



**DEPARTMENT OF GENERAL SERVICES**

Isiah Leggett  
*County Executive*

David E. Dise  
*Director*

July 17, 2013

To: Isiah Leggett, County Executive  
Nancy Navarro, Council President

From: David Dise, Director <sup>12</sup> *D*

Subject: Progress Update – Remediation of Defects at Silver Spring Transit Center

Following is an update on the work of the Cooperative Remediation Working Group (CRWG) for remediation of defects at the Silver Spring Transit Center (SSTC). Progress of the remediation effort is presented by key area.

**Pour Strip Repairs**

- Permit for pour strip remediation was issued on July 9<sup>th</sup>. The CRWG reviewed final design elements and discussed scheduling at its meeting of July 11<sup>th</sup>.
- Notice to Proceed was issued to Foulger Pratt (FP) the morning of Monday, July 15<sup>th</sup>. FP indicated it will begin work this Wednesday, July 17<sup>th</sup>.
- Work will be both onsite and offsite and will consist of: full-size form work including vision panels followed by pressure injection of self-consolidating concrete for the new under slab beams; lift-off (adherence) tests for the two materials under consideration to replace the pour strip top, (1) 8000psi concrete or (2) “Ducon,” a topping that can be applied in a thinner coating and is subject to less cracking than concrete.
- WMATA continues to express its preference for complete removal and replacement of concrete in the pour strips. As stated before, this differs with its earlier concern about the damage complete removal may cause to imbedded conduits, reinforcing bars and the surrounding area. KCE and the rest of the CRWG share this concern and approved the remediation design submitted for permit. Under its MOU with the County WMATA must review and comment on the recommended design within 15 business days or it is deemed approved. WMATA response was limited to reiterating its preference for complete removal and replacement of the concrete, and restating its non-specific concern with the proposed design. The review and comment period for written comments on the proposed design passed and by letter dated July 16, 2013, WMATA was informed that, per the MOU, work was proceeding as designed and permitted. Attached to this memorandum are copies of this and other related correspondence.

**Surface Overlay on Decks**

- Final review is underway for the two overlay options; Latex Modified Concrete, and Polymer Bonded Overlay.

- Similar to testing of pour strip topping outlined above, the Contractor has been directed to provide mock-ups of the overlay systems to allow examination of materials, means and methods, and to determine through on-site testing the lift-off characteristics of the materials to determine which option is the best long term solution.
- Ground Penetrating Radar (GPR) testing is complete on both elevated decks to confirm localized areas of low concrete cover. Low cover areas are primarily over beams. The intent is to minimize the potential of future concrete spalling by repairing these areas before the overlay is applied.

#### Column Repairs

- KCE has completed the summary of findings by its fire protection specialist, stating that all columns meet the design and permit basis for Class 1A for fire protection for the SSTC.
- Responding to a WMATA request, the fire protection specialist is performing additional examination of Fire Code compliance for the entire structure.

#### Beam and Girder Repairs

- WMATA has requested that a particular patented test method (SlotStress Test) be performed at 70 to 90 individual locations on girders and beams. The company that does this work states the SlotStress Test has been performed individually less than 500 times worldwide. The margin of error under ideal laboratory conditions is approximately 72 *psi* (no specific field accuracy was determined). WMATA hopes to verify post tensioning issues of 25-50 *psi*. This would imply accuracy beyond the reliable capability of this test. As a result, the CRWG has not supported this effort and questions the value and the validity of the test.
- KCE is evaluating the scope of the SlotStress Test requested by WMATA based on tendon elongation tests performed during the post tensioning process and will present its analysis at the August 15, 2013 CRWG meeting.

cc: Roger Berliner, Chair, T&E Committee  
Valerie Ervin, District 5 Councilmember  
Tim Firestine, Chief Administrative Officer



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett  
*County Executive*

David E. Dise  
*Director*

July 16, 2013

Mr. A. Robert Troup  
Deputy General Manager Operations  
Washington Metropolitan Area Transit Authority  
600 Fifth Street, NW  
Washington, DC 20001

Re: Silver Spring Transit Center (SSTC)  
Remediation of Pour Strips at Level 330-Status Update

Dear Mr. Troup:

I am writing to you with regards to an earlier transmittal dated June 20, 2013 (copy attached) to Stan Wall, the Washington Metropolitan Area Transit Authority (WMATA) Director of Real Estate, in which the County formally transmitted for WMATA review a set of design drawings that detailed the design for remediation of the delayed pour strips at Level 330 of the Silver Spring Transit Center (SSTC). These design drawings were the product of approximately nine weeks' worth of efforts between the County's consultants, KCE Structural Engineers, P.C. (KCE) and the Project Structural Engineer of Record (SER), Parsons Brinckerhoff, Inc. (PB) combined with input from all participants in the weekly Cooperative Remediation Working Group (CRWG) sessions. Permit approval for these design documents was received from the County's Department of Permitting Services (DPS) on July 9, 2013 and the Contractor, Foulger Pratt Contracting, LLC will begin work on the pour strip remediation this week.

Specifically, as it relates to the processes outlined in the Amended and Restated Memorandum of Understanding, dated September 25, 2008 (the "MOU") between WMATA and Montgomery County, Maryland ("the County"), the County has not received any response from Mr. Wall on the contents of the June 20, 2013 letter. Rather, the County has only been provided with certain statements made by WMATA personnel during CRWG meetings, and an email from Farhad Farhangi to Frank Roberts on June 28, 2013 which express some non-specific concerns with the proposed remediation method.

Division of Building Design & Construction

101 Monroe Street, 11<sup>th</sup> Floor • Rockville, Maryland 20850 • 240-777-6034 • 240-777-6003 FAX  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

A. Robert Troup  
Deputy General Manager Operations, WMATA  
July 16, 2013  
Page 2 of 3

As you may know, paragraph 12.B.3 of the MOU states:

If [non-compliant] work cannot be corrected in accordance with Contract Drawings and Specifications, the County's on-site project manager and WMATA's inspector shall attempt to agree upon the acceptable corrective action within such two (2) business days period and if such parties are not able to agree on the corrective action within such period, then the County's Chief, Division of Building Design and Construction, Department of General Services and WMATA's Chief Engineer (or comparable position) shall confer within two (2) business days thereafter and shall determine the appropriate corrective action.

My letter of June 20 was directed to Mr. Wall on the basis of assurances provided by Thomas Robinson that Mr. Wall was the appropriate individual to whom such correspondence should be sent. Having received no response, to date, from Mr. Wall, and given the communications provided by other WMATA personnel, namely Mr. Farhangi and Mr. Robinson, it is, understandably, unclear as to how communications pursuant to paragraph 12.B.3 are to be handled. Unfortunately, the County is left with the impression that WMATA does not seek to engage in the conferral process contemplated by the MOU.

In light of Mr. Wall's and WMATA's non-responsiveness on this matter, please provide clarification to the following, as soon as possible.

1. Confirm whether or not Stan Wall is the correct WMATA representative to whom further remediation submittals should be sent for review/approval, in accordance with paragraph 12.B.3 of the MOU.
2. If Mr. Wall is not the correct person, please identify the individual to whom future transmittals from the County should be sent in this regard.
3. Verify to the County that WMATA is still interested in proceeding with the Cooperative Remediation Working Group (CRWG) process. This endeavor is quite time-consuming and expensive for the County and other participants, such that ineffective participation by WMATA serves to further delay and weaken the process.

As you will note in the County's letter to Mr. Wall, our anticipation was for a response from WMATA in five (5) business days in lieu of the fifteen (15) business days stipulated. We are now beyond the fifteen (15) days stipulated in the MOU and the County is proceeding with remediation in accordance with the approved set of design drawings as issued to WMATA in the June 20, 2013 letter. A copy of the DPS approved permit set is included with this letter for convenience.

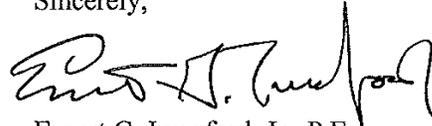
**Division of Building Design & Construction**

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A. Robert Troup  
Deputy General Manager Operations, WMATA  
July 16, 2013  
Page 3 of 3

Please contact me at 240-777-6097 if you have any comments on the County's direction and intent as outlined above in this letter. We continue to expect WMATA's cooperation in the remediation process for the SSTC.

Sincerely,



Ernest G. Lunsford, Jr., P.E.  
Division of Building Design and  
Construction  
Contract Administrator

Encl.:

- (1) Approved Permit Set - pour strip repair design plans – Drwg. #s SK-GN, SK-GN1, SK-1, SK-2, SK-3, SK-4, SK-5

cc:

Thomas Robinson – WMATA  
Farhad Farhangi - WMATA  
David Dise – MCG  
Don Scheuerman – MCG  
Frank Roberts – MCG  
John Markovs – MCG  
Trevor Ashbarry – MCG  
Tim O'Gwin – MCG  
Bryant Foulger – FPC  
John Barron - FPC  
Brett Harton – FPC  
Jerry Jannetti - PB  
Allyn Kilsheimer - KCE

**Division of Building Design & Construction**

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www.montgomerycountymd.gov



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett  
*County Executive*

David E. Dise  
*Director*

June 20, 2013

Mr. Stan Wall  
Director of Real Estate  
Washington Metropolitan Area Transit Authority  
600 Fifth Street, NW  
Washington, DC 20001

Re: Silver Spring Transit Center (SSTC)  
Remediation of Pour Strips at Level 330

Dear Mr. Wall:

In accordance with, and outlined by the Amended and Restated Memorandum of Understanding, dated September 25, 2008 (the "MOU") Between the Washington Metropolitan Area Transit Authority ("WMATA") and Montgomery County, Maryland ("the County"), I am writing in furtherance of remediation efforts at the Silver Spring Transit Center (the "SSTC" or "Project").

As WMATA is aware, the County along with its consultants and general contractor, with the presence of WMATA personnel, has been engaging in weekly meetings, otherwise known as the Cooperative Remediation Working Group ("CRWG") sessions, to address all aspects of the defects present at the Project, as highlighted by the March 15, 2013 KCE Report, and the remediation efforts to address those defects.

Specifically, as it relates to the remediation efforts, the County is presently in the position of having to determine the preferred method of remedying certain defects relative to the east and west delayed pour strips located at the 330 Level of the structure. To that end, the County, its consultants, KCE Structural Engineers, P.C. ("KCE") and the Project Structural Engineer of Record ("SER"), Parsons Brinckerhoff, Inc. ("PB") have finalized the specifics of the pour strip remediation and are prepared to submit such remediation plan to the County's permitting authority for approval. Understanding that WMATA may still want to comment on the pour strip remediation, and to do so prior to final approval of this element, the County is seeking WMATA's formal input pursuant to the terms of the MOU.

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Stan Wall  
Director of Real Estate  
WMATA  
06/20/13

Page 2 of 3

By way of reference, paragraph 12.B.3 of the MOU states:

If [non-compliant] work cannot be corrected in accordance with Contract Drawings and Specifications, the County's on-site project manager and WMATA's inspector shall attempt to agree upon the acceptable corrective action within such two (2) business days period and if such parties are not able to agree on the corrective action within such period, then the County's Chief, Division of Building Design and Construction, Department of General Services and WMATA's Chief Engineer (or comparable position) shall confer within two (2) business days thereafter and shall determine the appropriate corrective action.

As both WMATA and the County are of the belief that the Level 330 pour strips cannot be corrected in accordance with the Contract Drawings and Specifications, it is appropriate that each confer in this manner on the appropriate remedy. Indeed, by virtue of the CRWG sessions and other communications between the County and WMATA, the conferral process referred to in paragraph 12.B.3 above has transpired with respect to the County's project management staff and WMATA's relevant inspection and project staff. It is further the County's understanding that WMATA's staff has not indicated a formal consent to the proposed remediation for the Level 330 pour strips. It is thus the purpose of this letter to continue the conferral process contemplated by paragraph 12.B.3 between my office and yours. Both the County and WMATA are now in the position of having to come to an agreement on this particular remediation.

The County is aware that WMATA has expressed willingness to expedite reviews of engineering documents generated by PB/KCE for remediation during the tenure of the CRWG process. In that regard we would like to take advantage of the five (5) business day review cycle for the enclosed documents which represents the engineered solution to the pour strip remediation, as agreed upon in the CRWG. If WMATA finds that the five (5) business days is inadequate, WMATA has agreed to notify the County within three (3) business days, of the date of transmittal, of the need for additional time, and a revised review cycle can be agreed on, understanding that review time will not exceed that already agreed upon in the MOU. The County would like to emphasize its desire to complete the reviews and permitting in an expedited fashion, which was part of the reason for going into the CRWG process from the start.

Therefore, please review the enclosed plans which constitute the County's position and preferred method of remediation for the non-conforming work and provide me with your comments or proposed revisions as soon as possible. As part of our conferral process, the County will include its consultants and the SER when and where it is appropriate.

Thank you in advance for your cooperation in moving the SSTC remediation process forward.

Please contact me at 240-777-6097 if you have any comments on the path forward for the pour strip repairs as outlined above in this letter.

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Division of Building Design & Construction

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Stan Wall  
Director of Real Estate  
WMATA  
06/20/13

Page 3 of 3

Sincerely,



Ernest G. Lunsford, Jr., P.E.  
Division of Building Design and  
Construction  
Contract Administrator

Encl.:

- (1) Scope of Work memo KR-19 dated June 17, 2013 from KCE to Montgomery County
- (2) PB/KCE pour strip repair design plans – Drwg. #s SK-GN, SK-GN1, SK-1, SK-2, SK-3, SK-4, SK-5

cc:

Thomas Robinson – WMATA  
Farhad Farhangi - WMATA  
David Dise – MCG  
Don Scheuerman – MCG  
Frank Roberts – MCG  
John Markovs – MCG  
Trevor Ashbarry – MCG  
Tim O’Gwin – MCG  
Bryant Foulger – FPC  
John Barron - FPC  
Brett Harton – FPC  
Jerry Jannetti - PB  
Allyn Kilsheimer - KCE



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett  
County Executive

David E. Dise  
Director

July 15, 2013

Mr. John P. Barron  
Foulger-Pratt Contracting, LLC  
9600 Blackwell Road, Suite 200  
Rockville, Maryland 208520

RE: Contract # 7504510123  
Silver Spring Transit Center  
Building Permit 453839 Rev. 3 Notice-to-Proceed

Dear Mr. Barron:

This letter is your **Notice-To-Proceed** to commence work associated with **Building Permit 453839 Rev. 3** for the referenced Contract in accordance with the revision sketches approved by the Department of Permitting Services attached. Additionally, this letter serves to release the HOLD on the pour strip remediation directed in my April 29, 2013 letter to Foulger Pratt.

The Contractor is directed to **proceed immediately and simultaneously** with **1)** all beam mockup activities to be constructed at the Montgomery County Parking Garage No. 21 located in Silver Spring, Maryland; **2)** preparation and submission of a fully engineered demolition plan, **3)** preparation and submission of a fully engineered shoring, and formwork plan; **4)** all activities necessary to complete a pull off test for the proposed substrate overlay system, and **5)** prepare and provide a working schedule that allows the County and its consultants to participate with and schedule personnel to facilitate the performance of the work.

The County Project Manager is Tim O'Gwin and he can be reached at 240-777-8378. I can be reached at 240-777-6097.

Sincerely,

Ernest G. Lunsford, Jr., P.E.  
Contract Administrator  
Division of Building Design & Construction

EL/to

Enclosures: Building Permit No. 453839 Rev.3, Scope of Work, SK-GN,  
SK-GN1, SK1, SK-2, SK3, SK4, Sk5

cc: Lorna Goodluck  
Tim O'Gwin  
Frank Roberts  
Don Scheuerman  
Trevor Ashbarry  
Project/Read File

Division of Building Design & Construction

101 Monroe Street, 11<sup>th</sup> Floor • Rockville, Maryland 20850 • 240-777-6034 • 240-777-6003 FAX  
www.montgomerycountymd.gov



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R Schwartz Jones
Director

BUILDING PERMIT

Issue Date: 08/20/2009

Permit No: 453839
AP Type: COMBUILD
Expires: 11/28/2013
X Ref.:
Rev. No:
ID: AC1061427

THIS IS TO CERTIFY THAT: RANDALL HAWKINS
101 MONROE STREET
11TH FLOOR
ROCKVILLE, MD 20850

HAS PERMISSION TO: CONSTRUCT BUSINESS BUILDING

PERMIT CONDITIONS: Silver Spring Green Enterprise zone-U&O 252940 REVISION - SUBMITTED 3-24-10 FOR STRUCTUR/
ADDITIONAL COST \$64,801.91 - Revision permit issued on 4/8/10 (emc)\*\*Please see notes for
extension-07/22/2011\*\*\* EXTENDED TO 2-21-2012 Permit extended until November 28, 2012-abc
\*\*REVISION\*\* 8/28/12 Structural revision (No change in cost) LW\*\*\*\*\*Revision issued 10/3/12.
Permit extended until May 28, 2013\*\*\*\*Permit extended until November 28, 2013. REVISION #3 submitte
on 6/20/13 - LEVEL 330 POUR STRIP STRUCTURAL MODIFICATIONS - no change in sqft and not sur

MODEL NAME:
LOT - BLOCK: N/A - 1
PREMISE ADDRESS: 8404 COLESVILLE RD ZONE: CBD-2 ELECTION DISTRICT: 13
BOND NO.: SILVER SPRING, MD 20910 BOND TYPE:
PERMIT FEE: \$ 167,279.24 SUBDIVISION: SILVER SPRING PS NUMBER:

TRANSPORTATION IMPACT TAX DUE:
SCHOOLS IMPACT TAX DUE:
SCHOOLS FACILITY PAYMENT DUE:

MUST BE KEPT AT JOB SITE
AN APPROVED FINAL INSPECTION IS REQUIRED PRIOR TO USE OR OCCUPANCY

Every new one- or two-family dwelling, every townhouse and any attached accessory structure must be equipped with a fire
sprinkler system. A separate sprinkler permit is required for the installation of the fire sprinkler system.

Many subdivisions and neighborhoods within Montgomery County have private deed restrictions and covenants regulating
building construction. Obtaining a building permit does not relieve the property owner of responsibility for complying with
applicable covenants.

NOTICE
THIS APPROVAL DOES NOT
INCLUDE PLUMBING, GAS PIPING
OR ELECTRICAL OR
CONSTRUCTION IN ANY
DEDICATED RIGHT-OF-WAY.

NOTE
THIS PERMIT DOES NOT INCLUDE
APPROVAL FOR ANY ELECTRICAL
WORK. YOU MUST HAVE A SEPARATE
ELECTRICAL PERMIT TO DO ANY
ELECTRICAL WORK.

Diane R. Schwartz Jones

Director, Department of Permitting Services

542 849 - - -

# KCE STRUCTURAL ENGINEERS, P.C.

CONSULTING ENGINEERS • 1818 JEFFERSON PLACE, N.W. • WASHINGTON, D.C. 20036

PHONE: 202-833-8622

WWW.KCESTRUCTURAL.COM

FAX: 202-833-3877



## WALTER P MOORE

Wiss, Janney, Elstner Associates, Inc.

## KR-19

453839 - - - - REV #3

**Date:** June 17, 2013 (revised June 18, 2013, revised July 2, 2013)  
**To:** Don Scheuerman/Montgomery County  
 Hadi Mansouri/Montgomery County  
 Georgios Mavrommatis/Montgomery County  
**Cc:** Jerry Jannetti/Parsons-Brinckerhoff  
**From:** Allyn Kilsheimer  
**RE:** Silver Spring Transit Center  
 Pour Strip Modifications

RECEIVED

JUL - 2 2013

DIV. OF BUILDING CONSTRUCTION  
PLAN REVIEW

KCE Job No. 2012-13

SK-GN and SK-GN-1 as well as SK-1 through SK-5 dated 6/13/13, prepared by Parsons Brinckerhoff and reviewed by the team of KCE/WJE/WPM depicts the following revisions to the permit set of drawings (appropriate sheets that are being modified by these changes are being sent under separate cover):

1. Pour strip 330 level East and West to accommodate lack of post-tensioning reinforcing:
  - a. Remove 2" of top surface concrete (West only)
  - b. Install new poured-in-place mild steel reinforced beams between existing beams
  - c. Reinstall top 2" of concrete after installing new thermal reinforcing (West only)
2. Pour strip 330 level West
  - a. Remove 2" of top surface concrete
  - b. Reinstall top 2" of concrete after installing new thermal reinforcing

Doug Lang, the SEOR for Parsons Brinckerhoff, has forwarded his certification form and has signed and sealed the remediation drawings.

### MONTGOMERY COUNTY DIVISION OF BUILDING CONSTRUCTION

These plans are conditionally approved in accordance with any correction notes on plans. The building permit is license to construct in accordance with adopted codes and does not waive any code requirements not noted during plan review. Issuance of permit does not prevent field inspectors from ordering corrections to meet codes when issues are noted during inspections.

Approvals: Arch. NA Life Safety NA  
 Struct. \*YJ Mech. NA Elec. NA

Permit Number: 453839 REV #3

\*PER SCOPE OF WORK DEPICTED ON THIS PAGE.