

EXPERT/ENGINEER ENGAGEMENT LETTER

CONFIDENTIAL - ATTORNEY WORK PRODUCT PRIVILEGE APPLIES

Date: March 15, 2024

Via Email and Certified Mail

Structural Engineering Associates, LLC

Attn: Dr. Michael Thompson, P.E.

4521 Professional Boulevard, Suite 200

Atlanta, GA 30328

mthompson@structuralengineers.com

(404) 555-8900

Re: Request for Professional Consulting Services - Property Damage Assessment

Property: 1847 Oakwood Drive, Marietta, GA 30066

Claim #: HO-2024-03-4521

Date of Loss: February 28, 2024

Policy #: HO-88792341

Carrier: Superior Insurance Company

Dear Dr. Thompson:

I am writing to formally engage your professional services for an independent, comprehensive evaluation of property damage sustained at the above-referenced location. Your expertise is required to provide an objective, thorough assessment to support my insurance claim and potential dispute resolution proceedings.

BACKGROUND

On February 28, 2024, my property sustained significant damage due to a large oak tree falling during severe thunderstorms with documented 75+ mph winds. The insurance carrier, Superior Insurance Company, has conducted their assessment through adjuster James Mitchell; however, significant discrepancies exist between their findings and the actual damage sustained. I require an independent professional evaluation to ensure all damages are properly identified, documented, and valued according to industry standards.

- Initial carrier estimate: \$42,500
- Preliminary contractor estimates: \$185,000 - \$225,000

- Areas of dispute: Structural damage extent, foundation impact, hidden damage in walls

SCOPE OF ENGAGEMENT

I hereby request that you provide the following professional services:

1. COMPREHENSIVE INSPECTION

- Perform thorough on-site inspection of all affected areas
- Document both visible and concealed damages using appropriate testing methods
- Utilize thermal imaging, moisture meters, and other diagnostic tools
- Identify any structural or safety concerns requiring immediate attention
- Assess code compliance issues triggered by the repairs
- Document pre-loss condition based on available evidence
- Identify potential for hidden/latent damages
- Review any environmental hazards (asbestos, lead, mold)

2. DAMAGE ANALYSIS

- Determine the full extent and cause of damage
- Establish cause and origin (if applicable)
- Evaluate structural integrity and safety
- Assess potential for hidden/latent damages
- Document damage progression potential
- Identify secondary damage from initial event
- Review emergency mitigation adequacy
- Determine if damage is consistent with reported cause

3. REPAIR METHODOLOGY

- Recommend appropriate repair methods per industry standards
- Distinguish necessary vs. cosmetic repairs
- Specify materials and techniques required
- Provide alternative repair approaches if applicable
- Estimate realistic repair timeline
- Identify specialized contractors needed
- Address matching and uniformity requirements

- Consider line-of-sight rules for finishes

4. CODE COMPLIANCE REVIEW

- Identify current building code requirements
- Determine required upgrades triggered by repairs
- Document grandfathered conditions affected
- Review permit requirements
- Assess ADA compliance needs
- Evaluate energy code requirements
- Document life safety code issues

5. COST ESTIMATION

- Provide detailed repair/replacement cost estimates
- Include breakdown of labor and materials
- Account for general conditions, overhead and profit
- Consider current market conditions and material availability
- Include contingency factors for hidden damage
- Separate code upgrade costs
- Provide both RCV and ACV calculations
- Address prevailing wage requirements if applicable

6. WRITTEN REPORT

Please provide a comprehensive written report including:

Executive Summary

- Overview of findings
- Total damage assessment
- Recommended course of action

Detailed Findings

- Room-by-room damage assessment
- System-by-system analysis
- Structural evaluation

- Code compliance issues

Supporting Documentation

- Photographic documentation (minimum 100 photos)
- Technical drawings/diagrams as needed
- Testing results and data
- Moisture mapping diagrams
- Thermal imaging results

Cost Analysis

- Detailed cost estimates with line items
- Xactimate or similar software estimate
- Supporting documentation for pricing
- Market research for specialty items

Professional Opinions

- Causation analysis
- Repair vs. replacement recommendations
- Code compliance opinions
- Timeline recommendations

Credentials Package

- Curriculum vitae
- Professional licenses
- Certifications
- Previous expert testimony list (5 years)
- Publications relevant to this matter

7. SUPPLEMENTAL SERVICES

Be prepared to provide:

- Supplemental reports for newly discovered damage
- Review and comment on carrier's expert reports
- Participation in appraisal proceedings if invoked

- Expert testimony at deposition if required
- Trial testimony if matter proceeds to litigation
- Consultation on settlement negotiations

SPECIFIC AREAS OF CONCERN

Please pay particular attention to:

1. Master bedroom ceiling and wall structure - possible hidden truss damage
2. Foundation northwest corner - visible cracking and settlement
3. Electrical system main panel - water infiltration evident
4. Hidden damage potential in: Attic space, interior wall cavities, crawl space
5. Code compliance issues regarding: Electrical grounding, deck attachment, stair railings

ACCESS AND COORDINATION

- Property access available: Monday-Friday 9 AM - 5 PM, Weekends by appointment
- Coordination contact: Sarah Johnson (404) 555-1234
- Insurance adjuster may request joint inspection
- Other experts involved: None at this time
- Safety equipment required: Hard hat, safety glasses (structural damage present)

TIMELINE

- Initial inspection: Within 5 business days of this letter
- Preliminary verbal findings: Within 24 hours of inspection
- Draft written report: Within 10 business days of inspection
- Final report: Within 5 business days of draft review
- Availability for follow-up: Ongoing as needed

FEE ARRANGEMENT

I understand and agree to your fee structure as follows:

Initial Inspection and Report:

- Flat fee: \$3,500 (includes up to 8 hours on-site and report preparation)
- Travel expenses: Included (within 50 miles)

Additional Services:

- Supplemental reports: \$350 per hour
- Deposition testimony: \$500 per hour (4 hour minimum)
- Trial testimony: \$4,000 per day
- Document review: \$350 per hour
- Consultation calls: \$350 per hour

Payment Terms:

- Retainer required: \$1,750
- Inspection fee due: Upon scheduling
- Report balance due: Upon delivery
- Invoice directly for your services
- Payment within 30 days of invoice

INSURANCE INTERFACE

Please note the following regarding insurance carrier interaction:

- You are engaged as my independent expert
- You work at my direction, not the carrier's
- Provide copies of all correspondence to me first
- Do not release reports without my written authorization
- I will coordinate any joint inspections
- Direct all billing to me, not the insurance carrier
- Maintain independence from insurance company experts

CONFIDENTIALITY AND PRIVILEGE

All findings, reports, communications, and work product related to this engagement:

- Shall remain strictly confidential
- Are protected by applicable consultant privileges
- May be subject to attorney-client privilege if attorney is retained
- May be subject to work product privilege
- Should not be disclosed to third parties without written consent

- Should be marked "CONFIDENTIAL - PRIVILEGED"
- Electronic communications should be encrypted when possible

CONFLICTS OF INTEREST

Please confirm that you:

- Have no current contracts with Superior Insurance Company
- Have not worked on this property previously
- Have no financial interest in the outcome
- Will disclose any potential conflicts immediately
- Will maintain independence throughout engagement

QUALIFICATIONS CONFIRMATION

Please confirm in writing that you:

- Hold current professional licenses in Georgia (#PE-028456)
- Maintain professional liability insurance (minimum \$2,000,000)
- Maintain general liability insurance
- Have no disciplinary actions pending or past
- Have 22 years experience in structural engineering
- Are qualified to testify as expert witness in Georgia
- Can provide expert testimony if required
- Will maintain required licenses throughout engagement

DELIVERABLES FORMAT

Please provide all deliverables in the following formats:

- Written reports: PDF and Word format
- Photographs: High-resolution JPEG with metadata
- Estimates: Native format plus PDF
- All documents: Searchable/OCR processed
- USB drive with all files
- Cloud storage link for large files

INDEMNIFICATION

To the extent permitted by law and professional standards, each party agrees to indemnify the other for their own negligent acts or omissions in the performance of this engagement.

TERMINATION

Either party may terminate this engagement with written notice. If terminated, consultant will be paid for work completed to date and will provide all work product generated.

ACCEPTANCE

Please indicate your acceptance of this engagement by signing and returning a copy of this letter within 5 business days. Include your standard terms and conditions if applicable, though any conflicts with these terms must be resolved before proceeding.

If you have any questions or need clarification on any aspect of this engagement, please contact me immediately at (404) 555-6789 or robertanderson@email.com.

I look forward to working with you on this matter and appreciate your prompt attention to this important assessment.

Sincerely,

Robert Anderson

1847 Oakwood Drive

Marietta, GA 30066

(404) 555-6789

robertanderson@email.com

ACCEPTANCE OF ENGAGEMENT

I accept the engagement as described above and confirm that:

- I meet all stated qualifications
- No conflicts of interest exist
- I can maintain independence throughout
- I understand the confidentiality requirements
- I agree to the fee structure outlined
- I can meet the timeline specified

Additional Terms/Conditions: ☐ None ☒ See attached standard terms

Dr. Michael Thompson, P.E.

Georgia Professional License #PE-028456

Structural Engineering Associates, LLC

Principal Engineer

Signature: _____

Date: March 18, 2024

Witnessed By:

Jennifer Clark

Date: March 18, 2024

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