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To : John O. Moore, Director
Department of Public Service

From: Mark J. Moore, P.E.
Service Director's Office

MSM

Date: March 12, 2015

Re: Concerns Related to the Supply of Ready-Mix Concrete

I am quite concerned with the fact that we currently have only one large concrete production facility, Mack Concrete, in the City of Akron. Of even greater concern is the fact that recently this supplier, on the day before a pour was scheduled, informed us that they would not supply concrete for our upcoming projects. While they claimed that they were protecting themselves, the threat of non-delivery really amounted to nothing more than a situation where they were playing games with us and demonstrating their position of power in the contracting relationship. It was a very frustrating situation to say the least.

In addition, despite the fact that we have permitted Mack Concrete to deliver to the CSO project sites, they do not currently meet the requirements of the Project Labor Agreement. In an effort to resolve this situation, I reached out to Mack approximately four weeks ago in hopes that we could craft a solution that would allow a number of concerns to be addressed. In response to this, Mack delivered a number of truly unacceptable conditions that included:

1. Our teamster drivers would be lowest priority for concrete truck loading.
2. Hauling rates would only be \$10 per cubic yard, which I believe is below the fair market price of \$17 per cubic yard.
3. Absolving themselves of all liability once the concrete left their production facility (and therefore made me 100% responsible for problems identified by field inspectors, problems that may have actually originated at Mack's concrete plant).

I feel that this type of response was unacceptable from a company that claims to want to be a good partner and work with us.

In summary, one major production facility in Akron is simply not enough to insure that we will receive fair pricing, and timely delivery, on the numerous CSO projects that will be completed under the requirements of the Consent Decree. In order to protect the City of Akron into the future, I believe it is critically important that we solve these issues immediately.

MJM:pt