



PROJECT: Relocation of U.S. 98

CLIENT: Florida Department of Transportation

LOCATION: Walton & Okaloosa Counties

The relocation of U.S. 98 was a state project which consisted of the relocation of approximately seven miles of highway. The work consisted of heavy grading, new pavement with asphalt base course, asphalt concrete structural course, and asphalt concrete friction course. Also included in the project were storm sewers, drainage structures, concrete curbs and gutters, concrete ditch pavement, roadway signage, and pavement markings.



The contractor submitted several claims to the Florida Department of Transportation, including:

- Approval of stabilizing material
- Excavation quantity overrun
- Borrow quantity overrun
- Inlet elevation difference
- Shell base salvage
- Incompatible slope at intersection
- Drainage system changes and conflicts
- Underdrain installation specification

The total of these claims was approximately \$1 million and the time extension requested was approximately 232 days.

CCL prepared a schedule analysis to determine the impact of the claims' issues on the project completion date. CCL found that FDOT and the contractor had executed several supplemental agreements and agreed upon the costs and time extensions to cover additional work. CCL found insufficient schedule documentation or entitlement to additional time extensions. In most instances, delay days were requested for work which was not the controlling factor in completing the project. The contractors' presentation that delaying the start of these activities delayed project completion was incorrect.

CCL prepared a detailed evaluation for each of the eleven (11) claims submitted, including a review of FDOT's district and headquarters engineers' pronouncements on the claims. CCL provided a summary of claim issues, which in some instances required records from numerous files, correspondence and field records, and categorized claim costs. An entitlement analysis was completed for each claim based upon the available documentation and the plans and specifications used by the contractor to prepare bid.

In these instances where the contractor was entitled to damages, the claim was audited. The reasonableness of labor and material costs were evaluated. Missing source documents necessary to prove claim damages such as haul tickets and paid invoices were identified. Equipment rates utilized by the contractor in pricing the claims were found to be too high for the type of equipment on the job site. The contractors' daily logs were utilized to identify man- hours actually spent on work tasks and comparisons made between labor costs claimed. A reasonable amount of delay days for each issue was determined.

A written report of findings was provided to FDOT with copies of pertinent records and CCL's calculations. CCL found the contractor's delay claim to be overstated, the contractor did not have adequate source documents to prove costs, and the contractor used incorrect engineering, construction sequencing and scheduling considerations in determining the impact of delays on the project completion date.

Following CCL's depositions and before trial, the Florida Department of Transportation and the contractor settled. The Department considered the settlement favorable.