Biggs
Construction Company, Inc.
General Contractors • Project Managers • Consultants

P.O.Box 1552
Pensacola, FL. 32591-1552
Phone: 850-430-4307
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November 9, 2015

Pensacola City Council
Pensacola City Hall
222 West Main Street
Third Floor
Pensacola, FL 32502

Re: Long Hollow Radio Tower

Dear Council Members:

In light of the recent media attention regarding this radio tower, we believe it is important to clarify our company's role since it is unclear in the reporting, and distinctly different from what Mr. Gene Church represented to the Pensacola News Journal. We did not speak to a member of the media regarding these issues, but since you are taking this matter up on November 12, we are providing this directly to you.

Biggs Construction Company, Inc. (not Biggs – Green) was approached in March of 2014 to serve as the General Contractor for the reconstruction of Mr. Church's tower. I knew Mr. Church from church, and because of that connection, and the religious nature of his station, I agreed to assist him for a reduced fee. We sent him a proposal in March of 2014. We would obtain the permits, supervise and coordinate the different trades on the job, and verify insurance and licensing of the different trade contractors and other standard construction management duties.

Because tower erection is a very specialized trade, Mr. Church was to contract directly with that party, although we would still supervise their work and coordinate submissions to and inspections by the City. Prior to start of any work, Mr. Church paid us a partial deposit, to reimburse us for permit costs, and was then to contact us when he was ready to proceed. We then submitted the information required by the City's Building Department to obtain the proper permits.

We followed up with Mr. Church about every two months after that to inquire whether he was ready to proceed and start work. He either did not respond or would say that he was not yet ready to proceed with the project. So, from our perspective, the project had not begun and so no work should have occurred at the site.

In January, 2015, the City of Pensacola Building Department contacted our office and stated that the permit was about to lapse because of inactivity. We then contacted Mr. Church regarding the status and to inquire if he wanted the permit extended. He told us

that there had been "issues" with the original erection contractor (whom he was to hire), but that the project should be ready to begin soon, and that he desired the permit to be re-instated. Based upon that representation, we renewed the permit.

We then informed Mr. Church that we needed his specialty vendor's insurance information, references, and related information, and that we would need to meet with Mr. Church, the erector, vendors, and other subcontractors to ensure there was a common understanding about the sequence of the work, inspections required, and other issues relating to the management of the project, just as we previously told him in March 2014 would be needed before any construction. It was only then that Mr. Church first told us that the work was nearly complete, which was very disturbing since the permit had been obtained with our license. We immediately checked with the City's Building Department and were informed that no inspections had occurred.

Because it was then apparent that Mr. Church had elected to proceed with the work without our supervision, We immediately notified the City on February 2, 2015, that the "owner has started the work…without our supervision" and requested that the permit be suspended and our name and license removed from the permit. We also notified Mr. Church on the same day by letter of our resignation from the project. We have enclosed a copy of that letter for your reference. We have had no further involvement since that time.

As you can see, the statements by Mr. Church reported by the Pensacola News Journal regarding the party performing the work being a "subcontractor" of ours and that he was "unaware" of it is entirely false. We never had a contractual or management relationship with Mr. Church's tower erector or anyone else because, from our perspective, the project had not begun.

We hope this information is useful as the Council considers this situation.

Sincerely,

George A. Biggs
President

Enclosure

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February 2, 2015

Mr. Gene Church
Divine Word Radio
P. O. Box 866
Pensacola, FL 32591

RE: Radio Tower

Gene,

It has come to our attention that you have chosen to start erection of the radio tower we have under permit for you without our supervision as contracted. We further understand that foundations are in place that have not been reviewed or inspected.

Unfortunately, we have no choice but to remove ourselves completely from this project. We have no responsibility whatsoever related to the work in place, costs associated with rectifying the situation or any other liability. We have no choice but to contact the city and have the permit under our name suspended.

We expect you to properly inform the venders you have working on the project to stop work immediately and contact the Federal Communication Commission, Federal Aviation Commission and all other entities related to the erection of this structure of the current status.

We trust you understand our position.

Sincerely,

George A. Biggs
President