



**DEPARTMENT OF THE NAVY**  
NAVAL FACILITIES ENGINEERING AND EXPEDITIONARY WARFARE CENTER  
1000 23RD AVENUE  
PORT HUENEME CA 93043-4301

N REPLY REFER TO:  
4200/AQ71  
SER 0228  
4 FEB 2014

WILLBROS GOVERNMENT SERVICES (U.S.), LLC  
Attn: Rick Grossman  
2087 E 71ST STE 101  
Tulsa, OK, 74136-5462

Dear Mr. Grossman:

Subject: CONTRACT N62583-09-D-0132 TASK ORDER 0003, CLEAN, INSPECT, REPAIR  
TANKS 5 AND 17, REDHILL, PEARL HARBOR HAWAII

There is an apparent loss of product in Tank 5 which was repaired under the subject contract task order. After preliminary investigation the Government has determined that the loss of product most likely resulted from a leak caused by defects in material or workmanship in the performance of the task order. I am therefore evoking my remedies under the Warranty of Construction Clause (FAR 52.246-21) and directing Willbros to identify and correct the deficiency(ies) in Tank 5.

Within ten calendar days of receipt of this letter, Willbros shall provide an written work plan that identifies the means, methods and proposed schedule for re-entering Tank 5. Willbros shall also identify any requirements necessary for Willbros to provide Tank 5 access to government personnel, and/or representatives of the Government. Willbros shall not proceed to mobilize or enter the tank until the Work Plan is accepted by the Government and a Notice to Proceed is issued by the contracting officer.

The preliminary investigation has provided the following information:

- The operators of the tank reported a loss of product during initial filling operations, and the gauging logs show a loss of product over the 30-day period.
- There was a re-appearance of fuel on the lower tunnel wall after the tank was refueled.
- The monitoring well nearest to Tank 5 has shown a significant spike in petroleum products.
- The Government has determined that proper procedures were followed when refilling the tank.
- The Government has determined that the SPAWAR contractor that installed the Automated Fuel Handling Equipment was not performing work that could have damaged the tank.

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If, during the course of any inspections or other work on the tank, Willbros determines that the leak was caused by reasons other than defective materials or workmanship provided by Willbros, you are directed to stop all further inspections and immediately notify the contracting officer.

If you have any questions please contact me at (b) (6) or (805)382-3140.

Sincerely,

(b) (6)