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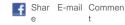
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More concrete inconsistencies found on Silver Spring

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Transit Center

County council considers legal action against developer

By Kristi Tousignant, Staff Writer

The Montgomery County Council could consider legal action against the Silver Spring Transit Center's developer as further inconsistencies were found in the structure.

A county-commissioned report found significant portions of the concrete poured on the middle and upper floors of the transit center either are too thin or too thick, said David Dise, director of the Montgomery County Department of General Services.

"We are disappointed," said Montgomery County Council President Roger Berliner (D-Dist. 1) of Potomac. "This was a human mistake."

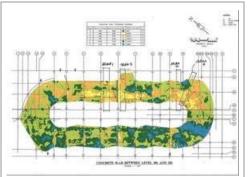
The county could be considering legal action against developer Foulger-Pratt.

The county's contract with Foulger-Pratt includes a damages clause in which the contractor owes the county \$8,700 per day the project is delayed, Dise said. Foulger-Pratt will be responsible for fixing and paying for the problem, Dise said.

Foulger-Pratt did not return calls for comment by deadline Tuesday.

The council's Transportation, Infrastructure, Energy & Environment Committee went into a closed session Monday to discuss legal action, but Berliner said no decision was made.

"I would say to you there is a mistake and a lot of money involved that increases chances of litigation



Parsons Brinckerhoff/submitted An evaluation of the concrete thickness in the Silver Spring Transit Center by engineering firm Parsons Brinckerhoff found inconsistencies in the mid and upper levels of the structure. The chart above shows the concrete thickness on the middle level. The concrete should be 10 inches thick, which is represented by the light green color. Red, yellow and orange areas represent concrete that is too thin. Dark green and blue areas represent areas that are too thick. About 60 percent of concrete on this level is either too thick or too thin, according to the evaluation.

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exponentially," Berliner said.

Berliner said the county council would not decide on legal action until Foulger-Pratt released its plan

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to fix the problem, expected in a month. A subcontractor, Facchina, poured the concrete on the building.

The county and other agencies involved, such as

the Washington Metropolitan Area Transit Authority and the Maryland Transit Administration, will discuss Foulger-Pratt's plan and whether to implement it.

The \$101 million, three-tiered transit hub on the corner of Wayne Avenue and Colesville Road will connect Metrorail, buses, people on foot, MARC train and bikers.

In August, inspectors from the county and WMATA found flaking on eight spots in the upper deck of the transportation hub where the concrete was too thin.

The county commissioned a structural evaluation of the site by project architect Parsons Brinckerhoff. The study found not only thin areas, but also spots that were too thick. When the concrete is too thick, the reinforcement bars cannot support its weight, Dise said.

The reinforcement bars spread horizontally to create the bones of the floor. Concrete is poured over these bars and should be 10 inches thick, Dise said. In some areas it is 8 inches or 11 inches thick, according to the study.

The center, which was supposed to open June 2011, has faced multiple delays.

Construction began in 2008 and hit a road block in its early phases when utility lines had to be rerouted, Dise said. The center was rescheduled to open in January 2012 until inspectors discovered the concrete problem.

Until the developer, county, WMATA and MTA decide on a plan to remedy the concrete inconsistencies, the opening date for the transit center remains uncertain.

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