RECOMMENDATION

Recommendation of Dispute Review Board

Dispute No.: 100
Hearing Date: April 25, 2000

District: 7
Contractor: Hubbard Construction Co.
SPN 10190-3432, Segment 5

DISPUTE

Hubbard was required to remove and replace the barrier wall on the westbound Park Road Bridge on I-4 which was poured with a top dimension of 9 ½ inches instead of the 10 3/4 inches shown on the plans. Hubbard contends that the barrier wall with the top width of 9 ½ inches should have been left in place and are requesting reimbursement for the cost involved in removing and replacing this railing.

CONTRACTOR'S POSITION

The Park Road Bridge is abutted on both ends by MSE retaining walls which also make up the abutments for the bridge. A precast traffic railing sits on top of these walls with a top width of 8 3/4 inches which would cause a disparity of 2 inches when the precast railing on the wall was butted up to the cast in place railing on the bridge. Hubbard's foreman said he discussed this with the Senior Bridge Inspector on the project and it was his understanding that they would be allowed to carry the 9 ½ inch dimension across the bridge to provide a smooth transition. When directed to remove and replace the railing, Hubbard engaged the service of a Registered Professional Engineer to measure the structural integrity of the as-built product who reported as follows: "Based on analysis, we believe that the as-built barrier will function as required."

DEPARTMENT'S POSITION

The Department's Senior Bridge Inspector discussed the transition at the end of the bridge with Hubbard's foreman prior to casting the traffic barrier on the bridge. The plan (Sheet A-7) shows the transition to be made before the approach slab, but in this case the MSE wall runs past the approach slab and joins the bridge at the backwall. Since this scenario was not shown on the plans, it was agreed to transition the dimensional difference at the beginning and end of the bridge barrier wall at the wing post. Hubbard did not transition to the 10 3/4 inch width specified for the bridge barrier, but cast the entire rail at the lesser dimension of 9 ½ inches.

The Design Engineer and the Department's Structures Engineer were consulted and neither Engineer was willing to accept the deficient barrier.

RECOMMENDATION

Hubbard's foreman testified that he thought he would be allowed to carry the 9 ½ inch top dimension across the bridge. The Senior Bridge Inspector testified that he did not give permission to vary from the top dimension. In any case, it appears that the intent of the plans is clear.

dimension across the bridge. The Senior Bridge Inspector testified that he did not give permission

The Bridge Traffic Railing is a standard section, having a 10 3/4 inch top width and all transitions shown on Index No. 700 are to this standard section on the bridge. Since the barrier wall was not in reasonably close conformity to the Standard drawings, and was deemed not acceptable by the Design Engineer and the Department's Structural Engineer, the work was removed and replaced at the expense of the contractor in accordance with Section 5-3 "Conformity of Work With Plans" and Section 400-1 "Concrete Structures" of the Standard Specifications.

The Board, therefore, rules in favor of the Department.

Dolph Hanson,Chairman; Frank Proch,Member; Keith Richardson,Member

SIGNED FOR AND WITH CONCURRENCE OF ALL MEMBERS.

Dolph Hanson, Chairman