

**From:** [Carla Burkhart](#)  
**To:** [Glaser, Thomas](#)  
**Subject:** FW: October Board Change Order  
**Date:** Tuesday, September 23, 2014 4:08:15 PM  
**Attachments:** [HG CO #7 and #8 - Julie Comments.xlsx](#)  
**Importance:** High

Hi Tom,

I stopped by to see you yesterday, but your staff indicated you were on vacation. I hope it is(was) relaxing especially in spite of everything happening at the college.

On a business note, I decided the Monday before I left to Germany to not accept any more work at COD ( I have not had this conversation with Dr. Breuder yet, but I'm sure he's expecting this). In the latest request for bid for the SRC Donor Wall, I elected to no bid, although I really wanted to. I will miss everyone at COD. Everyone has made me feel like family. ☹ I want you to know that I made this decision long before having received the most recent scathing Forbes Blog post from my sons, whom proceeded to ask me if I was going to jail which I forwarded to you and Cathy Brod. I have since sent this to our attorney for review in the event of libel.

Not surprising, I received the following email and attached spread sheet ( today). ( No shocker considering the source).

I cannot keep repeating this history of invoices of work over and over. We have been talking about this change order work now since the three of us met, and even before we met. Julie requested we invoice the work( as if approved), we do, and then I get this excel sheet. Yesterday when I met her to punch the PE project, she wanted to review this sheet indicating that she wanted COD to absorb costs that we were not getting paid in other projects. today when I actually received the paperwork, she's indicating that we are not getting paid at all. I told her that in order for me to review this paperwork, she can't spring it on me at 3:30 in the afternoon and expect that I can give her an answer without reviewing the content, thus this email.

This issue and the issues relative to our design fees are out of hand. I know that COD needs timely responses from Herricane. Herricane and every other company to include COD staff sometimes have to take a vacation or take a leave of absence. To say that she demanded a response in two days, and I was unable to provide one because I was overseas or unavailable to my email, does not preclude her from calling into my office or reaching out to someone on my staff to say they we need Carla to address something. Moreover to assume that this precludes Herricane from getting paid from doing the work we already performed is really unprofessional. Herricane has not defaulted on any contract work or failed to provide work timely. I haven't inquired with our attorney, but the timeliness of discussing contract fees and invoicing is not necessarily contractual.

The issue that I believe is with Julie and our design proposals is that she indicated to Dr. Breuder that there would be a credit offset from our design fees to the construction management contract. However, she did not review the design proposals. The design proposals that were up for the CMS services did not include any construction drawings, specs, or bid document work, and contained only design intent. So I believe based on our( her & I) conversation she now would have to indicate to Dr. Breuder that there would be no substantial credit. That in itself is not a problem, but maybe does not appear so favorable to her. In addition, most of the design projects that are( or were)coming up were put together more than a year ago, and that pricing may have changed or the scope did not include all that now the college wants to include. IE. The Hill project which we had already started requires electrical which was being handled by operations. Julie now wants us to include the electrical and she is unhappy that we did not include it initially. This is not the problem of Hurricane, but what was decided by the previous project manager before her.

I'm a reasonable person. I'm not interested in burning a bridge with COD, or more importantly with yourself and Dr. Breuder. I would like to get these misc items off my plate, bring them to resolution, have people live by the resolution and move on to better things.

I know that you are walking through a ring of fire right now, and I know it will only get worse until April. The LAST THING YOU NEED is ME knocking at your door. Can you may be set aside about an hour ( maybe after 5 or whenever is most convenient for you) to walk through what is really going on here and get this behind us. We have only two-three projects left and then I'm a thing of the past, unless you want to terminate me sooner, than let me know.

Last my office has received anonymous calls from Media groups about Dr. Breuder and about COD. Right now I have instructed my staff to say nothing to no one. It's none of anyone's business what we do for COD. I plan to attend the board meeting Thursday night unless you think I should not.

I wish you safe travels lots of good candy and a remaining relaxing vacation.

Best always.

Carla