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**FREEDOM OF INFORMATION ACT REQUEST**

December 28, 2018

Command FOIA Officer  
 Naval Facilities Engineering Command Washington  
 1314 Harwood Street, SE  
 Washington Navy Yard, DC 20374-5018  
*via Priority Mail with Delivery Confirmation  
 and Email through the Electronic Filing System*

The following information is provided pursuant to the regulations for this Freedom of Information Act Request:

- a. Files of Contract No. N69450-14-C-1756; Nuclear Power Training Facilities Joint Base, Charleston, SC.
- b. Location of Contracting Officer and address: Leticia Nieves, Contracting Officer, Department of the Navy, Naval Facilities Engineering Command Southeast, Jacksonville, FL 32212-0030; Point of contact: Henny Benson (904) 542-6923, [henny.benson@navy.mil](mailto:henny.benson@navy.mil).

Location of files:

- a. Department of the Navy, Naval Facilities Engineering Command Southeast, Jacksonville, FL 32212-0030; and

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- b. NAVFAC Southeast Resident Officer in Charge of Construction (ROICC) at Naval Weapons Station Charleston, 2120 Quality Circle, Building 71, Goose Creek, SC 29446.
- c. Individuals and their contact information who have files that we are requesting:
  - 1. Prime Contractor Files -- the following two individuals have signed recent correspondence from NAVFAC Southeast in Jacksonville, FL:

Leticia Nieves, Contracting Officer  
Garry Murphy, Contracting Officer

Both gave their contact information as:  
c/o Henny Benson  
(904) 542-6923  
Henny.benson@navy.mil

- 2. Job site files -- The following individual has signed correspondence from the ROICC office at the Naval Weapons System Charleston job site.

Ronnette E. Coffman, Contracting Officer  
(843) 794-4160  
Ronnette.e.coffman@navy.mil

Note: we understand that there is relatively high turnover in this ROICC office, and it is possible that this individual is no longer in this position.

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Dear Sir or Mme –

This specific request:

- 1. This is a request for files of an ongoing contract where public funds are being expended by NAVFAC. As the files that we are requesting involve expenditure of public funds, there should be no issue about producing these documents for inspection and copying.
- 2. There is a substantial volume of documents, we are prepared to pay for those, and we are prepared to entertain all alternatives for producing documents which saves everyone time, money, and effort. We are sensitive to the workload of the FOIA office.
- 3. We are not asking for anything but documents. We have no desire for anyone's opinion, answers to questions, etc. which are not available under the Freedom of Information Act.
- 4. We set out below a list of the categories of documents that we are seeking. Contacting the individuals/offices listed above should quickly isolate all the files that are requested herein.

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Those files are all located geographically at the same place, which should further simplify matters.

### LIST OF DOCUMENTS REQUESTED:

1. Produce the entire contract file generated from 20 August 2014 to the date of this request between Caddell Construction Company, the prime contractor, and the US Navy Facilities Engineering Command Officials in charge of this contract at issue.

(As stated above, these files are located at two locations, and two or three individuals are custodians or will know the files' whereabouts; we have provided the necessary contact information.)

2. Within the entire contract files, there will be Request for Equitable Adjustment and CDA claims materials, some of which are currently under evaluation. Produce those files. They seek the expenditure of public funds. The public has a right to inspect them.
3. The Navy Facilities Engineering Command Southeast, Resident Officer in Charge of Construction (ROICC) Office on the Naval Weapons Station Charleston, identified above, worked through a period of years in supervising construction. They will have an extensive set of files. We seek production of all of those files.
4. There have been a number of subcontractors working on this project -- their materials have been submitted to the Navy Facilities Engineering Command and are now part of the official contract record. We seek production of all of those files.
5. We seek the production of all files generated during the contract period of bidding and proposing which took place between 28 January 2014 and August 2014, when the contract for construction was awarded to Caddell. We expect those contract files are located with the two contact individuals with the Navy listed above.
6. Before this contract was put in place, design activities took place under separate contracts which the Navy paid for. Those contracts were with Burns & McDonnell Engineering Co., Inc. We seek production of those contract files as well. We expect those contract files are located with the contact individuals with the Navy listed above.
7. The Navy required of Caddell a performance and payment bond on the referenced prime contract above. We seek a copy of the performance and payment bond, and any claims by subcontractors made against those bonds.
8. We seek the production of all photographs or video that was taken of the work site.
9. We seek the production of all reports submitted by the prime or any subcontractor in the nature of engineering reports, site reports, notice of changes, changed condition reports,

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condition found reports, request for information, requests for waiver, or any such similar documents commenting on the day-to-day performance of the contract, whether submitted to the contracting officer or the ROICC officers.

We wish to, again, emphasize that these files are all located in two specific locations and two or three specific individuals have custodian responsibilities for them. There is a substantial volume of materials, but this should be a relatively simple FOIA request to comply with because of its specificity set out above. As also stated above, we are prepared to go to the Facility in question, and designate which files we wish produced so as to save time and effort

Respectfully submitted,

/s/ Donald C. Holmes  
Donald C Holmes  
J. Travis Pittman

cc:

1. Leticia Nieves, Contracting Officer, first class, postage paid mail
2. Garry Murphy, Contracting Officer, first class, postage paid mail
3. Ronnette Coffman, ROICC Officer, email and first class, postage paid mail
4. Brian Stewart, Responsible Prime Contractor Caddell's Counsel, email and first class, postage paid mail