



### **Jobsite Visits ...**

Jobsite visits by structural engineers during construction are an important part of nearly every project. Standard professional engineering services agreements typically define jobsite visits as follows:

*"The Engineer shall periodically visit the project during construction to become generally familiar with the progress and quality of the Contractor's work and to determine if the work is proceeding in general accordance with the Contract Documents. The Engineer has not been retained to make detailed inspections. The Engineer does not guarantee the performance of and shall have no responsibility for the acts or omissions of the Contractor or any other entity furnishing materials or performing any work on the project. The Engineer shall not be responsible for the means or methods of construction by the Contractor or for safety precautions and programs incident to the work of the Contractor."*

This definition is reasonably straightforward, yet jobsite visits are frequently problematic for structural engineers. Why is this?

First, the idea of periodic jobsite visits is a myth. Structural engineers seldom are required or asked to make regular, periodic visits. Instead, engineers typically visit jobsites when requested, usually for a specific purpose, such as observing the reinforcement on the day before a concrete placement or the connections on the day after the erection of structural steel framing.

More often than not, structural engineers are summoned to jobsites with little or no notice in order to resolve problems that have arisen in the field, such as drilled piers that have been incorrectly located or steel components that do not fit together as intended. Typically, the maximum number of an engineer's jobsite visits is contractually limited, based upon the anticipated size and complexity of the project. However, when numerous problems arise in the field, the requested visits often far exceed the contractual limits. Who pays for these extra visits? All too often, no one does.

Another problem is the scope of a structural engineer's services while at the jobsite. The "generally familiar" and "general accordance" parts of the definition are often misunderstood. Engineers observe the construction, but they do not inspect it. Inspections and related testing are entirely separate services that are provided by third-party laboratories or testing agencies having no contractual relationships with the engineers.

Nevertheless, structural engineers are often accused of failing to notice construction deficiencies while they are at a jobsite, even if the deficiencies are unrelated to the purpose of their visit. This is unfair. Jobsite visits sometimes are as short as thirty minutes and seldom exceed two or three hours. In addition, as described previously, the visits usually are tightly focused on a specific structural element, system, or problem. The notion that an engineer should be able to discover every construction deficiency under these circumstances is an unreasonable expectation.

Structural engineers also have a problem with jobsite safety. Contractually, engineers have no responsibility for the means and methods of construction, including safety issues. However, as licensed professionals, engineers are required to hold paramount the health, safety and welfare of the public. Accordingly, engineers cannot ignore any safety issues which they inadvertently observe. They must report such issues to the contractor and possibly to others. However, since engineers do not have stop-work authority, they must rely on their ability to persuade others to resolve the issues that they observe. Sometimes they are successful, but often they are not.

Unfortunately, structural engineers have one problem with jobsite visits that is mostly self-imposed. By the time construction is well underway, engineering budgets are often exhausted. Consequently, engineers sometimes try to minimize their expected losses by reducing their efforts at the jobsite. This is a bad decision, because it is during construction that engineers have peak liability exposure. A much better alternative would be for all engineers to expand their presence at jobsites during construction and demand adequate compensation for their additional efforts.