



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

May 17, 2017

Project: 45454.3.P3S1  
Contract No.: C203406  
County: Mecklenburg and Iredell  
Route: I 77 and I 277  
Description: Public Private Partnership for I 77 HOT Lane

Subject: **Failure to Comply with Lane Closure Restrictions**

**VIA EMAIL ONLY**

I-77 Mobility Partners  
6135 Lakeview Rd, Suite 250  
Charlotte NC, 28269  
ATTN: Javier Tamargo (jtamargo@I77partners.com)

Mr. Tamargo:

This letter is to advise of a lane closure violation that occurred on May 16, 2017. Road closures on I77 North were not removed until 7:45 am and ramp closures at both the I-277 and east and westbound ramps were not opened until 8:05 am. Section 22.1.4 of the Technical Provisions restricts lane closures in this area between 5:00am and 10:00pm Monday through Friday. As a result of this violation and in accordance with Section 17.4.3 of the Comprehensive Agreement, the Department will withhold liquated damages in the amount \$1,360,000.00 on the next partial pay estimate.

If you have any questions or concerns please feel free to contact me at the number below.

Sincerely,

Brian D. Davis, PE  
Resident Engineer  
North Carolina Department of Transportation

cc: Mr. Louis Mitchell, PE  
Mr. Scott Cole, PE  
Mr. Rick Baucom, PE  
Mr. Darin Waller, PE  
File: LaneClosureViolation\_5-16-17