

Following Are Examples of Architects & Engineers Claims

Building up hill poses problems. A claim was filed against an architectural firm that provided the design services on a project involving a parking lot and adjacent storage area, both of which are situated on the side of a hill. After the structures were built, the pavement around the area began to buckle after a forklift was used. The insured alleges he did not know the client would be using forklift equipment on the pavement, which caused the buckling.

It is speculated that the pavement buckled under the pressure of the forklift because the paving was done during the rainy season and may have been applied on a wet surface, or the materials were not properly compacted. The claim alleges the insured was negligent because he didn't perform sufficient research on the location, i.e., that it was being constructed on a hill, and the intended use of the area. The case was settled during mediation.

No way to stop the fire. A claim of negligence was filed against an engineering firm by a condominium association. The firm was contracted to perform destructive testing of the condo building to determine whether repairs were required after mild earth tremors. One of the tests involved starting a fire, which was set by an unlicensed handyman. The fire got out of control, and caused a great deal of damage.

At issue is the fact that the building was constructed without fire stops. In the claim, the condominium association alleged the defendant should have discovered and addressed that before beginning destructive testing. Consequently, it is alleged the fire was allowed to spread and caused greater damage than would have occurred had fire stops been installed. Claim is pending.

