April 27, 2010

Hochtief AG
Opernplatz 2
Essen, Germany D-45128
ATTN: Public Relations or Press Office

Dear Sir or Madam:

The Project On Government Oversight (POGO) has updated its Federal Contractor Misconduct Database (http://www.contractormisconduct.org/), a compilation of information from public resources regarding government contractors, including Hochtief AG. I have enclosed the findings relevant to your company, and I am seeking verification of this data.

Any response would be greatly appreciated, as the accuracy of this information is in the best interest of all parties. Out of fairness to Hochtief AG, please be assured that any response received by POGO will be posted on the website along with the data. Please note that the database includes pending instances, but these are kept separate from resolved instances and are not included in the totals.

If you have any questions, I can be reached at (202) 347-1122. Thank you for your time and consideration.

Sincerely,

Neil Gordon
Investigator

Enclosure
Instances

1. False Claims Regarding Credits on Federal Contracts
   Date: 06/23/2005 (Date of Announcement)
   Misconduct Type: Government Contract Fraud
   Enforcement Agency: Multiple Agencies
   Contracting Party: Multiple Agencies
   Court Type: Civil
   Amount: $9,400,000
   Disposition: Settlement
   Synopsis: In June 2005, Hochtief AG subsidiary Turner Construction Company paid $6.6 million to settle allegations that it received credits for bonds on dozens of federal contracts without passing the credits along to the federal government. The contracts included one for the construction of the VA’s Boston Medical Center in Massachusetts, one with the GSA for the construction of a courthouse in Islip, New York, numerous Navy contracts, and several other construction contracts or subcontracts with these and other agencies. As part of the settlement, Turner also forfeited claims valued at $2.8 million under contracts with the Department of Veterans Affairs and the Department of the Navy.

2. City of Milpitas v. Turner Construction
   Date: 01/26/2007 (Date of Settlement)
   Misconduct Type: Poor Contract Performance
   Enforcement Agency: State/Local
   Contracting Party: State/Local
   Court Type: Civil
   Amount: $4,500,000
   Disposition: Settlement
   Synopsis: Turner Construction Company paid $4.5 million to the City of Milpitas, California, which claimed Turner's deficient work resulted in extended delays and significant cost overruns on the construction of a new City Hall. The $38 million City Hall project was completed in 2002, a year later than scheduled and $4 million over budget. The city alleged that Turner misrepresented the state of the project, failed to keep it informed of delays and schedule changes, and failed to weatherproof the building.