

Cooperation or Litigation? The Choice Is Ours.

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Plumbing Contractors of America and American Society of Plumbing Engineers members share the common goal of producing quality engineered plumbing systems, often under difficult conditions. Sometimes, during a construction project's darkest days—when the job seems doomed to failure—plumbing engineers and contractors truly can shine.

However, when a job begins to go south, engineers and contractors often resort to finger pointing and litigation instead of cooperation and collaboration. The following account of an actual plumbing design project

in Northern California demonstrates how a potentially disastrous situation can be avoided. Rather than culprits, the plumbing engineer and contractor, as well as the vendor, became heroes in the owner's eyes.

Problem Pipes

The owner, a major biotechnology company, needed a new below-ground, stainless-steel, double-contained laboratory waste system, connected to the site's laboratory waste, installed in an existing sterile manufacturing facility. Operations in the area in question could be shut down only for a very short period, resulting in an incredibly tight construction schedule.

The plumbing contractor submitted the specified contained lab waste system, which was approved by the plumbing engineer who had worked with the vendor to specify the system. After the contractor generated and the engineer approved detailed shop drawings, the system was ordered. The prefabricated stainless-steel piping system arrived on schedule, and the job commenced. Then things became interesting.

After the pipe arrived and the floor slab cut and removed, the plumbers began installation, working two shifts around the clock to stay on schedule. On the third day, the owner's representative noticed something alarming: The interior weld at each joint on the stainless-steel carrier pipe had a large bead or berm, which could trap waste and create an ideal spot for bacterial growth. The owner considered this absolutely unacceptable, and the project stopped.

However, trenches were dug, pipe was partially installed, and the clock was ticking. Huge dollars were at stake, since the pharmaceutical production facility was shut down, and the product wasn't going out the door. The finger pointing started.

"We ordered the product you specified and approved. The submittal showed the welds," the contractor wailed to the engineer, waving the stamped submittals.

"We stated the welds must be smooth," the engineer countered, slamming his fist on the table.

They both were right. The job stood on the precipice of disaster, and this moment was the tipping point. If everyone dug in their heels, only the lawyers would win.

Accepting Accountability

Then the plumbing contractor called a meeting with the owner, engineer, and vendor, and all expected another fight. To everyone's surprise, the contractor stated, "You guys are right; we are at fault. We did not comply with the engineer's intent, but we need to share this responsibility."

After an awkward pause, the plumbing engineer said: "We missed this in the submittal process, so we have some responsibility too."

Finally, the vendor spoke up. "It is our product, and it is not right, so we need to correct it."

Everybody was right, and everybody was wrong; more important, they shared the responsibility.

Getting the Job Done

Suddenly an urgent sense of mission and purpose prevailed. Within an hour they devised a plan to send the pipe back to the factory, work around the clock to repair the welds, and ship the product back to California on a dedicated carrier. The vendor offered to cover these costs. At its cost, the plumbing engineer agreed to send a representative to the factory to validate the repairs and document every weld. The plumbing contractor would remove and replace the pipe without additional costs.

All parties took a hit, but, in the end, the owner extended the deadline and did not try to recoup costs incurred due to lost drug production at the facility.

As a result of this joint decision-making and immediate action, disaster quickly dissipated. Instead of a set of warring factions, the owner was surprised to discover a team of problem solvers—a team that accepted responsibility and valued relationships over restitution. In fact, it was a team that embodies PCA and ASPE's core values. To this day, the plumbing contractor, engineer, and vendor continue to work together extensively at the manufacturing facility. ■

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