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September 21, 2015

BY EMAIL AND U.S. MAIL

Richard Tyler McGrath, Esq.
Senior Assistant Attorney General
Chief, Construction Litigation Section
Office of the Attorney General
Commonwealth of Virginia
900 E. Main Street, 2nd Floor
Richmond, VA 23219

Re: VDOT Testing of the ET PLUS Tangent W-Beam Guardrail Terminal (GR-9)

Dear Richard:

I am writing to follow up on Trinity's inspection of the test articles and vehicle for **Test #2** at the KARCO test facility in Adelanto, California on September 18, 2015. Thank you for taking the time to meet with us and listen to Trinity's various concerns about the installation. Below is a summary of the issues raised by Trinity, and VDOT's response.

1. Trinity noted that VDOT installed the guardrail posts in native soil rather than compacted NCHRP Report 350-standard soil. VDOT responded that no adjustments would be made prior to testing.
2. Trinity noted that VDOT is "driving" (pounding) the posts into native soil, rather than augering a hole and back-filling the posts with compacted NCHRP Report 350-standard soil. VDOT did not make any adjustments to this post installation process prior to testing.
3. Trinity noted that VDOT did not rigidly attach the ballast to the test vehicle, but rather installed the ballast high on the front passenger seat. VDOT responded that no adjustments would be made prior to testing.
4. Trinity noted a misalignment in the terminal between posts 1 and 5. VDOT responded that no adjustments would be made prior to testing.

Richard Tyler McGrath, Esq.
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September 21, 2015
Page 2


5. Trinity noted VDOT's method of mounting the accelerometer in the test vehicle could make the equipment susceptible to erroneous readings. VDOT responded that no adjustments would be made prior to testing.

Because Trinity's concerns were not fully addressed by VDOT, and the test did not conform to NCHRP Report 350 requirements, Trinity did not attend Test #2.

Please let me know the order of VDOT's testing for this week, and the proposed times for Trinity's inspections at KARCO.

Thank you.

Sincerely,



Matthew B. Kirsner

cc: Sarah R. Teachout, Esq.
Mr. Gregg Mitchell
Counsel of Record in Case No. CL13-698,
Circuit Court of the City of Richmond, VA