



**PROJECT:** Kansas City  
International Airport  
Terminal B  
Parking Garage

**CLIENT:** Structural Engineering Associates

**LOCATION:** Kansas City, Missouri

CCL was retained by Kansas City Aviation Department and Structural Engineering Associates, Inc., the project design engineering consultant, to review Martin K. Eby Construction Company's delay claim on the \$22.5 million Terminal B Parking Garage and tunnels to the Terminal Building. Following CCL's initial review of the claim issues, the City retained CCL to serve as a dispute review panel to receive and review claim positions and issue a decision on the claim value. The City, the Engineer, and the General Contractor accepted CCL's settlement decision following the dispute review panel sessions and mediation meetings.

The contract contained incentive clauses for early completion and liquidated damages for late completion. The contractor received compensation through a change order to work double shifts during construction to accelerate project completion. The General Contractor's claim stated the contract specifications were ambiguous concerning what was to constitute a working day. There were numerous days the engineer assessed as a working day that the contractor claimed should not be a working day due to weather conditions, inability to make significant progress, or second shift work not possible due to cold and wet weather. CCL prepared a detailed analysis of weather conditions and the actual impact of weather conditions on concrete pours and on critical path activities in the contractor's CPM schedule.

CCL also reviewed several issues that the contractor claimed delayed project completion. Issues evaluated included delays in preparing test pile submittals and approval of the test pile program, epoxy coatings on sandblasted concrete surfaces, code interpretations, asphalt and concrete cracking, punchlist items, and mechanical HVAC piping issues. However, the contractor did not adequately update the CPM schedule during construction. Therefore, the contractor could not accurately quantify the number of excusable delay days. CCL prepared a schedule analysis for each of the issues that impacted the critical path. For issues that didn't impact the critical path CCL reviewed the change order cost documentation prepared by the contractor, evaluated the plans and specifications to determine if they were ambiguous or lacked adequate information for the contractor to include costs in the bid, and issued a settlement decision with CCL's findings.

CCL issued a report that included a discussion of the claim issues, a summary of the General Contractor's and Engineer's documentation and position on each issue, and CCL's expert opinions and findings regarding the amount of damages the contractor should be compensated.