November 2, 2015

Transportation Commission

NOV 17 2015 Rec.

Governor Jay Inslee Office of the Governor PO Box 40002 Olympia, WA. 98504

360-902-4111-Phone

360-753-4110-Fax

Reference: Immediate Action Requested

WSDOT Management (Construction Division)

Notice of a "Vote of No Confidence"

Request for Resignation / Termination of the following WSDOT employees.

Secretary Lynn Peterson.

Chief Engineer Linea Laird.

Deputy State Engineer Craig McDaniel's.

State Engineer Jeff Carpenter.

Assistant State Engineer Bob Dyre.

Dear Governor Jay Inslee,

We have a major problem with how the Washington State Department of Transportation is being managed with specific regards to the WSDOT Construction Division. As you will see by the following list and the attached signatures this isn't just a couple of isolated cases. These signatures only represent a fraction of the subcontractors, suppliers and citizens that are fed up with the shenanigans that are taking place within the construction division of WSDOT. We believe that you have a statewide problem and with the newly approved transportation bill that exceeds \$16 Billion we the people want these funds spent correctly!

This notice to you should not be interpreted as another rant of disgruntled taxpayers. This letter to you will provide numerous issues in outline form that involve repeated actions that include but are not limited to improper management of public funds, discrimination, repeated failure to implement public policy, approval of erroneous change orders, ethics violations, willful blindness, false reporting's, favoritism / protectionism to specific prime contractors and blatant failure to perform the job duties as a WSDOT employee.

It is our position that the leader that you have chosen to manage WSDOT (Secretary Lynn Peterson) is behaving in a manner that is fostering fraud, abuse and wasteful spending. In addition, we believe that Secretary Peterson fails to possess the moral compass that is required from a person with such a large responsibility.

The following partial topical outline demonstrates how the WSDOT Construction Division is categorically failing. Tax dollars that are intended to build roads / bridges in a fashion that

promotes business opportunities on a level playing field for all the participants is simply not happening. Furthermore, this particular management team (The five individuals list above) have a documented history of sabotaging the minority contracting community. It is for the following reasons and other reasons not mentioned herein that we "collectively" provide you with this "Vote of No Confidence"

#### **Prompt Payment**

- WSDOT management is failing to ensure prompt payment as required by State & Federal Law.
- WSDOT management repeatedly refuses and fails to sanction prime contractors who are repeat violators of prompt payment to subcontractors / supplier's.
- WSDOT management refuses to require the prime contractors to provide invoices for work performed by the subcontractor. This allows the prime contractor to circumvent the law and leaves the subcontractor defenseless.
- WSDOT management repeatedly fails to "measure and pay" for the work performed by the subcontractor. The also allows the prime contractor to exploit the subcontractor and leaves the subcontractor defenseless.
- WSDOT management refuses to require the prime contractor to certify that they have paid all their lower tier subcontractors prior to receiving the next monthly progress payment.
- WSDOT management refuses to withhold payments from prime contractors who fail to pay their subcontractors and suppliers.
- WSDOT management refuses to provide notices to the prime contractors / subcontractor as required by law if it intends to withhold payments for work performed by the subcontractor.
- WSDOT management refuses to comply with the federal guidelines as provided by 49 CFR Part 26.

#### Fraud / Abuse / Corruption

- WSDOT management repeatedly show unlawful favoritism towards non-compliant prime contractors
- WSDOT management has been involved with forgery of signatures in order to provide favor to a prime contractor.
- WSDOT management has failed to produce reports that were paid for by the taxpayer and prepared by Attorney Richard Mitchel.
- WSDOT management fails to prosecute prime contractors who are double billing the taxpayer for erroneous change orders.
- WSDOT management fails to accurately report cost overruns to the public.

- WSDOT management fails to correct loosely written specifications that allows the prime contractors to exploit the taxpayers.
- WSDOT management creates interference when the taxpayer wishes to inquire about payment history to the prime contractors.
- WSDOT management has engaged in unethical relationships with prime contractors and certain DBE subcontractors in which the WSDOT management presides over.
- WSDOT management has failed to recuse themselves in areas where they have a conflict of interest.

# WSDOT Management is interfering with the success of the Office of Equal Opportunity and DBE Program

- WSDOT management hires consultants to ensure a favorable outcome for the prime contractors.
- WSDOT management refuses to follow required protocol when investigating themselves.
- WSDOT management has created a hostile work environment for persons who work for the WSDOT OEO and wish to follow the law and proper protocol.
- WSDOT management that has interfered with the utilization of DBE Support Services.
- WSDOT management that has created new programs within the current OEO program for the sole purpose to circumvent policy.
- WSDOT management intentionally understaffing the WSDOT OEO so that it will appear
  to the public that the OEO has failed to perform its duties. This understaffing has
  occurred while at the same time the WSDOT management has hired consultants that have
  been grossly overpaid to do the job that the OEO should be doing if it had adequate
  staffing.
- The fact that WSDOT was found by a federal agency (FHWA) investigation to have had knowledge of discriminatory practices and had done nothing to stop the discriminatory and retaliatory actions.
- The fact that WSDOT executive management had knowledge of Linea Laird stating to STP management to not worry about meeting the DBE goal on the project, and that Lynn Petersen promoted Linea Laird knowing that Linea Laird was responsible for unethical collaboration with Seattle Tunnel Partners.

As mentioned above this outline is predominantly in a topic format. There are many subtopics not listed. We have kept the above partial list as short as possible out of respect for your time. But it is important for you be aware of the magnitude of this problem.

#### **DEMAND-DOT-REFORM-NOW**

We also want to provide you with solutions and options that will restore the confidence back to the taxpayer that you are addressing this problem spot on and not just giving the above individuals a pass. We are prepared to provide you with several candidates that have a passion for justice and fairness that can easily replace the "Bad Actors" listed above.

Respectfully

See attached signature pages.

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Name of Organization / Private Citizen

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11/4/15 DATE

Susan L. Al

L. Ales - Clow

Private Citizen
Name of Organization / Private Citizen

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Signature 11-4-2015
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Georgia Nielsen

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Tanisha Anderson

Printed Name

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Printed Name

November 2, 2015

Governor Jay Inslee Office of the Governor PO Box 40002 Olympia, WA. 98504 360-902-4111-Phone 360-753-4110-Fax

Reference:

Immediate Action Requested

WSDOT Management (Construction Division)

Notice of a "Vote of No Confidence"

Request for Resignation / Termination of the following WSDOT employees.

Chief Engineer Linea Laird.

Deputy State Engineer Craig McDaniel's.

State Engineer Jeff Carpenter. Assistant State Engineer Bob Dyre.

By signing this document, I am petitioning Governor Jay Inslee of Washington State to take immediate action to terminate the employment of the above listed individuals from the employment of the Washington State Department of Transportation for the reasons outlined above. In addition, I am petitioning Governor Jay Inslee to take all necessary corrective actions

November 2, 2015

Governor Jay Inslee Office of the Governor PO Box 40002 Olympia, WA. 98504 360-902-4111-Phone 360-753-4110-Fax

Reference:

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Secretary Lynn Peterson. Chief Engineer Linea Laird.

Deputy State Engineer Craig McDaniel's.

State Engineer Jeff Carpenter. Assistant State Engineer Bob Dyre.

By signing this document, I am petitioning Governor Jay Inslee of Washington State to take immediate action to terminate the employment of the above listed individuals from the employment of the Washington State Department of Transportation for the reasons outlined above. In addition, I am petitioning Governor Jay Inslee to take all necessary corrective actions to remedy all the issues outlined above.

Signature

Printed Name

November 2, 2015

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Signature

DATE

Printed Name

Name of Organization / Private Citizen

11/16/2015

November 2, 2015

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BETSY MAY Signature By DURNEMAY	11/16/2015 DATE
Printed Name	Name of Organization / Private Citizen

Printed Name

### PROOF OF SERVICE PAGE FOR "VOTE OF NO CONFIDENCE"

Hand Delivered to the Office of the Governor, Olympia, Washington.

November 16	5, 2015	
Governor Jay Office of the PO Box 4000 Olympia, WA 360-902-411 360-753-4110	Governor 02 A. 98504 1-Phone	HAND DELIVERED  NOV 1 & 2015  OFFICE OF THE GOVERNOR
Reference:	Immediate Action Requested WSDOT Management (Construction Notice of a "Vote of No Confidence Request for Resignation / Terminate Secretary Lynn Peterson. Chief Engineer Linea Laird. Deputy State Engineer Craige State Engineer Jeff Carpente Assistant State Engineer Bo	on of the following WSDOT employees.  McDaniel's.
By signing the signatures as State	nis document, I am accepting receipt of outlined in the above (5) pages on be	f this Vote of No Confidence and attached half of Governor Jay Inslee of Washington
Signature	· · · · · · · · · · · · · · · · · · ·	DATE