



PROJECT: Utah State Prison
Perimeter Security and
Road Improvements

CLIENT: State of Utah - Office
of the Attorney General

LOCATION: Draper, Utah

CCL was retained by the State of Utah Division of Facilities Construction and Management and the Office of the Attorney General to provide a review of Nelson Construction Company's claims on the Perimeter Security and Road Improvements project for the Utah State Prison. The \$3.5 million project included construction of guard towers, earth work and excavation required to construct two security fences, gravel mow strip between and on either side of the fences, prison entrance and a perimeter road around the security fences.

CCL was retained to perform a preliminary review of five components of the contractor's claim. These items included a claim for additional earthwork and excavation at the security fence, extra earthwork and cut and fill for the road base, additional surveying costs, relocation costs related to reorientation of four of the guard towers, and additional funds requested for completing a change order which relocated power and communications manholes to avoid an existing utility line. Nelson Brothers Construction's claim also included a request for project extensions to match the substantial completion date. The State of Utah has counterclaimed against Nelson for 540 days of unexcused delay and liquidated damages. CCL also provided a review of the contract documents and provisions addressing pricing of change orders and time extensions. This analysis was provided to assist the State of Utah in its review of delay costs included in previously executed change orders.

CCL prepared a report which provided background information, analysis and preliminary recommendations concerning each claim issue. Project drawings and specifications were reviewed on claim issues that involved ambiguities or omissions. The contractor's supporting documentation was reviewed to determine the reasonableness of equipment charges, excavation pricing, and other costs included in the claim.

CCL's recommendations identified claim items where the contractor was due additional costs and had provided adequate supporting documentation and reasonable pricing, items which the contractor was not entitled to additional funds, and items where additional analysis and fact gathering would be necessary to enable a determination of the contractor's entitlement to damages. The Office of the Attorney General utilized CCL's findings in their negotiations with Nelson Construction.