

Marietta, OH 45750
D: 740.568.4329 C: 740.707.7227
Daniel.McDonald@dot.ohio.gov



From: Kyle Haverty <kyle.haverty@asc1960.com>
Sent: Monday, October 13, 2025 9:06 AM
To: Mcdonald, Daniel <Daniel.McDonald@dot.ohio.gov>
Cc: Jeremy White <jeremy.white@asc1960.com>; Blake Staley <blake.staley@asc1960.com>
Subject: 250012 Gal SR 7

Daniel,

Alan Stone disagrees that it be held responsible for any corrective efforts. The original plans were limited to a 4 ft shoulder repair, with a profile milling, leveling/ intermediate course and a 1.5” overlay. ODOT decided to change the original scope and reprofile the roadway by raising the existing grades with 22” of asphalt base placed in lifts. ODOT removed the milling and leveling courses which would have provided ASC a chance to improve the asphalt base profile and provide ODOT a better ride/ smoother surface.

Thanks,

Kyle Haverty | Project Manager



Alan Stone Co. Inc.
Cell: 304-893-2493
5075 Williams Highway, P.O. Box 186
Williamstown, WV 26187

www.alanstonecompany.com

Attention my new email is kyle.haverty@asc1960.com

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: [Blake Staley](#)
To: [Anthony Ridgway](#)
Subject: Fw: 250012 Gal SR 7
Date: Thursday, October 16, 2025 9:03:24 AM
Attachments: [image003.png](#)
[image004.gif](#)
[image002.png](#)

Blake Staley | Vice President

Alan Stone Co., Inc.

Office: (304) 375-6484

Cell: (740) 538-4410

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From: Daniel.McDonald@dot.ohio.gov <Daniel.McDonald@dot.ohio.gov>

Sent: Thursday, October 16, 2025 8:58:06 AM

To: Kyle Haverty <kyle.haverty@asc1960.com>; Blake Staley <blake.staley@asc1960.com>; Jeremy White <jeremy.white@asc1960.com>

Cc: Beau.Whaley@dot.ohio.gov <Beau.Whaley@dot.ohio.gov>

Subject: RE: 250012 Gal SR 7

Kyle,

I know you and I discussed this on the phone last week, but I'll summarize our conversation for the benefit of Jeremy and Blake as well.

Like I mentioned, several years ago Project 22-0258 (ATH-329-5.26) was one of the first projects where you all paved a few hundred feet of pavement at once. It was a drilled shaft project next to a slope repair with a toe key. It had the typical full depth edge repairs combined with displaced broken panels that required variable depth repairs. That work is difficult for anyone, but especially a newly assembled paving crew. The finished pavement on that project didn't ride very well. I understood there would be some growing pains, so we didn't push too hard on the finished quality during the final inspection. I caught a fair amount of grief over the ride quality of the pavement on that project.

The following season (2023) ASC paved a few smaller slips. They had minor issues with ride as well, but they were all fairly short segments, so again we didn't push the issue. In the spring of 2024, I had a conversation with Ben Fowler during a pre-construction meeting and let him know that we were going to have start correcting any surface tolerance issues on finished pavements during the punch list if they don't improve. He said he understood and explained some of the difficulties experienced in hiring and keeping staff familiar with that specific work item.

Fast forward to this project. This slip at GAL-7-19.94 has been moving for at least 20 years and never rode well due to the constant movement and subsequent patches. Once the slip was shored up, we wanted to make sure the project rode as well as possible. After the full depth repairs were excavated in the shoulders, the surveyor laid out the profile so there was accurate information for the target points. After seeing and riding the project, I compared it to the profile view in the plans. I'm afraid what happened is that the original profile for the job was the damaged surface that included movement from the landslide and the surveyors laid out that information. During the pre-con, I think we discussed trying to have the surveyors correct any profile issues, but it doesn't seem that happened based on what we have. If the profile was the only issue, I can admit we would have most of the ownership of the issue since the plan profile is far from perfect. My issue is that the cross slope varies abruptly as well. To me that is the most noticeable defect in the ride quality.

Another point worth making on the GAL-7-19.94 project is that we spent an additional \$91,000 in 301 base in an attempt to provide the best ride possible. That item was originally only set up for the shoulder repairs and was mostly hand work as bid. It turned into a much higher volume that could be placed by a paver, so it should have been highly profitable work. It doesn't look good on paper to know we spent \$91,000 extra just to get the ride quality we ended up with on the project. The fact that we had multiple lifts to work with typically ensures we end up with a decent ride, but that wasn't the case here.

This isn't the first project we have requested profile adjustments on. C&MS 401.08 Placement Operations and 401.10 Surface Tolerances detail the requirements of the finished surface. There is language in those sections that create a contractual obligation to provide a decent ride in the surface course.

I would encourage you all to ride the project if you haven't already and keep in mind that we did write a substantial change order specifically to improve the ride quality as you drive it. I apologize for the lengthy email, but I wanted to give you my perspective on this issue and the history that lead to my opinion. I wanted to give you the chance to consider my thoughts and maybe discuss them among yourselves. I am more than happy to meet and discuss these in more details as well.

Ultimately, regardless of the payment discussion, I do think that section of pavement needs to run by the IRI equipment and corrected using diamond grinding. The report they run should show the defects that don't meet the requirements in 401.10.

Thank you.

Daniel McDonald, P.E.
Area Engineer - Construction
ODOT District 10
338 Muskingum Drive

From: [Anthony Ridgway](#)
To: [P. E. Daniel McDonald \(Daniel.McDonald@dot.ohio.gov\)](mailto:Daniel.McDonald@dot.ohio.gov)
Cc: [Jeremy White](#)
Bcc: [Blake Staley](#)
Subject: ST RT 7 Survey Results
Date: Friday, October 24, 2025 7:17:00 AM
Attachments: [25131_2025-10-22 Pavement As-built.pdf](#)
[image001.gif](#)
[image002.png](#)

Daniel,

Please see the attached as-built for the SR 7 project. I assuming you have discussed this further with your on- site representatives. Once you have a chance to digest this, we can set up another time to discuss.

Thanks

Anthony Ridgway | Chief Estimator
Alan Stone Co. Inc.
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WEB: www.alanstonecompany.com

From: Daniel.McDonald@dot.ohio.gov <Daniel.McDonald@dot.ohio.gov>
Sent: Wednesday, November 5, 2025 7:19 AM
To: Anthony Ridgway <anthony.ridgway@asc1960.com>
Cc: Jeremy White <jeremy.white@asc1960.com>; Beau.Whaley@dot.ohio.gov; Kyle Haverty <kyle.haverty@asc1960.com>; cary.betzing@dot.ohio.gov
Subject: Project 25-0012 GAL-7-19.94 Pavement Profile/Cross Slope

Anthony,

After our conversation yesterday morning, I discussed your position with Cary Betzing, D10 District Construction Engineer.

He agreed that it is our position that the request to correct the surface tolerances of the finished pavement as per C&MS 401.03 B Spreading Equipment, 401.08 Placement Operations, and 401.10 Surface Tolerances is non-compensable. We consider this punch list work to complete the work on the project according to the specifications.

The pavement as built sheets you provided on 10/24/25 verify that the profile and cross slopes vary from the plan. There are locations showing that elevation difference between design and as-built are as much as 0.30 FT high and 0.50 FT low.

As we discussed, it is already November, and the asphalt plants will be shut down by the end of the month. Regardless of compensation, we feel this work needs to be completed as soon as possible. We want to avoid the complications of adding a snow and ice event to these profile/cross slope issues. Please notify Beau Whaley before performing any corrective work so we can have a representative present.

During our conversation you mentioned pursuing the dispute resolution process regarding this issue. Since we have discussed this issue for several weeks now without resolution, please consider this our official Step 1 response according to C&MS 108.02.G.1. If you choose to escalate the dispute to a Step 2 claim, please submit a written request to the DCE with 7 calendar days of receipt as per 108.02.G.2.

Thank you.

Daniel McDonald, P.E.
Area Engineer - Construction
ODOT District 10
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Marietta, OH 45750
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Daniel.McDonald@dot.ohio.gov



From: [Anthony Ridgway](mailto:Anthony.Ridgway@asc1960.com)
To: "Daniel.McDonald@dot.ohio.gov"
Cc: [Jeremy White](mailto:Jeremy.White@asc1960.com); Beau.Whaley@dot.ohio.gov; cary.betzing@dot.ohio.gov
Bcc: [Blake Staley](mailto:Blake.Staley@asc1960.com)
Subject: RE: Project 25-0012 GAL-7-19.94 Pavement Profile/Cross Slope
Date: Wednesday, November 5, 2025 4:32:00 PM
Attachments: [image002.gif](#)
[image004.png](#)
[image001.png](#)

Daniel,

We will get the work scheduled hopefully next week and keep you posted once we know the subs and the plant schedules. As stated below a Step 1 response will follow. Alan Stone will plan to mill off the high section in the existing roadway and driveway entrance transition at/ near station 1071+00 and 1071+50. We may need some guidance if the driveway needs to be adjusted, as I believe that will be the case. Ultimately, we plan to profile mill complete unfinished intermediate and Surface operations to final design elevations. We expect this to take two- three days to complete.

Please let me know if you have any questions or concerns.

Thanks

Anthony Ridgway | Chief Estimator

Alan Stone Co. Inc.

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WEB: www.alanstonecompany.com

From: Daniel.McDonald@dot.ohio.gov <Daniel.McDonald@dot.ohio.gov>
Sent: Wednesday, November 5, 2025 7:19 AM
To: Anthony Ridgway <anthony.ridgway@asc1960.com>
Cc: Jeremy White <jeremy.white@asc1960.com>; Beau.Whaley@dot.ohio.gov; Kyle Haverty <kyle.haverty@asc1960.com>; cary.betzing@dot.ohio.gov
Subject: Project 25-0012 GAL-7-19.94 Pavement Profile/Cross Slope

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He agreed that it is our position that the request to correct the surface tolerances of the

From: cary.betzing@dot.ohio.gov
To: [Anthony Ridgway](mailto:Anthony.Ridgway@asc1960.com)
Cc: [Jeremy White](mailto:Jeremy.White@asc1960.com); Beau.Whaley@dot.ohio.gov; Daniel.McDonald@dot.ohio.gov; [Blake Staley](mailto:Blake.Staley@asc1960.com); Elisha.Barnes@dot.ohio.gov
Subject: RE: Project 25-0012 GAL-7-19.94 Pavement Profile/Cross Slope
Date: Thursday, November 13, 2025 9:51:15 AM
Attachments: [image003.png](#)
[image004.png](#)
[Dispute 10-250012-01 D10 Acknowledge.pdf](#)

Anthony,

See attached. If you have any questions or need the original let me know.

Cary Betzing, P.E.

Construction Engineer

ODOT District 10

338 Muskingum Drive, Marietta, Ohio 45750

740-568-3927

transportation.ohio.gov

From: Anthony Ridgway <anthony.ridgway@asc1960.com>
Sent: Tuesday, November 11, 2025 3:38 PM
To: Betzing, John <cary.betzing@dot.ohio.gov>
Cc: Jeremy White <jeremy.white@asc1960.com>; Whaley, Beau <Beau.Whaley@dot.ohio.gov>; Mcdonald, Daniel <Daniel.McDonald@dot.ohio.gov>; Blake Staley <blake.staley@asc1960.com>
Subject: RE: Project 25-0012 GAL-7-19.94 Pavement Profile/Cross Slope

Mr. Betzing,

Alan Stone would like to escalate the dispute to a Step 2 claim. Please see the attached request.

Sincerely

Anthony Ridgway | Chief Estimator
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**Department of
Transportation**

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