



**PROJECT:** Cameron Parish Water & Fire Protection District No. 9

**CLIENT:** Stone, Pigman, Walther, Wittmann & Hutchinson

**LOCATION:** Cameron Parish, Louisiana

CCL was retained by Stone, Pigman, Walther, Wittmann & Hutchinson to review the technical specifications, claim submitted by the contractor, and the appropriateness of the contractor's methodology of calculating damages. The project consisted of approximately 400,000 linear feet (75 miles) of 2" to 12" PVC piping. The PVC pipe was part of an overall project to provide Cameron Parish with a fire protection system. North Central Utilities was the General Contractor on the general distribution system.

North Central Utilities negotiated with various manufacturers to provide PVC pipe for the project. North Central Utilities then issued a purchase order to CertainTeed Corporation for manufacture and delivery of the pipe. Approximately 40% of the pipe was delivered to the jobsite when the resident engineer rejected the pipe because of the type of joints utilized. Project specifications called out Johns-Manville or equal pipe which has an integral bell type joint. The pipe supplied by CertainTeed utilized a coupled gasketed joint for pipe sizes greater than 4" and an integral bell type joint similar to the Johns-Manville pipe, for sizes smaller than 4".

CertainTeed filed a claim against North Central Utilities for lost profits and costs associated with picking the pipe up off the job. CertainTeed alleged their pipe met the project specifications, the submittal by North Central Utilities to the engineer was approved, and they clearly outlined in their purchase order and acknowledgement forms the type of pipe to be provided. North Central Utilities filed a counterclaim against CertainTeed for delays due to pipe delivery. North Central Utilities alleged that the four week delay in the delivery of the pipe pushed construction into the wet season and resulted in a sixteen week delay completing the project. North Central Utilities calculated their damages due to the sixteen week delay to be approximately \$760,000.

CCL was retained to evaluate the technical specifications, evaluate project documentation to establish the contractors as-planned intent, productivity analysis, and to determine delays in the project due to the pipe supply problem. CCL performed an audit of the damages and made recommendations to CertainTeed's legal counsel with regard to the appropriateness of the damages both from an entitlement and cost standpoint. CCL provided expert analysis during trial.