extras or contract adjustments.
- The BBF Team shall have the sufficient number of qualified and experienced technicians to be assigned to projects to perform the services in a quality manner to avoid any delay to the Construction Contractor. Personnel performing inspection and testing on bituminous, Portland cement, aggregate, or for density shall have the appropriate certifications and levels for the inspection and testing that is being performed.
- Notify the MDOT Project Engineer Manager, or his designee of site issues to be addressed and resolved in a timely manner. Notify the MDOT Project Manager or his designee when issues related to lack of general contractor progress occur.
- In the event that an assigned inspector witnesses a field construction condition that could be deemed as unsafe, the inspector shall contact the contractors' field supervisor and the MDOT Project Engineer Manager or his designee.
- Review and confirm acceptability of material certificates that are submitted by the contractor.
- Prepare and submit required periodic, intermediate and final reports required under the engineering services contract scope.
- Provide project documentation to the department with respect to contractor claims.
- Label, update and appropriately identify required information on MDOT as-built plans in order to compute final quantities for accurate completion of project final close-out.
- Monitor project site conditions and address issues such as cleaning streets, dust control, and environmental issues caused by the project.

- Verify placement of erosion control measures and maintenance during the project duration.
- Ensure traffic control is properly placed and maintained during the project duration.
- Perform inspection of the construction site to assure that proper soil erosion and sedimentation controls are in place. An MDEQ certified NPDES Stormwater Operator shall be assigned to inspect and document the project per the NPDES requirements (Personnel performing inspection on areas where soil and erosion control are needed, must have completed the Soil Erosion Control Training). Any violation of the NPDES permit by the Construction Contractor must be immediately reported to the Project Engineer Manager or his designee.
- Complete a final inspection of all work included in the Project, or such portions eligible for acceptance, after notification by the Construction Contractor that the work is completed or after the Consultant's records show the work is completed. The final inspection shall include notifying the MDOT PEM and Construction Contractor in writing (as requested) of particular defects to be remedied if work is not acceptable to the Consultant and MDOT. Provide inspection of projects for timely completion of final cleanup, punch list items and traffic control.
- Ascertain that every part of the Project has been performed in accordance with the plans and specifications, or such modifications that have been approved, and make recommendation for Project acceptance. Ensure that the Project Engineer Manager and other Department personnel, as directed by current Department policy, participate in the final acceptance process.

For all Construction Engineering Services, the Consultant's principal contact with the Department shall be through the designated Project Engineer Manager, Mr. Victor Judnic. The Consultant team shall comply with all applicable Federal and State laws, rules, and regulations. The Consultant shall perform field operations in accordance with MIOSHA regulations and accepted safety practices.

Understanding of Service

Construction Engineering / Quality Control Testing and Reporting

- **Material Testing and Density Control:** Sample and/or test materials including but not limited to, concrete quality assurance testing including concrete cylinder breaks, bituminous; off-site aggregate testing, on-site aggregate density testing and reporting, furnish on-site inspections and tests of and concrete aggregates, testing of required materials according to *Material Sampling Guide* to be incorporated in the work, and reject Construction Contractor's work and materials not meeting the Specifications, Plans, Proposal, the Michigan Construction Manual, the *Materials Sampling Guide*, Materials Quality Assurance Manual, and any and all other applicable references, guidelines, and/or procedures manuals. Determine the acceptability of materials found to be in non-compliant work and trends toward borderline compliance.
- **Material Certification:** Make certain that acceptable test reports and/or material certifications from the supplier have been received, prior to the incorporation of materials in the work, for materials tested off the Project site.
- **Material Reports:** Ensure submittal of material test reports, including but not limited, the Inspector's Report of Concrete Placed 1174A, Aggregate Inspection Reports 1900 & 1901, Bituminous QA Reports, Concrete QA Reports, and the "Moisture and Density Determination, Nuclear Method", Form 582B, etc. to the distribution list within one day of testing. The Team members understand that the efficiency of the vendor consultant in getting copies of test reports to the Lansing, Density Technology Unit, 8885 Ricks Road, Lansing, MI 48909 will be measured by that unit and reflected on the Consultant's evaluation.
- **Testing Personnel:** For aggregate, concrete, density, and bituminous testing, the Vendor will utilize only personnel certified according to current Departmental requirements. Personnel will be certified on all projects (not just NHS projects).

Understanding of Service

Construction Engineering / Measurement, Computation, Documentation and Recordkeeping

Measurement, Computation and Documentation of Quantities:

- **Documentation:** Measure and compute quantities, provide appropriate documentation of all materials and items of work completed, and maintain an item record account using FieldManager software. Use the most current available version of FieldManager as the primary system for automation of all required office work.
- **Insufficient Tested Materials:** Track insufficient tested materials and notify the Construction Contractor on a bi-weekly basis.
- **Maintain As-Constructed Plans** for the MDOT Projects showing verified field changes, final utility locations and any subsequent quantity changes. Verify as-constructed plan information that is required to be provided by the contractor. Provide assistance with development of as-constructed plans for other projects within Metro Region, as directed by the MDOT Project Engineer Manager.

Reporting and Record Keeping:

- **Consultant Generated Reports:** Prepare periodic, intermediate, and final reports and records as may be required by the Department and as applicable to each construction project.
 - a) When each vendor invoice is submitted to the PEM, the following table(s) will be submitted: construction contract time elapsed to-date (% versus total construction contract time elapsed), contractor revenue earned to-date (% versus total contract value), and consultant billings to-date (% versus total consultant contract value).
- **Contractor Generated Reports:** Review, process, and/or approve Construction Contractor submittal of records and reports required by the Department as applicable to the Project which may include, but not limited to:
 - a) Working Drawings
 - b) Weekly Employment Reports, Certified Payrolls (Form 1199)
 - c) Contractor's claims for additional compensation and extension(s) of time.
 - d) Other reports and records as required for the individual project by the Project Engineer Manager.
- **Project Files:** Provide all necessary files to the Department personnel for the Department to maintain the project files in accordance with the MDOT File Manual and Departmental procedures. Copy select correspondence and documentation to the Project Engineer Manager which requires immediate attention or action. It is understood that project files will be maintained in the Detroit TSC by Department office personnel.

Closing/Finaling All Project Documentation:

- **Final Measure and Summarize:** Final field measure applicable items of work. Prepare final summaries for applicable items of work.
- **Project Review/Certification:** Participate in and resolve items determined to be insufficient during the Department's review(s) of project records prior to submittal of the Final Estimate.
- **Final Documents:** Assist the Department in the preparation and submittal of the Final Estimate, Final Quantity Sheets, Final Marked As-Constructed Plans, and the Design/Construction Package Evaluation (Form 285-2).

Structure of the Project Team- Vendor Roles

*Key Staff Resumes are shown in Exhibit A
Supplemental Resumes Represented on Organization Chart by Asterisk**

Vendor Roles:

BBF Engineering Services, P.C. (BBF) - Estimated Contract Percentage – 70%

Key Roles: Construction Engineering and Inspection, Technical Assistance, Project Administration

URS Corporation Great Lakes, Incorporated (URS) - Estimated Contract Percentage – 10%

Key Roles: Engineering/ Technical Assistance, Construction Engineering and Inspection

Surveying Solutions, Incorporated (SSI) - Estimated Contract Percentage – 10%

Key Roles: Construction Staking

SOMAT Engineering, Incorporated (SOMAT) - Estimated Contract Percentage – 10%

Key Roles: Construction Testing, Materials and Density Testing

Key personnel will communicate in accordance with the format shown within the organization chart. The PEM will be the principal contact person as specified in the Request for Proposals. The Consultant Technical Assistant(s) shall assist the PEM in administering all aspect of projects, as requested by the MDOT Project Engineer Manager. The Senior Road and Bridge Inspectors shall assist the PEM and/or his designee in project inspection/engineering, completing project documentation, and project close-out.

Structure of the Project Team- Qualifications of the Team

Key Personnel and Roles:

Vendor Coordinator/Vendor Project Manager (Supplemental Staff)- Bellandra B. Foster, Ph.D., P.E. (BBF): Responsibility for coordinating project staffing requests will be the responsibility of the Vendor Coordinator to communicate with the MDOT Project Engineer Manager (Victor Judnic, PE) to ensure staffing needs are met. ~~Providing a (non-billable) Vendor Coordinator will allow the Consultant Project Engineer and Senior Inspectors to focus on the responsibilities directly related to the construction engineering duties of the assigned projects.~~ Bellandra Foster has knowledge of the MDOT organization due to her past employment in the Construction, Utilities/Permits and Design divisions. Her MDOT experience will aid in the ability of the Team to supply as-needed staff for any project need which arises within the jurisdiction of the Detroit TSC.

Technical Assistant and Lead Construction Inspector- Patrick Lawton (BBF): Patrick Lawton has worked as an MDOT technician for 37 years, 7 of which have been as a staff member of BBF Engineering Services. He has extensive experience in all aspects of road and bridge inspection, construction engineering, technical assistance, project administration, project finaling, supervision of inspectors and overall monitoring of construction activities. Patrick has worked as a lead inspector, technical assistant and project administrator for MDOT projects within the City of Detroit, Wayne County and Southeastern Michigan. Mr. Lawton has a B.S. degree in mathematics and numerous certifications and relevant training courses including SESC, MCA/ACI Concrete Certification, Aggregate Testing, Prevailing Wage, Density, HAZMAT and Pedestrian Facilities Accessibility.

Road Construction Inspector / Technical Assistant (Supplemental) - Ray Stewart (BBF): Ray Stewart will be available to serve as a Lead Road Construction Inspector or Technical Assistant. With extensive experience in inspection of MDOT road and bridge projects, Mr. Stewart has a wide range of field and office experience including paving, milling, resurfacing, maintaining traffic, MITSC (Intelligent Transportation Systems) installation and sewer installation projects. He has also been responsible for completing project

administration, technical assistance, project close-outs and project file review for engineering certifications. Mr. Stewart was an MDOT employee for 30 years and a member of the BBF Engineering Services team for 7 years. Mr. (Ray) Stewart has numerous certifications and relevant training courses including SESC, MCA/ACI Concrete Certification, FieldManager, Materials Acceptance and Office Technician.

Road Construction Inspector and/or Technical Assistant- Willis Stewart (BBF): Willis Stewart has extensive experience with MDOT projects and will serve as a Technical Assistant and/or Senior Road Inspector for the requested services. With extensive experience in inspection of MDOT road and maintenance projects, Mr. Stewart has a wide range of field and permit review experience including DWSD, Detroit Public Lighting, Detroit Public Works and Wayne County Public Services. He has also been responsible for providing permit inspection and permit review services as an employee of MDOT for 33 years and a member of the BBF Engineering Services team for 6 years. Mr. Stewart is experienced in the inspection procedures for a wide range of projects including paving, milling, resurfacing, maintaining traffic, sewer installation, and capital preventive maintenance. Mr. (Willis) Stewart has numerous certifications and relevant training courses including MCA/ACI Concrete Certification, Density, Bituminous QA/QC, Aggregate and HAZMAT.

Road Construction Inspector- Charles Latimer (BBF): Mr. Charles Latimer is a road and utility construction inspector due to his extensive experience in inspection of all roadway types, electrical installation, Detroit Public Lighting, Detroit Water and Sewer (DWSD), MITSC, freeway lighting and traffic signal upgrading infrastructure. He has a total of 21 years of experience, 9 of which have been spent working on projects administered within the MDOT Detroit TSC. Mr. Latimer has numerous certifications and relevant training courses including Density, MCA/ACI Concrete Certification and FieldManager.

Road Construction Inspector- Chad Godbout (BBF): Mr. Godbout is a construction inspector with extensive experience providing inspection for a range of MDOT construction projects including road and pumphouse construction inspection. Mr. Godbout has 8 years of inspection experience working on MDOT projects within the Detroit and Wayne County area. Mr. Godbout has earned an A.S. degree in Construction Technology and is certified in MCA/ACI Concrete testing and inspection and has extensive training in inspection of ADA facilities. He is a versatile inspector who is willing and capable of inspecting multiple ongoing projects.

Road Construction Inspector- Jason Jackson (BBF): Jason Jackson is a construction inspector with experience in inspection and testing of MDOT road construction projects. He has numerous construction inspection certifications, in addition to 9 years of inspection experience working on MDOT and related projects. Mr. Jackson will earn an A.S. degree in Construction Technology in 2009 and is certified in MCA/ACI Concrete Certification (Levels I and II), inspection of ADA facilities, Density, Aggregate, Bituminous Lab, Office Technician, Designing Pedestrian Facilities, MDOT Bituminous Paving Operations, and OSHA 30 Hour Certified.

Road Construction Inspector- Asia Denson (BBF): Asia Denson has served as a road construction inspector with 3 years of MDOT inspection experience, including 1.5 years with the staff of BBF Engineering Services. Ms. Denson will provide her expertise as a road construction inspector for the as-needed MDOT services. Ms. Denson has earned a Bachelor of Science in Engineering Technology and will earn a Masters Degree in Construction Engineering Management in 2009. Ms. Denson has numerous certifications and relevant training courses including Density and MCA/ACI Concrete Certification.

Bridge Construction Inspector- Allen Hinchcliff (BBF): Allen Hinchcliff has served as a lead road and bridge construction inspector with 37 years of MDOT experience and 9 years with the staff of BBF Engineering Services. Mr. Hinchcliff will provide his expertise as a bridge inspector for the as-needed MDOT services.

Bridge Construction Inspector- LaKeisha Hamilton (BBF): LaKeisha Hamilton has served as a road and bridge construction inspector with 7 years of MDOT and Local Government inspection experience, including 3 years with the staff of BBF Engineering Services. Ms. Hamilton will provide her expertise as a bridge construction inspector for the as-needed MDOT services. Ms. Hamilton has earned a Bachelor of Science Degree in Engineering Management. She has numerous certifications and training courses including MCA/ACI Concrete Certification, SESC, Michigan Bridge Construction, and Office Management Procedures for Local Transportation Projects.

Bridge Construction Inspector- Michael Wilks (BBF): Michael Wilks has served as a infrastructure construction and structural inspector for 13 years. Mr. Wilks' experience includes pumphouse inspection, structural steel, concrete, building facilities, bridges and overhead cranes. He will provide his expertise as a bridge construction inspector for the as-needed MDOT services. Mr. Wilks has earned certificates in Confined Space Entry and Fall Protection/Lifeline Inspection.

Professional/Project Engineer/Technical Assistant - Mike Guter, P.E. (URS) is available to assist in the areas of project/professional engineering and technical assistance. Mr. Guter has 17 years of professional experience including an extensive background in both design and construction. Mr. Guter is currently working on the \$168 million Gateway #4 reconstruction of I-96 and I-75 at the Ambassador Bridge, providing construction administration assistance to the Detroit TSC. He performed similar tasks for both the \$80 million I-96 from M-39 to Roosevelt corridor upgrade and the \$55 million M-10 Lodge from Jefferson to Greenfield corridor upgrade. Mr. Guter also was the Lead Construction Engineer for the \$140 million M-6/US-131 interchange construction project in Kent County, which included 28 bridges, 18 retaining walls, and 2.5 miles of soundwall. He has been involved in many technical challenges on previous projects and has successfully responded to and resolved these challenges.

Professional/Project Engineer/Technical Assistant - Jason Fisher, P.E. (URS) is available to provide technical and professional engineering assistance. Mr. Fisher has extensive experience performing project engineering on MDOT and local agency projects throughout the Detroit Metro area. Mr. Fisher also has provided construction administration assistance on the Gateway #4 project, which includes Michigan's first cable stay bridge along with many other complex steel structures, and the M-10 Lodge corridor upgrade, including the rehabilitation of 39 bridges. He has recently served as project engineer on an upgrade and widening along US-127 for the Jackson TSC, for the rehabilitation of 4 miles of M-17 in Ypsilanti, and for the installation of a security system at the Blue Water Bridge. Mr. Fisher has valuable experience with projects that included bridge rehabilitation and reconstruction, major facility renovations, intersection widening projects, cold milling, concrete and HMA paving, utility replacement, road reconstruction, and transmission natural gas main installation.

Bridge Inspector - Peter Bugar, EIT (URS) is available to serve as a road and/or bridge inspector. Mr. Bugar is currently working on the \$168 million Gateway #4 reconstruction of I-96 and I-75 at the Ambassador Bridge, specifically focusing on the \$7 million P09 Bagley pedestrian bridge and the Gateway #5 plazas. He also worked on the \$55 million M-10 corridor upgrade project for the Detroit TSC. His role on M-10 Lodge included extensive concrete pavement repairs. He also worked on the I-94 soundwall project in Ypsilanti and bridge upgrades along the Ohio Turnpike. Mr. Bugar's expertise is in construction inspection for roadway, bridge, soundwall, and other surface transportation projects. Mr. Bugar is trained in concrete inspection, HMA inspection, aggregate inspection, concrete testing and density testing. He holds certifications for the latter three.

Structure of the Project Team- Qualifications of the Team(cont'd)

Project Surveyor - Anthony D. Thelen, P.S.

Mr. Thelen has vast experience in MDOT projects. He is responsible for assisting crew chiefs on any questions that arise and help them through difficult staking tasks. He specializes in construction layout, survey setup, setting horizontal and vertical control, calculating quantities, and setting alignment for bridge and road projects. Mr. Thelen also serves as a project manager for all GPS projects for Surveying Solutions and has managed numerous GPS control surveys. Mr. Thelen has a Master's Degree in Surveying Engineering and has spent many project hours providing construction layout for MDOT projects. This experience provides him with the ability to handle very complex and simple layout procedures, while being able to deal with and translate plan and design issues to the Project Engineer. On many projects, he is utilized as a member of the QA/QC team, responsible in making sure that all field personnel are adhering to the plan specifications. As the Team Leader, Mr. Thelen will oversee the day to day operations of the field crews and office personnel. He will be responsible for implementing the QA/QC plan, assuring the field crews are using the proper processes.

Project Surveyor (QA/QC) - Jeffrey D. Bartlett, P.S.

Mr. Bartlett has completed several large MDOT undertakings. He is responsible for special MDOT contracts and has extensive experience working on projects with state and federal funding. He specializes in assisting team leaders with developing and maintaining their quality control plans, developing project scopes, writing project estimates and reviewing completed field work and calculations.

Project Surveyor (Supplemental As Needed) - Randall Heiss, LSIT

Mr. Heiss has four years of surveying experience and has earned a Bachelor of Science in Surveying Engineering. He has provided survey expertise on numerous MDOT projects.

Project Surveyor (Supplemental As Needed) - David LaCross, LSIT

Mr. Lacross has eight years of surveying experience and has earned a Bachelor of Science in Surveying Engineering. He has provided survey expertise on numerous MDOT projects.

Materials and Density Technician- Don Lowry (SOMAT): Mr. Lowry has over 15 years of construction materials testing and inspection experience. He is involved in various construction projects in which his responsibilities include field and laboratory testing. Mr. Lowry has also been involved with providing earthwork, bituminous pavement and concrete quality control testing and inspection. Mr. Lowry maintains numerous relevant certifications.

Materials and Density Technician- Don Cavins (SOMAT): Mr. Cavins has 9 years of inspection and testing experience. He has extensive construction experience working on MDOT projects providing inspection and materials testing for watermain, sewers, pump stations, roadways, bridge rehabilitation, concrete pavement and HMA paving. Mr. Cavins maintains numerous testing and inspection certifications.

Materials and Density Technician (Supplemental) - Matthew Allor (SOMAT): Mr. Allor has 1 year of experience as a testing technician. He will provide field and laboratory testing. Mr. Allor maintains numerous relevant testing certifications.

Materials and Density QA/QC (Supplemental As Needed) - Steve Drummond, P.E. (SOMAT): Mr. Drummond has 10 years of field engineering, inspection and materials testing experience. He will be available to provide management of the QA/QC for materials testing for MDOT construction projects.

Materials and Density QA/QC (Supplemental As Needed) - Richard Anderson, P.E. (SOMAT): Mr. Anderson has 36 years of construction engineering, field engineering, inspection and materials testing experience. He will be available to provide management of the QA/QC for materials testing for MDOT construction projects.

Organization Chart

Reflects Key Personnel Requested by MDOT Project Engineer Manager

Supplemental Staff Are Noted by an Asterisk*

LEGEND

BBF Engineering Services (BBF), URS Corporation Great Lakes (URS),
SOMAT Engineering (SOMAT), Surveying Solutions (SSI)

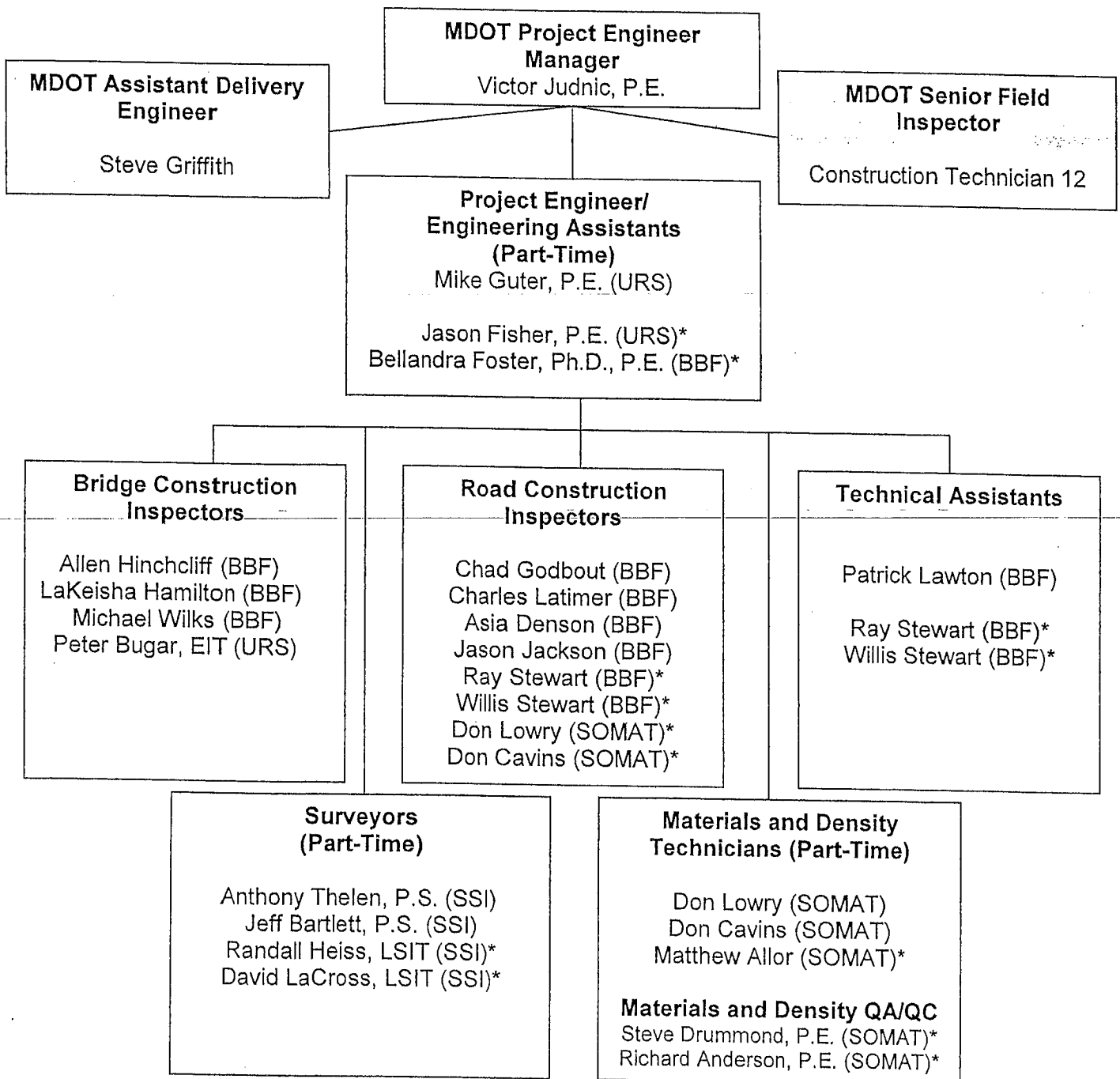


EXHIBIT 27

JASON VOIGT

December 7, 2012

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

* * *

BBF ENGINEERING SERVICES, P.C.,
a Michigan corporation, and
BELLANDRA FOSTER, an individual,

Plaintiffs,

vs.

Case No. 11-CV-14853
Hon. Nancy G. Edmunds
Mag. Laurie J. Michelson

STATE OF MICHIGAN, a Michigan Public
Corporation, MICHIGAN DEPARTMENT OF
TRANSPORTATION, a Department of the
State of Michigan, VICTOR JUDNIC and
MARK STUECHER,

Defendants.

THE DEPOSITION OF JASON VOIGT

The Deposition of JASON VOIGT, taken
before Judith Halprin, CSMR-3202, Certified Court Reporter and
Notary Public for the County of Oakland, Acting in the County of
Wayne, at 535 Griswold Street, Suite 1000, City of Detroit,
State of Michigan, on Friday, December 7, 2012, commencing at or
about the hour of 10:10 o'clock, a.m.

APPEARANCES: AVERY K. WILLIAMS, ESQUIRE
Williams Acosta, PLLC
535 Griswold Street, Suite 1000
Detroit, Michigan 48226
Appearing on behalf of the Plaintiffs.

* * * CONTINUED ON FOLLOWING PAGE * * *

JASON VOIGT

December 7, 2012

Page 4

APPEARANCES, CONT.: MICHAEL J. DITTENBER, ESQUIRE
Assistant Attorney General
Transportation Division
425 West Ottawa Street, 4th Floor
Lansing, Michigan 48913
Appearing on behalf of the Defendants.

ALSO ATTENDING: VICTOR JUDNIC

REPORTED BY: JUDITH HALPRIN, CSMR-3202
Judith Halprin Court Reporting & Video
Telephone: 248.851.3332

1 Detroit, Michigan
2 Friday, December 7, 2012
3 At about 10:10 o'clock, a.m.
4 ***

5 JASON VOIGT,
6 having been first duly sworn by the Notary Public to
7 tell the truth, the whole truth, and nothing but the
8 truth, testified upon his oath as follows:

9 MR. WILLIAMS: The record should
10 reflect that this is the date, time and place set for
11 the Deposition of Mr. Jason Voigt, who was originally
12 subpoenaed for a Deposition in Nevada, who has
13 graciously agreed to make himself available in Detroit
14 for this Deposition today for the convenience of the
15 parties.

16 Mr. Voigt, my name is Avery
17 Williams. I'm an attorney representing Bellandra Foster
18 in some litigation, and BBF Engineering in some
19 litigation that has been filed against Victor Judnic
20 and Mark Steucher arising out of BBF Engineering's
21 dealings with MDOT and the State of Michigan over the
22 course of a number of years.

23 If you would just listen to these
24 instructions, it may expedite this, and get this thing
25 done and over with quickly.

Page 3

| | | |
|----|---------------------------------------|---------------|
| 1 | INDEX | |
| 2 | WITNESS | PAGE |
| 3 | JASON VOIGT | |
| 4 | Cross-Examination by Mr. Williams | 5 |
| 5 | Redirect Examination by Mr. Dittenber | 38 |
| 6 | Recross-Examination by Mr. Williams | 47 |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| 11 | ***** | |
| 12 | EXHIBITS | PAGE # MARKED |
| 13 | Deposition Exhibit Number 1 | 22 |
| 14 | (Title VI Complaint w/Attachments) | |
| 15 | Deposition Exhibit Number 2 | 24 |
| 16 | (Title VI Complaint w/Attachments) | |
| 17 | Deposition Exhibit Number 3 | 27 |
| 18 | (Title VI Complaint w/Attachments) | |
| 19 | | |
| 20 | | |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 | | |
| 25 | | |

Page 5

1 I'm going to be asking you a series
2 of questions today about situations in which you were
3 involved, or where your name has come up. If at anytime
4 you don't understand the question, please indicate you
5 don't understand the question and I'll attempt to
6 restate it or rephrase it so that you give a fair answer
7 to a fair question. If you give me an answer to a
8 question, I'm going to assume that you understood the
9 question, and the answer you've given is the answer
10 you've intended. Is that fair?

11 THE WITNESS: Yes.

12 MR. WILLIAMS: I don't know if
13 you've had your Deposition taken before, but if you have
14 not there is a court reporter here who has to keep a
15 record, so you have to give verbal answers, yes, no, or
16 actually make a statement. She can't take down nods of
17 the head or uh-uh or um-hmm, so I'll try and be --

18 THE WITNESS: Okay.

19 MR. WILLIAMS: Mindful of that, and
20 then this Deposition is to be used for all purposes
21 allowed by the Federal Rules of Evidence, as well as the
22 Federal Rules of Civil Procedure.

23 CROSS-EXAMINATION

24 BY MR. WILLIAMS:

25 Q Could you just state your full name, please?

2 (Pages 2 to 5)

Page 6

1 A Jason Richard Voigt.
 2 Q And you presently live in Henderson, Nevada?
 3 A Correct.
 4 Q And what is your date of birth?
 5 A [REDACTED] 1975.
 6 Q And can you just briefly describe your educational
 7 background?
 8 A I graduated high school in 1998. I attended the
 9 University of Michigan in Ann Arbor.
 10 Q In 1998 from high school?
 11 A I graduated from -- excuse me. I graduated from high
 12 school in 1993.
 13 Q Okay.
 14 A I attended the University of Michigan, and I graduated
 15 with a Bachelor's of Science and Engineering in May of
 16 -- or May or April of 1998 in Civil Environmental
 17 Engineering. I am a Licensed Professional Engineer in
 18 the State of Nevada and Michigan.
 19 Q Do you have any other certifications beyond your
 20 Professional Engineer License?
 21 A I have a Driver's License.
 22 Q Any professional certifications?
 23 A Not -- I believe all of them have -- or have lapsed, all
 24 the professional ones. I don't have any other
 25 professional certifications other than my Professional

Page 7

1 Engineering License.
 2 Q Other than your Bachelor's Degree, do you have any other
 3 degrees of any type, or have you taken any additional
 4 classes toward any other degree?
 5 A No.
 6 Q And you are currently employed by the Nevada Department
 7 of Transportation?
 8 A Correct.
 9 Q And how long have you been employed by the Nevada
 10 Department of Transportation?
 11 A Since late September of 2008. Late September, I don't
 12 remember the exact date, of 2008.
 13 Q And you have been employed by them continuously since
 14 that date?
 15 A Correct.
 16 Q And prior to that, you were employed by the Michigan
 17 Department of Transportation?
 18 A Yes.
 19 Q What is your current title at the Nevada Department of
 20 Transportation?
 21 A Resident engineer.
 22 Q And has that title changed at all since September of
 23 2008?
 24 A No.
 25 Q And when you left the employ of MDOT, what was your last

Page 8

1 title?
 2 A I think it was delivery engineer. It had changed a
 3 couple of times. I was a resident engineer at one time.
 4 Q What are your responsibilities at the Nevada Department
 5 of Transportation?
 6 A I manage construction, active construction projects on
 7 the roadways; oversee consultants that are assigned --
 8 that are -- you know, that are hired to help out, you
 9 know, the staffing needs and such.
 10 Q And are those engineering consultants, or construction
 11 consultants?
 12 A Oh, no, engineering.
 13 Q So these consultants are responsible for design and
 14 basically oversight of construction activity?
 15 A I'm sorry, could you repeat that?
 16 Q These consultants are responsible for design of the
 17 project and oversight of the actual construction
 18 projects?
 19 A I'm only in -- in -- when we're doing construction,
 20 they are assigned. I don't oversee during construction
 21 -- or design, or I haven't been.
 22 Q Did you have any employees -- were you employed at all
 23 before you joined MDOT?
 24 A I was employed by a consulting firm in -- I believe it
 25 was West Bloomfield or Bloomfield Township.

Page 9

1 Q What was the name of that firm?
 2 A Hubbell, Roth and Clark.
 3 Q How long were you with Hubbell, Roth and Clark?
 4 A I don't remember the date, but it would have been
 5 approximately the fall of 1998 through May of 1999,
 6 roughly. I don't remember the exact dates.
 7 Q And you left Hubbell, Roth and Clark to join MDOT?
 8 A Correct.
 9 Q Hubbell, Roth and Clark was your first job after you
 10 graduated from college?
 11 A My first professional job, yes.
 12 Q Why did you leave MDOT?
 13 A A better offer for employment.
 14 Q You have not been convicted of any crimes involving
 15 theft, dishonesty or moral turpitude?
 16 A No.
 17 Q And you have not had any felony convictions in the past
 18 ten years?
 19 A No.
 20 Q Have you ever been sued by anyone?
 21 A No.
 22 Q Have you ever sued anyone?
 23 A Civilly, yes.
 24 Q Who did you sue?
 25 A A neighbor.

Page 10

1 Q In your personal name?
 2 A I'm sorry?
 3 Q In your personal name?
 4 A Correct, yes. Yes.
 5 Q And who was that neighbor?
 6 A Their last names were Brannon.
 7 Q Brannon?
 8 A Yes.
 9 Q B-r-a --
 10 A B-r-a-n-n-o-n.
 11 Q And what was the nature of that lawsuit?
 12 A Items stolen from my house.
 13 Q Are you married?
 14 A Yes.
 15 Q Was it in the name of you and your wife, or just you?
 16 A Both of us.
 17 Q Do you have any children?
 18 A No.
 19 Q When was the lawsuit?
 20 A I filed it in May of this year, and it was with the
 21 Arbitrator in August of this year.
 22 Q Was it in Nevada or Michigan?
 23 A It was in Nevada.
 24 Q And it went to Arbitration?
 25 A Yes.

Page 11

1 Q Was there an award?
 2 A Yes.
 3 Q In your favor?
 4 A Yes.
 5 Q Did you testify at all in that case?
 6 A Just to the arbitrator. It was a similar setting like
 7 what we're in right now.
 8 Q Did the court refer it to Arbitration, and the parties
 9 agreed to it after you filed the action?
 10 A In Henderson, Nevada, Arbitration is mandated prior to
 11 going in front of a judge.
 12 Q Have you had your Deposition taken before?
 13 A No.
 14 Q And the only litigation you filed was your action
 15 against the Brannon's?
 16 A Yes.
 17 Q Have you testified in any trials, other than --
 18 A No.
 19 Q Okay.
 20 A Can we go back to the litigation question? I'm sorry.
 21 Q Yes. Have you had any other litigation where you've
 22 been a party, either a Defendant or a Plaintiff?
 23 A I filed a litigation against a boat company, a company
 24 selling boats, King Marine, but I just gave up with it.
 25 I filed a -- I filed it with the court. They didn't

Page 12

1 show up and I just gave up.
 2 Q Was that in Michigan or --
 3 A That was in Michigan.
 4 Q In a dispute about the condition of the boat, or --
 5 A A deposit that was not returned.
 6 Q And what court was that in in Michigan?
 7 A I think it was Novi.
 8 Q District Court?
 9 A I think. I want to say it was on Grand River, somewhere
 10 around there. I don't -- that was ten years ago. I
 11 don't remember.
 12 Q When you left MDOT, your title was delivery engineer.
 13 What titles, other titles did you hold while you were at
 14 MDOT?
 15 A I was an assistant resident engineer. I was the bridge
 16 programming engineer for the region. I was utilities
 17 and permits engineer. I was a local government
 18 engineer, and I was an office engineer.
 19 Q How long were you assistant resident engineer? What
 20 years?
 21 A 2002 through 2004.
 22 Q And the bridge programming engineer?
 23 A I was that in 2002.
 24 Q And utilities and permit engineer?
 25 A That went along with the local government engineer, and

Page 13

1 it was roughly about 2000 through 2002.
 2 Q So it overlapped with the local --
 3 A Correct.
 4 Q Government?
 5 A Yeah. Yes.
 6 Q And then the office engineer?
 7 A 1999 through 2000.
 8 Q And from 2004 through 2008 you were a delivery engineer?
 9 A Yes.
 10 Q And when did you -- did you -- did there ever come a
 11 time when you were working for Victor Judnic?
 12 A Yes.
 13 Q And what years were those?
 14 A Well, it was definitely through when I ended, and I do
 15 not remember when he received his promotion. If I were
 16 to guess, it would have been in 2006, maybe 2007. I'm
 17 sorry, I can't remember when he was promoted.
 18 Q It's not a memory test. Just give me --
 19 A Yes.
 20 Q To the best of your knowledge, that's fine.
 21 Did you have any persons that
 22 reported to you?
 23 A Yes.
 24 Q Who reported to you while you were a delivery engineer?
 25 A Phil Sekela, Steve Griffith,

JASON VOIGT

December 7, 2012

| Page 14 | Page 16 |
|---|---|
| <p>1 Q How do you spell Sekela?</p> <p>2 A S-e-k-e-l-a.</p> <p>3 Q Okay.</p> <p>4 A Steve Griffith, Paul Cristini, and then --</p> <p>5 Q Paul Christine?</p> <p>6 A Cristini.</p> <p>7 Q Cristini?</p> <p>8 A Yes.</p> <p>9 Q C-r, C-h --</p> <p>10 A C-r-i-s-t-i-n-i, I believe, and then various interns, or</p> <p>11 rotating engineers; new hires, if you will.</p> <p>12 Q What about outside office techs, did you have any</p> <p>13 outside office techs that reported to you?</p> <p>14 A Yes. Various, yes.</p> <p>15 Q What about Love Charles?</p> <p>16 A Yes.</p> <p>17 Q When was the last time you spoke with Mr. Judnic?</p> <p>18 A I saw Mr. Judnic at a Christmas -- at an office party</p> <p>19 approximately one year ago when I was in town, an MDOT</p> <p>20 office party.</p> <p>21 Q What location was the office party?</p> <p>22 A It was at a -- I forget the name of the place. It was</p> <p>23 down in Garden City. I want to say at like Merriman and</p> <p>24 Ford Road maybe, or Michigan Avenue. I think -- I</p> <p>25 forget the name of the place. If you read me every</p> | <p>1 friends, a casual call.</p> <p>2 Q Do you know Rita Screws?</p> <p>3 A I do.</p> <p>4 Q Have you spoken with her at all?</p> <p>5 A I haven't seen Rita Screws -- or I spoke with -- I said</p> <p>6 hi to her when I was in Michigan last August, or this</p> <p>7 past August I should say.</p> <p>8 Q Did Love Charles try and contact you while he was out in</p> <p>9 Vegas?</p> <p>10 A Yes.</p> <p>11 Q Did you speak with him over the phone?</p> <p>12 A I spoke with him over the phone.</p> <p>13 Q What about Cedric Dargin, do you know Mr. Dargin?</p> <p>14 A I know Mr. Dargin, yes.</p> <p>15 Q And when's the last time you spoke with Mr. Dargin?</p> <p>16 A Maybe two -- maybe two years ago.</p> <p>17 Q Do you know Ray Stewart?</p> <p>18 A I do.</p> <p>19 Q When was the last time you spoke with Mr. Stewart?</p> <p>20 A I couldn't even tell you. Maybe when I left in 2008.</p> <p>21 Q What about Pat Lawton?</p> <p>22 A Yes. I saw Pat Lawton. I saw Pat Lawton in Las Vegas</p> <p>23 probably two years -- it was probably about two years</p> <p>24 ago.</p> <p>25 Q He called you while he was out there?</p> |
| Page 15 | Page 17 |
| <p>1 business on the corner, I could probably tell you which</p> <p>2 one it was, but --</p> <p>3 Q When was the last time you saw Mark Steucher?</p> <p>4 A At that same -- that same location.</p> <p>5 Q Was it an MDOT office, or was it like a hall?</p> <p>6 A It was like a restaurant, hall, bar.</p> <p>7 Q When did you first meet Mr. Judnic?</p> <p>8 A For sure it was prior to my promotion in 2004 to the</p> <p>9 Detroit TSC. Exactly what date it was, I couldn't tell</p> <p>10 you. I don't remember when Victor was hired in to the</p> <p>11 department, and I -- I can't give you an exact date.</p> <p>12 Q Was yours just a professional relationship, or did you</p> <p>13 consider yourself friends?</p> <p>14 A A professional relationship.</p> <p>15 Q What about Mr. Steucher, did you ever work with</p> <p>16 Mr. Steucher?</p> <p>17 A When I was an intern. When I was an intern in the</p> <p>18 mid-90s, I was working, I was assigned to his office.</p> <p>19 Q And that was out in the Oakland County TSC?</p> <p>20 A That was before the Oakland County TSC was there, but it</p> <p>21 was in Oakland County.</p> <p>22 Q When was the last time you spoke with Mr. Griffith?</p> <p>23 A It was probably a few months ago.</p> <p>24 Q Just a casual call?</p> <p>25 A Him -- Steve -- Steve and I are -- I would consider us</p> | <p>1 A He -- we have a mutual friend out there. We met up.</p> <p>2 Q You know Bellandra Foster?</p> <p>3 A Yes.</p> <p>4 Q And how did you meet Miss Foster?</p> <p>5 A I don't remember the circumstances of our original</p> <p>6 meeting.</p> <p>7 Q Do you remember when you first met her?</p> <p>8 A I do not.</p> <p>9 Q Was yours more of a professional working relationship?</p> <p>10 A Yes.</p> <p>11 Q Are you familiar with her company, BBF Engineering</p> <p>12 Services?</p> <p>13 A Yes.</p> <p>14 Q Did you have occasion to work with any representatives</p> <p>15 of BBF?</p> <p>16 A Yes.</p> <p>17 Q Do you recall who from BBF that you worked with?</p> <p>18 A Love Charles, Pat Lawton, Chad Godbout, Ray Stewart,</p> <p>19 Willis Stewart, Charles Latimer. I can't remember --</p> <p>20 was it Bill Hinchcliff, did he work for her? I can't</p> <p>21 remember if he worked for her or not.</p> <p>22 Q Clarence Wilson?</p> <p>23 A No.</p> <p>24 Q Bruce Bordner?</p> <p>25 A No. I remember the name. I don't remember -- I may</p> |

5 (Pages 14 to 17)

Page 18

1 have met him once.
 2 Q How about Hubert Barnes?
 3 A No. I don't even recognize that name.
 4 Q Charles Covington?
 5 A The name sounds familiar, but I don't -- I don't
 6 remember him.
 7 Q Alan Hinchcliff?
 8 A Was he the older Hinch --
 9 Q There was a Hunter and an Alan.
 10 A Oh, I know Hunter. He works for the department now.
 11 That was -- was Alan his father, I believe.
 12 Q I don't know their relationship.
 13 A I know that there was a Hinchcliff that was not Hunter
 14 that I --
 15 Q Okay.
 16 A I'm sorry.
 17 Q That was working for BBF?
 18 A That was working for BBF, but I don't think I ever -- I
 19 knew he was working for them. Let me just leave it at
 20 that, but I can't remember if he --
 21 Q What about Andy Mitchell?
 22 A No.
 23 Q Willis Stewart?
 24 A Yes.
 25 Q Working for BBF?

Page 19

1 A Yes.
 2 Q Robert Randazzo?
 3 A No.
 4 Q Daniel Sperber?
 5 A That name sounds -- I -- the name sounds familiar.
 6 Q You just don't recall. How about Jason Jackson?
 7 A That name sounds familiar, too.
 8 Q Sheila Lincoln?
 9 A No.
 10 Q David Sleight?
 11 A No.
 12 Q And you mentioned Mr. Godbout. Carsten Applegate?
 13 A No.
 14 Q Aerielle Hurt?
 15 A No.
 16 Q Arshon Harper?
 17 A No.
 18 Q LaKeisha Hamilton?
 19 A That name sounds familiar.
 20 Q All right. Greg Vigilar? V-i-g-i-l-a-r.
 21 A No. That sounds familiar. I --
 22 Q Asia Benson?
 23 A Again the name sounds familiar. I --
 24 Q You just don't recall?
 25 A Right.

Page 20

1 Q You mentioned Mr. Latimer. What about Reagan Jeeter?
 2 A I remember she was an intern for MDOT, but I don't
 3 remember her working for BBF.
 4 Q Did you ever participate in any evaluating any
 5 responses to Requests for Proposals that were submitted
 6 to MDOT by BBF?
 7 A Yes.
 8 Q Do you recall which one?
 9 A There was one that was -- that was issued maybe a year
 10 before I left, I want to say in 2007, where she was
 11 eventually selected through a review -- you know,
 12 through the review process.
 13 Q Do you recall what project that was?
 14 A I want to say it was an as-needed contract. I'm not a
 15 hundred percent sure on that, because I know there was
 16 one for the Lodge that came out around the same time,
 17 so --
 18 Q Okay, and you knew BBF was a woman-owned business
 19 enterprise?
 20 A Yes.
 21 Q And you knew it was a Disadvantaged Business Enterprise?
 22 A Yes.
 23 Q And you also knew it was a Minority Business Enterprise?
 24 A Yes.
 25 Q You mentioned the Lodge.

Page 21

1 THE WITNESS: Can I get some coffee?
 2 MR. WILLIAMS: Yes, please.
 3 (Whereupon there was an
 4 interruption in the proceedings.)
 5 BY MR. WILLIAMS:
 6 Q You mentioned the Lodge as-needed professional services
 7 contract for BBF. Do you recall that contract at all?
 8 Did you have any role in it?
 9 A Again I remember, and I'm struggling here. I remember
 10 -- I remember there was a contract for the Lodge, and I
 11 want to there was a separate contract that was just
 12 as-needed. I could be wrong about this, but I -- I --
 13 Q Now do you remember the Lodge contract being cut in half
 14 by Mr. Judnic?
 15 MR. DITTENBER: Objection, a
 16 mischaracterization of his testimony.
 17 THE WITNESS: I don't.
 18 BY MR. WILLIAMS:
 19 Q Do you remember any segment of the professional services
 20 contract for the Lodge being re-bid, and actually been
 21 awarded to Fishbeck, Thompson, Carr and Huber?
 22 A No, I don't. I just remember there being a Lodge
 23 contract going out, and I remember being on the
 24 selection team for the as-needed one. I don't remember
 25 what happened with the Lodge contract.

Page 22

1 Q Do you recall Contract Number 2008-0044?
 2 A No, I do not.
 3 Q Do you recall a contract that you --
 4 A If you -- if you show me that little title or the RRF,
 5 I could -- the number itself I'm not going to remember.
 6 Q Do you recall a contract that you were managing with BBF
 7 that you actually cut in half?
 8 A No, I do not.
 9 (Whereupon Deposition Exhibit Number
 10 I was marked for identification.)
 11 MR. WILLIAMS: Okay. Mr. Voigt, I'm
 12 handing you what's been marked as Voigt Deposition
 13 Exhibit 1, which is a series of documents that start
 14 with a Complaint that was prepared by Miss Foster
 15 complaining about the change in the level of the
 16 contract 2008-0044, and where she asserts, that at least
 17 in part, you cut the contract in half. If you can take
 18 a look at it and see if you -- if that refreshes your
 19 recollection at all.
 20 MR. DITTENBER: I'm going to object
 21 to the characterization of the document.
 22 MR. WILLIAMS: And from time to
 23 time the lawyers will lodge objections. To the extent
 24 you can answer the question, please do.
 25

Page 23

1 BY MR. WILLIAMS:
 2 Q Do you have any recollection of that series of events?
 3 A Not until I just read it. I mean obviously something
 4 happened.
 5 Q You just don't recall what?
 6 A I don't -- I don't remember the details.
 7 Q Would you have had autonomy within your position to
 8 reduce the level of a contract, or the length of a
 9 contract without approval from your supervisor?
 10 A What do you mean by the autonomy?
 11 Q The ability, the authority.
 12 A As the project engineer, I would have had the ability to
 13 do that.
 14 Q You just don't recall how or why, or who may have been
 15 involved in making the decision, as you sit here today?
 16 A (Shaking head)
 17 Q You got to answer yes or no.
 18 A Oh, I'm sorry. No, I do not. I do not. Just I do not
 19 remember.
 20 Q Did you participate at all in a meeting that occurred in
 21 about July of 2008 between Mr. Judnic and other
 22 representatives of MDOT, Miss Foster, Love Charles and
 23 others regarding the evaluation of BBF Engineer's
 24 performance, and Mr. Charles' performance on another --
 25 on the Lodge contract?

Page 24

1 A I don't remember. If it was on the Lodge contract, I
 2 would say I probably wasn't because Victor was -- had
 3 the contract with BBF for the Lodge contract, unless I
 4 was asked, but I don't remember being at that meeting.
 5 Q With respect to this contract, 2008-0044, do you recall
 6 Miss Foster approaching you at any point in time
 7 requesting interim evaluations for you related to BBF's
 8 performance on that contract?
 9 A I do not. I can't think of any.
 10 (Whereupon Deposition Exhibit Number
 11 2 was marked for identification.)
 12 MR. WILLIAMS: Mr. Voigt, I'm
 13 handing you what's been marked as Jason Voigt Deposition
 14 Exhibit 1 -- 2, I'm sorry. I'm asking you to take a
 15 look at that. It is BBF's Title IV Complaint form to
 16 the Federal Highway Administration.
 17 THE WITNESS: Okay.
 18 BY MR. WILLIAMS:
 19 Q Does that document refresh your recollection at all?
 20 A I just -- I don't remember.
 21 Q Do you recall filling out any interim evaluation forms
 22 for BBF Engineering regarding a Contract 2008-0044?
 23 A And that was the one -- was that the one active when I
 24 had left?
 25 Q Yes.

Page 25

1 A I remember being asked by Mr. Judnic to fill out an
 2 application -- or fill out a -- look at doing a review
 3 after I had left.
 4 Q And you were asked to fill out an evaluation by
 5 Mr. Judnic after you had left?
 6 A (Nodding)
 7 Q While you -- yes?
 8 A I'm sorry.
 9 Q Yes?
 10 A Yes. After I had left.
 11 Q And while you were in Nevada?
 12 A Yes.
 13 Q And do you recall when you completed that evaluation?
 14 A My best guess would be October of 2008, after I had
 15 left. That's my best guess. Maybe November.
 16 Q Did you exchange it by e-mail or facsimile?
 17 A I think it went both ways, and, you know, I remember
 18 discussing it, or sending it to Victor before finalizing
 19 it, because I knew -- you know, just making sure that he
 20 was in agreement with what I was posted, or as he was
 21 taking over the contract, and would have to answer any
 22 concerns with it.
 23 Q And what were your discussions about the interim
 24 evaluation?
 25 A I don't remember the specific discussion, but I just

Page 26

1 remember discussing it with him.
 2 Q Was he the only person you discussed it with?
 3 A I believe -- I can't remember if Steve Griffith was
 4 involved or not.
 5 Q Why would Steve Griffith have been involved?
 6 A Because I believe Steve Griffith was the one who
 7 initially contacted me.
 8 Q Did you have any meetings with Miss Foster regarding
 9 BBF's performance on the contract, any contracts that
 10 you were overseeing?
 11 A I don't remember any in particular. I kind of remember
 12 maybe she would stop by the office and we would chat for
 13 a few minutes. I just don't -- I don't remember like a
 14 formal, structured review, if you will.
 15 Q Are you familiar with the term debriefing meeting?
 16 A Yes.
 17 Q And what is a debriefing meeting?
 18 A A debriefing meeting could be a meeting maybe after a
 19 proposal -- proposals were submitted, and one consultant
 20 wasn't selected and they would like to have, you know,
 21 comments, just general feedback on how their proposal,
 22 the quality of their proposal, or the content, or the --
 23 just the whole proposal as a whole, and maybe what
 24 improvements could be made, or what changes that could
 25 be made to, you know, do better in the future.

Page 27

1 You could have a debriefing after
 2 the completion of a project, you know, when the
 3 contract's closed out, kind of discuss positives,
 4 negatives, things that went on during the course of a
 5 contract.
 6 Q Did Miss Foster ever approach you about having any
 7 debriefing meetings with her?
 8 A Not that I can remember.
 9 (Whereupon Deposition Exhibit Number
 10 3 was marked for identification.)
 11 MR. WILLIAMS: Mr. Voigt, I've
 12 handed you what's been marked as Voigt Exhibit Number 3,
 13 and I ask you to take a look at that series of that
 14 documents, which were previously marked in the
 15 Deposition of Mr. Judnic.
 16 BY MR. WILLIAMS:
 17 Q All right. Mr. Voigt, if you take a look at what is in
 18 the lower-right hand corner, it looks like -- there are
 19 some numbers.
 20 A Um-hmm.
 21 Q One that ends with 314. It's about three pages in. Do
 22 you see that e-mail?
 23 A Yes, I do.
 24 Q Or a series of e-mails. Does this refresh your
 25 recollection as to whether Miss Foster might have been

Page 28

1 requesting debriefing meetings, or interim evaluation
 2 meetings with you?
 3 A It looks like she did.
 4 Q Do you recall why that evaluation meeting never took
 5 place?
 6 A I do not. I know I was taking a lot of time off in
 7 August and September, making my arrangements for my
 8 move, and I think Victor wanted to be involved, and I
 9 think he had some time off, and Rita.
 10 Q Rita wanted to be involved?
 11 A I think. I can't remember.
 12 Q But you do remember that Victor wanted to be involved?
 13 A I think Victor wanted to be involved knowing that he was
 14 going to be taking over the contract upon my departure
 15 from State service.
 16 Q If you turn to what is identified as Bate stamp
 17 Pages 316 and 317.
 18 A Um-hmm.
 19 Q Are you familiar with that document?
 20 A It looks like an evaluation I reviewed.
 21 Q Is this the interim evaluation that you completed?
 22 A Yes. This is an evaluation I did work on with Victor.
 23 Q With Victor?
 24 A Well, I completed it and I had him review it.
 25 Q Is the signature that's on the second page of the

Page 29

1 document, is that your signature?
 2 A Yes.
 3 Q And the signature is dated, basically the last date of
 4 your department from MDOT. Is that right?
 5 A Approximately.
 6 Q Well, I thought you said you completed the form in
 7 October, or --
 8 A You know, I think maybe I may have done this before I
 9 left. I can't remember when I completed this. I might
 10 have done it after I had started it, and forgot to turn
 11 it in before I left. I really can't remember.
 12 Q Is it possible that somebody else also may have had
 13 input on the form?
 14 A Again I discussed this with Victor.
 15 Q Well, in the form itself, was it something that was just
 16 on the computer as a PDF that you could enter
 17 information in to?
 18 A Oh, yes. Yes, yes.
 19 Q Okay. I think that's my question, so is it possible
 20 that you completed certain portions, and Victor
 21 completed other portions, or Mr. Judnic?
 22 A I -- I don't think so. I don't know. I can't -- I
 23 can't -- I honestly can't remember exactly when this
 24 form was filled out. I remember -- I remember working
 25 on this thing.

Page 30

1 Q Okay. If you look at what is Bate stamped Page 317.
 2 A Um-hmm.
 3 Q There's a box that says what suggestions for improvement
 4 would you have for this firm. Do you see that box?
 5 A Um-hmm.
 6 Q Do you see the suggestion that is in the box?
 7 A Um-hmm.
 8 Q And yes? That's yes?
 9 A Yes. Yes. Sorry.
 10 Q No problem. Is that the suggestion that you put in the
 11 box?
 12 A I -- I think I did. I can't remember for sure.
 13 Q So you think you wrote when MDOT management makes a
 14 decision about billing or staffing, BBF should adhere to
 15 the decision of MDOT without question or justification
 16 by MDOT?
 17 A Again I can't -- I can't remember.
 18 Q And you cannot remember if that was you, or if somebody
 19 else put that in?
 20 A I --
 21 MR. DITTENBER: Objection, asked and
 22 answered.
 23 MR. WILLIAMS: You can go ahead.
 24 THE WITNESS: I -- I -- I -- I don't
 25 -- again I remember filling this form out, and that's

Page 31

1 about all I can tell you.
 2 BY MR. WILLIAMS:
 3 Q Okay, but I'm talking specifically about this box, about
 4 this box for suggestions. Do you remember
 5 specifically --
 6 A I remember discussing it. I can't remember any more
 7 specifically.
 8 Q Do you remember discussing the suggestion with someone?
 9 A With Victor.
 10 Q And what was the nature of the discussion regarding the
 11 suggestion?
 12 A I'm sorry?
 13 Q What was the nature of your discussion with Mr. Judnic
 14 regarding this suggestion?
 15 A I don't remember. I mean looking through these e-mails,
 16 there must have been an issue with BBF -- or, excuse me,
 17 with Wade Trim. I honestly don't remember though.
 18 Q Did Mr. Judnic approve the interim evaluation form?
 19 A I remember sending -- or I remember discussing it with
 20 him before I signed it. He gave me his blessing.
 21 Q You just don't remember when that was?
 22 A I don't know.
 23 Q No?
 24 A No, I do not.
 25 Q Did you ever contact Miss Foster regarding this interim

Page 32

1 evaluation?
 2 A I don't remember contacting her.
 3 Q Do you know Chris Schafer?
 4 A I do not.
 5 Q Linda Shepard?
 6 A No, I do not.
 7 Q Dean Harr? H-a-r-r.
 8 A No.
 9 Q Have you had any conversations with anyone from the
 10 Office of Commission Audits regarding BBF Engineering?
 11 A Not that I can remember, no. Can you give me some names
 12 of people from there? I don't --
 13 Q You don't know them at all?
 14 A (Shaking head)
 15 Q No?
 16 A I can't -- no. If those are the people you just named,
 17 I don't --
 18 Q Did you ever, on a contract like this 2008-0044, where
 19 you were the project engineer, tell Miss Foster that as
 20 a principal of BBF that she could not bill for any time
 21 that she put in on the project?
 22 A I don't remember.
 23 Q Do you recall whether you were aware of any policy,
 24 guideline or rule at MDOT that precluded working
 25 principals from billing on professional service

Page 33

1 consulting contracts?
 2 A I remember something along the lines of, you know, that
 3 they're not like a -- actually working on the projects
 4 for the departments, that they could not bill, but if
 5 you had like a -- like a senior project engineer that's
 6 organizing, that would -- you know, in charge of the
 7 work, like if it was in a design, and like whoever is --
 8 how do you want to put this -- like, you know, the
 9 people on the forefront, you could bill for, the people
 10 on the front line. The people that are kind of, you
 11 know, orchestrating in the background, or running in the
 12 background could not.
 13 Q So if a principal was a -- sort of a working component
 14 of the team, they could bill for that time. If they
 15 were just --
 16 A Like if they were on the project, or they were
 17 administering the contract, then, yes, they could, but
 18 like the senior --
 19 Q Passive income?
 20 A Senior -- well, the senior people, senior staff I would
 21 say.
 22 Q If it was just basically --
 23 A Unless the senior -- you know, if they were actually the
 24 project engineer, they were doing the day-to-day work,
 25 things like that.

Page 34

1 Q Did you have any role in the Gateway Project at all?
 2 A I ran Phase III.
 3 Q What was Phase III?
 4 A It was contract -- or it was Job Number -- God, I don't
 5 remember. It had a bunch of repeating numbers in it.
 6 It was the railroad bridge, Michigan Avenue bridge, and
 7 the new exit to Vernor. It was like sixteen-million
 8 dollars I believe. Walter told me -- well, Walter told
 9 me that's a big project, but --
 10 Q Do you know if BBF bid for any segment of that work?
 11 A I don't recall, because that was a -- that was
 12 originally a full construction engineering. I remember
 13 Tetra Tech was the one selected for that job. I don't
 14 remember BBF, if they were a part of one of the teams
 15 that put in for it. I do not recall.
 16 Q Did you have any role in the Southfield Freeway repaving
 17 project?
 18 A No.
 19 Q Have you ever, yourself, conducted any impression
 20 debriefing meeting with a subcontractor or a prime
 21 contractor?
 22 A With a contractor?
 23 Q Or a consultant.
 24 A Yes.
 25 Q On how many occasions?

Page 35

1 A I -- I would say about a handful. Maybe about five.
 2 Q Okay.
 3 A Probably less.
 4 Q Have you ever heard Mr. Judnic, in referring to
 5 Miss Foster, indicate that he did not believe that any
 6 woman should be making the kind of money that she was
 7 making?
 8 A No.
 9 Q Did you hear any statements at all being made about
 10 Miss Foster relative to her gender or her race?
 11 A No.
 12 Q Did you ever have any discussions with Mr. Steucher
 13 regarding Miss Foster?
 14 A No.
 15 Q Did you ever review any Request for Proposals or
 16 Qualifications that were issued by Mr. Steucher's
 17 office where BBF was submitting a response?
 18 A No.
 19 Q Are you involved at all in evaluating Request for
 20 Proposals at NDOT?
 21 MR. DITTENBER: Objection,
 22 relevance.
 23 MR. WILLIAMS: You can go ahead and
 24 answer.
 25 THE WITNESS: Am I -- can you repeat

Page 36

1 that?
 2 BY MR. WILLIAMS:
 3 Q Do you have any -- do you participate in evaluation of
 4 Request for Proposals at NDOT at all?
 5 A I have not yet. I have not. I just haven't had a
 6 scenario when I would have had to. You know, I haven't
 7 been in a position, you know.
 8 Q Do you know Marilyn Caldwell?
 9 A Yes.
 10 Q I guess it's Madlyn Caldwell.
 11 A Madlyn, yeah.
 12 Q Have you spoken to her at all?
 13 A I saw her. I've seen her, yes.
 14 Q When was the last time you saw her?
 15 A Today.
 16 Q Where did you see her today?
 17 A I stopped at the other office.
 18 Q At which other office?
 19 A At the Detroit TSC.
 20 Q Have you had any discussions with anyone about
 21 Miss Foster's litigation against Mr. Judnic and
 22 Mr. Steucher?
 23 A I just -- you know, people brought it up. A reporter
 24 from Fox News called me, and --
 25 Q Anybody else?

Page 37

1 A Marilyn asked me why I was down here, and I told her.
 2 Q What did you tell her?
 3 A I was going for a Deposition.
 4 Q Did she tell you she had had her Deposition taken
 5 as well?
 6 A Um-hmm.
 7 Q Anything else?
 8 A No.
 9 Q Anyone else you discussed it with?
 10 A Uh-uh.
 11 Q No? You did not discuss it with Mr. Judnic?
 12 A No. I have not spoken to Mr. Judnic.
 13 Q And you haven't discussed it with Mr. Steucher?
 14 A I have not spoken to Mr. Steucher.
 15 Q What about the attorney general's office?
 16 A I spoke with them regarding scheduling this meeting.
 17 Q And that's it?
 18 A Um-hmm.
 19 Q Yes?
 20 A Yes. Yes. Sorry.
 21 MR. WILLIAMS: All right. Thank
 22 you, Mr. Voigt.
 23 Mr. Dittenber may have some
 24 questions for you.
 25 MR. DITTENBER: I do have a few

| Page 38 | Page 40 |
|--|--|
| <p>1 brief questions for you. 2 My name is Mike Dittenber, and I am 3 am an attorney general for the State of Michigan, and I 4 am representing Mr. Judnic and Mr. Steucher in this 5 litigation. 6 REDIRECT EXAMINATION 7 BY MR. DITTENBER: 8 Q Do you have an understanding of the contract that -- if 9 I refer to a contract, it's Contract 2008-0044? 10 A Was that an as-needed contract? 11 Q No, it's a -- 12 A For various services? 13 Q Could I have you look at Exhibit 1 at Number 000034. 14 MR. WILLIAMS: This is Exhibit 1. 15 THE WITNESS: Okay. This contract 16 -- okay, yep. Yep. Yes. Yes. 17 BY MR. DITTENBER: 18 Q And 000034 and the following pages? 19 A Yes. 20 Q Is that a scope -- 21 A That looks like a scope of services for -- yes. 22 Q For service -- the project manager for this? 23 A Yes. 24 Q Who would have prepared this scope of service document? 25 A I know I worked on it. I know Victor worked on it. I</p> | <p>1 sentence? 2 A Again that was -- from what I remember, that was -- I 3 don't know if it was a policy or a statement from -- I 4 don't remember who it came from, but I remember we were 5 kind of directed that, you know, the consulting 6 principals, or the -- you know, the top -- the top 7 person, people in a company, unless they were on the 8 job, they could not be included as budgeted hours, and 9 they were, you know, considered the overhead expenses 10 that were allowed by the contract. 11 Q Are you able to recall who required that -- 12 A I do not. 13 Q Sentence be put -- 14 A I do not. 15 Q Do you recall if it would have been someone at the 16 Detroit TSC, or someone in Lansing? 17 MR. WILLIAMS: Objection, asked and 18 answered. 19 THE WITNESS: I really -- I really 20 don't remember who -- who within MDOT that would have -- 21 that would have said that -- you know, said that. I 22 remember this being -- this exact sentence being in 23 almost all of my RFPs that I put out during the course 24 of my time, you know, being at MDOT. 25</p> |
| Page 39 | Page 41 |
| <p>1 know Steve Griffith worked on it. 2 Q On Page 000035 -- 3 A Um-humm. 4 Q Do you see the last sentence? 5 A Yes. 6 Q That goes on to the next page? 7 A Yes. 8 Q And do you have a recollection of what the intent of 9 that sentence was? 10 A The intent of that was -- with the as-needed contracts 11 that I had been involved with, the -- given the economy 12 then, maybe still now, but the economy, we didn't know 13 exactly what projects were going to be constructed. We 14 didn't know what contracts were going to go out for bid. 15 We did not know our -- you know, we didn't know what -- 16 how much work we were going to have, and I remember this 17 paragraph, this was -- I know -- I remember it was 18 discussed a lot, it was, you know, we needed to have the 19 flexibility to adjust the hours of all personnel that 20 were assigned to the project based on the actual work 21 load that we would get. 22 Q What about the specific sentence that starts consultant 23 principals, and continues on to the next page there? 24 A Yes. 25 Q Do you have any recollection of the intent of that</p> | <p>1 BY MR. DITTENBER: 2 Q Do you have an understanding of the term price proposal? 3 A Yes. 4 Q Can you describe it for me? 5 A A price proposal is after the selection of the 6 consultant, the price proposal puts together the hours 7 from the prime consultant, and then you'll have 8 break-outs by the individual's name, their rates of pay, 9 overhead, factor possibly mileage, vehicle expenses, 10 computer expenses; any direct expenses for the project, 11 and then the -- you know, for not only the prime 12 consultant, but then they'll have backup sheets for any 13 sub-consultants that are with them, again breaking out 14 the same amount, estimated hours. 15 You know, costs, some costs are 16 direct costs. Some costs are actual, depending on the 17 consultant, depending on what's in their overhead rate. 18 You know, it's just broken out, and then the cost 19 proposal is submitted. There's usually negotiations on 20 hours, you know, for different personnel on the project, 21 and, you know, you go through negotiations, and then 22 when the project manager for MDOT and the project 23 manager for the consultant agree, then the price 24 proposal is then finalized, and if I remember it goes up 25 to Lansing and somebody processes and executes the</p> |

Page 42

1 contract.
 2 Q Did you negotiate the price proposal for the
 3 Contract 2008-0044?
 4 A I would assume I did. I don't remember doing it, but
 5 I'm sure I did.
 6 Q Do you recall if there were any hours set aside for
 7 Miss Foster's direct time in the price proposal?
 8 A I do not remember.
 9 Q Do you recall if she was allowed to bill her time?
 10 A My best guess is that she would have not been allowed to
 11 bill her time because she was the project principal for
 12 BBF Engineering.
 13 Q Do you recall Miss Foster doing any of the day-to-day
 14 work on that project?
 15 A No, I do not. Miss Foster was more of a scheduler kind
 16 of -- Miss Foster was the -- you know, I would call. I
 17 would contact her for personnel changes, or assignment
 18 changes, or if I needed a certain type of inspector, or
 19 if I needed, you know, a certain type of tester, or
 20 things like that. I do remember a lot of times I was
 21 directed by her to just go directly to the
 22 sub-consultant and deal with them directly, you know, to
 23 get their -- get their time on -- you know, to have them
 24 come out and perform services for us.
 25 Q Did Mr. Judnic ever direct you not to allow Miss Foster

Page 43

1 to bill to your contract?
 2 A I don't remember him directly requesting it. I remember
 3 this being more of a global rule, or policy, or
 4 something like that within MDOT.
 5 Q Could I have you look at Exhibit 3, Page 000316.
 6 A Okay.
 7 Q Did Mr. Judnic ever direct you not to meet with
 8 Miss Foster regarding an interim evaluation?
 9 A I don't remember him directing me not to meet with her,
 10 but I remember him wanting to be involved when we did
 11 meet with her, and if I remember correctly, Mr. Judnic
 12 had taken some time off right around Labor Day that
 13 year, and then I was leaving later that month, and I
 14 remember -- I just remember that others wanted to meet
 15 with her with me before I left because, if anything came
 16 up from it, they wanted to be aware of what took on
 17 because I had -- you know, I was leaving State service.
 18 Q Did you regularly provide consultants with interim
 19 evaluations?
 20 MR. WILLIAMS: Objection --
 21 THE WITNESS: I don't remember.
 22 MR. WILLIAMS: To the form of the
 23 question.
 24 MR. WILLIAMS: I don't remember
 25 regularly -- regularly doing interim ones. I do

Page 44

1 remember that end of service, or completion of service
 2 ones were required. Interim, I don't remember doing
 3 very many of them, if any at all, other than a couple.
 4 BY MR. DITTENBER:
 5 Q Do you recall if there was any MDOT requirement to --
 6 A I don't --
 7 Q To perform interim evaluations?
 8 A I don't remember. I don't recall any policy or
 9 requirement for interim evaluations from MDOT.
 10 Q In your discussions with Mr. Judnic regarding this
 11 interim evaluation, do you recall him directing you to
 12 fill out the interim evaluation in a certain way?
 13 MR. WILLIAMS: Objection to the --
 14 THE WITNESS: I don't --
 15 MR. WILLIAMS: Form of the question.
 16 THE WITNESS: Remember him directing
 17 me. I more or less remember us discussing the various
 18 responses, you know, discussing the various things that
 19 had taken place during the course of the contract.
 20 BY MR. DITTENBER:
 21 Q Do you recall any specific concerns you had with the
 22 BBF's performance at the time of this interim
 23 evaluation?
 24 A I remember -- I remember that there was an issue with
 25 Love Charles, and working on something for Victor, and

Page 45

1 lacking certifications from contractors. Looking at
 2 this e-mail, I remember -- I kind of remember the issue
 3 with Wade Trim, and wanting to bill over what was
 4 authorized on their price proposal. The guy, the
 5 person from -- the individual from Fishbeck, Thompson,
 6 Carr and Huber, you know, leaving, you know, going on to
 7 another project or something.
 8 I remember sometimes the
 9 communication between -- with Bellandra was sometimes
 10 difficult, or incomplete. I don't remember specifics,
 11 but I remember there sometimes being a breakdown in
 12 communication.
 13 I mean if you can -- I remember this
 14 from looking at this now. I remember -- let me look.
 15 Let me find one.
 16 If you -- for example, if you look
 17 on -- this is labeled Voigt Exhibit Number 1, on sheet
 18 BBF 000047, and if you look at this e-mail from
 19 Bellandra here, about a third of the way down the page,
 20 you can see her e-mail, for whatever reason, put a bunch
 21 of question marks, and sometimes there were words
 22 truncated, like on this page, and I remember a lot of
 23 times having to ask for clarification on things like
 24 that.
 25 I don't know if it was her e-mail

Page 46

1 program or our e-mail. Again you can see it again on
 2 Page 49, and so I mean this maybe a -- this is kind of
 3 an example, but I remember other times there were things
 4 that were truncated and needed clarification.
 5 Q Do you recall Mr. Charles' role in -- on this project?
 6 A Mr. Charles was a DBE specialist that would work with
 7 the DBE, MBE, or WBE contractors, soliciting work from
 8 primes to be on projects. He would work with any
 9 disputes that these contractors would have with the
 10 prime contractors or with the DOT.
 11 He also performed what would be
 12 categorized as office technician work with a field
 13 manager, performing pay estimates, approving materials
 14 and certifications, importing IDRs from field personnel;
 15 you know, traditional filing, traditional office tech.
 16 work for a construction project.
 17 Q Did you ever -- do you recall ever informing Mr. Charles
 18 that he was not allowed to attend meetings?
 19 A No.
 20 Q Do you recall Mr. Judnic ever directing you to inform
 21 Mr. Charles that he was not allowed to attend meetings?
 22 A No.
 23 Q If you look at -- back to Exhibit 3, 000316, the interim
 24 evaluation.
 25 A Yes.

Page 47

1 Q Is there anything in this document that is inconsistent
 2 with your recollection of how you filled out this
 3 document?
 4 MR. WILLIAMS: Objection to the form
 5 of the question.
 6 THE WITNESS: No. This was
 7 consistent with what Victor and I discussed.
 8 MR. DITTENBER: I don't have any
 9 further questions.
 10 MR. WILLIAMS: Okay, since your
 11 memory is getting better, Mr. Voigt.
 12 RE CROSS - EX AMINATION
 13 BY MR. WILLIAMS:
 14 Q If you look at the Page 47 of Exhibit 2, it appears that
 15 -- a question mark generally means that a person is
 16 asking a question. Is that right?
 17 A Um-hmm.
 18 Q Yes? That's yes?
 19 A Yes. Yes. Sorry.
 20 Q And so it appears that in this e-mail that you
 21 referenced, spontaneously, that you -- Miss Foster
 22 seemed to be inquiring about the location of the
 23 remainder of certain proposals that BBF had submitted?
 24 A Um-hmm.
 25 Q Yes?

Page 48

1 A Yes.
 2 Q So she seems to be asking you where does she locate her
 3 other three proposals. Is that not the question that
 4 she's posing? I'm just looking at the sentence that you
 5 referenced.
 6 A Okay. Yeah. In this scenario, yes, yes.
 7 Q I mean so she says --
 8 A Yes.
 9 Q Where are my other three proposals?
 10 A Right.
 11 Q And then she follows that by a question mark, or two
 12 question marks?
 13 A In that sentence, yes.
 14 Q You referenced that there were others that wanted to be
 15 involved in this meeting with Miss Foster. Who were
 16 those others?
 17 A For sure it was Victor.
 18 Q Was there somebody else?
 19 A The only other person I can think of would have been
 20 Rita Screws.
 21 Q What things in BBF's performance led to the language in
 22 the suggestion box on Exhibit 3, on that question,
 23 Exhibit 316, 317?
 24 A 316, 317.
 25 Q I think it's Exhibit 3.

Page 49

1 A 316, 317.
 2 Q I think it's really 317.
 3 A 317, okay. Which one again?
 4 Q The suggestion box, what things in there?
 5 A Well, again I think the first sentence refers to the
 6 issue with the Wade Trim, and the surveying, and then I
 7 think they're both kind of -- I think they're both
 8 related to that issue.
 9 Q When MDOT project management makes a decision about
 10 billing or staffing, that refers to Wade Trim?
 11 A Yes.
 12 Q And then what about the second sentence?
 13 A I believe that would refer to the reference to the Wade
 14 Trim as well.
 15 Q So this was both related to her utilization of Wade
 16 Trim?
 17 A From what I can recollect, yes.
 18 Q And you just don't recall which one of you came up with
 19 this language, whether it was you or Victor?
 20 A Again it was, you know, a mutual.
 21 Q A mutual?
 22 A A mutual kind of working because Victor was going to be
 23 available to answer any questions because he was going
 24 to have those roles and responsibilities upon my
 25 departure.

Page 50

1 Q In this negotiation of the price proposal, did you have
 2 unilateral authority to arrive -- as a project engineer
 3 to reach a final decision on the price proposal, or did
 4 that have to be run by your supervisor?
 5 A I know I remember working on the price proposal with
 6 Victor.
 7 Q Were there any situations in which you allowed a
 8 principal to bill on a contract that you -- where you
 9 were the project engineer?
 10 A Not that I can recall after that policy was communicated
 11 to me.
 12 Q Did you have any understanding of what Miss Foster's
 13 role was in terms of working on contracts in her office?
 14 Did you discuss that with her at all?
 15 A I remember it was probably identified in her RRFP, and I
 16 would have to review that, but she was more of the
 17 organizer, central --
 18 Q Is that something she told you, or is that something
 19 that you --
 20 A That's just what I recollect.
 21 Q Okay, but did you ever have a discussion with her about
 22 what she --
 23 A I remember we had like a kick-off meeting, if you will,
 24 early on in this, you know, with all the subs to
 25 discuss, you know, what we knew at that time was the

Page 52

1 Q Did you have any issues with him?
 2 A The only issues that would -- you know, came up were his
 3 time and attendance at meetings, and we discussed a flex
 4 time schedule in order to -- you know, so he could
 5 attend those meetings.
 6 Q When you're talking about meetings, you're talking DBE
 7 meetings?
 8 A DBE meetings and things like that, pre-bid stuff.
 9 Q When you talk about a flex time schedule, you're talking
 10 about is really to just sort of manage going in and
 11 out --
 12 A Right.
 13 Q To go to DBE meetings?
 14 A Right.
 15 MR. WILLIAMS: Okay. Thank you,
 16 Mr. Voigt.
 17 MR. DITTENBER: I don't have any
 18 further questions.
 19 (Whereupon at about 12:00 o'clock, noon, the
 20 Deposition was concluded.)
 21 * * *
 22
 23
 24
 25

Page 51

1 work coming down and what -- what needs we would be
 2 having, but I do not recollect Miss Foster having any
 3 direct engineering or technical responsibilities on the
 4 contract.
 5 Q And you're talking 2008-0044?
 6 A Yeah. That's -- that's -- because, you know, we had the
 7 -- you know, the project, the -- you know, I mean the
 8 highest one that was listed here was the -- on that RRFP
 9 was the -- where is that thing -- on this Page 35, if I
 10 remember correctly, the project engineer part-time was
 11 the gentleman from Fishbeck, Thompson, Carr and Huber.
 12 I could be wrong, but I thought that that was Tom Grey.
 13 Q But my question was simply did you have any
 14 discussions with Miss Foster?
 15 A I don't recall any.
 16 Q Did Mr. Charles work at all on Contract 2008-0044?
 17 A Yes. He was the office DBE technician.
 18 Q Did you have any issues with his performance at all?
 19 A He was mainly being used for me for the -- I didn't --
 20 I, myself, directly, he wasn't really doing anything
 21 directly for me, other than the DBE technicians. He was
 22 performing office technician work on behalf of -- for
 23 Victor.
 24 Q Okay. Well, I'm talking about you directly.
 25 A Me, directly --

Page 53

CERTIFICATE OF NOTARY PUBLIC
 STATE OF MICHIGAN)
 COUNTY OF OAKLAND)

I, JUDITH HALPRIN, a Notary Public

within and for the County of Oakland, State of Michigan, do
 hereby certify that the witness whose attached Deposition was
 taken before me in the entitled cause, was sworn to testify
 the truth, the whole truth, and nothing but the truth; that
 the testimony contained in said Deposition was taken by me by
 means of Stenomask; that said testimony was thereafter reduced
 to written form and that the said Deposition is a true and
 correct transcript of the testimony given by said witness.

I do further certify that I am not
 connected by blood or marriage to any of the parties, or their
 attorneys or agents; that I am not an employee of any of them;
 nor am I interested directly or indirectly in the matter in
 controversy either as counsel, agent, attorney or otherwise.

IN WITNESS WHEREOF, I have hereunto
 set my hand and affixed my notarial seal at West Bloomfield,
 County of Oakland, State of Michigan, this 31st day of
 December, 2012.

 Judith Halprin, CSMR-3202
 Notary Public, Oakland County,
 Michigan
 My Commission Expires: 12/18/2013

EXHIBIT 28

DESIGN, CONSTRUCTION, TRAFFIC & SAFETY SERVICES CONSULTANT EVALUATION

CONTRACT NUMBER &
AUTHORIZATION LETTER

2008-0044

| | | | |
|--|--------------------------------------|---|---------------------------|
| ORGANIZATION Métro | | CONSULTANT NAME BBF Engineering Services, P.C. <input checked="" type="checkbox"/> Prime | |
| CONSULTANT PROJECT MANAGER Bellandra Foster | | CONSULTANT BRANCH OFFICE DETROIT | |
| PRE-QUALIFICATION CATEGORY CPOCIT-Portland Cement Concrete Construction | JOB PHASE CE | WORK TYPE CODE 600-Various | |
| EVALUATION TYPE Construction Engineering | EVALUATED BY Jason Voigt | | EVALUATION DATE |
| PROJECT ROUTE AND LIMITS Various | CORRIDOR CODE | JOB NO. Various | CN SEC/STR NO. Various |
| CONST. PROJECT COMPLETION DATE NA | CONST. PROJECT ACCEPTANCE DATE NA | COST OF CONSTRUCTION | |
| SERVICE COMPLETION DATE NA | SERVICE ACCEPTED DATE NA | COST OF SERVICE \$3,035,048.96 | |

PROJECT COMPLEXITY: COMPLEX AVERAGE SIMPLE

EVALUATION: 1=Unsatisfactory 2=Below Average 3=Satisfactory 4=Above Average 5=Excellent
(Any score of 2 or below is an area of concern. The consultant must meet with the Project Manager.)

PROJECT MANAGEMENT

Did the project manager properly manage the project including the efficient use of resources, planning, assignment and oversight of project work, coordination with various organizations within the firm, sub-consultants and other agencies? Did the consultant firm provide adequate oversight and resources for the performance of the project?

Rating

Satisfactory

An individual working for FTO&H had to leave a project, due to a family illness, it was until approximately a week later that MDOT was officially notified by BBF that this individual was off the project and would not be returning.

PROJECT STAFFING

Was appropriate personnel assigned to the project, considering both the number and capability of this staff? Did the consultant properly assign the personnel identified in the proposal?

Rating

Above Average

With a couple of minor changes that were requested and approved, all personnel identified in the proposal were available for the project when needed.

SUB-CONSULTANTS

Were competent sub-consultants selected for this project? Was coordination adequate between the prime consultant and the sub-consultants? Each sub will be evaluated separately and the selection and management of the subs is covered under project management?

Rating

Above Average

HUMAN RELATIONS

Was the consultant responsive to requests for information, corrections, changes, etc? Was the consultant cooperative? Did the consultant react well to critiques? Was it difficult to work with the consultant? Was the consultant courteous and helpful in dealing with the general public and with other agencies? Did the Consultant abide by MDOT project manager decisions?

Rating

Satisfactory

BBF made numerous billing variations with regards to the payment of Wade-Trip between this contract and a previous contract. Even though these requests were denied, BBF repeatedly made the request.

TECHNICAL SKILLS

Did the consultant's work reflect sound technical practices of the industry? Was good thought and judgement applied, evidence of innovative or original concepts, adequate evaluation of alternatives or was the work done by rote? Was special attention/care used for unique engineering circumstances or were solution left for others to resolve?

Rating

Above Average

QUALITY OF WORK

Was the consultant firm's QA/QC program adhered to and documented? Were plans, studies, reports, analysis, and specifications complete, accurate, adequate and professional in appearance? Were errors or omissions numerous, serious, significant, or costly? Was work well organized, properly presented, clear, concise, and adequate? Was the project constructable without further design or re-design? Did consultant comply with MDOT procedures and requirements? Were addendums/revisions required for final submission due to the electronic files not matching the hard copy files? Was the project on budget within the influence of the consultant?

Rating

Satisfactory

Office Technician fell behind in reviewing and requesting certifications of materials from the contractor on a major project. This required the office technician to spend additional time recovering necessary paperwork from the contractor, after the contractor had been paid for work in question.

BBF000098

DESIGN, CONSTRUCTION, TRAFFIC & SAFETY SERVICES CONSULTANT EVALUATION

EVALUATION: 1 = Unsatisfactory, 2 = Below Average, 3 = Satisfactory, 4 = Above Average, 5 = Excellent
(A score of 2 or below is an area of concern. The consultant must meet with the Project Manager.)

TIMELINESS

Did the consultant meet contract time requirements? Were any delays due to the consultant's inadequate performance? Did the consultant make timely requests for time extensions? Did the consultant turn in the final deliverables within the required time after the completion of the job?

Rating

Above Average

PROJECT ACTIVITY REPORTING

Quality and timeliness of progress reports, day-to-day documentation, detail of correspondence, etc.

Rating

Satisfactory

Day to day communication between BBF and MDOT was sometimes confusing in what BBF was requesting. Some communication topics needed to be discussed numerous times before the issue was clearly communicated.

CONTRACTUAL/FINANCIAL REPORTING

Were the technical proposals, priced proposals, invoices, and pay estimates timely, accurate and complete?

Rating

Above Average

ENFORCEMENT OF SPECIFICATIONS, PLANS AND OTHER CONTRACT DOCUMENTS - C & T Only

Did the consultant properly familiarize themselves with plans and contract documents? Did the consultant take positive action to assure that the project was built in accordance with the specifications, plans and other contract documents?

Rating

Above Average

ENFORCEMENT OF MAINTAINING TRAFFIC SPECIAL PROVISION - C & T Only

Did the consultant properly familiarize themselves with maintaining traffic special provision? Did the consultant take positive action (on site inspection) to assure that the project was built in accordance with the maintaining traffic special provision? If traffic Did the consultant properly familiarize themselves with maintaining traffic special provision? Did the consultant take positive action to resolve them?

Rating

Above Average

ENFORCEMENT OF PERMITS AND OTHER ENVIRONMENTAL CONTRACT DOCUMENTS - C & T Only

Did the appropriate and qualified people do the on-site inspection of environmental drainage concerns? Did the consultant properly familiarize themselves with permit and other environmental contract documents? Did the consultant take positive action to assure that any environmental or drainage issues were resolved in accordance with the permit and state regulation?

Rating

Above Average

ENFORCEMENT OF PROGRESS SCHEDULE - C & T Only

Did the consultant take appropriate action to assure that the contractor completed the project in accordance with the progress schedule? Did the consultant assure that the contractor revised the progress schedule when needed?

Rating

N/A

OTHER COMMENTS:

WHAT SUGGESTIONS FOR IMPROVEMENT WOULD YOU HAVE FOR THIS FIRM?

When MDOT Project Management makes a decision about billing or staffing, BBF should adhere to the decision of MDOT without question or justification by MDOT.

WOULD YOU HAVE SOME RESERVATIONS ABOUT SELECTING THIS FIRM AGAIN?

YES

NO

EXPLAIN:

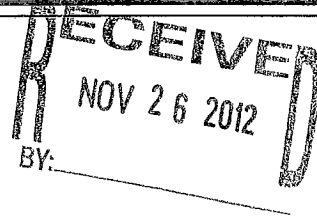
EVALUATOR'S SIGNATURE

DATE

9/22/2008

Submit To: Marsha Ballard, Administrative Products Unit, Design Division, MDOT, 425 West Ottawa, Lansing, MI 48909

EXHIBIT 29



In The Matter Of:

*BBF Engineering Services, P.C. and Bellandra Foster vs.
State of Michigan, Michigan Dept. of Transportation*

*Ray Stewart, Jr.
November 14, 2012*

*Newcomer, Lathrop & Associates
(517) 371-5500*

Robin V. Darnbrook, CSR, RPR

Page 1

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION
4 BBF ENGINEERING SERVICES, P.C.,
5 a Michigan Corporation, and
6 BELLANDRA FOSTER, an individual,
7
8 Plaintiffs,
9
10 vs. No. 11-14853-cv
11 STATE OF MICHIGAN, a Michigan Public
12 Corporation, MICHIGAN DEPARTMENT OF
13 TRANSPORTATION, a Department of the
14 State of Michigan, VICTOR JUDNIC, and
15 MARK STEUCHER,
16
17 Defendants.
18
19
20
21
22
23
24
25

Deposition of RAY STEWART, JR.,
Witness herein, taken pursuant to the Federal
Rules of Civil Procedure before Robin V. Darnbrook,
Certified Shorthand Reporter, Notary Public, Oakland
County, Michigan, at 535 Griswold, Suite 1000,
Detroit, Michigan on November 14, 2012 commencing at
9:58 a.m.

APPEARANCES:

WILLIAMS ACOSTA, PLLC
By: Avery K. Williams (P34731)
535 Griswold
Suite 1000
Detroit, Michigan 48226
Appearing for Plaintiffs

(Appearances continued)

Page 2

1
2 MICHAEL J. DITTENBER (P722238)
3 Assistant Attorney General
4 4th Floor Transportation Building
5 425 West Ottawa Street
6 P.O. Box 30050
7 Lansing, Michigan 48909
8
9 Appearing for Defendants
10
11 Also Present: Victor Judnic
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 3

1
2 TABLE OF CONTENTS
3
4
5 WITNESS: RAY STEWART, JR.
6
7
8 BY MR. DITTENBER: Page
9 Cross Examination 4
10
11 - - -
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 4

1 November 14, 2012
2 Detroit, Michigan
3
4 - - -
5 RAY STEWART, JR.,
6 Witness herein, having been first duly sworn to
7 testify the truth, the whole truth and nothing
8 but the truth, was examined and testified as
9 follows:
10
11 - - -
12 MR. DITTENBER: Good morning,
13 Mr. Stewart.
14 THE WITNESS: Good morning.
15 MR. DITTENBER: Let the record reflect
16 this is the time and place for the taking of the
17 deposition of Ray Stewart, a BBF employee.
18 THE WITNESS: Ray Stewart, Jr.
19 MR. DITTENBER: Ray Stewart, Jr.
20 THE WITNESS: If you're going to get it
21 official.
22
23 - - -
24 CROSS EXAMINATION
25 BY MR. DITTENBER:
Q Mr. Stewart, my name is Mike Dittenber. I'm an
Assistant Attorney General for the State of
Michigan. I represent Mr. Judnic and Mr. Steucher

Page 5

1 in this litigation, in litigation that's been filed
2 by BBF Engineering Services, Incorporated and
3 Bellandra Foster and I just have some questions
4 about some of your experiences and knowledge
5 regarding the issues in the case.
6 I don't know if you ever had your
7 deposition taken before. The court reporter is
8 taking down everything we say today, so I'll just
9 ask that for her benefit, you keep your voice up
10 and that you give verbal answers because she can't
11 take down a head shake or a mm-hmm or a uh-uh, so
12 if you just try and say yes and no and I'll try to
13 do the same.
14 If at any time during this deposition
15 you need a break, you need a few minutes, please
16 let me know and we'll make sure you get that. Do
17 you have any questions before we begin?
18 A No.
19 Q If you don't understand a question, please let me
20 know and I will repeat it or restate it; does that
21 sound fair?
22 A Yes.
23 Q Could you state your full name for the record?
24 A Ray Stewart, Jr.
25 Q And how old are you, Mr. Stewart?

Page 6

1 A Sixty-four.
2 Q Are you married?
3 A Yes, I am.
4 Q Do you have kids?
5 A I have one.
6 Q And how old is that child?
7 A Twenty-six. Twenty-six or 27. I think it's 26.
8 Q And could you briefly tell me about your
9 educational background?
10 A I have two years of college, high school diploma
11 and two years of college.
12 Q And where did you complete those two years at,
13 which school?
14 A Morehouse College in Atlanta, Georgia.
15 Q Did you receive a degree?
16 A No. No, it was a four-year college. I didn't
17 receive a degree.
18 Q Could you please briefly describe your work
19 experience since the time you left college?
20 A I worked for Bargain Town, which is Toys-R-Us now,
21 for a winter season and from that, I started with
22 the State in about 1973 and I worked with the State
23 up until 2004 -- no, 2002, I guess, when I
24 retired.
25 Q And are you referring to the State of Michigan?

Page 7

1 A Excuse me?
2 Q Are you referring to the State of Michigan?
3 A Yes, the State of Michigan, yes, the Highway
4 Department, yes. I worked for the Highway
5 Department for 30 years, the Highway Department,
6 State of Michigan.
7 Q What positions did you hold with the Michigan
8 Highway Department?
9 A What they call a tech, engineering tech. I worked
10 with the layout crew, worked with inspection, did
11 inspection, layout of the road, inspections, those
12 two items and then finally, I was doing field
13 manager when field manager came out.
14 Q And for the record, what is field manager?
15 A Basically a recordkeeping program.
16 Q Is it a computer program?
17 A Yes, it is.
18 Q Were you required to obtain any certifications or
19 license to be a technician?
20 A For office tech?
21 Q Yes.
22 A Initially, no. But after -- God, I don't know, I
23 guess 2008, the State of Michigan initiated a
24 program and I took the office tech class.
25 Q Were you still working at MDOT when you took the

Page 8

1 class for the first time?
2 A Yes. Wait a minute. No, I wasn't. No. No.
3 Because as a matter of fact, I was one of the -- if
4 you go back and look at the records when they
5 were -- when the State was developing field
6 manager, they used a lot of my work and they also
7 asked, you know, asked us for our opinion as to the
8 different items in field manager. So I would say
9 with field manager from the initial startup.
10 Q Just to be clear, while you were at MDOT, you were
11 never required to take an office technician
12 training course?
13 A No, they didn't have an office tech training course
14 that I can recall, no.
15 Q Were you required to take any training or obtain
16 any licenses to operate the field manager
17 software?
18 A No, not initially.
19 Q What MDOT location did you work from?
20 A My last location was the Detroit TSC.
21 Q And who was your supervisor at the Detroit TSC, if
22 you recall?
23 A Oh, I'm sorry, as a State employee?
24 Q Yes.
25 A Oh, no. No. My last -- it would have been the

Page 9

1 Taylor TSC and the supervisor would have been --
2 oh, God. I can't think of his name. He's still
3 there. Victor knows. Oh, man.
4 Q That's okay if you can't recall.
5 A Yeah, right now I can't. Bill Urban, it was Bill
6 Urban and the other one was -- Bill Urban.
7 Q Did you work at any locations other than the Taylor
8 TSC?
9 A Yes, I worked for Jim Hanson, Robert Summers, Brian
10 Charboneau (ph), Roger Safford (ph) and Dennis
11 Cooper and Bill Foster. I think that was about it.
12 Q What location did you work for Mr. Hanson at?
13 A Hanson -- let's see, where were we at? It was at
14 the Greenfield and Mount Vernon office.
15 Q Do you recall where you worked at with
16 Mr. Summers?
17 A Summers was at the -- what is that street? It was
18 in Oak Park. I forgot the name that they call that
19 office in Oak Park but it was in Oak Park.
20 Q Do you recall with Mr. Charboneau?
21 A Charboneau was in Oak Park at Greenfield and -- no,
22 I'm sorry, Charboneau was at Lahser and Nine Mile.
23 That's where he was at.
24 Q What about Mr. Safford?
25 A Safford was at Greenfield and Mount Vernon.

Page 10

1 Q And Mr. Loop?
2 A Mr. who?
3 Q Dennis?
4 A Oh, Cooper?
5 Q Cooper, sorry.
6 A Greenfield and Mount Vernon.
7 Q And finally Mr. --
8 A Foster?
9 Q Mr. Foster?
10 A Foster was in Livonia, Plymouth and I guess the
11 closest would have been Plymouth and Inkster Road,
12 closest cross street.
13 Q Did you hold the position of engineering technician
14 for your entire MDOT career?
15 A Well, yes. They had different classifications.
16 Like when I first started, it was like engineering
17 07 and then it went from there to engineering
18 techs, say 9, 10, 11 but it used to be 3, 5, 7 and
19 10 or something.
20 Q Despite the name changes, did your duties remain --
21 A Pretty much the same.
22 Q -- substantially the same?
23 A Yes.
24 Q Which year did you say you left MDOT?
25 A I think it was 2002.

Page 11

1 Q Did you retire from MDOT?
2 A Yes.
3 Q And did you obtain additional employment after you
4 retired from MDOT?
5 A I started working for BBF.
6 Q When did you start working for BBF?
7 A August of 2002. I think it was August. But it was
8 2002.
9 Q Did you interview with BBF?
10 A Yes.
11 Q Did you interview with any other consulting
12 companies?
13 A Yes, Hubbell, Roth & Clark.
14 Q Did you interview with any construction
15 companies?
16 A No.
17 Q How long have you known Bellandra Foster?
18 A Oh, man. Well, I knew her when she was working
19 as -- when she was an engineer for the State,
20 that's when I met her. Exactly what year that was,
21 that had to be in the 80's.
22 Q Did you work directly with her when she was working
23 for the State?
24 A No.
25 Q Did you ever communicate with her while she was

Page 12

1 working for the State?
2 A Yes, I did. As a matter of fact, I applied for a
3 position of -- in Permits and I, you know, went
4 through the interview process and she was one of
5 the ones that interviewed me.
6 Q When did you first discuss employment with BBF with
7 Ms. Foster?
8 A Probably 2002. Before I retired from the State.
9 Q What is your current position with BBF?
10 A Lead worker, that's what it's called.
11 Q And has that been your position since 2002?
12 A No. When I started with BBF, I was working office
13 tech basically, which is in the office doing office
14 tech. Every now and then if someone was, say,
15 absent or whatever, I would go out in the field but
16 I was in the office the majority of the time.
17 Q What were your responsibilities as an office tech
18 for BBF?
19 A Well, I would post the IDRs from the people,
20 download the IDRs from the other employees,
21 inspectors and if they needed supplies, I would
22 furnish those, if possible, for them.
23 Q So we're clear for the record, by IDR, do you mean
24 Inspector Daily Report?
25 A Yes, Inspector Daily Report.

Page 13

1 Q And what are your responsibilities now that you are
2 a lead worker?
3 A Pretty much the same. I am in and out of the
4 office. We had a job on Michigan Avenue that I was
5 doing the field manager for and I was working on
6 another job, what they call it, school district --
7 school safety job. We were putting in ramps and
8 sidewalks, I did those two concurrently and that's
9 a couple years ago when I did that.
10 Q Who is your current supervisor at BBF?
11 A Bellandra Foster.
12 Q And are you in charge of supervising any employees
13 at BBF?
14 A Yes.
15 Q And who would you consider yourself a supervisor
16 of?
17 A One was David Slate. Dave Slate. That was the
18 only -- yeah, that was the only one.
19 Q What did Mr. Slate do?
20 A He was what they call overseer, inspector.
21 Q While employed by BBF, have you performed work on
22 MDOT projects?
23 A Yes.
24 Q Do you recall which projects or which contracts
25 you've worked on?

Page 14

1 A The one on Michigan Avenue between Livernois and
2 12th, another one, the one the school -- which is
3 what is that? That was one of those federal set
4 aside type programs. That one, I worked at Noble
5 School, Burnes and two other schools here. One is
6 on Lonyo south of Michigan Avenue and the other one
7 was -- where was that at? It was over on the west
8 side also, not too far from -- God, Lonyo and
9 Cecil, I think it was. I think it was the street
10 right in that area. Right now I can't recall the
11 name of the school.
12 Q Do you recall what year you worked on the Michigan
13 Avenue project?
14 A Well, the Michigan Avenue project, Dave Slate
15 worked on it but if he needed help, you know, I
16 would go out and assist him and that was -- you
17 know, I mean I may spend two hours out there with
18 him or an hour out there. If he had questions, I
19 would, you know, try and answer his questions. So
20 I did not work on the project per se as far as
21 making out IDRs, no, I didn't do that. I just go
22 and answer his questions if he had questions about
23 the job.
24 Q Do you recall if BBF was a prime or subconsultant
25 to the Department for the Michigan Avenue

Page 15

1 project?
2 A We were the prime. Well, the prime was Ajax,
3 that's who had the contract, Ajax, and we were
4 doing the inspection and the field manager work for
5 Ajax, so I don't know exactly what they call that.
6 We were doing the service end of the contract, yes.
7 Q Do you recall who the MDOT project manager for that
8 project was?
9 A Victor Judnic, I believe. I know it was out of
10 Detroit TSC with Victor and then from Victor, it
11 went to -- what was her name?
12 Q Possibly Tia Klein?
13 A Tia Klein. It wasn't Klein then but Tia Klein.
14 Q Do you recall what you did on the Noble School
15 project?
16 A Noble School project, it was oversee. What we used
17 to call it inspection, now I think they call it
18 overseer. So I laid out removals and we replaced
19 concrete, we replaced sidewalk, we replaced some
20 signs in the area. I, you know, laid out what
21 signs to be removed and replaced, the sidewalk,
22 wheelchair ramps is basically what we did.
23 Q And do you recall if BBF was the prime consultant
24 to MDOT or a subconsultant?
25 A We were sub. H -- not HNTB. Hubbell, Roth & Clark

Page 16

1 was doing the -- was the prime. I was just doing
2 the inspection. I did not do field manager,
3 Hubbell, Roth & Clark had the job.
4 Q Was that also out of the Detroit TSC?
5 A Yes.
6 Q Do you recall who the project manager was for that
7 project for MDOT?
8 A I believe Steve Griffith. I'm not a hundred
9 percent sure.
10 Q And do you recall about when the Noble School
11 project took place?
12 A This is '12, '11. I believe it's 2010. 2010 or
13 2011. But I believe it was '10.
14 Q Have you performed office technician duties for
15 MDOT as a consultant?
16 A Yes. Michigan Avenue was one project. The project
17 on Michigan Avenue between Livernois and 12th
18 Street.
19 Q Do you recall performing office technician duties
20 on any other MDOT projects?
21 A As an employee for BBF?
22 Q Yes.
23 A Okay. Yes, when I worked out at Taylor TSC but
24 when I retired, I was at Taylor TSC in 2002 and I
25 turned around and went back to Taylor and continued

Page 17

1 to work at Taylor until a couple years, I think it
 2 was, before we moved out of Taylor, the company
 3 lost the contract at Taylor. And I did office tech
 4 there at Taylor for both Urban and Sanford. John
 5 Sanford was the other engineer. I did office tech
 6 for both of them.
 7 Q Do you recall any other instances when you
 8 performed office technician duties for MDOT as a
 9 BBF employee other than at the Taylor TSC and on
 10 the Michigan Avenue project?
 11 A Yes, the Taylor TSC and I did some office work at
 12 the Detroit TSC also. We had a person at the
 13 Detroit TSC that was doing the office tech but when
 14 he was off or on vacation, I sat in for him.
 15 Q Would that person have been Love Charles?
 16 A Yes.
 17 Q Have you performed field manager work for the
 18 Michigan Department of Transportation as a BBF
 19 employee?
 20 A Would you repeat that?
 21 Q Yes. Have you used the field manager software in
 22 doing work for Michigan Department of
 23 Transportation as a BBF employee?
 24 A Yes.
 25 Q Would that have been on the same projects you

Page 18

1 performed office technician duties on?
 2 A Yes.
 3 Q Are you familiar with Victor Judnic?
 4 A Yes.
 5 Q How do you know Mr. Judnic?
 6 A I worked as an office tech for Mr. Judnic at the
 7 Detroit TSC. Well, right now I can't recall the
 8 dates but it was in 2005, 2006, I believe. And I
 9 was at the Detroit TSC from, say, 2006 until 2009.
 10 Q Did you first meet him in 2005 or did you know him
 11 from --
 12 A Yes, that was my first time meeting him, yes.
 13 Q Do you recall approximately how long you worked as
 14 an office technician for Mr. Judnic?
 15 A Well, like I said, it was on and off because I also
 16 worked two projects for Mr. Judnic. I worked on
 17 Jefferson Avenue between Cobo Hall and what is
 18 that, 696 -- I mean 375. We did a camera,
 19 surveillance cameras we put up, we installed. And
 20 I also worked for -- what was the other one? Oh,
 21 Seven Mile and Van Dyke traffic signal job.
 22 Q When was the last time you spoke with Mr. Judnic,
 23 if you recall?
 24 A Either the first part of this year or the latter
 25 part of last year. I think I saw him at Detroit

Page 19

1 TSC and said hello. We greeted each other.
 2 Q Are you familiar with a gentleman named Mark
 3 Steucher?
 4 A Yes.
 5 Q How do you know Mr. Steucher?
 6 A Let's see. When I worked for Jim Hanson, Mark
 7 Steucher became Mr. Hanson's assistant engineer
 8 and -- yes.
 9 Q Do you recall when you first met Mr. Steucher?
 10 A 1998, 1999, somewhere around there.
 11 Q Was Mr. Steucher ever your supervisor?
 12 A He was the assistant engineer, so yes, he would
 13 have been considered my -- could have been my
 14 supervisor, yes.
 15 Q Would you have considered him your direct
 16 supervisor?
 17 A No.
 18 Q In your employment with BBF, have you ever taken an
 19 office technician training course?
 20 A Yes.
 21 Q When was that?
 22 A Oh, man. I've taken it twice now. I took it in
 23 maybe 2008 or 2009 and then again in 2010,
 24 somewhere around there. I don't recall the years.
 25 Q To your knowledge, is your certification currently

Page 20

1 up to date?
 2 A Yes.
 3 Q Do you recall who taught the training course in
 4 2008?
 5 A Both years, Fishbeck.
 6 Q Do you recall how long the 2008 course lasted?
 7 A A week.
 8 Q And could you briefly describe the course?
 9 A Well, they had a job set up more or less on the
 10 computer and we went in, we posted the IDRs, we
 11 posted tested material. Well, we did the posting,
 12 yes, of tested material, we filed, we set up the
 13 job filing system. There's a certain way that the
 14 State wants the filing system set up. We set up
 15 the filing system and we were to -- the items that
 16 we were to mail to Lansing, you know, the paperwork
 17 and all. We didn't mail it to Lansing but it was
 18 told to us what was to go to Lansing and we ended
 19 up going through the whole field manager process
 20 and finalized the job out. That was the test. The
 21 test was to -- they gave us information, we were to
 22 post it and in each step, like each more or less
 23 step, you had a number that when we turned in, say,
 24 your estimate, they had an estimate number and if
 25 your number matched the estimate number, then you'd

1 move on to the next step. And at the end, your
 2 number had to match their number or, you know, you
 3 didn't pass -- well, you missed something. So it's
 4 basically the same thing we would do in the office
 5 tech in a State office or a consultant's office,
 6 you know.
 7 Q Do you recall how long the training course in 2010
 8 lasted?
 9 A A week.
 10 Q Did you attend the entire week?
 11 A Yes, I did.
 12 Q Was the training course similar to the 2008
 13 course?
 14 A It was very similar.
 15 Q Why did you take the course in 2010?
 16 A I was told by Bellandra that she was told that I
 17 had to take the course because I had not -- the
 18 first one that I took, supposedly they didn't have
 19 record of it. They didn't have record that I had
 20 taken the course and that the State didn't have
 21 record that I had taken the course.
 22 So in order to get, I think it was
 23 the -- I believe it was the Port Huron job, it was
 24 required that I had office tech, take the course,
 25 get certified in office tech and they were informed

1 adjustments or corrections to, you know, what was
 2 already done. Like some things that weren't
 3 posted, I was to go in and find out -- get in touch
 4 with the contractors and try to get the information
 5 for testing materials that weren't posted. That's
 6 my understanding of the job. But I never looked at
 7 the job, never saw the job, just heard about it.
 8 Q Did you take the second training course before the
 9 Michigan Avenue job?
 10 A Yes.
 11 Q And do you recall if it was the Detroit TSC that
 12 was asking you to take the 2010 training course?
 13 A I believe, I'm not sure, I think it was the Port
 14 Huron job. I want to almost say by the time the
 15 Detroit TSC job on Michigan Avenue started, that
 16 was in June or something and I took the course in
 17 like February. So might have been February of 2010
 18 and February of 2010 when the job started on
 19 Michigan Avenue. I'm sorry, not February of 2010
 20 but June, 2010. But I took the office tech course
 21 in the winter, you know, in the wintertime.
 22 Q Do you have any evidence that Victor Judnic had
 23 requested that you took that 2010 course?
 24 A I do not know.
 25 Q Do you know who the project manager was going to be

1 that, you know, that I had had it and I was still
 2 certified but I was required to take it again,
 3 so...
 4 Q Do you recall who at MDOT told Ms. Foster that?
 5 A No.
 6 Q Since 2010, have you been required to take any
 7 additional office technician training?
 8 A No.
 9 Q Not even a partial course?
 10 A They don't offer partial courses, as far as I know.
 11 That's what she asked when I -- 2010 if it was
 12 possible for me to take a partial course and they
 13 said no, they did not offer the partial course.
 14 Q Do you know if the project that your services were
 15 needed on was an Arra contract, A-r-r-a?
 16 A A-r-r-a. I believe so. I think the Michigan
 17 Avenue was. I believe so. I'm not sure.
 18 Q You stated that it was possibly a Port Huron job
 19 that --
 20 A Oh, you're talking about --
 21 Q -- needed your services?
 22 A Oh, the Port Huron job was, from what I understood,
 23 was to go in and not do field manager. Field
 24 manager was already done. I was to go in, from
 25 what I understand, check what was done and make any

1 on the Port Huron job?
 2 A No. The only thing I know -- the TSC manager,
 3 Larry, and I have worked with him before.
 4 Q Do you know if BBF paid for this 2010 course?
 5 A I guess so. I don't know. No, I don't know.
 6 Q You don't know?
 7 A No. No.
 8 Q Did anyone ever explain to you that Arra contracts
 9 had heightened scrutiny of project records?
 10 MR. WILLIAMS: Objection, lack of
 11 foundation, assumes facts not in evidence and calls
 12 for hearsay.
 13 MR. DITTENBER: You can still answer.
 14 MR. WILLIAMS: If you can answer.
 15 A No.
 16 Q Are you aware whether your work on MDOT projects
 17 has been reviewed by other consulting firms?
 18 A Yes. The one on Michigan Avenue was reviewed by
 19 URS and it was reviewed by the State of Michigan,
 20 Jeff Rosecloth (ph), if I said it right. The State
 21 of Michigan for the consultant jobs, well, maybe
 22 also for the State of Michigan jobs but definitely
 23 for the consultant jobs, the State of Michigan
 24 reviews them before the job is completed,
 25 considered final for the final paperwork. And the

1 Michigan Avenue, I've already submitted the final
 2 paperwork and it has been approved by the State.
 3 Q Did you perform office technician work on a pump
 4 station job out of the Detroit TSC?
 5 A Yes, I did. Yes.
 6 Q Do you know if your work was reviewed on that
 7 job?
 8 A I did not complete that job. I left the Detroit
 9 TSC before the job was finalized.
 10 Q Do you know who would have completed that job?
 11 A No, I don't. Someone from the -- I guess someone
 12 from the State of Michigan but I do not know who,
 13 no.
 14 Q It would not have been another BBF employee?
 15 A No. BBF was no longer in that office, I don't
 16 think.
 17 Q And do you know if the portion of that job that you
 18 did complete was reviewed by another consulting
 19 company?
 20 A I don't know.
 21 Q Do you recall who the project manager for MDOT
 22 would have been on the pump station job?
 23 A Victor Judnic, I believe.
 24 Q After you took the 2010 course, were you allowed to
 25 continue to perform office technician duties for

1 MDOT projects?
 2 A Yes.
 3 Q Are you still performing those duties today?
 4 A No.
 5 MR. DITTENBER: Can I have just a
 6 moment, please, off the record?
 7 (A short break was taken).
 8 Q Back on the record. Mr. Stewart, did you have any
 9 physical evidence that you took the 2008 course?
 10 A Would you explain that? What do you mean?
 11 Q Did you receive a certificate, for example?
 12 A Yes, I did.
 13 Q Did MDOT request that you provide that certificate
 14 in 2008?
 15 A You would have to ask Mrs. Foster because they
 16 didn't ask it of me.
 17 Q And if you know, did Ms. Foster provide that
 18 certificate?
 19 A I think so. She has it on record. She has it in
 20 my file.
 21 MR. DITTENBER: That's all the questions
 22 I have. Thank you.
 23 ---
 24 (Deposition was concluded at 10:39 a.m.).
 25 ---

1 STATE OF MICHIGAN)
 2 COUNTY OF OAKLAND) SS.
 3 CERTIFICATE OF NOTARY PUBLIC
 4 I, Robin V. Darnbrook,
 5 Certified Shorthand Reporter, Notary Public,
 6 Oakland County, Michigan, certify the witness
 7 whose deposition was taken before me on
 8 November 14, 2012 was by me cautioned and
 9 sworn to testify the truth, that the testimony
 10 contained in the deposition was recorded by means
 11 of stenography, was reduced to a typewritten form
 12 and is a true and correct transcript.
 13 I further certify I am not
 14 connected by blood or marriage to any of the
 15 parties, their agents or attorneys; that I am
 16 not an employee of any of them, nor interested
 17 directly or indirectly in the matter in
 18 controversy.
 19 IN WITNESS WHEREOF, I have
 20 hereunto set my hand and affixed my notarial
 21 seal in the County of Oakland, State of
 22 Michigan, this 26th day of Nov., 2012.
 23
 24 Robin V. Darnbrook CSR2508
 25 Notary Public, Oakland County, MI
 My Commission Expires 11/19/2018

| | | | |
|---|---|--|---|
| | absent (1) 12:15 additional (2) 11:3;22:7 adjustments (1) 23:1 again (2) 19:23;22:2 ago (1) 13:9 | certificate (3) 26:11,13,18 certification (1) 19:25 certifications (1) 7:18 certified (2) 21:25;22:2 changes (1) 10:20 Charboneau (4) 9:10,20,21,22 charge (1) 13:12 Charles (1) 17:15 check (1) 22:25 child (1) 6:6 Clark (3) 11:13;15:25;16:3 class (2) 7:24;8:1 classifications (1) 10:15 clear (2) 8:10;12:23 closest (2) 10:11,12 Cobo (1) 18:17 college (5) 6:10,11,14,16,19 communicate (1) 11:25 companies (2) 11:12,15 company (2) 17:2;25:19 complete (3) 6:12;25:8,18 completed (2) 24:24;25:10 computer (2) 7:16;20:10 concluded (1) 26:24 concrete (1) 15:19 concurrently (1) 13:8 consider (1) 13:15 considered (3) 19:13,15;24:25 construction (1) 11:14 consultant (4) 15:23;16:15;24:21, 23 consultant's (1) 21:5 consulting (3) 11:11;24:17;25:18 continue (1) 25:25 continued (1) 16:25 contract (4) 15:3,6;17:3;22:15 contractors (1) 23:4 contracts (2) 13:24;24:8 Cooper (3) 9:11;10:4,5 corrections (1) 23:1 couple (2) 13:9;17:1 course (25) 8:12,13;19:19;20:3,6,8; 21:7,12,13,15,17,20,21,24;22:9, 12,13;23:8,12,16,20,23;24:4; 25:24;26:9 courses (1) 22:10 court (1) 5:7 crew (1) 7:10 CROSS (2) 4:21;10:12 current (2) 12:9;13:10 currently (1) 19:25 | 17:18,22 deposition (4) 4:15;5:7,14;26:24 describe (2) 6:18;20:8 Despite (1) 10:20 Detroit (14) 4:2;8:20,21;15:10;16:4; 17:12,13;18:7,9,25;23:11,15; 25:4,8 developing (1) 8:5 different (2) 8:8;10:15 diploma (1) 6:10 direct (1) 19:15 directly (1) 11:22 discuss (1) 12:6 district (1) 13:6 DITTENBER (8) 4:10,13,17,22,23; 24:13;26:5,21 done (3) 22:24,25;23:2 down (2) 5:8,11 download (1) 12:20 duly (1) 4:5 during (1) 5:14 duties (7) 10:20;16:14,19;17:8; 18:1;25:25;26:3 Dyke (1) 18:21 |
| 0 | | | |
| 07 (1) 10:17 | | | |
| 1 | Ajax (3) 15:2,3,5 allowed (1) 25:24 almost (1) 23:14 applied (1) 12:2 approved (1) 25:2 approximately (1) 18:13 area (2) 14:10;15:20 around (3) 16:25;19:10,24 Arra (2) 22:15;24:8 A-r-r-a (2) 22:15,16 aside (1) 14:4 assist (1) 14:16 Assistant (3) 4:24;19:7,12 assumes (1) 24:11 Atlanta (1) 6:14 attend (1) 21:10 Attorney (1) 4:24 August (2) 11:7,7 Avenue (16) 13:4;14:1,6,13,14,25; 16:16,17;17:10,18;17:22;17; 23:9,15,19;24:18;25:1 aware (1) 24:16 | | |
| 10 (3) 10:18,19;16:13 10:39 (1) 26:24 11 (2) 10:18;16:12 12 (1) 16:12 12th (2) 14:2;16:17 14 (1) 4:1 1973 (1) 6:22 1998 (1) 19:10 1999 (1) 19:10 | | | |
| 2 | | | |
| 2002 (7) 6:23;10:25;11:7,8;12:8, 11;16:24 2004 (1) 6:23 2005 (2) 18:8,10 2006 (2) 18:8,9 2008 (7) 7:23;19:23;20:4,6;21:12; 26:9,14 2009 (2) 18:9;19:23 2010 (15) 16:12,12;19:23;21:7,15; 22:6,11;23:12,17,18,19,20,23; 24:4;25:24 2011 (1) 16:13 2012 (1) 4:1 26 (1) 6:7 27 (1) 6:7 | | | |
| | B | | |
| | back (3) 8:4;16:25;26:8 background (1) 6:9 Bargain (1) 6:20 Basically (4) 7:15;12:13;15:22;21:4 BBF (22) 4:15;5:2;11:5,6,9;12:6,9, 12,18;13:10,13,21;14:24;15:23; 16:21;17:9,18,23;19:18;24:4; 25:14,15 became (1) 19:7 begin (1) 5:17 Bellandra (4) 5:3;11:17;13:11; 21:16 benefit (1) 5:9 Bill (4) 9:5,5,6,11 both (3) 17:4,6;20:5 break (2) 5:15;26:7 Brian (1) 9:9 briefly (3) 6:8,18;20:8 Burnes (1) 14:5 | | |
| | C | | |
| | | | |
| 3 | | | |
| 3 (1) 10:18 30 (1) 7:5 375 (1) 18:18 | | | |
| 5 | | | |
| 5 (1) 10:18 | | | |
| 6 | | | |
| 696 (1) 18:18 | | | |
| 7 | | | |
| 7 (1) 10:18 | | | |
| 8 | | | |
| 80's (1) 11:21 | | | |
| 9 | | | |
| 9 (1) 10:18 | | | |
| A | call (7) 7:9;9:18;13:6,20;15:5,17,17 called (1) 12:10 calls (1) 24:11 came (1) 7:13 camera (1) 18:18 cameras (1) 18:19 can (4) 8:14;24:13,14;26:5 career (1) 10:14 case (1) 5:5 Cecil (1) 14:9 certain (1) 20:13 | D | F |
| | | Daily (2) 12:24,25 date (1) 20:1 dates (1) 18:8 Dave (2) 13:17;14:14 David (1) 13:17 definitely (1) 24:22 degree (2) 6:15,17 Dennis (2) 9:10;10:3 Department (7) 7:4,5,5,8;14:25; | fact (2) 8:3;12:2 facts (1) 24:11 fair (1) 5:21 familiar (2) 18:3;19:2 far (3) 14:8,20;22:10 February (4) 23:17,17,18,19 federal (1) 14:3 few (1) 5:15 field (16) 7:12,13,14;8:5,8,9,16; |

| | | | |
|--|---|---|--|
| <p>12:15;13:5;15:4;16:2;17:17,21; 20:19;22:23,23 file (1) 26:20 filed (2) 5:1;20:12 filing (3) 20:13,14,15 final (3) 24:25,25;25:1 finald (2) 20:20;25:9 finally (2) 7:12;10:7 find (1) 23:3 firms (1) 24:17 first (9) 4:5;8:1;10:16;12:6;18:10, 12,24;19:9;21:18 Fishbeck (1) 20:5 follows (1) 4:8 forgot (1) 9:18 Foster (11) 5:3;9:11;10:8,9,10; 11:17;12:7;13:11;22:4;26:15,17 foundation (1) 24:11 four-year (1) 6:16 full (1) 5:23 furnish (1) 12:22</p> | <p>Incorporated (1) 5:2 information (2) 20:21;23:4 informed (1) 21:25 initial (1) 8:9 Initially (2) 7:22;8:18 initiated (1) 7:23 Inkster (1) 10:11 inspection (5) 7:10,11;15:4,17;16:2 inspections (1) 7:11 Inspector (3) 12:24,25;13:20 inspectors (1) 12:21 installed (1) 18:19 instances (1) 17:7 interview (4) 11:9,11,14;12:4 interviewed (1) 12:5 issues (1) 5:5 items (3) 7:12;8:8;20:15</p> | <p>location (3) 8:19,20;9:12 locations (1) 9:7 long (4) 11:17;18:13;20:6;21:7 longer (1) 25:15 Lonyo (2) 14:6,8 look (1) 8:4 looked (1) 23:6 Loop (1) 10:1 lost (1) 17:3 lot (1) 8:6 Love (1) 17:15</p> | <p>14:11;15:11 named (1) 19:2 need (2) 5:15,15 needed (4) 12:21;14:15;22:15,21 next (1) 21:1 Nine (1) 9:22 Noble (4) 14:4;15:14,16;16:10 November (1) 4:1 number (6) 20:23,24,25,25;21:2,2</p> |
| <p style="text-align: center;">G</p> | <p style="text-align: center;">J</p> | <p style="text-align: center;">M</p> | <p style="text-align: center;">O</p> |
| <p>gave (1) 20:21 General (1) 4:24 gentleman (1) 19:2 Georgia (1) 6:14 God (3) 7:22;9:2;14:8 Good (2) 4:10,12 Greenfield (4) 9:14,21,25;10:6 greeted (1) 19:1 Griffith (1) 16:8 guess (5) 6:23;7:23;10:10;24:5; 25:11</p> | <p>Jeff (1) 24:20 Jefferson (1) 18:17 Jim (2) 9:9;19:6 job (28) 13:4,6,7;14:23;16:3;18:21; 20:9,13,20;21:23;22:18,22; 23:6,7,7,9,14,15,18;24:1,24; 25:4,7,8,9,10,17,22 jobs (3) 24:21,22,23 John (1) 17:4 JR (4) 4:4,16,17;5:24 Judnic (10) 4:25;15:9;18:3,5,6,14,16, 22;23:22;25:23 June (2) 23:16,20</p> | <p>mail (2) 20:16,17 majority (1) 12:16 making (1) 14:21 man (3) 9:3;11:18;19:22 manager (20) 7:13,13,14;8:6,8,9,16; 13:5;15:4,7;16:2,6;17:17,21; 20:19;22:23,24;23:25;24:2; 25:21 Mark (2) 19:2,6 married (1) 6:2 match (1) 21:2 matched (1) 20:25 material (2) 20:11,12 materials (1) 23:5 matter (2) 8:3;12:2 may (1) 14:17 maybe (2) 19:23;24:21 MDOT (19) 7:25;8:10,19;10:14,24; 11:1,4;13:22;15:7,24;16:7,15, 20;17:8;22:4;24:16;25:21;26:1, 13 mean (4) 12:23;14:17;18:18;26:10 meet (1) 18:10 meeting (1) 18:12 met (2) 11:20;19:9 Michigan (30) 4:2,25;6:25;7:2,3,6,7, 23;13:4;14:1,6,12,14,25;16:16, 17;17:10,18,22;22:16;23:9,15, 19;24:18,19,21,22,23;25:1,12 might (1) 23:17 Mike (1) 4:23 Mile (2) 9:22;18:21 minute (1) 8:2 minutes (1) 5:15 missed (1) 21:3 mm-hmm (1) 5:11 moment (1) 26:6 more (2) 20:9,22 Morehouse (1) 6:14 morning (2) 4:10,12 Mount (3) 9:14,25;10:6 move (1) 21:1 moved (1) 17:2 Mrs (1) 26:15 much (2) 10:21;13:3</p> | <p>Oak (4) 9:18,19,19,21 Objection (1) 24:10 obtain (3) 7:18;8:15;11:3 off (3) 17:14;18:15;26:6 offer (2) 22:10,13 office (33) 7:20,24;8:11,13;9:14,19; 12:12,13,13,16,17;13:4;16:14, 19;17:3,5,8,11,13;18:1,6,14; 19:19;21:4,5,5,24,25;22:7; 23:20;25:3,15,25 official (1) 4:19 old (2) 5:25;6:6 one (17) 6:5;8:3;9:6;12:4;13:17,18; 14:1,2,2,3,4,5,6;16:16;18:20; 21:18;24:18 ones (1) 12:5 only (3) 13:18,18;24:2 operate (1) 8:16 opinion (1) 8:7 order (1) 21:22 out (16) 7:13;12:15;13:3;14:16,17, 18,21;15:9,18,20;16:4,23;17:2; 20:20;23:3;25:4 over (1) 14:7 oversee (1) 15:16 overseer (2) 13:20;15:18</p> |
| <p style="text-align: center;">H</p> | <p style="text-align: center;">K</p> | <p style="text-align: center;">L</p> | <p style="text-align: center;">P</p> |
| <p>Hall (1) 18:17 Hanson (4) 9:9,12,13;19:6 Hanson's (1) 19:7 head (1) 5:11 heard (1) 23:7 hearsay (1) 24:12 heightened (1) 24:9 hello (1) 19:1 help (1) 14:15 herein (1) 4:5 high (1) 6:10 Highway (4) 7:3,4,5,8 HNTB (1) 15:25 hold (2) 7:7;10:13 hour (1) 14:18 hours (1) 14:17 Hubbell (3) 11:13;15:25;16:3 hundred (1) 16:8 Huron (5) 21:23;22:18,22;23:14; 24:1</p> | <p>keep (1) 5:9 kids (1) 6:4 Klein (4) 15:12,13,13,13 knew (1) 11:18 knowledge (2) 5:4;19:25 known (1) 11:17 knows (1) 9:3</p> | <p>lack (1) 24:10 Lahser (1) 9:22 laid (2) 15:18,20 Lansing (3) 20:16,17,18 Larry (1) 24:3 last (4) 8:20,25;18:22,25 lasted (2) 20:6;21:8 latter (1) 18:24 layout (2) 7:10,11 Lead (2) 12:10;13:2 left (3) 6:19;10:24;25:8 less (2) 20:9,22 license (1) 7:19 licenses (1) 8:16 litigation (2) 5:1,1 Livernois (2) 14:1;16:17 Livonia (1) 10:10</p> | <p>paid (1) 24:4 paperwork (3) 20:16;24:25;25:2 Park (4) 9:18,19,19,21 part (2) 18:24,25 partial (4) 22:9,10,12,13 pass (1) 21:3 people (1) 12:19 per (1) 14:20 percent (1) 16:9 perform (2) 25:3,25 performed (5) 13:21;16:14;17:8,17; 18:1 performing (2) 16:19;26:3 Permits (1) 12:3 person (2) 17:12,15 ph (3) 9:10,10;24:20 physical (1) 26:9 place (2) 4:14;16:11 please (4) 5:15,19;6:18;26:6 Plymouth (2) 10:10,11 Port (5) 21:23;22:18,22;23:13;24:1 portion (1) 25:17</p> |
| <p style="text-align: center;">I</p> | <p style="text-align: center;">L</p> | <p style="text-align: center;">N</p> | <p style="text-align: center;">P</p> |
| <p>IDR (1) 12:23 IDRs (4) 12:19,20;14:21;20:10</p> | <p>name (7) 4:23;5:23;9:2,18;10:20;</p> | <p>name (7) 4:23;5:23;9:2,18;10:20;</p> | <p>name (7) 4:23;5:23;9:2,18;10:20;</p> |

| | | | |
|--|--|--|--|
| <p>position (4) 10:13;12:3,9,11 positions (1) 7:7 possible (2) 12:22;22:12 Possibly (2) 15:12;22:18 post (2) 12:19;20:22 posted (4) 20:10,11,23;3,5 posting (1) 20:11 Pretty (2) 10:21;13:3 prime (5) 14:24;15:2,2,23;16:1 Probably (1) 12:8 process (2) 12:4;20:19 program (3) 7:15,16,24 programs (1) 14:4 project (18) 14:13,14,20;15:1,7,8,15, 16;16:6,7,11,16,16;17:10; 22:14;23:25;24:9;25:21 projects (7) 13:22,24;16:20;17:25; 18:16;24:16;26:1 provide (2) 26:13,17 pump (2) 25:3,22 put (1) 18:19 putting (1) 13:7</p> | <p style="text-align: center;">S</p> <p>safety (1) 13:7 Safford (3) 9:10,24,25 same (6) 5:13;10:21,22;13:3; 17:25;21:4 Sanford (2) 17:4,5 sat (1) 17:14 saw (2) 18:25;23:7 school (10) 6:10,13;13:6,7;14:2,5, 11;15:14,16;16:10 schools (1) 14:5 scrutiny (1) 24:9 se (1) 14:20 season (1) 6:21 second (1) 23:8 service (1) 15:6 Services (3) 5:2;22:14,21 set (5) 14:3;20:9,12,14,14 Seven (1) 18:21 shake (1) 5:11 short (1) 26:7 side (1) 14:8 sidewalk (2) 15:19,21 sidewalks (1) 13:8 signal (1) 18:21 signs (2) 15:20,21 similar (2) 21:12,14 Sixty-four (1) 6:1 Slate (4) 13:17,17,19;14:14 software (2) 8:17;17:21 someone (3) 12:14;25:11,11 somewhere (2) 19:10,24 sorry (4) 8:23;9:22;10:5;23:19 sound (1) 5:21 south (1) 14:6 spend (1) 14:17 spoke (1) 18:22 start (1) 11:6 started (6) 6:21;10:16;11:5;12:12; 23:15,18 startup (1) 8:9 State (24) 4:24;5:23;6:22,22,25;7:2, 3,6,23;8:5,23;11:19,23;12:1,8; 20:14;21:5,20;24:19,20,22,23; 25:2,12 stated (1) 22:18 station (2) 25:4,22 step (3) 20:22,23;21:1 Steucher (6) 4:25;19:3,5,7,9,11 Steve (1) 16:8 STEWART (9) 4:4,11,15,16,17,23; 5:24,25;26:8 still (5) 7:25;9:2;22:1;24:13;26:3 street (4) 9:17;10:12;14:9;16:18 sub (1) 15:25 subconsultant (2) 14:24;15:24 submitted (1) 25:1 substantially (1) 10:22 Summers (3) 9:9,16,17 supervising (1) 13:12 supervisor (7) 8:21;9:1;13:10,15;</p> | <p>19:11,14,16 supplies (1) 12:21 supposedly (1) 21:18 sure (4) 5:16;16:9;22:17;23:13 surveillance (1) 18:19 sworn (1) 4:5 system (3) 20:13,14,15</p> | <p>Van (1) 18:21 verbal (1) 5:10 Vernon (3) 9:14,25;10:6 Victor (7) 9:3;15:9,10,10;18:3; 23:22;25:23 voice (1) 5:9</p> |
| <p style="text-align: center;">R</p> | <p>sidewalk (2) 15:19,21 sidewalks (1) 13:8 signal (1) 18:21 signs (2) 15:20,21 similar (2) 21:12,14 Sixty-four (1) 6:1 Slate (4) 13:17,17,19;14:14 software (2) 8:17;17:21 someone (3) 12:14;25:11,11 somewhere (2) 19:10,24 sorry (4) 8:23;9:22;10:5;23:19 sound (1) 5:21 south (1) 14:6 spend (1) 14:17 spoke (1) 18:22 start (1) 11:6 started (6) 6:21;10:16;11:5;12:12; 23:15,18 startup (1) 8:9 State (24) 4:24;5:23;6:22,22,25;7:2, 3,6,23;8:5,23;11:19,23;12:1,8; 20:14;21:5,20;24:19,20,22,23; 25:2,12 stated (1) 22:18 station (2) 25:4,22 step (3) 20:22,23;21:1 Steucher (6) 4:25;19:3,5,7,9,11 Steve (1) 16:8 STEWART (9) 4:4,11,15,16,17,23; 5:24,25;26:8 still (5) 7:25;9:2;22:1;24:13;26:3 street (4) 9:17;10:12;14:9;16:18 sub (1) 15:25 subconsultant (2) 14:24;15:24 submitted (1) 25:1 substantially (1) 10:22 Summers (3) 9:9,16,17 supervising (1) 13:12 supervisor (7) 8:21;9:1;13:10,15;</p> | <p style="text-align: center;">T</p> | <p style="text-align: center;">W</p> |
| <p>ramps (2) 13:7;15:22 RAY (5) 4:4,15,16,17;5:24 recall (27) 8:14,22;9:4,15,20;13:24; 14:10,12,24;15:7,14,23;16:6,10, 19;17:7;18:7,13,23;19:9,24; 20:3,6;21:7;22:4;23:11;25:21 receive (3) 6:15,17;26:11 record (10) 4:13;5:23;7:14;12:23; 21:19,19,21;26:6,8,19 recordkeeping (1) 7:15 records (2) 8:4;24:9 referring (2) 6:25;7:2 reflect (1) 4:13 regarding (1) 5:5 remain (1) 10:20 removals (1) 15:18 removed (1) 15:21 repeat (2) 5:20;17:20 replaced (4) 15:18,19,19,21 Report (2) 12:24,25 reporter (1) 5:7 represent (1) 4:25 request (1) 26:13 requested (1) 23:23 required (6) 7:18;8:11,15;21:24; 22:2,6 responsibilities (2) 12:17;13:1 restate (1) 5:20 retire (1) 11:1 retired (4) 6:24;11:4;12:8;16:24 reviewed (5) 24:17,18,19;25:6,18 reviews (1) 24:24 right (5) 9:5;14:10,10;18:7;24:20 road (2) 7:11;10:11 Robert (1) 9:9 Roger (1) 9:10 Rosecloth (1) 24:20 Roth (3) 11:13;15:25;16:3</p> | <p>talking (1) 22:20 taught (1) 20:3 Taylor (11) 9:1,7,16;23,24,25;17:1,2, 3,4,9,11 tech (16) 7:9,9,20,24;8:13;12:13,14, 17;17:3,5,13;18:6;21:5,24,25; 23:20 technician (12) 7:19;8:11;10:13; 16:14,19;17:8;18:1,14;19:19; 22:7;25:3,25 techs (1) 10:18 test (2) 20:20,21 tested (2) 20:11,12 testified (1) 4:7 testify (1) 4:6 testing (1) 23:5 Tia (3) 15:12,13,13 today (2) 5:8;26:3 told (4) 20:18,21;16,16;22:4 took (10) 7:24,25;16:11;19:22; 21:18;23:16,20,23;25:24;26:9 touch (1) 23:3 Town (1) 6:20 Toys-R-Us (1) 6:20 traffic (1) 18:21 training (10) 8:12,13,15;19:19;20:3; 21:7,12;22:7;23:8,12 Transportation (2) 17:18,23 truth (3) 4:6,6,7 try (4) 5:12,12;14:19;23:4 TSC (20) 8:20,21;9:1,8;15:10;16:4, 23,24;17:9,11,12,13;18:7,9; 19:1;23:11,15;24:2;25:4,9 turned (2) 16:25;20:23 Twenty-six (2) 6:7,7 twice (1) 19:22 two (8) 6:10,11,12;7:12;13:8;14:5, 17;18:16 type (1) 14:4</p> | <p style="text-align: center;">U</p> <p>uh-uh (1) 5:11 understood (1) 22:22 up (9) 5:9;6:23;18:19;20:1,9,12,14, 14,19 Urban (4) 9:5,6,6;17:4 URS (1) 24:19 used (4) 8:6;10:18;15:16;17:21</p> | <p>Wait (1) 8:2 wants (1) 20:14 way (1) 20:13 week (3) 20:7;21:9,10 weren't (2) 23:2,5 west (1) 14:7 wheelchair (1) 15:22 whole (2) 4:6;20:19 WILLIAMS (2) 24:10,14 winter (2) 6:21;23:21 wintertime (1) 23:21 Witness (4) 4:5,12,16,18 work (16) 6:18;8:6,19;9:7,12;11:22; 13:21;14:20;15:4;17:1,11,17, 22;24:16;25:3,6 worked (19) 6:20,22;7:4,9,10;9:9,15; 13:25;14:4,12,15;16:23;18:6, 13,16,16,20;19:6;24:3 worker (2) 12:10;13:2 working (8) 7:25;11:5,6,18,22;12:1, 12;13:5</p> |
| <p style="text-align: center;">V</p> | <p style="text-align: center;">V</p> <p>vacation (1) 17:14</p> | <p style="text-align: center;">V</p> | <p style="text-align: center;">Y</p> |
| <p style="text-align: center;">Y</p> | <p>year (5) 10:24;11:20;14:12;18:24, 25 years (8) 6:10,11,12;7:5;13:9;17:1; 19:24;20:5</p> | <p style="text-align: center;">Y</p> | <p style="text-align: center;">Y</p> |

EXHIBIT 30

*Michigan Department of Transportation
Certificate of Training*

This is to certify that

Ray Stewart

*has successfully completed a course entitled
Computerized Office Technician*

March 26, 2010

fitch

Fishbeck, Thompson, Carr & Huber
engineers • scientists • architects • constructors



Stuart A. Laakso, Instructor, FTC&H



Sarah K. Davenport, Instructor, FTC&H

Michigan Department of Transportation
Certificate of Training

This is to certify that

Ray Stewart

has successfully completed a course entitled

Computerized Office Technician

February 15, 2008

FTC&H

Fishbeck, Thompson, Carr & Huber
regulators • architects • architects • contractors

Stuart A. Jaakso

Stuart A. Jaakso, Instructor, FTC&H

Sarah K. Deuel

Sarah K. Deuel, Instructor, FTC&H