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September 28, 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 #4** at the KARCO test facility in Adelanto, California on September 24, 2015. Below is a summary of the issues raised by Trinity, and VDOT's response.

1. Trinity was not permitted to inspect the accelerometer mounted in the pickup truck test vehicle. However, Trinity noted that if VDOT's method of mounting the accelerometer in the test vehicle was identical to the prior tests at KARCO, then the accelerometer could be susceptible to erroneous readings. VDOT responded that no adjustments would be made prior to testing.
2. Trinity noted that the pickup truck seemed to be riding higher than normal due to the removal of standard equipment. VDOT responded that no adjustments would be made prior to testing.
3. Trinity noted that VDOT appeared to be driving the steel yielding terminal posts into native soil, rather than using compacted NCHRP Report 350-standard soil. VDOT responded that no adjustments would be made prior to testing.
4. 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.

5. Trinity noted that the projected impact point of the pickup truck on the extruder head appeared to line up to the right of center (*i.e.*, towards the passenger side). VDOT responded that no adjustments would be made prior to testing.
6. Trinity expressed concerns regarding the run-out area necessary for the 15 degree pickup truck test, and whether there is adequate space at the KARCO facility for the test vehicle to travel after impact in that test scenario. VDOT responded that its test vehicle braking plan would account for these issues.

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 #4.

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