

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 536

H. P. 1491

House of Representatives, February 16, 1937.

Referred to Committee on Claims. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Dorr of Mexico.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

RESOLVE, in Favor of James H. Kerr, of Rumford.

James H. Kerr; compensated. Resolved: That the state of Maine pay to James H. Kerr, of Rumford, the sum of \$133,692.90 to compensate him for moneys, materials and labor furnished to the state of Maine in the construction of the substructure of the Hancock-Sullivan bridge in the state of Maine during the years 1923, 1924, 1926 and up to about the 1st day of September, 1926.

STATEMENT OF FACTS

James H. Kerr, of Rumford, in the county of Oxford, and state of Maine, entered into a contract with the state of Maine to build the substructure of the Hancock-Sullivan bridge in this state. Drawings and specifications were furnished by the highway department to the public who wished to bid for the building of this substructure; such drawings and specifications furnished by the highway department were not in accordance with the conditions of the bed of the river and the soundings made by the engineer of the highway commission. After Mr. Kerr had entered into the performance of his contract these conditions were discovered and reported to the highway commission by Mr. Kerr. These conditions required a greater amount of seal than was specified in the original drawings and specifications, which is part of the permanent structure of the piers and abutments of said bridge and which is a construction to maintain the caissons which were used in the construction of the piers and abutments of said bridge, which caused this great amount of extra labor and materials in the construction of said piers and abutments; also the conditions of the bed of the river were discovered to be different than shown by the specifications and drawings by the state highway commission, and Mr. Kerr was ordered and did do a great amount of extra excavation because of such conditions under orders and directions of said highway commission; also the state highway commission constructed a large break-water out into the river on the Sullivan side which was the cause of narrowing up the channel and changed the course of the river and directed the full flow of the water against the four principal units causing several of the caissons to be torn away from their moorings and carried a long distance up river. Mr. Kerr was obliged to construct extra piers in the middle of the river to break the force of the water so as to enable him to hold the caissons, working lighters, and equipment in place. Said substructure of the Hancock-Sullivan bridge was completed by Mr. Kerr and accepted by the said state of Maine; all of this extra labor, money, and materials which were furnished the state of Maine in the construction of this substructure was absolutely necessary to complete said construction and was caused without any fault on the part of Mr. Kerr, the contractor.