

**Dispute Review Board
Clearwater Pass Bridge - State Project No. 15140-3518**

Claim #5 - Conduit in Pedestrian Barrier Wall.

The Contractor submitted a claim for payment for the 1 inch and 2 inch conduit, including expansion joints and junction boxes installed in the pedestrian barrier wall. There was no separate bid item for this work and we were told that none of the electrical subcontractors quoted on these items. The Contractor has stated that due to the contract drawing ambiguity he did not put money in his bid to cover the cost of furnishing and installing these items.

On Sheet L-5 and L-6 of the Lighting Plans Note 1, states "2 inch and 1 inch conduits and pull boxes used for roadway lighting and navigation lighting on the bridge are part of the bridge pedestrian/bicycle railing parapet."

On Sheet B-5 of the bridge plans entitled Light Pole Pilaster Details, Sheet 2 of 2, Note 2 states, "The bid price for Concrete Superstructure shall include all electrical conduit, expansion couplings, junction boxes, and miscellaneous mounting hardware necessary for complete installation of electrical work on the abutment or slab where such items occur." The plan and elevation on this sheet also shows the conduit and accessories in the pedestrian barrier wall.

On Sheet B-9 of the bridge plan entitled Pedestrian/Bicycle Railing, under Notes, it states "Payment: The cost of all materials in parapet shall be included in Concrete (Superstructure) and Reinforcing Steel (Superstructure)." No conduit is shown on this drawing.

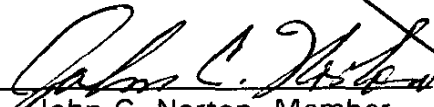
The Board agrees that the contract plans are not as clear as they should be and could conceivably lead to omissions of items from the Contractors proposal given the limited time allowed for preparation of a complete bid.

It should be noted, however, that any Electrical Subcontractor quoting this work, could easily determine from the Lighting Plans alone, that electrical conduit, expansion couplings, and junction boxes which were an integral part of the lighting work were to be installed in the parapet, and not included in any Lighting Pay Items. This information should have been included in their proposal. In addition, there appears to be sufficient information on Sheets L-5 and L-6 of the Lighting Plans and Sheet B-5 of the Bridge Plans to cause the prime contractor to question his electrical subcontractor regarding the embedded conduit. This information should have been included in their proposal. In addition,

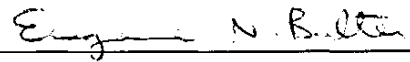
It is therefore the opinion of the Board that the embedded conduit should have been included in the Contractor's Bid and the DOT is not responsible for reimbursing the Contractor for these omitted items.



G. A. Hanson, Chairman



John C. Norton, Member



Eugene N. Balter, Member

8/12/95
Date