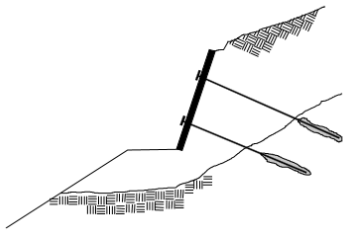


Managing Risk In Ground Construction: Differing Site Conditions, Implied Warranties & Lessons Learned The Hardway

Ground Construction Course @ UC Berkeley
Professor Dimitrios Zekkos

by Andre Hawks, PhD, PE, A/C57/HAZ
MS GeoEngineering 2009 – Jane Lewis Fellowship



391 Taylor Blvd Suite 105
Pleasant Hill, CA 94523

Text/Whats Ap: 707-322-3507

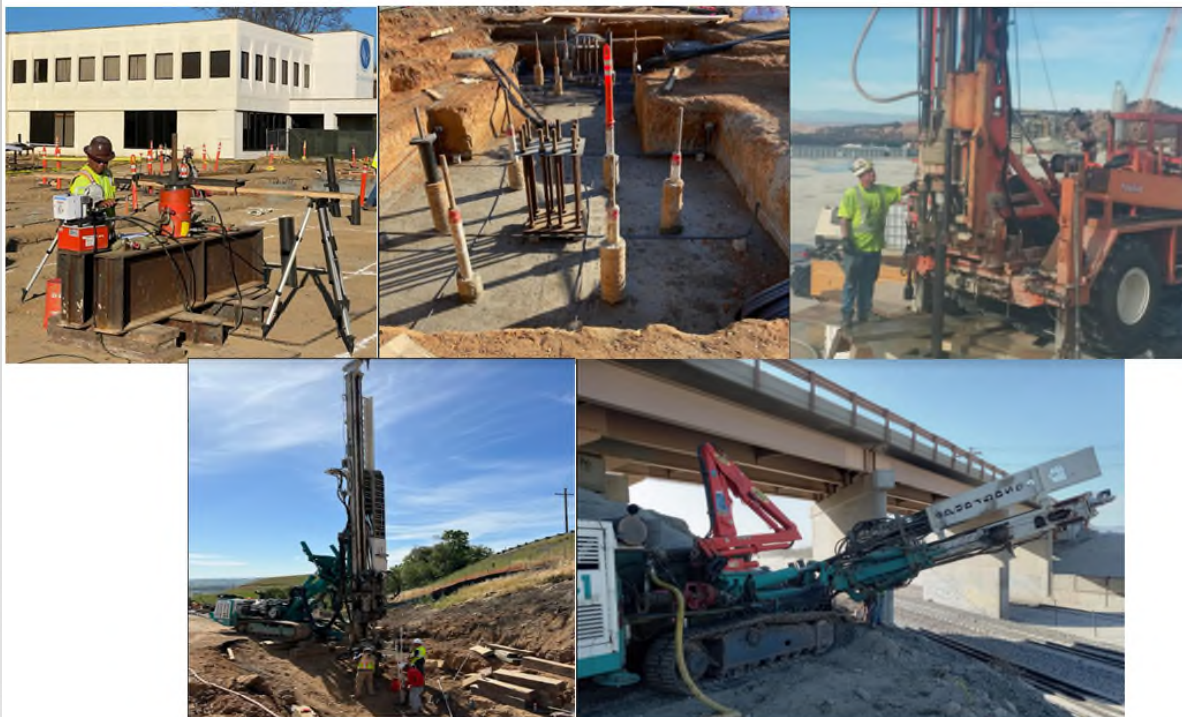
CA DBE Certification #46897

CA SBE & SBE Public Works Certification #2016781

CA General Engineering Contractor, HAZ, C57 Licenses CSLB #1062689

Agenda

1. My Background and Design Experience
2. 07-327604 Azusa Project Background & Our Scope
3. Understanding & Putting A Price To The Geologic Risk Of The Project
4. Actual Ground Conditions Encountered & The Contractual Issues @ Hand
5. Implied Warranty Issues Encountered
6. Personal Advice & Conclusions



Andre Hawks Background

Wine Cave In Napa Valley 2000



*Learned how to read ground behavior
early on like Gen-Hua Shi Professor
Goodman's PhD Student and Terzaghi
by being underground*

Work History (25 years in June 2025)

1. Started as a laborer building wine caves
2. Project Engineer intern for Kiewit Pacific & Pankow Builders while at Cal Poly
3. Staff Engineer @ Jacobs Associates in San Francisco and Brierley Associates in Denver
4. Project Manager, Estimator, & Engineer for Drill Tech Drilling & Shoring Inc
5. Geotechnical/Structural Specialist at Christensen Associates for Dam projects
6. Principal & Founder of my own firm since 2015
7. Want to emulate Professor Gerwick/Brekke

Professional Registrations

1. CA PE in CA 14+ Yrs + TX PE/NCEES Record
2. Cal OSHA certified Gas Tester & Safety Rep
3. Future CA GE & CA SE Stamp

Educational Background

1. BS Civil Engineering Cal Poly San Luis Obispo 2007
2. MS GeoEngineering UC Berkeley 2009 + Accepted to the SEMM MS Program as well
3. Geological Engineering PhD Missouri S&T 2021

My Design Experience



1. **Structural Engineering (Masonry, Wood, Concrete, & Steel design)**
2. **Tunnel & Shaft Engineering (Wine Caves, Underground Parking structures, Access Shafts)**
3. **Geotechnical Engineering (Soils Reports, Grading Inspections, Geotechnical Characterization)**
4. **Special Inspections (Sheer Walls, Tie-downs, Drilled Piers, Shotcrete Placement, etc)**
5. **Shoring & Retaining Walls (Soldier Pile & Wood Lagging, Tiebacks, Soil Nail Walls, Cantilevered Cast-in-Place Walls)**
6. **Foundation Systems (Micropiles, Drilled Piers, Push Piers, Helical Anchors, Underpinning, etc)**

SFPUC Harry Tracy Water Treatment Plant



Scope of Work

1. Grouted Bars & Shotcrete
2. Micropiles
3. Tunnels
4. Shoring Pit

SFPUC Bay Division Pipelines 3 & 4

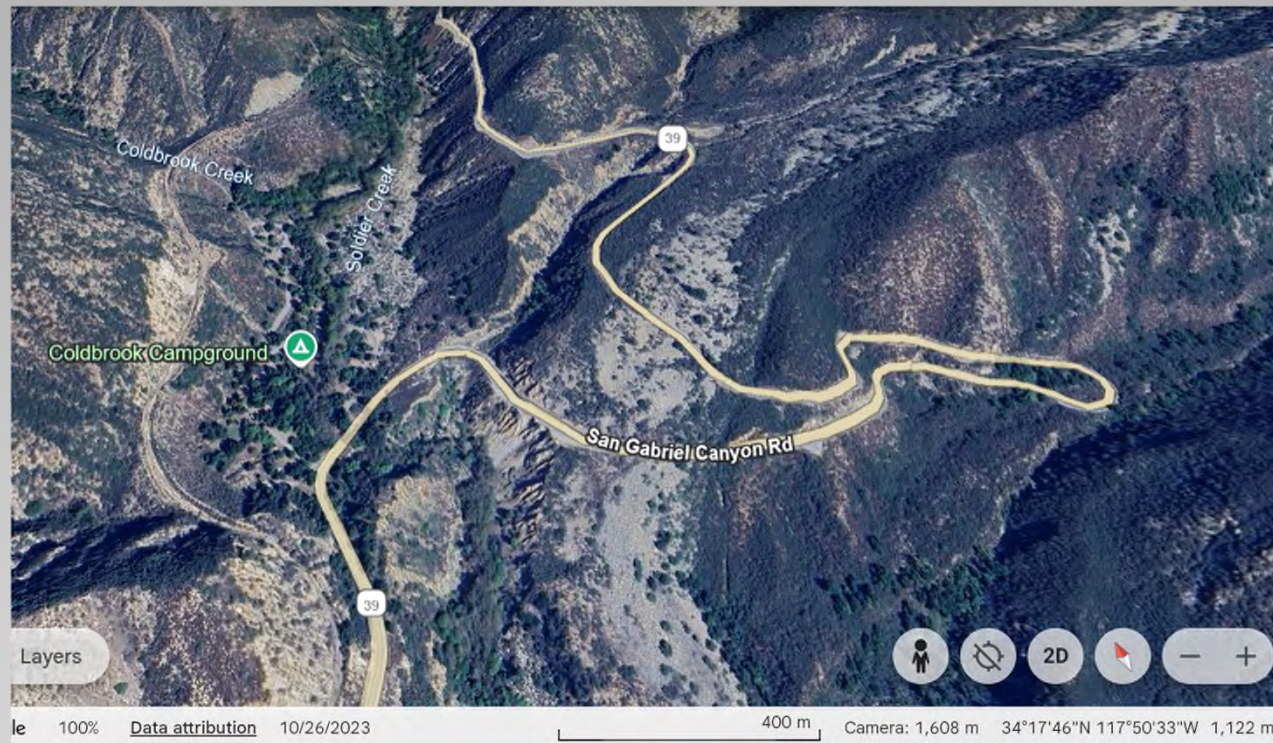


Scope of Work

1. Secant Piles

Project Video: <https://www.youtube.com/watch?v=s3m-2kUkD9U>

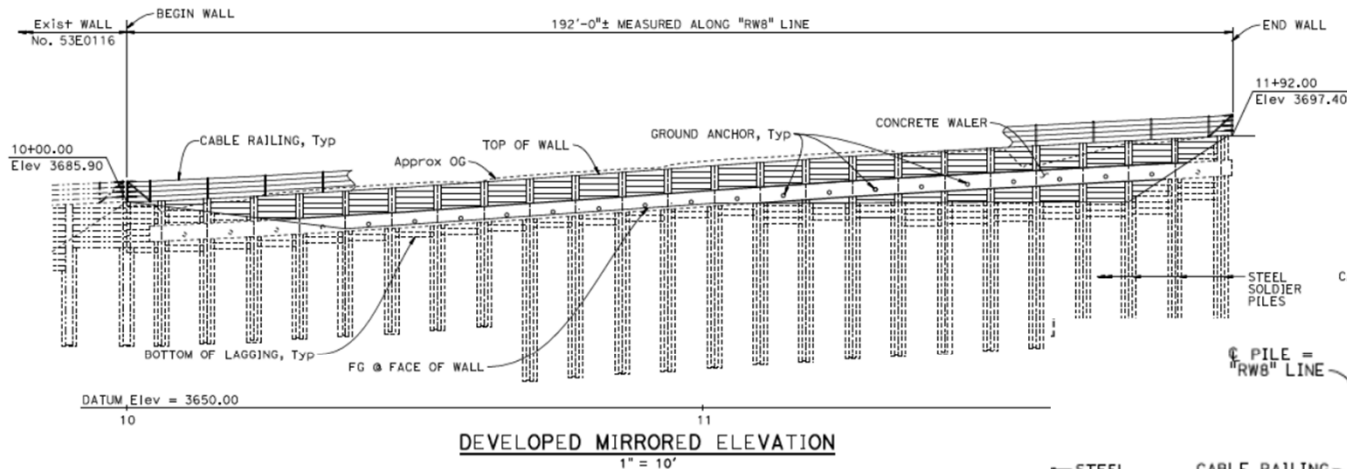
07-327604 Caltrans Project Azusa, CA



Scope of Work

1. 3 Soldier Pile Walls with Timber Lagging w/Ground Anchors
2. Guardrail replacement to increase vehicular safety
3. \$5,981,239 Project won by Bosco Constructors, Inc of Chadsworth, CA
4. Single Dispute Resolution Advisor project due to contract size vs three members of a Dispute Resolution Board => Risk

Our Scope of Work



STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DBE CONFIRMATION

OBEO-0007 (REV 09/2017)

CONTRACT NO.

07-327604

NAME OF DBE BUSINESS

Geostructural Engineering Inc

NAME OF DBE REPRESENTATIVE

DBE CERTIFICATION NUMBER

46897

NAME OF BIDDER

Bosco Constructors, Inc.

NAME OF PRIME CONTRACTOR IF DIFFERENT FROM THE BIDDER

Same

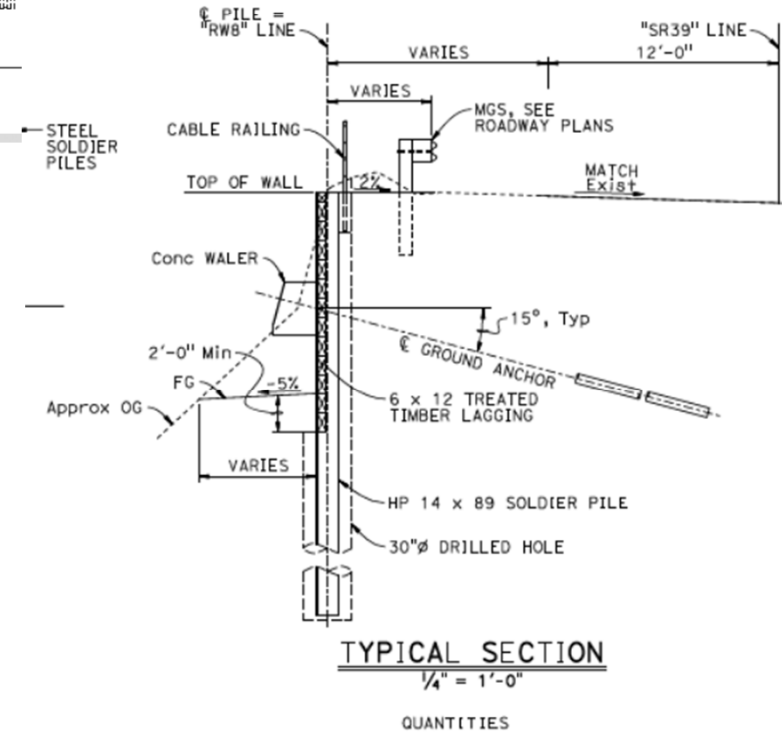
NAME OF REPRESENTATIVE OF BIDDER OR CONTRACTOR

Patrick Robinson

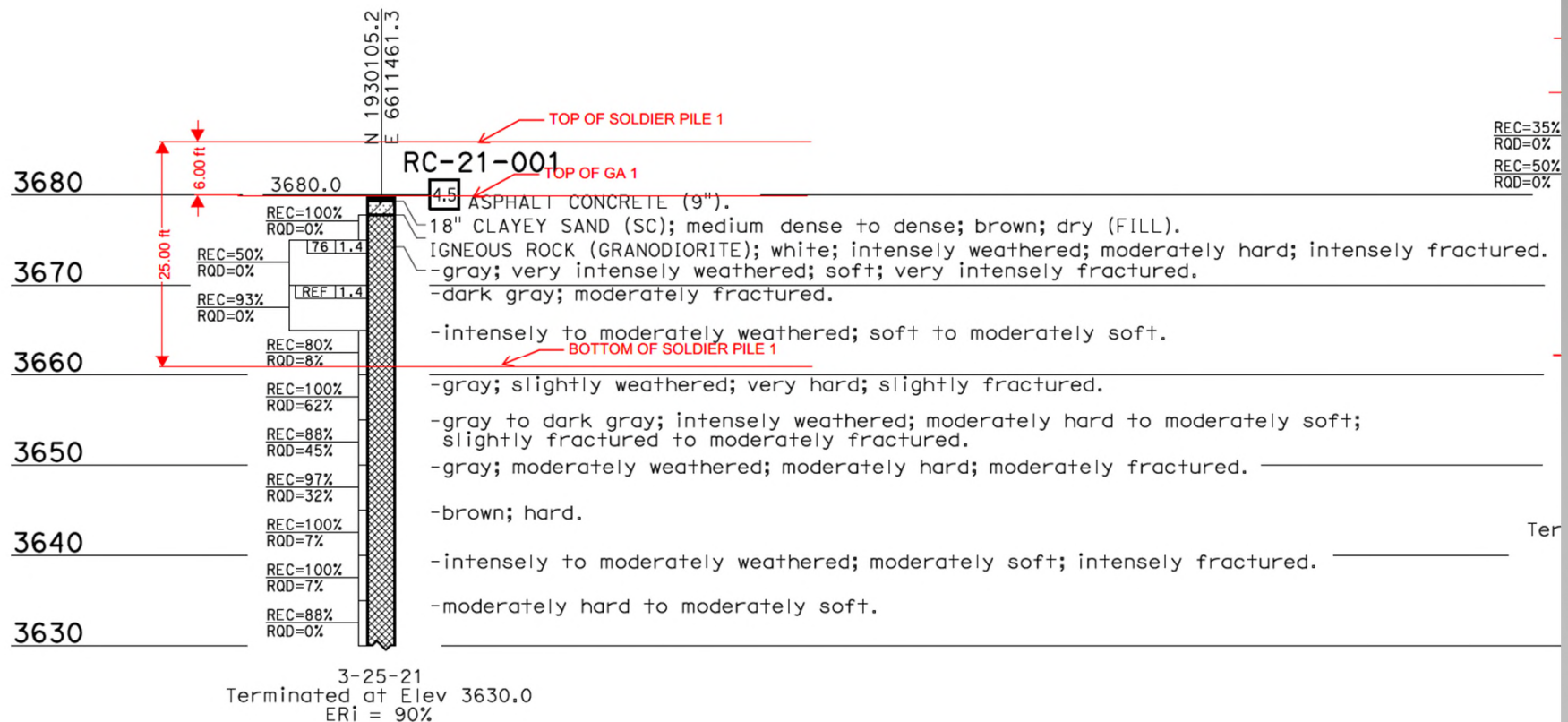
DATE

1/12/2022

Bid item number	Item of work and description of services to be subcontracted or materials to be provided ¹	Amount (\$)
43	GROUND ANCHOR (SUBHORIZONTAL)	504,774.0
45	30" DRILLED HOLE	425,232.0
72 - 1	MOBILIZATION - Soldier piles	57,000.0
72 - 2	MOBILIZATION - Ground Anchors	62,000.0



Geologic Interpretation aka “Risk”



Always evaluate the factual data then look at the interpretative data
Geotechnical Data Report before the Geotechnical Baseline Report

Geologic Interpretation aka “Risk”



Always go look at the soil/rock core boxes + Walk The Site

Managing The “Risk” With Interpretation/Characterization

PROJECT SOLDIER PILE WALLS 8,9,20 NEAR AZUZA, CA
CONTRACT NO. 07-327604

BORING ID	RC-21-001		RC-21-002		RC-21-003		RC-21-004		RC-20-001		RC-20-002		RC-20-003	
TOP OF BORING ELEV	3680.0		3699.8		3750.4		3758.0		4479.2		4495.1		4490.0	
DEPTH TO ROCK	2.0		11.5		2.2		2.1		10.1		5.0		11.9	
	RQD	REC	RQD	REC	RQD	REC	RQD	REC	RQD	REC	RQD	REC	RQD	REC
SAMPLE 1	0%	100%	0%	35%	0%	78%	0%	45%	7%	48%	53%	85%	18%	53%
SAMPLE 2	0%	50%	0%	50%	0%	94%	0%	82%	0%	18%	90%	100%	0%	40%
SAMPLE 3	0%	93%	0%	88%	62%	92%	0%	75%	0%	32%	0%	50%	0%	48%
SAMPLE 4	8%	80%	0%	80%	0%	53%	0%	100%	7%	25%	7%	25%	0%	3%
SAMPLE 5	62%	100%	8%	77%	0%	90%	0%	93%	0%	45%	25%	96%	0%	100%
SAMPLE 6	45%	88%	33%	65%	0%	67%	0%	50%	0%	22%	0%	75%	25%	69%
SAMPLE 7	32%	97%	13%	93%	0%	72%	0%	97%			0%	30%	8%	50%
SAMPLE 8	7%	100%	0%	87%	0%	27%	0%	87%			13%	68%	0%	65%
SAMPLE 9	7%	100%			0%	120%	0%	50%					14%	70%
SAMPLE 10	0%	88%			0%	80%	0%	87%					0%	48%
SAMPLE 11					0%	93%	0%	40%					0%	30%
SAMPLE 12					0%	93%	0%	87%					0%	20%
SAMPLE 13					0%	85%	0%	40%					13%	60%
SAMPLE 14							0%	70%					20%	83%
SAMPLE 15							0%	50%					11%	33%
SAMPLE 16							0%	100%						
SAMPLE 17							0%	100%						
TERMINATION ELEVATION	3630.0		3649.8		3700.4		3708.0		4439.2		4455.1		4412.0	

RQD/UCS vs Drilling Rate

Putting A Cost To The "Risk"

07-327604
07-LA-39-32
01/12/22

CONTRACT PROPOSAL OF LOW BIDDER

BID211
PAGE 19
01/13/22

ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	BID	AMOUNT
34	205035	WOOD MULCH	CY	9	150.00	1,350.00
35	210350	FIBER ROLLS	LF	35	30.00	1,050.00
36	280015	LEAN CONCRETE BASE RAPID SETTING	CY	41	600.00	24,600.00
37	390132	HOT MIX ASPHALT (TYPE A)	TON	230	200.00	46,000.00
38	394073	PLACE HOT MIX ASPHALT DIKE (TYPE A)	LF	6,000	15.00	90,000.00
39	394074	PLACE HOT MIX ASPHALT DIKE (TYPE C)	LF	1,230	15.00	18,450.00
40	397005	TACK COAT	TON	0.1	1,500.00	150.00
41	398000	REMOVE ASPHALT CONCRETE PAVEMENT (CY)	CY	27	200.00	5,400.00
42	398100	REMOVE ASPHALT CONCRETE DIKE	LF	7,170	12.00	86,040.00
43	460210	GROUND ANCHOR (SUBHORIZONTAL)	EA	87	6,021.00	523,827.00
44	047975	STEEL SOLDIER PILE (HP 14 X 89)	LF	3,019	120.00	362,280.00
45	490403	30" DRILLED HOLE	LF	2,953	155.00	457,715.00
46 (F)	047976	STRUCTURAL CONCRETE, WALER	CY	150	1,000.00	150,000.00
47 (F)	047977	BAR REINFORCING STEEL (WALER)	LB	39,069	3.00	117,207.00
48 (F)	575004	TIMBER LAGGING	MFBM	43	3,500.00	150,500.00

07-327604
07-LA-39-32
01/12/22

SUMMARY OF REMAINING BIDDERS

ITEM	SECOND		THIRD		FOURTH	
	BID	AMOUNT	BID	AMOUNT	BID	AMOUNT
40	30,000.00	3000.00	10,500.00	1050.00	2,000.00	200.00
41	1,700.00	45900.00	210.00	5670.00	288.00	7776.00
42	6.40	45888.00	15.75	112927.50	11.50	82455.00
43	5,100.00	443700.00	6,300.00	548100.00	5,835.00	507645.00
44	95.00	286805.00	173.25	523041.75	154.00	464926.00
45	165.00	487245.00	172.00	507916.00	169.00	499057.00
46	1,800.00	270000.00	2,100.00	315000.00	3,079.00	461850.00
47	2.30	89858.70	2.63	102751.47	2.25	87905.25

**2 Piles Per Shift via a Lodrill – Long Reach Lower Torque
Rock Auger and Core Barrell As Needed For Tooling no Cluster Hammer needed**

Cluster Hammer vs Rock Augers



<https://www.youtube.com/watch?v=BPJO2vg-o2Y>



<https://www.youtube.com/shorts/tfGu2TwqhSM>

The Issue We Encountered



Gun Barrel Encountered

1. Solid Rock not Weathered
Fractured Rock as per LOTBs
2. Bid the job for 2 piles per day
and was getting 1-2 piles per
week
3. In Ground Construction costs
are huge ranging in \$16,000++
per day
4. Mark Ups in the 20 to 35
percent rage
5. Takes very little extra days to
eat up your profit

Contractual Issues At Hand

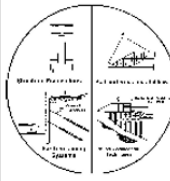
Geotechnical Information Presented/Site Conditions Encountered

1. Interpretive VS Factual Information Presented
2. Materially Different Material Encountered

Implied Warranty

1. Caltrans is responsible for workable specifications and drawings

**Federal-Aid Project
ACSTG-S039(015)E**

	U.S. DEPARTMENT OF TRANSPORTATION
	FEDERAL HIGHWAY ADMINISTRATION
GEOTECHNICAL ENGINEERING NOTEBOOK	
Geotechnical Guideline No.15	
TITLE <u>Geotechnical "DIFFERING SITE CONDITIONS"</u>	

FHWA Geotechnical Guideline 15: Interpretive vs Factual

Notes for Specifications

1. The contractor should be made aware that construction of the soldier pile walls will encounter bedrock. Excavation and coring of the hard to very hard granitic bedrock is expected to be difficult.

VS

Notes for Constructions

1. The boring data indicates the rock behind the construction area will be generally difficult to excavate due to hardness and/or degree of fracturing. There are some relatively soft zones where drilling might be easier. For estimating excavation conditions, refer to the LOTBs. Also, it would be advisable to make an appointment to view the rock core boxes that are located at the California Transportation District 7 Office, located at 100 S Main St, Los Angeles, CA 90012.

Table 5. Design Soil Parameters for Location 20 at Route 39, PM R36.6

Boring ID	Approx. Elevation (ft)	Soil Profile	Approximate Engineering Properties
RC-20-001	4478.40 – 4469.15	Well-graded Gravel with Sand (GW)	$\phi = 32^\circ$, $c=0$ psf
	4469.15 – 4449.15	IGNEOUS ROCK (intensely weathered Granite); well-graded Gravel with Sand (GW)	$\phi = 34^\circ$, $c=0$ psf
	4449.15 – 4439.15	IGNEOUS ROCK (intensely weathered Granite); well-graded SAND with Gravel (SW)	
RC-20-002	4494.38 – 4490.05	Well-graded SAND (SW)	$\phi = 32^\circ$, $c=0$ psf
	4490.05 – 4475.05	IGNEOUS ROCK (Moderately weathered Granite)	$\phi = 34^\circ$, $c=0$ psf

Table 5. Design Soil Parameters for Location 8 at Route 39, PM R34.13

Layer No.	Approx. Layer Boundaries (ft)	Group Name	Friction Angle (degree)	Unit Weight (pcf)
1	Elev. 3679 to 3630	Igneous Rock	40	130

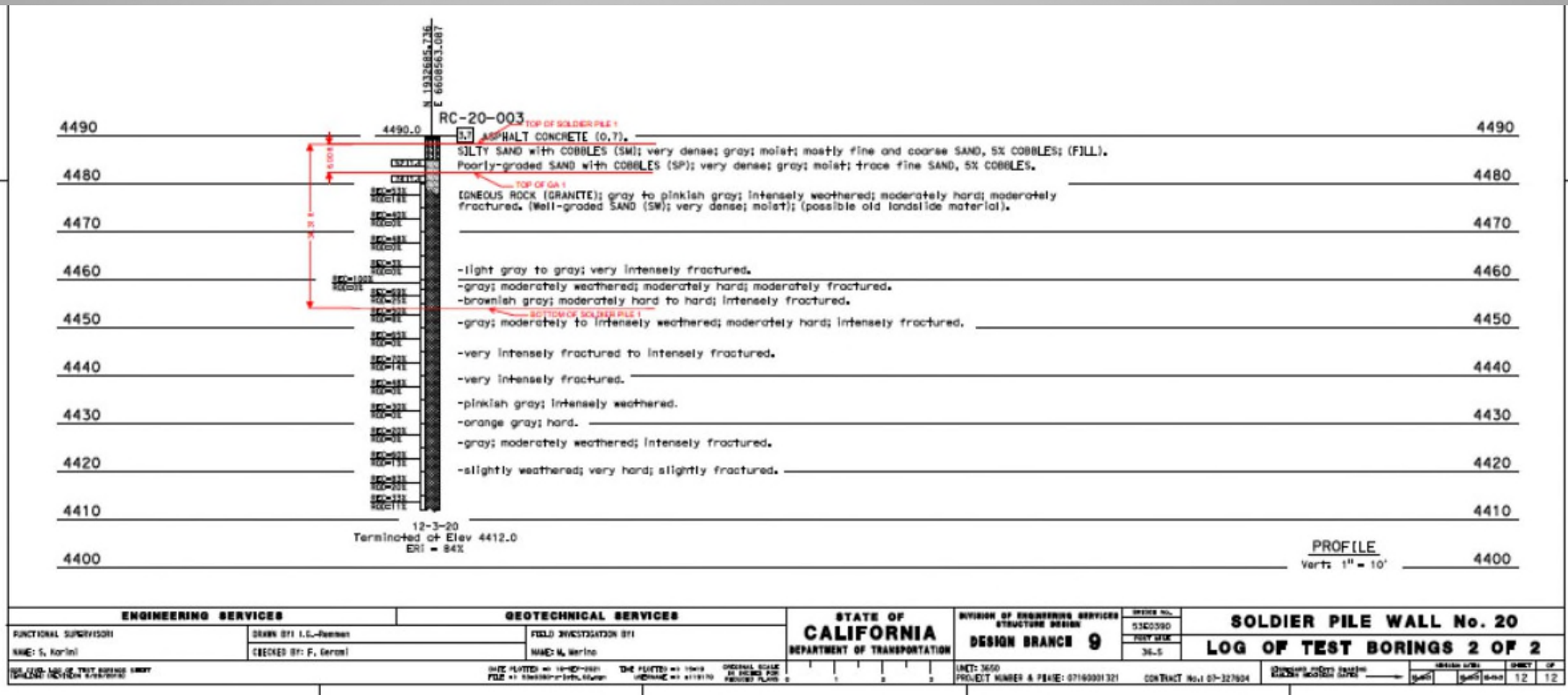
Table 6. Design Soil Parameters for Location 8 at Route 39, PM R34.20

Layer No.	Approx. Layer Boundaries (ft)	Group Name	Friction Angle (degree)	Unit Weight (pcf)
1	Elev. 3699 to 3688	Silty Sand (SM)	30	120
2	Elev. 3688 to 3650	Igneous Rock Weathered and FR-fractured	40	130

Laboratory Testing Program

During the March 2020 and December 2020 field investigations, soil samples were collected from borings RC-20-001, RC-20-002, and RC-20-003 for soil classification. No laboratory test was performed for this project.

Sample LOTB – RC-20-003



LOTBs are in the drawing package with higher contractual precedence vs the Foundation Report.

LOTBs show *fractured and weathered rock* and *low RQD Values* consistent with the Engineer's use of "Soil Properties" in the Foundation Report for design

Rock Hardness Descriptors in LOTBs – Tooling Selection

Wall	Pile Depth	LOTB	Hardness Descriptors (feet per Rotary Core)				
			s	ms	mh	h	vh
8		RC21-1	15	5			5
	25 ft		15	5	0	0	5 ft
		RC21-2	10	5		5	5
	35 ft		10	10	0	10	5 ft
9		RC21-3	2		5	3	
	27 ft		2	0	5	20	0 ft
		RC21-4			15	22	
	37 ft		0	0	15	22	0 ft
20		RC20-1	10		5	19	
	34 ft		10	0	5	19	0 ft
		RC20-3	10		21	3	
	34 ft		10	0	21	3	0 ft
Subtotals		192 ft	47	15	46	74	10 ft per ea
Percentages		100%	24%	8%	24%	39%	5% per ea

This says: Very Hard rock is encountered in 5% within the depth of the Soldier Piles.
Four of six borings did NOT have Very Hard descriptors at all

Rock Hardness Descriptors in LOTBs – Tooling Selection

2.6.8 Rock Hardness

Describe the hardness of intact rock core (Figure 2-32).

Figure 2-32 (after USBR 2001)
Rock Hardness

Description	Criteria
Extremely Hard	Cannot be scratched with a pocketknife or sharp pick. Can only be chipped with repeated heavy hammer blows.
Very Hard	Cannot be scratched with a pocketknife or sharp pick. Breaks with repeated heavy hammer blows.
Hard	Can be scratched with a pocketknife or sharp pick with difficulty (heavy pressure). Breaks with heavy hammer blows.
Moderately Hard	Can be scratched with a pocketknife or sharp pick with light or moderate pressure. Breaks with moderate hammer blows.
Moderately Soft	Can be grooved 1/16 in. deep with a pocketknife or sharp pick with moderate or heavy pressure. Breaks with light hammer blow or heavy manual pressure.
Soft	Can be grooved or gouged easily with a pocketknife or sharp pick with light pressure, can be scratched with fingernail. Breaks with light to moderate manual pressure.
Very Soft	Can be readily indented, grooved or gouged with fingernail, or carved with a pocketknife. Breaks with light manual pressure.

ROCK HARDNESS DESCRIPTORS VS. UC [PSI]

Hardness Description	Hardness Abvr. Lvl.	UC psi	UC MPa
Extremely Hard	eh	29,000	200
	vh-eh	19,577	135
Very Hard	vh	10,153	70
	h-vh	6,890	48
Hard	h	3,626	25
	mh-h	2,538	17
Moderately Hard	mh	1,450	10
	ms-mh	1,196	8
Moderately Soft	ms	943	6
	s-ms	689	5
Soft	s	435	3
	vs-s	290	2
Very Soft	vs	145	1

70 Range Described in Borings

Notes on Drilling Types

Figure 1: D

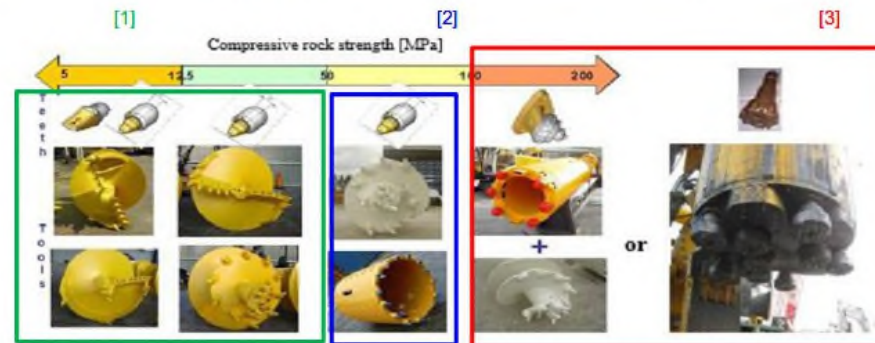


Figure 1: Different drill teeth and tools correlated to compressive rock strength (UCS) for bored piles (left section of the figure from Bauer Maschinen GmbH, Germany)

This says: GSE's tool selection was correct

- [1] Tools Indicated by Contract Documents
- [2] Tools for a Low Amount of Very Hard Rock if Needed
- [3] Tools for Large Amounts of Very Hard Rock and Harder

FHWA Geotechnical Guideline 15: Interpretive vs Factual

Notes for Specifications

1. The contractor should be made aware that construction of the soldier pile walls will encounter bedrock. Excavation and coring of the hard to very hard granitic bedrock is expected to be difficult.

VS

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Notes for Constructions

1. The boring data indicates the rock behind the construction area will be generally difficult to excavate due to hardness and/or degree of fracturing. There are some relatively soft zones where drilling might be easier. For estimating excavation conditions, refer to the LOTBs. Also, it would be advisable to make an appointment to view the rock core boxes that are located at the California Transportation District 7 Office, located at 100 S Main St, Los Angeles, CA 90012.

This says: Documents say rock encountered to be hard to very hard rock will be difficult, the LOTBs show its only about 5% of the total drilling depth

Instead, GSE encountered approximately 85-95% of Very Hard Rock

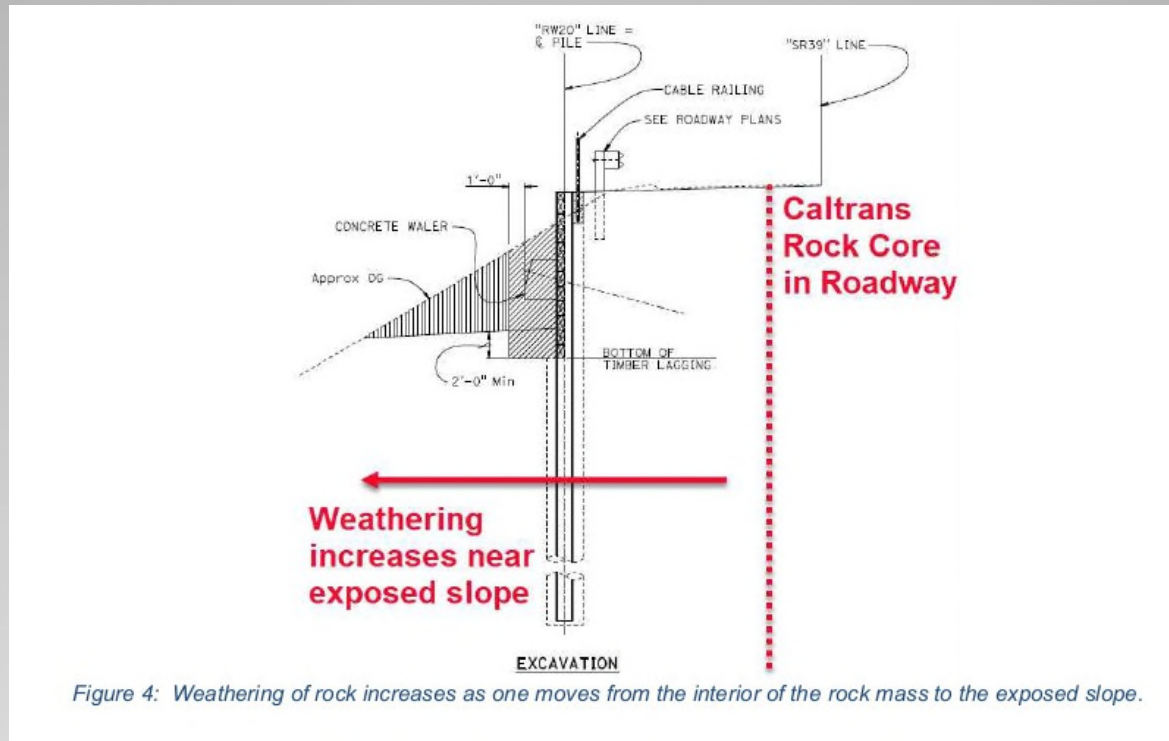
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Table 6. Design Soil Parameters for Location 8 at Route 39, PM R34.20

Layer No.	Approx. Layer Boundaries (ft)	Group Name	Friction Angle (degree)	Unit Weight (pcf)
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2	Elev. 3688 to 3650	Igneous Rock Weathered and FR-fractured	40	130

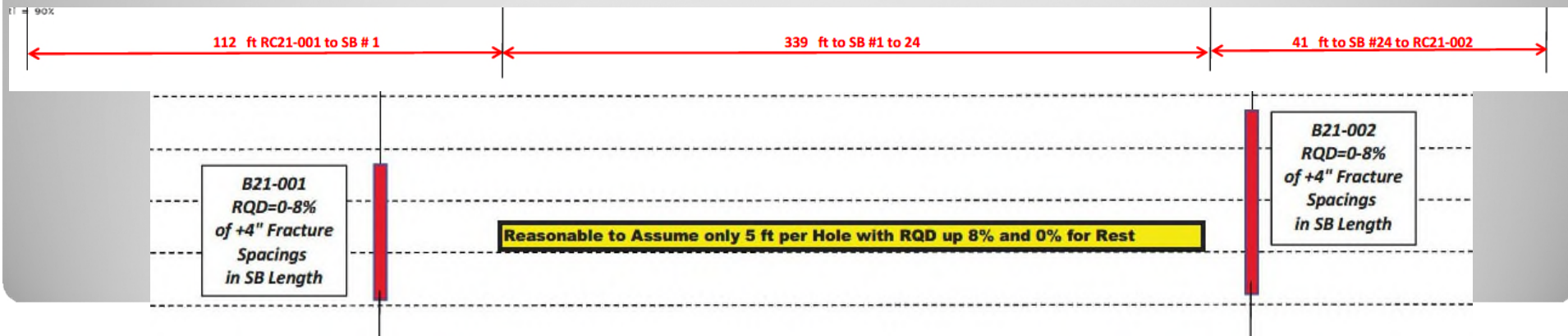
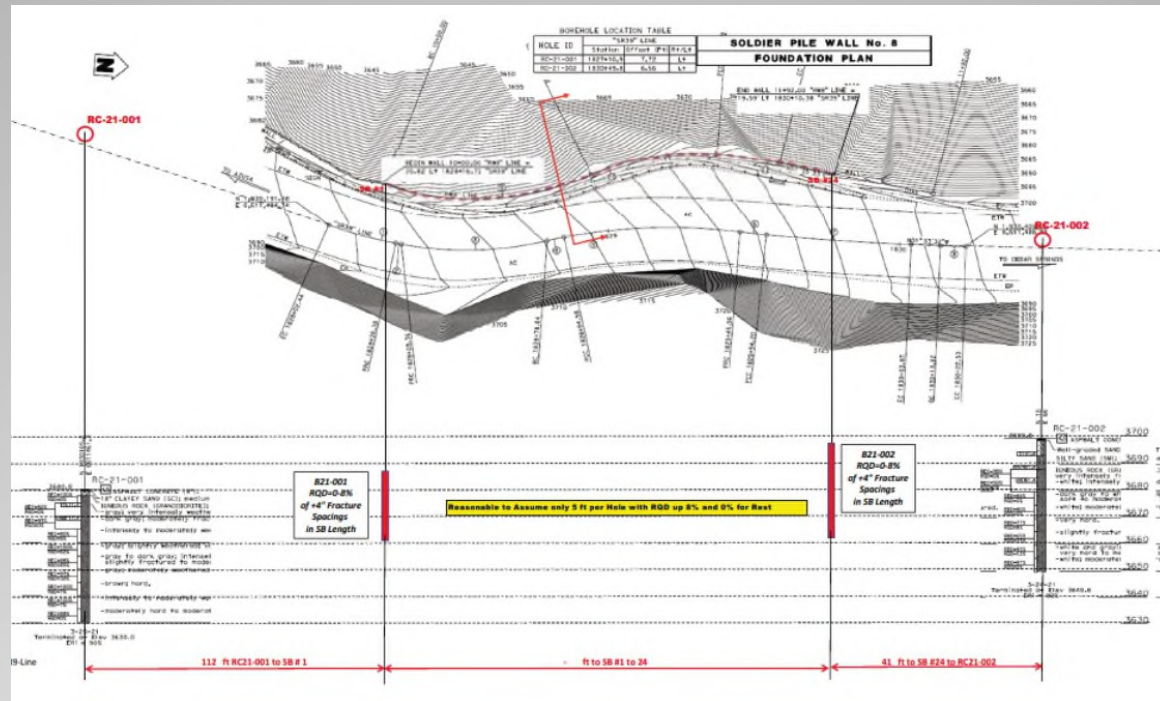
LOTBs in Center of the Road More Weathering @ Exposed Slope



LOTBs show weathered and fractured rock in the center of the road. Therefore where GSE drilled should have been *more weathered*

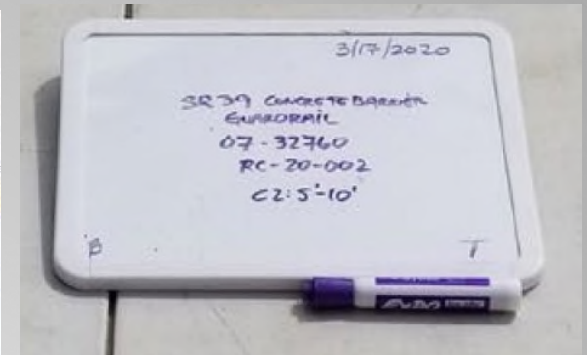
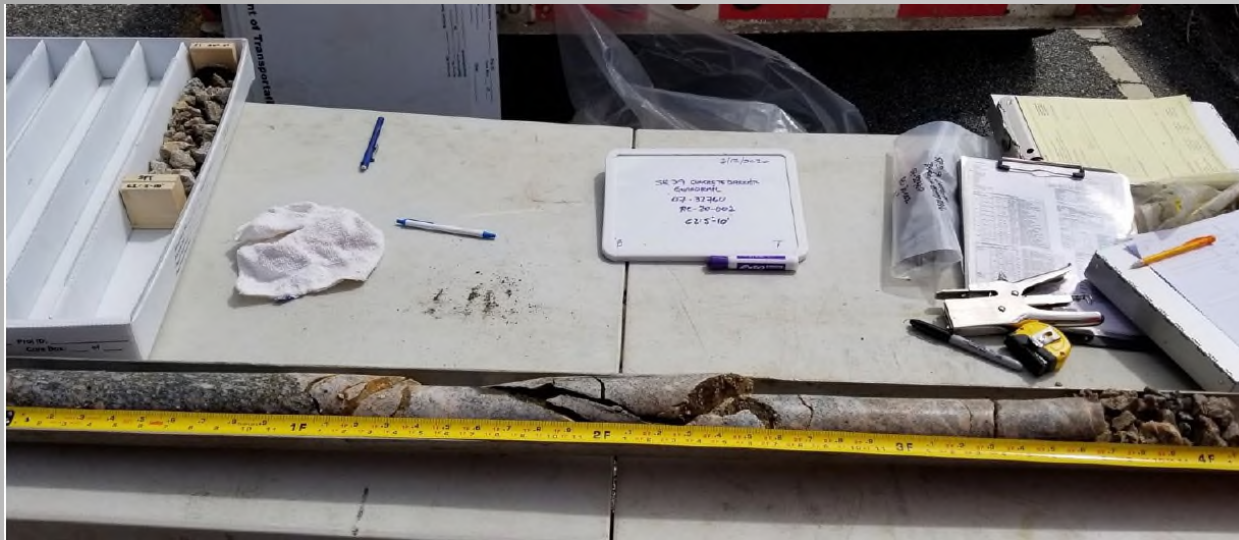
The designers use of “Soils Properties” table for design is consistent with GSE’s view of LOTBs and all other bidders

LOTBs – 41 to 112 ft Distance To Work Area



Core Samples Degraded In Transport

It appears that the LOTBs described in the contract documents do not match Caltrans field core photographs presented



Structure No. _____ Structure Name: SR 39 CONCRETE BARRIER Proj ID: 07-32760
Boring No. RC-20-002 Core Box: 1 of _____
Depth Interval: 0.5' ± to _____
Geoprofessional: M. MERINO Date: 3/17/2020



Materially Different Material *Encountered* – RW 8 Pile 2
Document/Ask For Observation by Owner



Materially Different Material *Encountered* – RW 8 Pile 3
Document/Ask For Observation by Owner



Materially Different Material *Encountered* – RW 8 Pile 5
Document/Ask For Observation by Owner



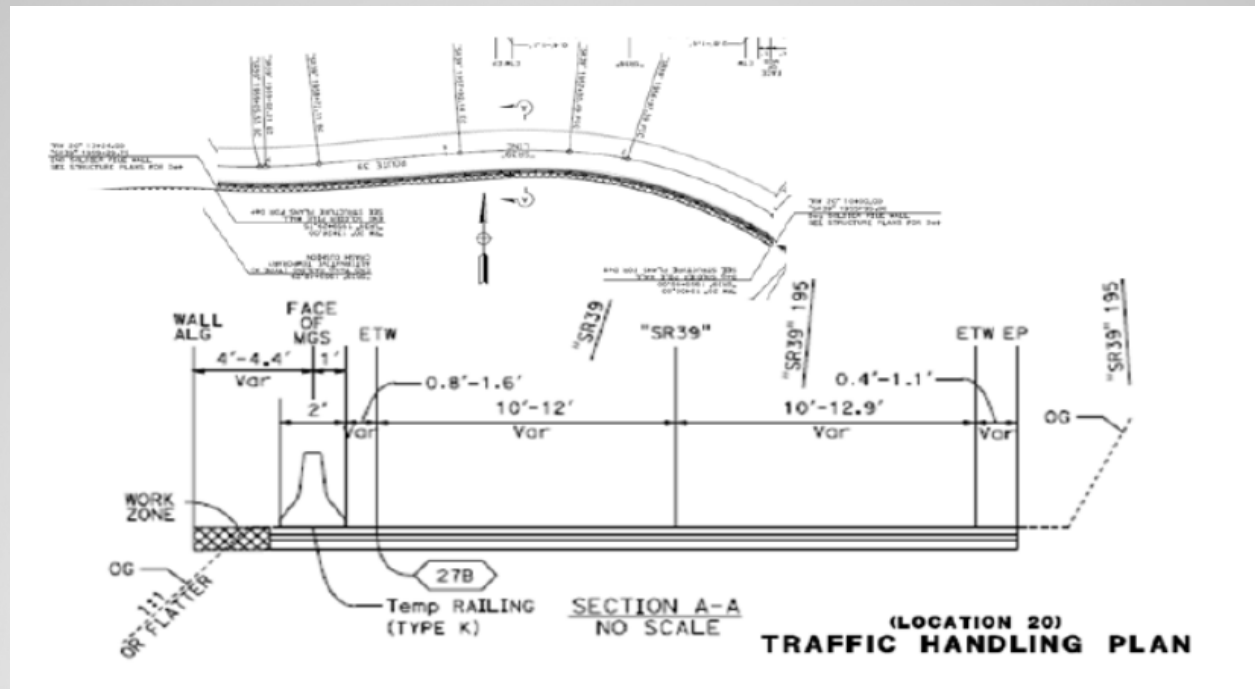
Materially Different Material *Encountered* – RW 8 Pile 7
Document/Ask For Observation by Owner



Caltrans Implied Warranty

Caltrans is responsible to provide workable specifications and drawings for bidders. Caltrans presented a limited work zone requiring traffic control and only one lane of working area.

Public Contract code section 10120 states “The department shall provide full, complete, and accurate plans and specifications” aka Spearin Doctrine



Caltrans Implied Warranty LoDrill Style Rig Is The Only Type Of Rig That Fits

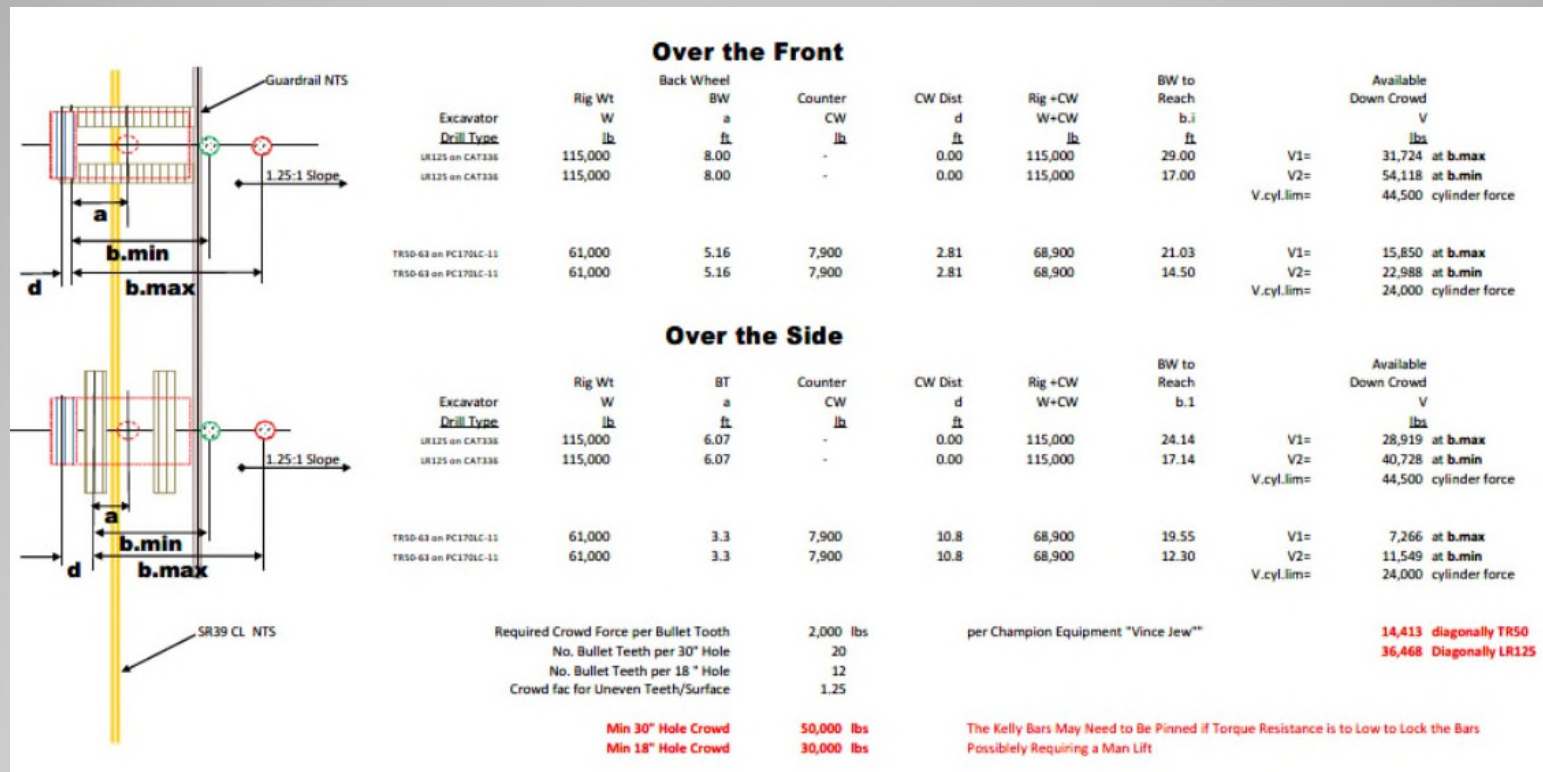


Limited work area limited torque and crowd available to be provided by the Drill Rig. Reaching over the guardrail also limits the torque and crowd. Specs only allowed one lane closure



Caltrans Implied Warranty

LoDrill Style Rig Is The Only Type Of Rig That Fits



This says: TR50 has 14,413 lbs of Crowd vs 50,000 lbs required

Caltrans used a CS2000 drill rig which required both lanes

Caltrans Implied Warranty - CS200 Drill Rig



The CS2000 drill rig required both lanes

Summary of Issues On The Job

1. LOTBs were the most specific factual contract documents and showed approximately 5% of very hard rock with no very hard rock in 4 of 6 borings
2. Caltrans designer used “Soil Properties” to design the Soldier Piles confirming what was to be encountered was soil/fractured and weathered rock: plus limited one lane access
3. LOTBs description and field core photos for boring RC-20-002 seem to not match
4. By the contract indications and limitation of one lane for drilling use the specifications provide an implied warranty that GSE’s equipment would have sufficient torque and crowd to achieve efficient drilling
5. General remarks that drilling in very hard rock would be difficult did not quantify how much very hard rock would be encountered: the LOTBs did with only 5% being very hard rock
7. Court cases and applicable FHWA Guideline 15 requires a DSC analysis to focus on factual LOTB information rather than general statements in the Foundation Report or contract documents
8. **Specs tell bidders to “refer to LOTBs” for bidding purposes *consistent with the above rules***

Managing Risk - California Public Contract Code 7104

1. Know the contract and the different site conditions law
2. Law to be well aware of:

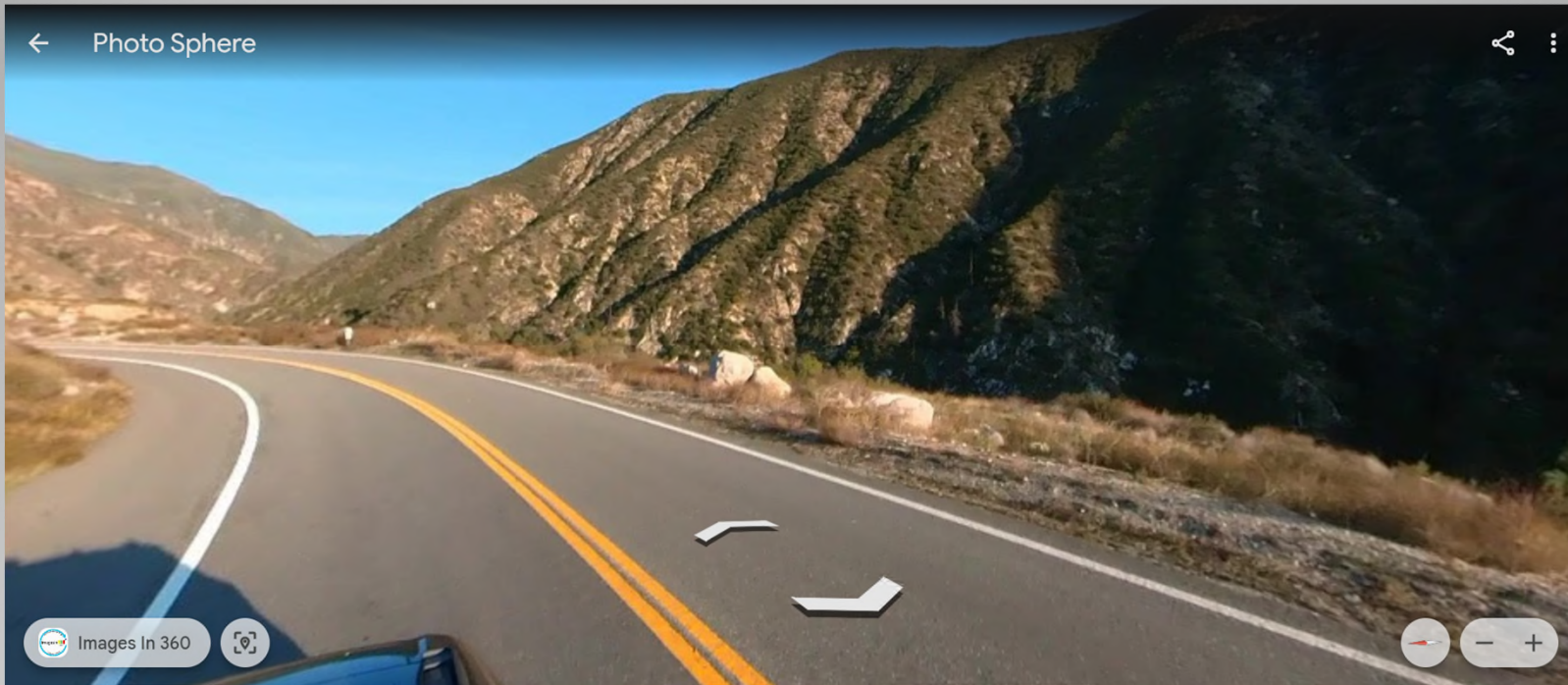
Any public works contract of a local public entity which involves digging trenches or other excavations that extend deeper than four feet below the surface shall contain a clause which provides the following:

That, in the event that a dispute arises between the local public entity and the contractor whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in the contractor's cost of, or time required for, performance of any part of the work, the contractor shall not be excused from any scheduled completion date provided for by the contract, but shall proceed with all work to be performed under the contract. The contractor shall retain any and all rights provided either by contract or by law which pertain to the resolution of disputes and protests between the contracting parties.



You have to have the money to complete the job then wait YEARS to recover your money

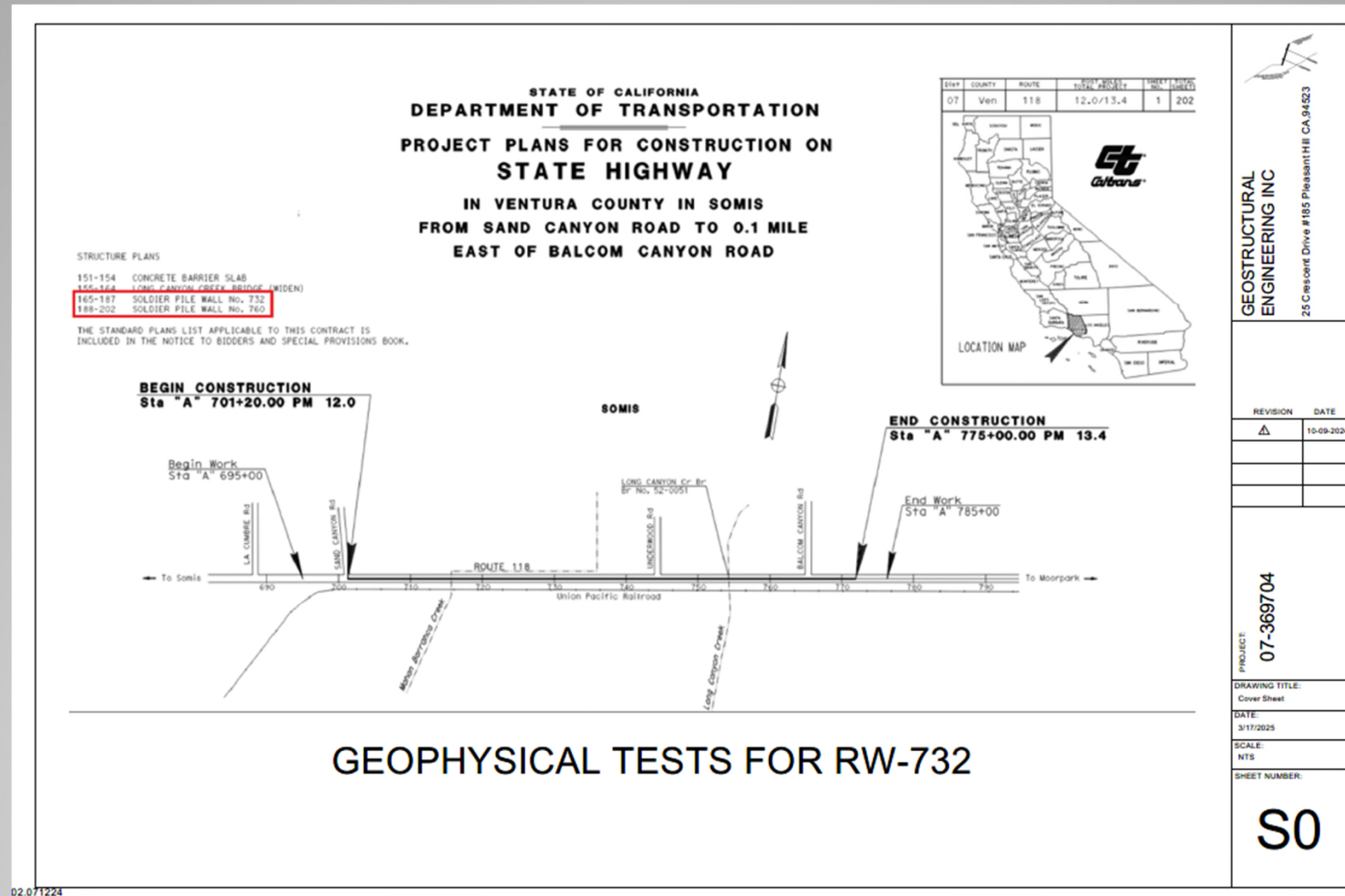
Exposed Geology – Lesson Learned The Hard Way



Understanding The Geologic Risk

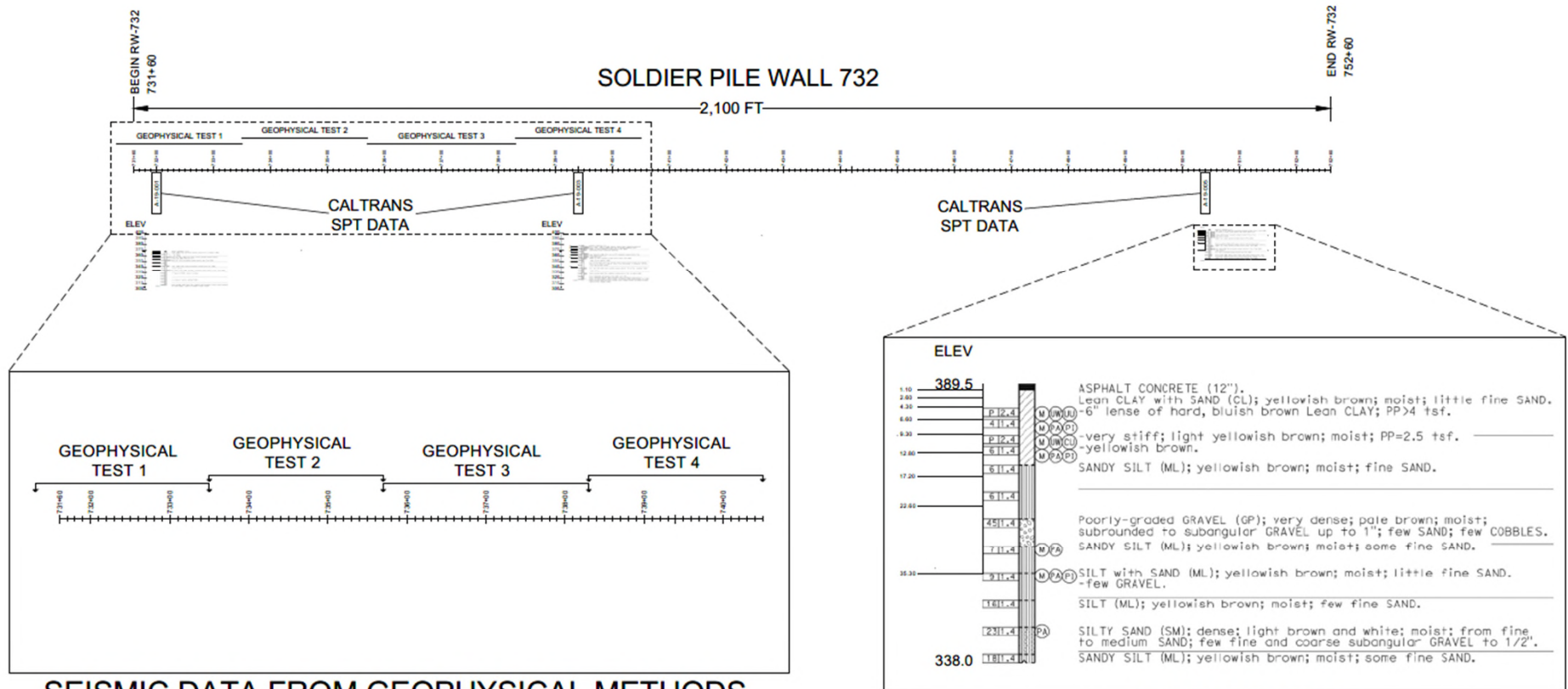
1. For each project **ALWAYS ALWAYS** walk the jobsite to observe the road cuts. What the LOTBs describe is not always accurate
2. The more data you have on ground conditions the better you can quantify the risk akin to sample size in statistics
3. Obtain water well logs for the area if possible
4. Use Geophysics to interpret between the boring logs – Future Research @ UCB

Future Geophysics Research



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Future Geophysics Research

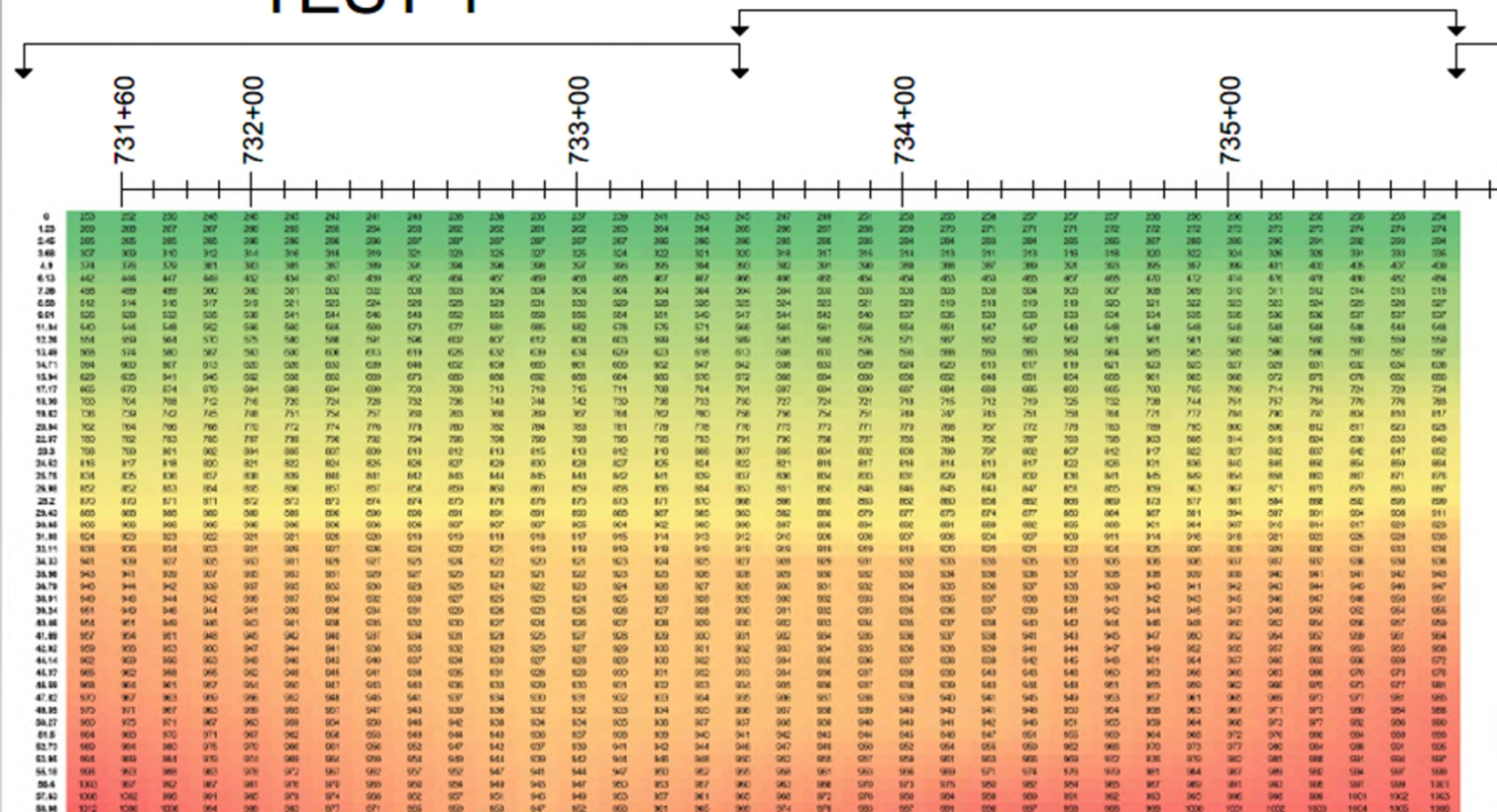


Vp and Vs waves to correlate with data from nearby borings and characterize the subsoil and estimate the SPT blow counts

Future Geophysics Research

GEOPHYSICAL TEST 1

GEOPHYSICAL TEST 2



Vs (m/s) wave velocities approximately every 15 feet at a depth of 60 ft.

By having the velocities and calibrating the correlation formula with nearby soundings, the blow counts along the wall can be estimated.

My Personal Advice For Starting A Ground Construction Company

1. Work for one of the larger Ground Construction Companies like Drill Tech, Malcolm, Condon Johnson, Keller, etc to cut your teeth
2. Make a business plan and review it with other Ground Construction professionals and business advisors
3. Grow slowly and organically because Ground Construction is High Risk High Reward or Painful Failures
4. Minimum two partners one an Engineer with Business Acumen and one in Operations/Equipment Design aka how Drill Tech Drilling & Shoring Got Started
5. If married your significant other should have a stable job to counter the highs and lows of owning your own company. My wife has always been the rock and me the entrepreneur
6. Have a Board of Directors/Advisors because multiple heads are always better than one