

ADP #11160

May 19, 2011

Jim Phillips
24 Brackett Street, #4
Portland, ME 04102

RE: Fore River Condos
Bracket Street, Portland

Dear Jim:

In accordance with our written agreement, Associated Design Partners, Inc. has prepared a limited scope of repairs to help reduce some of the recurrent water intrusion problems experienced at the above referenced property. As the result of several site visits conducted over the past year, we have identified multiple construction defects in this building that have lead to or caused recurrent water intrusion activity. The most concerning defects are those that have lead to water intrusion that has repeated compromised some of the code required fire rated assemblies and systems. As reported in previously issued reports, the full extent of water intrusion is still unverified. The two primary water intrusion problems currently known to us include; exterior walls of the fourth floor living space, with water entering from the roofing system, due to defective construction of the deck systems; and, in the ground floor garage space, with water entry coming from defectively flashed brick veneer assembly and the subterranean roof assembly.

You recently provided me with a letter from the Portland Fire Department dated April 21, 2011. The letter was issued as a follow-up to an inspection of the above referenced property to ensure compliance with State and local Fire Safety Regulations. The letter states the following: *"While conducting this inspection, we identified life safety code violations as more particularly described in the attached violation notice. See attached."* The notice identifies two violations. The first violation identifies problems with hardwired carbon monoxide alarms. The second violation identifies repairs to corridor walls at the garage level. A second Violations Listing from the Portland Fire Department dated April 29, 2011 was also provided to us. This listing states the carbon monoxide alarms with battery backups must be operable in all units and the garage space. Additionally, the Violation Listing states the following: *"All holes in ceilings and walls in all units, hallways and garage shall be repaired"*. The compliance remedy cited is *"Per City Ordinance"*. The walls and ceilings of the garage space and between individual units must maintain a one hour fire rating to meet current building codes. On April 25, 2011 I met you at the property to review the damaged fire rated walls and ceilings. The walls and ceiling in the garage space are finished with gypsum wallboard. A fire rated wall or

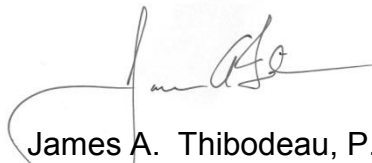
ceiling assembly constructed in compliance with current codes will be adequately tapped and penetrations will be fire caulked. In the fourth floor unit there are several holes in the gypsum wallboard finishes that need to be repaired. During my site visit I identified several areas where the ceiling fire rated wall have become compromised due to recurrent water exposure. This damage has been identified as mentioned above by the Portland Fire Department. As required per the Portland Fire Department the fire rating of these walls must be re-established. The fire rated wall and ceiling assemblies are becoming damaged due to construction defects allowing water to be presented at the interior. More particularly, this water intrusion is due to inadequately water proofed and weather proofed assemblies at the exterior of the building. It has been verified that the brickwork is missing weep holes, lacks base brick flashing with adequate end dams. Previous partial repairs and retro-fit flashing attempts have failed because the repair system was not properly designed detailed and executed. There is also a section of flat roof over the garage that is very close to the finished site grade around this building. This roof is not finished in accordance with industry standards and needs to be replaced. These water intrusion issues must be addressed. Without addressing water intrusion issues repaired fire rated assemblies will quickly become compromised.

At your request, Associated Design Partners, Inc. has prepared plans titled "Fore River Condo – Portland, Maine" which have been attached to this report. The plans show flashing details for various different transitions and assemblies that exist in this building. The flashing details as shown on the plans must be followed and maintained to ensure the integrity of the fire rated assemblies in the garage level are maintained. Anything short of these details will be considered inadequate. Additional window flashing details are shown on the plans. Other previously identified water intrusion sources in this building should be addressed. These include but are not limited to the deck constructed on the roof of the building, the parapet wall around the perimeter of the roof and the balconies associated with the individual units.

This letter report should be understood in the context provided. It is based upon visual observations, and understanding of conditions as represented in this report. Should varied or unforeseen conditions be in existence, Associated Design Partners, without prejudice, reserves the right to reconsider the conclusions made within this report.

Your questions and comments regarding this report are welcome.

Sincerely,



James A. Thibodeau, P.E.

President

Associated Design Partners Inc.

Attachments: Photographs