CE 444 Paper 3

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Case Study 1

The approved drinking fountain variance appears to be a suitable substitute for the original design. No further action seems necessary.

Case Study 2

For this scenario, the government and their design would have been at fault, but the contractor knew about the existing sewer line and proceeded to bore even though it was not where it was supposed to be, and without notifying the government of this. They should have contacted the owner’s agent immediately upon discovering this differing site condition.

If they had called the engineer and the engineer decided to redesign the layout, then the contractor would have been entitled to consideration for 2 weeks of waiting, as well as digging a new bore pit and traffic control for those 2 weeks. If the engineer had said to bore anyway and they hit the existed sewer line, the contractor would have still been entitled to payment for some of the damages incurred and the time it would take to redesign the project. But, since the contractor did not notify the engineer of the differing site condition before hitting the sewer line, that’s their fault and they are not entitled to any consideration for the damages incurred or time lost.

Case Study 3

If the contractor is owed anything for their mistake and improper communication, they should only be given consideration for those things that would have occurred if they had called the engineer. So for only 2 weeks of traffic control and signage, (since that’s how long it takes the government to redo the plans), construction of a new bore pit, excavation and removal of old storm sewer, and procurement and installation of new catch basin.