

# Allocation of Responsibility of Construction Defects



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Pete Fowler  
**CONSTRUCTION**  
Services, Inc.

## INTRODUCTION

Allocation of Responsibility for Construction Defects is for everyone who needs to understand how the costs of construction defect allegations should be distributed to responsible parties. The program is for construction, insurance, legal and property professionals; particularly those who regularly deal with construction defect litigation. The process for allocating responsibility of construction defect allegations is mostly “science,” but some critical parts include the “art” of applying professional judgment. The program will outline the mechanics of the process including:

- (a.) making a sensible, allocatable list of defects,
- (b.) assigning values to each defect issue or category,
- (c.) making a list of all the parties who might be involved and understanding what each of them did on the project and where, and
- (d.) assigning supportable portions of responsibility for each issue.

## PROGRAM OUTLINE

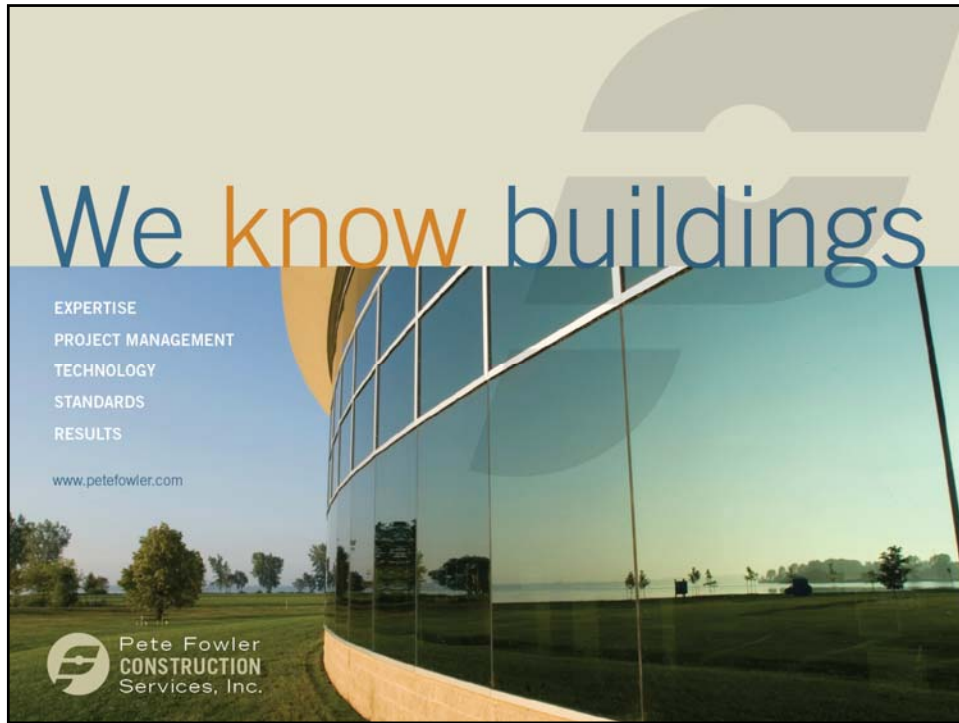
1. Introduction
2. Analyzing Construction Defects
3. A Sensible List
4. First Pass Allocation Methods
5. Applying Professional Judgement
6. Fancy Stuff
7. Conclusion

## LEARNING OBJECTIVES


- Understand the mechanics of allocating defects to responsible parties
- Understand which parts of the process are “science.” That is, mostly unarguable.
- Understand which parts of the process include the “art” of applying professional judgment. That is, arguable.
- Review some case studies and real world examples of allocation in action.

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  - B. Webinar Materials
  - C. CE Certificates
  - D. Feedback
  - E. Learning Objectives
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  - C. Logic and Critical Thinking
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  - E. Allocation of Responsibility
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  - G. Case Study: Otto Hired A Lawyer!
3. A Sensible List
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  - B. Organization Schemes
  - C. Work Breakdown Structure
  - D. Players List (Parties)
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  - G. Case Study: Otto's Outhouse  
Simple Joint & Several Allocation  
of Plaintiff Cost to Repair
4. First Pass Allocation Methods
  - A. "Joint & Several" Allocation  
Method
  - B. "Kill Them All; Let G-d Sort it Out"
  - C. Case Study: Dogby v. Awesome  
Contracting
5. Applying Professional Judgement
  - A. A Real, Professional Allocation (to  
be proud of)
  - B. Contracting 101
  - C. Analyzing Construction Defects: 14  
Questions
  - D. Location Matrix
  - E. Plans, Specification, Codes and  
Standards
  - F. Case Study: Thom Investment
6. Fancy Stuff
  - A. Document Assumptions
  - B. Allocation by Trade
  - C. Contractor File
  - D. Case Study: Lutheran High School
7. Conclusion
  - A. Learning Objectives
  - B. Program Outline
  - C. Webinar Materials
  - D. CE Certificates
  - E. Feedback



# Allocation of Responsibility of Construction Defects



Pete Fowler  
**CONSTRUCTION**  
Services, Inc.

2/16/16 10:00-11:00 A.M.

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1. INTRODUCTION

## PFCS: We Know Buildings



www.petefowler.com

1. INTRODUCTION

## PFCS: Who We Are

### SOLUTIONS

We specialize in creating **REAL PRACTICAL SOLUTIONS** that help our clients spend the right amount, on the right work, at the right time.



www.petefowler.com

1. INTRODUCTION

## PFCS: We Know Buildings



### CLIENTS

- Property Owners & Managers
- Builders & Developers
- Contractors
- Product Manufacturers
- Insurers
- Lawyers



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1. INTRODUCTION

## The PFCS Way: SOLUTIONS

- **EXPERTISE:** Technical experts who are focused on real practical solutions is surprisingly hard to find. We found them. And we work to keep that focus.
- **PROJECT MANAGEMENT:** To deliver valuable work with measurable return on investment (ROI), we have to manage the Scope, Budget and Schedule of our work.
- **TECHNOLOGY:** We use proprietary technology to create valuable work faster, better and cheaper, to make the information available to all applicable stakeholders, and to create a permanent digital record at no extra cost.
- **STANDARDS:** To help clients manage building lifecycle performance and costs, we compare each project to industry standards and best practices, then apply professional judgment to develop strategies and step-by-step plans for maximizing ROI for maintenance and repair expenditures.

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## PFCS Services

### CLAIMS & LITIGATION

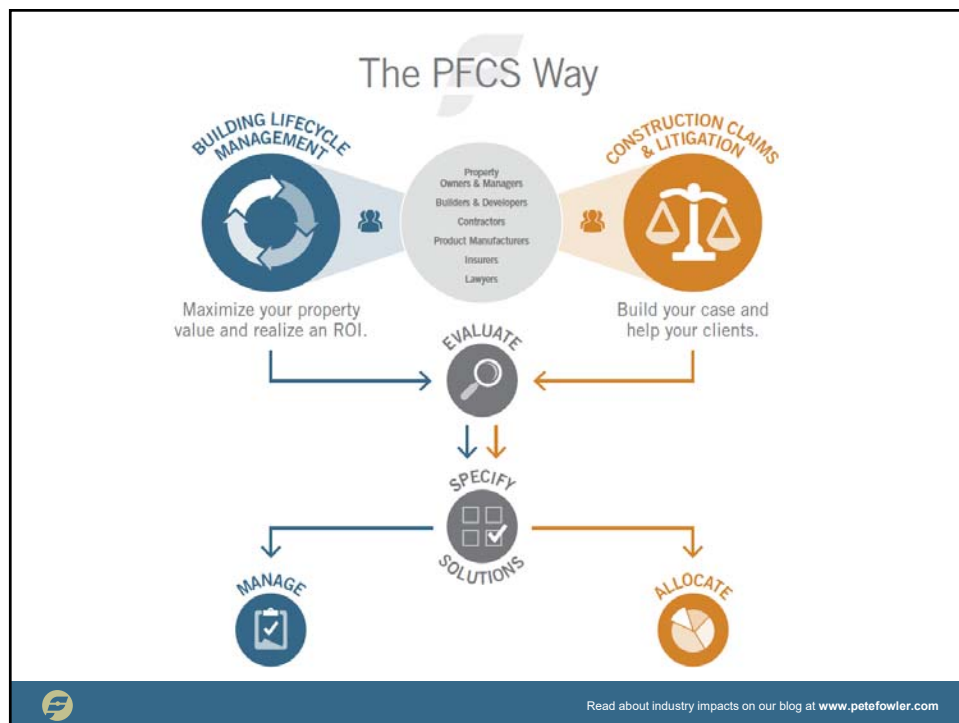
- Construction Defect Litigation (Also see BLM)
- General (Property) Liability Claims
- Construction Accidents
- Traditional Claims related to contracts, payments, performance, change orders and delays

### BUILDING LIFECYCLE

- Building Inspection, Testing and Property Assessment
- Specifications for Building Maintenance and Repairs
- Construction Budgets and Cost Estimating
- Construction Management
- Quality Assurance Plans and Inspections



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## The PFCS Way

### ON ALL PROJECTS

Building Information Management: We pick up where Zillow and Google leave off. We use technology to collect, organize, structure and store documents and building info forever.

Evaluate Performance: We perform structured building inspection and testing evaluations, exceeding the highest standards.

Specify Solutions: We analyze, report, make recommendations and compose specifications and estimates for construction, maintenance & repairs.

### BLM OR LITIGATION?

Manage Quality: We apply professional construction management discipline to get work done, and create and execute construction quality assurance plans.

Allocate Responsibility: For insurance and legal clients we use our expertise in evaluating, specifying and managing construction to compare what happened in problem projects to what should have. We apply professional judgment to allocate responsibility.



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## Program Outline

1. Program Introduction
2. Analyzing Construction Defects
3. A Sensible List
4. First Pass Allocation Methods
5. Applying Professional Judgment
6. Fancy Stuff
7. Conclusion



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# 1. INTRODUCTION



1. INTRODUCTION

# Introduction

- Presenter Information
- Webinar Materials
- CE Certificates
- Feedback
- Learning Objectives
- Program Introduction Key Points / Summary
- Case Study



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1. INTRODUCTION

## Webinar Materials

PFCS Client Access Projects Publications **Seminars** Users

PFCS Webinar 1/30/2014: Building Life Cycle Management


**Seminar Information**


Event Date	01/30/2014
Event Time	10:00am
Location	Online via GoToWebinar

**Video**

There is no video version of this presentation available.

**Attachments / Backup Materials**

<b>File</b>
 Backup Materials

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1. INTRODUCTION

## CE CERTIFICATES WILL BE SENT OUT WITHIN 3 BUSINESS DAYS

*(There is no need to contact us, Certificates of Attendance are sent to all who logged in for the seminar).*



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1. INTRODUCTION

## Your Feedback is Important

### SURVEY SAYS!



You will receive a survey link immediately following the webinar. We put a lot of effort into providing these programs free of charge, we just ask that you take a few seconds to leave your feedback on today's presentation



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## 1. INTRODUCTION

## Learning Objectives

1. Understand the mechanics of allocating defects to responsible parties
2. Understand which parts of the process are “science.” That is, mostly unarguable.
3. Understand which parts of the process include the “art” of applying professional judgment. That is, arguable.
4. Review some case studies and real world examples of allocation in action.



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## 1. INTRODUCTION

## Program Introduction

The process for Allocation of Responsibility for Construction Defects is mostly “science”, but some critical parts include the art of applying professional judgment. This program outlines the mechanics of the process including:

- (a.) make a sensible, allocatable, list of defects,
- (b.) assign values to each defect issue or category,
- (c.) make a list of all the parties who might be involved, and understand what each of them did on the project and where, and
- (d.) assign supportable portions of responsibility for each issue.



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# Program Introduction

ISSUES				VALUE	PARTIES		
#	CODE	DESCRIPTION		\$	#	WHO	WHAT + WHERE
1					A		
2					B		
3					C		
4					D		
5					E		
6					F		
7					G		
8					H		
9					I		
10					J		
					K		
		TOTAL		\$			



## Case Study

A tall, narrow wooden structure, possibly a birdhouse or a small tower, stands in a grassy field. It has two doors, one on top of the other. The top door is labeled 'MANAGEMENT' and the bottom door is labeled 'EMPLOYEES'. A wooden ladder is attached to the side of the structure, leading up to the top door. The structure is made of light-colored wood and has a small roof. The background shows a line of trees and a fence.



## 1. INTRODUCTION

## Case Study

### SCOPE OF WORK

1. Excavation: Strict conformance with National Outhouse Builders Association (NOBA) *Manual of Practice* for excavation.
2. Walls
  - A. Materials: Top quality lumber. Non-corrosive fasteners.
  - B. Workmanship: Strict conformance with NOBA *Manual*.
3. Roof
  - A. Materials: GAF roofing materials. Style selected by Owner.
  - B. Workmanship: Conform with manufacturers instructions.
4. Signage: See photograph
5. Paint
  - A. Paint Materials: Matched primer and two top coats from a national manufacturer.
  - B. Sealant Materials: Shall conform with ASTM C920
  - C. Workmanship: Strict conformance with manufacturer's recommendations.

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## 1. INTRODUCTION

## Case Study

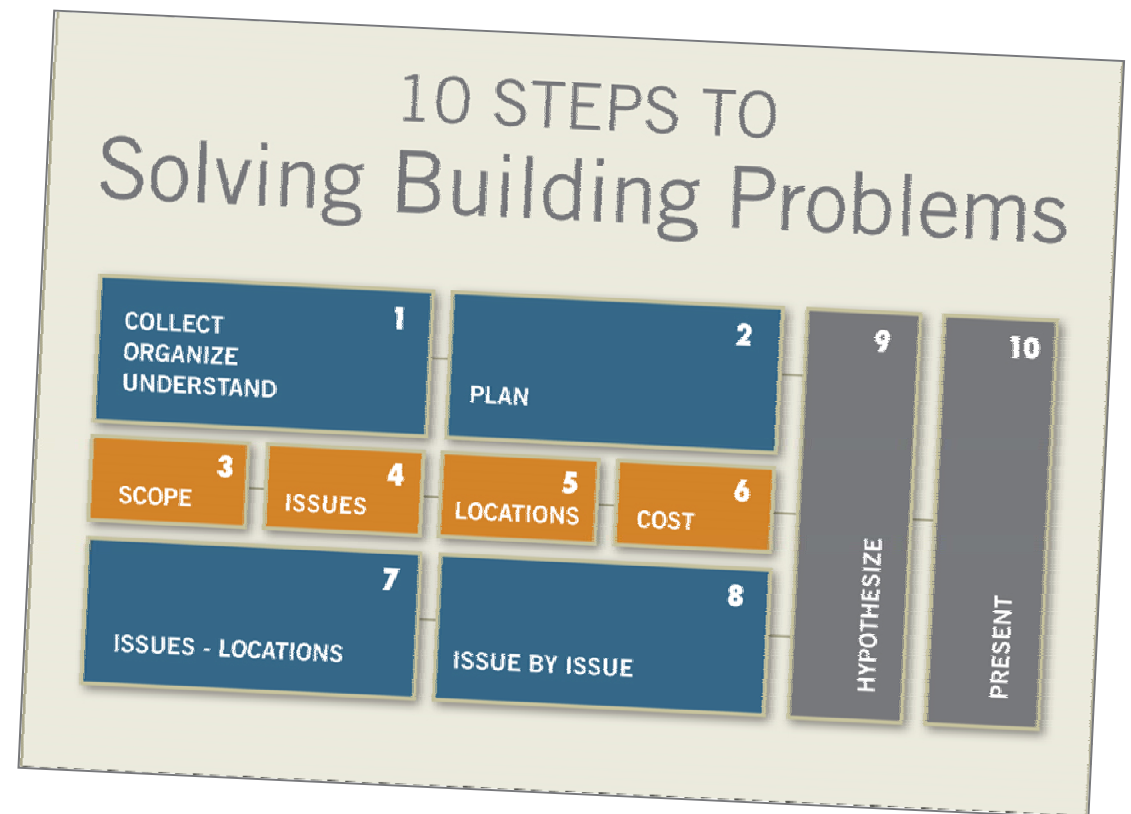
### FINAL PAYMENT APPLICATION

#	Scope	Value	PMT #1	PMT #2	PMT #3	Total Paid
1	Excavation	250	200	50	0	250
2	Walls *1	300	30	270	0	300
3	Roof	200	0	200	0	200
4	Signage*2	50	0	50	0	50
5	Paint*3	100	0	0	100	100
6	Complete	100	0	0	100	100
7	Total	1,000	230	570	200	1,000
8	-	-	-	-	-	-
9	CO#1: Hardware	10	10	-	-	10
10	CO#2: Delete Signs	-50	-	-50	-	-50
11	CO#3: Paint	60	-	-	60	60
12	CO#4: Landscaping	100	-	-	100	100
13	-	-	-	-	-	-
14	Total	1,120	240	520	360	1,120

Notes: (1.) Allowance of \$30 for hardware. (2.) Allowance of \$40 for signs. (3.) Allowance of \$40 for material. (4.) Exclusion - Ladder

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## 2. Analyzing Construction Defects





## 2. ANALYZING CONSTRUCTION DEFECTS

## Analyzing Construction Defects

- IIACC
- Issue-by-Issue Analysis
- Logic and Critical Thinking
- Inspection and Testing Standards
- Allocation of Responsibility
- Exposure Analysis
- Case Study: Otto Hired A Lawyer!



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## 2. ANALYZING CONSTRUCTION DEFECTS

## IIACC Method

Issue: Describe the issue in English, so everyone who needs to use the information to make a decision can understand.

Investigation: What have we done to figure out how the assembly is performing? Inspection. Interviews. Document Review. Testing. Maps/Diagrams. Reports.

Analysis: What should be considered? Codes. Standards. Design intent. Maintenance Manual. Performance. Aesthetics.

Conclusion: What do we **think**? Should we consider politics?

Costs: What do all of the parties think it is going to cost to fix?



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## 2. ANALYZING CONSTRUCTION DEFECTS

## IIACC: Example

Issue: Window are leaking and require complete removal and replacement of all for approximately \$1.5 million.

Investigation: PFCS observed visual evidence of leaks at most south-facing front elevation windows. We performed testing conforming with ASTM E2128 and AAMA 511 at 10% of the windows, selected at random.

Analysis: No damage was found at side or back elevations. Considering the age of the project, none should be expected going forward.

Conclusion: We recommend re-clad of the south elevation using a rain-screen system and replacement of the trim at 3 other elevations.

Cost: Approximately \$400,000.



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Issue by Issue Analysis

1. What is the allegation?
2. How does it relate to the party we are working with?
3. Where and how many times is it alleged to be an issue?
4. What do all the parties say about the issue, including costs?
5. Did we see the issue?
6. Is the assembly performing as the owner might hope?
7. Is the assembly performing as we should expect?
8. Is it a defect?
9. Is it causing damage?
10. Is a repair required?
11. What are the applicable standards?
12. What is a reasonable repair?
13. How much will the repair cost?
14. Who is responsible?



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Logic and Critical Thinking

### FROM ASKING THE RIGHT QUESTIONS BY BROWNE & KEELEY

1. What are the issues and conclusion?
2. What are the reasons?
3. What words or phrases are ambiguous?
4. What are the value conflicts and assumptions?
5. What are the descriptive assumptions?
6. Are there any fallacies in the reasoning?
7. How good is the evidence?
8. Are there rival causes?
9. Are the statistics deceptive?
10. What significant information is omitted?
11. What reasonable conclusions are possible?



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Inspection & Testing Standards

- A. ASTM E2128 Standard Guide for Evaluating Water Leakage of Building Walls: 35 page standard offers a uniform method and systematic approach for determining and evaluating water leakage; refers to other standards, performance expectations, service history. Applies standards, logic and the scientific method for evaluating building problems.
- B. ASTM E1105 Standard Test Method for Field Determination of Water Penetration: 5 page test method; a procedure for determining the resistance to water penetration of windows and doors.
- C. AAMA 511-08 Voluntary Guideline for Forensic Water Penetration Testing of Fenestration Products: 11 pages. Offers a method & systematic approach for testing of fenestration products.
- D. AAMA 502-08 Voluntary Specification for Field Testing of Newly Installed Fenestration Products: 10 pages. Field test apparatus, sampling, test procedures and reports used in verifying water penetration resistance.
- E. PFCS Building Wall Inspection and Testing: Our practices re: analysis of building performance from design, through construction and use.



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Allocation of Responsibility

1. Begin with defect list (down) and players (across the top of a matrix).
2. Figure out who did what and where.
3. Try to allocate all of the costs across the Issues.
4. Identify all applicable parties on an issue-by-issue basis
5. Allocation Schemes:
  - A. Joint & Several Method
  - B. The "Kill Them All, Let God Sort it Out" Method
  - C. Allocation by Issue Method
  - D. Allocation Matrix. This can get REALLY complex when there are lots of issues (left column of the matrix), lots of parties (across the top of the matrix), and is then complicated when multiple parties work on the same trade in various phases or physical areas.



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Allocation of Responsibility

ISSUES			VALUE	PARTIES		
#	CORE	DESCRIPTION	\$	#	WHO	WHAT + WHERE
1				A		
2				B		
3				C		
4				D		
5				E		
6				F		
7				G		
8				H		
9				I		
10				J		
				K		
TOTAL			\$			



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## 2. ANALYSIS OF CONSTRUCTION DEFECTS

## Exposure Analysis

1. Begin with the Issue List
2. Best Case vs. Worst Case
  - A. Joint & Several Analysis (worst case?)
  - B. Issue by Issue (best case?)
3. Repair Costs (including **Burden** or Total Project costs)
4. Relocation and Other Expenses
5. Legal Fees
6. Expert Expenses (inspection, testing, analysis, meetings, testimony, etc.)
7. Other Expenses
8. Risk of the Unknown
9. **Pain & Suffering**, Punitive Damages, Economic Losses
10. See PFCS's Portfolio Management of Construction Claims



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Exposure Analysis

### SIMPLIFIED

	Best Case	Most Likely	Worst Case
1. Issue 1	\$	\$	\$
2. Issue 2	\$	\$	\$
3. Issue 3	\$	\$	\$
4. SUB	\$	\$	\$
5. Other	\$	\$	\$
6. TOTAL	\$	\$	\$



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2. ANALYZING CONSTRUCTION DEFECTS

## Case Study

*Otto Hired A Lawyer!*

*Our Simplified Case Study:  
Otto's Outhouse*



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2. ANALYZING CONSTRUCTION DEFECTS

## Case Study: Defect List

1. A1010 Foundations: The structure was constructed without a concrete foundation.
2. B2012 Exterior Enclosure: Siding & Trim: The nailing of the siding is grossly inadequate.
3. B2030 Exterior Doors: The doors leak, causing damage to the interior finishes.
4. D 1000 Conveying: The conveying system (ladder) is defective in it's manufacture and the design does not meet minimum ADA requirements.
5. D3000 HVAC: The heating system is inadequate to heat the interior to 70 degrees 3 feet above the floor.
6. G2050 Landscaping: Half the landscape planting died within the first year and required replacement.



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Case Study: IIACC Analysis

1. Issue 1: A1010 Foundations - The structure was constructed without a concrete foundation.
2. Investigation: PFCS has reviewed the available project documents (see Index), visually inspected the project, researched the applicable building standards and corresponded with the building department.
3. Analysis: The structure was designed and constructed in conformance with the applicable code at the time of construction, and with the approval of the building department, utilizing a preservative treated (rot resistant) wood foundation technique.
4. Conclusion: The structure is performing well in service. No repairs.
5. Costs: \$0



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Case Study: IIACC Analysis

1. Issue 3: B2030 Exterior Doors - The doors leak, causing damage to the interior finishes.
2. Investigation: PFCS has reviewed project documents, visually inspected, researched building standards, investigated in conformance with ASTM Standards E2128 and observed the Owner's expert test in conformance with ASTM E1105.
3. Analysis: While the performance expectation of this structure is not perfection, the E1105 testing not applicable or required for the analysis, the doors allow excessive leakage and cause damage.
4. Conclusion: Door weatherization is inadequate, allowing leakage and causing damage. Repairs will include reinstallation of existing doors properly weatherized, and repair of damaged finishes.
5. Costs: \$362.80



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## 2. ANALYZING CONSTRUCTION DEFECTS

## Case Study: Exposure Analysis

#	Code	Description	PLTF	DEF	Best	Likely	Worst
1	A1010 Foundations	The structure was constructed without a concrete foundation.	800.00	-	-	-	800.00
2	B2012 Ext. Enclosure	Siding & Trim: The nailing of the siding is grossly inadequate.	500.00	-	-	250.00	500.00
3	B2030 Exterior Doors	The doors leak, causing damage to the interior finishes.	300.00	362.80	362.80	362.80	300.00
4	D1000 Conveying	The conveying system (ladder) is defective in it's manufacture and does not meet minimum ADA requirements.	4,000.00	-	-	-	4,000.00
5	D3000 HVAC	The heating system is inadequate to heat the interior to 70 degrees 3 feet above the floor.	1,250.00	-	-	-	1,250.00
6	G2050 Landscaping	Half the landscape planting died within the first year and required replacement.	500.00	-	-	100.00	500.00
7		Total Construction Costs	7,350.00	362.80	362.80	712.80	7,350.00
8							
9		Attorneys Fees					
10		Expert Fees					
11		Other Costs					
12							
12		Grand Total	7,350.00	362.80	362.80	712.80	7,350.00

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## 3. A SENSIBLE LIST

**“A PROBLEM WELL STATED IS A PROBLEM  
HALF-SOLVED.”**

**CHARLES KETTERING**

© Lifehack Quotes



3. A SENSIBLE LIST

## A Sensible List

- Why This Matters
- Organization Schemes
- Work Breakdown Structure
- Players List (Parties)
- Issues List (Defect Allegations)
- Assigning Values
- Case Study: Otto's Outhouse Simple Joint & Several Allocation of Plaintiff Cost to Repair

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3. A SENSIBLE LIST

## Why This Matters

### CREATING A SENSIBLE ISSUES LIST

- We must create a Logic Structure, organization scheme or method so all individual pieces of information can be organized in a logically.
- Construction Defect Litigation can be very complex. Often, there is WAY more information than any one can keep in his/her head.
- This is either the easiest or hardest thing you will do.
- Human beings need to have a Logic Structure to grasp the big picture of a complicated subject.
- The magical number 7, plus or minus 2: A scientific paper that explores the human mind's ability to understand and remember.
- What if there is NO defect list?

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3. A SENSIBLE LIST

## Why This Matters

IF THE LIST IS WELL COMPOSED IT CAN BE USED TO OUTLINE:

- Defect List
- Reports of All Experts
- Expert Responsibility Matrix: Who is testifying about what
- Scope of Repair
- Cost Estimates, Bids & Cost Comparisons
- Schedule for Construction / Repairs
- Payment Schedule for Construction / Repairs
- Allocation of Responsibility
- Trade Contractor "Claim Packages"



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3. A SENSIBLE LIST

## Organizational Schemes

1. By Importance
2. Room-by-Room
3. SB800
4. Who Did the Work: CSI
5. Unifomat (PFCS Standard)



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3. A SENSIBLE LIST

## Organizational Schemes

### UNIFORMAT (PFCS STANDARD)

#### B 2010 Siding

- Leaks
- Incorrect Nailing

#### B 2060 Exterior Paint

- Deteriorated Trim
- Delaminating

#### B 3001 Roof

- Damage
- Leaks
- Missing Underlayment

#### C 3011 Interior Paint

- Inadequate Coverage
- Wrong Color



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3. A SENSIBLE LIST

## Organizational Schemes

### UNIFORMAT (PFCS STANDARD)

#### Level 1 Structure

- A. Substructure
- B. Superstructure
- C. Interiors
- D. Services
- E. Equipment & Furnishings
- F. Special Construction & Demolition
- G. Building Site work
- H. Other



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3. A SENSIBLE LIST

## Work Breakdown Structure

WBS AS OUTLINE FOR SCOPE, BUDGET AND SCHEDULE

Scope	Budget	Actual	Schedule
1. Item 1	\$ XXX	\$ XXX	Plan/Actual
2. Item 2	\$ XXX	\$ XXX	Plan/Actual
3. Item 3	\$ XXX	\$ XXX	Plan/Actual
4. Item 4	\$ XXX	\$ XXX	Plan/Actual
5. Item 5	\$ XXX	\$ XXX	Plan/Actual
6. TOTAL	\$ X,XXX	\$ X,XXX	

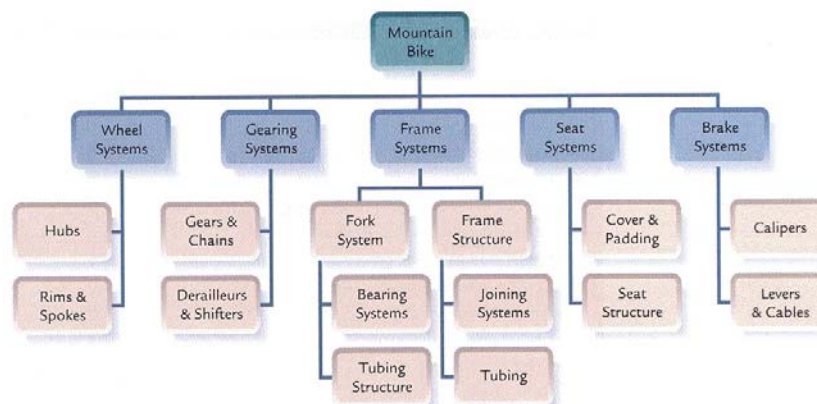
And compare performance to plan.



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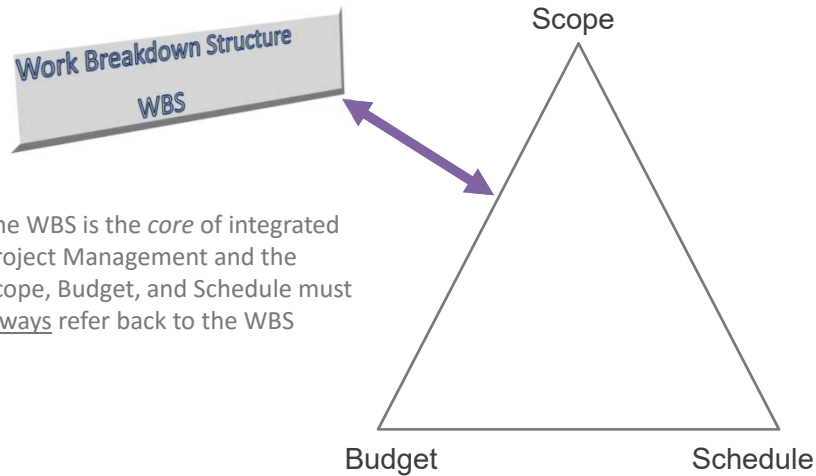
3. A SENSIBLE LIST

## Work Breakdown Structure



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# Work Breakdown Structure



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## Players List

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www.pacthru.com		Thom Investments v Phillips		8/30/2010
		Phyllis's List		
#	Name	Company / Entity	Role	Comments
1	Paradise	Thom Investments	Shareholder/Owner/Partners/Cross Defendants/Cross-Complainants	Joint property to the Phillips
2	Cherie, Kathy	Thom Investments	Defendant	
3	Thomas, David	Thom Investments	Defendant	
4		East West Indian Corporation	Defendant	Indicate
5	Cherie, Carl	East West Indian Corporation	Partners/Cross Defendants	
6	Phillips		Plaintiff	
7	McIntosh, Robert	McIntosh & Associates	Share/Cross Defendants/Cross Complainants	Purchased property for \$7,000,000.00 on or about October 10, 2006 from Thom
8	Andrew, David	Andrew David Architects	Architect for Phillips	
9	Phillips			
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3. A SENSIBLE LIST

## Assigning Values

1. Allocated line items should be “Burdened” with all of the general project costs.
2. Generally, I prefer to make legal fees a separate line item, or better yet, leave them out.
3. General project costs can include, but are not limited to: General Conditions (project specific overhead), Overhead & Profit, Design Fees, Permits & Fees, Moving & Storage, Etc.
4. When estimating, I put as much into the line items as possible. Examples: Dumpsters, scaffolding, equipment.
5. This requires the application of professional judgment.

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3. A SENSIBLE LIST

## Case Study: Otto's Outhouse

A SIMPLE “JOINT AND SEVERAL” ALLOCATION (IN FOR A PENNY, IN FOR A POUND)

#	Code	PLTF	Owner	GC	Design	Landscape	TOTAL
1	A1010 Foundations	800.00	-	-	800.00	-	800.00
2	B2012 Ext. Enclosure	500.00	-	500.00	-	-	500.00
3	B2030 Exterior Doors	300.00	-	300.00	300.00	-	600.00
4	D1000 Conveying	4,000.00	4,000.00	-	-	-	4,000.00
5	D3000 HVAC	1,250.00	1,250.00	-	1,250.00	-	2,500.00
6	G2050 Landscaping	500.00	500.00	-	-	500.00	1,000.00
7	TOTAL	7,350.00	5,750.00	800.00	2,350.00	500.00	9,400.00
8							
9	Attorneys Fees						
10	Expert Fees						
11	Other Costs						
12							
12	Grand Total	7,350.00	5,750.00	800.00	2,350.00	500.00	9,400.00

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# 4. FIRST PASS ALLOCATION METHODS



4. FIRST PASS ALLOCATION METHODS

## First Pass Allocation Methods

- “Joint & Several” Allocation Method
- “Kill Them All; Let G-d Sort It Out”
- Case Study: Dogby v. Awesome Contracting



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4. FIRST PASS ALLOCATION METHODS

## “Joint & Several” Allocation Method

1. In for a penny, in for a pound
2. Requires little professional judgment
3. The total allocated is MORE than 100% of the value



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## 4. FIRST PASS ALLOCATION METHODS

## “Kill Them All; Let G-d Sort It Out”

1. I lived near a U.S. Marine base as a kid, and this phrase was on t-shirts young Marines wore in a less politically correct time.
2. Equal distribution no matter who did what.
3. “In for a penny, in for an EQUAL share.”
4. This requires the same amount of professional judgment as the Joint & Several Method (i.e. little).

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## 4. FIRST PASS ALLOCATION METHODS

## Case Study

### Dogby v. Awesome Contracting

www.petefowler.com Dogby v. Awesome Contracting  
PLP Cost Allocation - Summary 5/20/12

#	Subcontractor	Scope	Share	Amount
1	Acme Construction	General Construction	5	100,000.00
2	Acme Construction	General Construction	5	100,000.00
3	Acme Construction	General Construction	5	100,000.00
4	Acme Construction	General Construction	5	100,000.00
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Page 1 of 1

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# 5. APPLYING PROFESSIONAL JUDGMENT



5. APPLYING PROFESSIONAL JUDGMENT

## Applying Professional Judgment

- A Real, Professional Allocation (to be proud of)
- Contracting 101
- Analyzing Construction Defects: 14 Questions
- Location Matrix
- Plans, Specification, Codes and Standards
- Case Study: Thom Investment



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5. APPLYING PROFESSIONAL JUDGMENT

## A Real, Professional Allocation

1. You have a sensible Issues List
2. You have realistic values assigned to each issue, including O&P and all “Other Project Costs”
3. You know who did what and where, and have evidence to support your conclusions
4. You allocated each value fairly to an applicable party
5. The total of the allocated amounts add up to the total value of the issues (to the penny)
6. The only things people can argue with are the values and percentages allocated



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5. APPLYING PROFESSIONAL JUDGMENT

# Contracting 101

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5. APPLYING PROFESSIONAL JUDGMENT

# Contracting 101

- A. Roles and responsibilities in a construction project
- B. What do the contracts say (R.T.F.C.!!)
- C. The Owner
- D. The Owner / Developer / General Contractor / Seller
- E. The General Contractor
- F. Trade Contractors
- G. Babysitting
- H. Brother's Keeper

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## 5. APPLYING PROFESSIONAL JUDGMENT

## Analyzing Construction Defects: 14 Questions

1. What is the allegation?
2. How does it relate to the party we are working with?
3. Where and how many times is it alleged to be an issue?
4. What do all the parties say about the issue, including costs?
5. Did we see the issue?
6. Is the assembly performing as the owner might hope?
7. Is the assembly performing as we should expect?
8. Is it a defect?
9. Is it causing damage?
10. Is a repair required?
11. What are the applicable standards?
12. What is a reasonable repair?
13. How much will the repair cost?
14. Who is responsible?

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## 5. APPLYING PROFESSIONAL JUDGMENT

## Locations Matrix

www.petefowler.com

Cherry Blossom Homes v. David Development

8/30/2016

Cost Matrix

Line Number	Street	Lot	Building	Start	Complete	REX
111	1219 S. Lenoir Street	111	28	06/11/04	12/30/04	
112	1219 S. Lenoir Street	112	28	06/11/04	12/30/04	
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230	1219 S. Lenoir Street	230	28	06/11/04	12/30/04	
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250	1219 S. Lenoir Street	250	28	06/11/04	12/30/04	
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257	1219 S. Lenoir Street	257	28	06/11/04	12/30/04	
258	1219 S. Lenoir Street	258	28	06/11/04	12/30/04	
259	1219 S. Lenoir Street	259	28	06/11/04	12/30/04	
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268	1219 S. Lenoir Street	268	28	06/11/04	12/30/04	
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271	1219 S. Lenoir Street	271	28	06/11/04	12/30/04	
272	1219 S. Lenoir Street	272	28	06/11/04	12/30/04	
273	1219 S. Lenoir Street	273	28	06/11/04	12/30/04	
274	1219 S. Lenoir Street	274	28	06/11/04	12/30/04	
275	1219 S. Lenoir Street	275	28	06/11/04	12/30/04	
276	1219 S. Lenoir Street	276	28	06/11/04	12/30/04	
277	1219 S. Lenoir Street	277	28			

5. APPLYING PROFESSIONAL JUDGMENT

## Locations Matrix

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5. APPLYING PROFESSIONAL JUDGMENT

## Plans, Specifications, Codes & Standards

1. When you reach this level of analysis, you are addressing the fine points of an allocation.
2. Plans: Make references to plan sheets and details.
3. Specifications: Make references to variations from requirements in the specifications. Copy the pages into the file organized by issue or by party.
4. Codes: Refer to code requirements
5. Standards: Make references by issue or party.

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5. APPLYING PROFESSIONAL JUDGMENT

Case Study

Thom Investments

www.petefowler.com

Thom Investments v Phillips  
Subcontractor Allocation - DEF Scope/ DEF Costs

8/31/2010

#	Subcontractors	Amount
1	East-West Builders Corporation	\$ 23,943.31
2	Mountain Goat Properties	\$ 1,105.96
3	Expert Designers	\$ 46,988.39
4	Can't Crack Concrete	\$ 17,695.30
5	Primo Construction	\$ 40,054.05
6	Martinez Construction	\$ 69,253.67
7	Clearer Doors & Windows	\$ 33,553.99
8	Shining Glass	\$ 25,815.42
9	Caleno	\$ 110,505.86
10	Stellar Stonework	\$ 100,283.78
11	Evo Landscape	\$ 13,754.28
12	Robbie's Air Conditioning	\$ 4,434.24
13	Team Painters	\$ 747.72
14	Scalliff Plumbing	\$ 2,243.17
15	Golden Roofers	\$ 4,423.82
16	Larson's Custom Designs	\$ 747.72
17	NAS Masonry, Inc.	\$ 8,647.27
18	Preferred Pools	\$ 747.72
19	Highway Interiors	\$ 1,300.70
20	PI&J Appliances	\$ -
21	Mountain Peak Sheet Metal	\$ -
22	Stella's Custom Garage Doors	\$ -
23	STS Security	\$ 747.72
24	Fireplaces Extra	\$ -
25	Indigo Inspections	\$ -
26	Parlier Painters	\$ -
27	Madonna Designer	\$ -
28	Insulation Genies	\$ -
29	ACME Power	\$ -
30	Dufur & Sons	\$ -
31	Silver Staff	\$ -
32	Phenix's Landscaping	\$ -
33	Total	\$ 526,964.12

07-318  
40 Allocation of Defense Estimate.xls  
Summary DEF Scope/DEF Costs

For mediation purposes only.  
Printed under all applicable evidence codes.

Page 1 of 35



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## 6. FANCY STUFF



6. FANCY STUFF

## Fancy Stuff

- Document Assumptions
- Allocation by Trade
- Contractor File
- Case Study: Lutheran High School



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6. FANCY STUFF

## Document Assumptions

1. Have paper and electronic files organized by issue and by party. Paper is your friend, IF you are organized. Don't be afraid of stickies and a highlighter.
2. Have a page for notes on each issue and each party in your file. If important information is buried in meeting notes, not organized by issue and/or party, you won't be able to find them in the heat of the moment.
3. If you are relying on memory, rather than organization, then you're screwed.
4. For simple or small allocations, you can make notes in the spreadsheet file. For large or complex work, always make a file for each party.



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6. FANCY STUFF

## Allocation By Trade

1. Sometimes, if there are a lot of locations and a lot of contractors who did the same trade, but in different locations, you might want to make a simplified "Allocation By Trade" matrix that "sits between" your Players List (who did what and where) and the final allocation.
2. Example:
  - A. Players List: Contractor A did 50% of the framing and Contractor B did the remaining.
  - B. Allocation by Trade: 50% of Issue 1 is allocated to the Framer
  - C. Allocation Matrix: Contractors A and B will each get 25% of Issue 1. 50% as the framer, "discounted" 50% since they only did half the work.
3. This gets ridiculously complicated when Contractor A got fired for being an idiot and Contractor B was great.
4. Moral of the story: Document assumptions in the Contractor File

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6. FANCY STUFF

## Contractor File

1. Allocations are complicated
2. Create a file for each party.
3. Handwritten notes are OK.
4. Include the contract, scope, and applicable course of construction documents.
5. If the project is large, make specific notes about what documents were important in your decision making.
6. Have a page at the beginning of each file for notes on each complicated or arguable issue.

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6. FANCY STUFF

## Case Study: Private High School



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6. FANCY STUFF

## Case Study: Private High School



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6. FANCY STUFF

## Case Study: Private High School

Cal Lutheran High School is located at 31970 Central Avenue in Wildomar, CA. The building is a 34,400 square foot slab-on-grade single-story, with a mezzanine, concrete tilt-up constructed in 2001 by design-build contractor Testa Construction, Inc. (Testa). Approximately 16,850 square feet of the building is a gymnasium with wood flooring which is located on the right side of the structure.

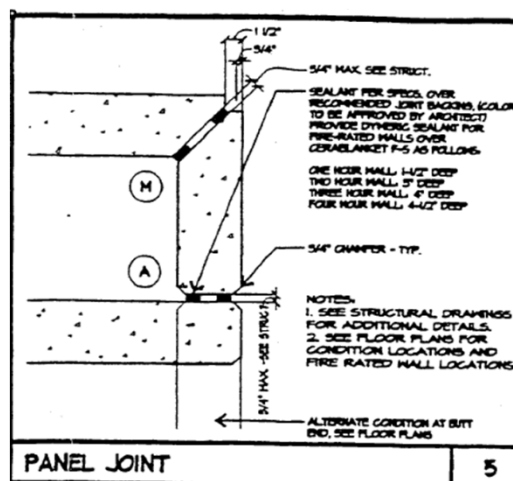
IMAC Construction, Inc. (IMAC), a concrete subcontractor, entered into a contract for \$350,925.00 with Testa dated September 11, 2001. The job had a start date of September 17, 2001 with an estimated completion date on or before November 30, 2001. The contract called for IMAC to provide the concrete, and pour, place and finish the concrete (tilt-up) walls, slabs and foundations, to place all embeds provided by others, to perform sacking and patching as required for a finished product, and to provide joint sealant (caulking).

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6. FANCY STUFF

## Case Study

### PLAN DETAIL AT PANEL JOINTS

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## 6. FANCY STUFF

## Case Study

## SUB-SUBCONTRACT SUMMARY

- Contract between concrete subcontractor and sealant **sub**-subcontractor.
- Dated 9/19/01.
- Contract incorporated plans and specifications dated 5/16/01.
- The scope included sacking and patching wall panels for acceptance of paint, and joint sealant for walls.
- Contract contains unambiguous provisions for warranty and indemnification.

[illegible]

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## 6. FANCY STUFF

## Case Study: *SUB*-SUBCONTRACT ANALYSIS

[illegible]

... by the foregoing, Subcontractor shall pay for all damage to the project resulting from defects in his Work and all costs and expenses necessary to correct, remove, replace and/or repair the Work. Subcontractor will rectify any loss or damage sustained because of a breach of contract by Subcontractor, even if the loss or damage is discovered after more than one (1) year. Prior to final payment, Subcontractor shall submit to Contractor a warranty on Contractor's form.



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6. FANCY STUFF

## Case Study: *FAILED SEALANT JOINTS*



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6. FANCY STUFF

## Case Study: DAMAGE PHOTOGRAPHS



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6. FANCY STUFF

## Case Study

### CONCLUSIONS

1. The Owner had a contract with Testa to deliver a building suitable for its intended purpose.
2. Testa had a contract with IMAC with unambiguous language related to conformance with the plans, specifications, guarantee and warranty, indemnification and construction industry standards.
3. IMAC had a contract with XXXX Waterproofing with unambiguous language related to conformance with plans, specifications, guarantee and warranty, indemnification and construction industry standards.
4. IMAC contracted with XXXX Waterproofing to perform specialty work for which XXXX Waterproofing had expertise.

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6. FANCY STUFF

## Case Study

### CONCLUSIONS

5. XXXX Waterproofing's contract with IMAC has unambiguous language related to guarantee, warranty and indemnification of IMAC by XXXX for damages caused by XXXX's work.
6. XXXX Waterproofing's work on this project did not conform to industry standards and it did not perform consistent with the expected service life of this material.
7. Damage was caused by XXXX Waterproofing's work.
8. Repairs were required due to XXXX Waterproofing's work.
9. IMAC paid the Owner and/or General Contractor for repairs and damages caused by the work of XXXX Waterproofing. XXXX Waterproofing should pay IMAC for the costs associated with the repairs and damages.

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6. FANCY STUFF

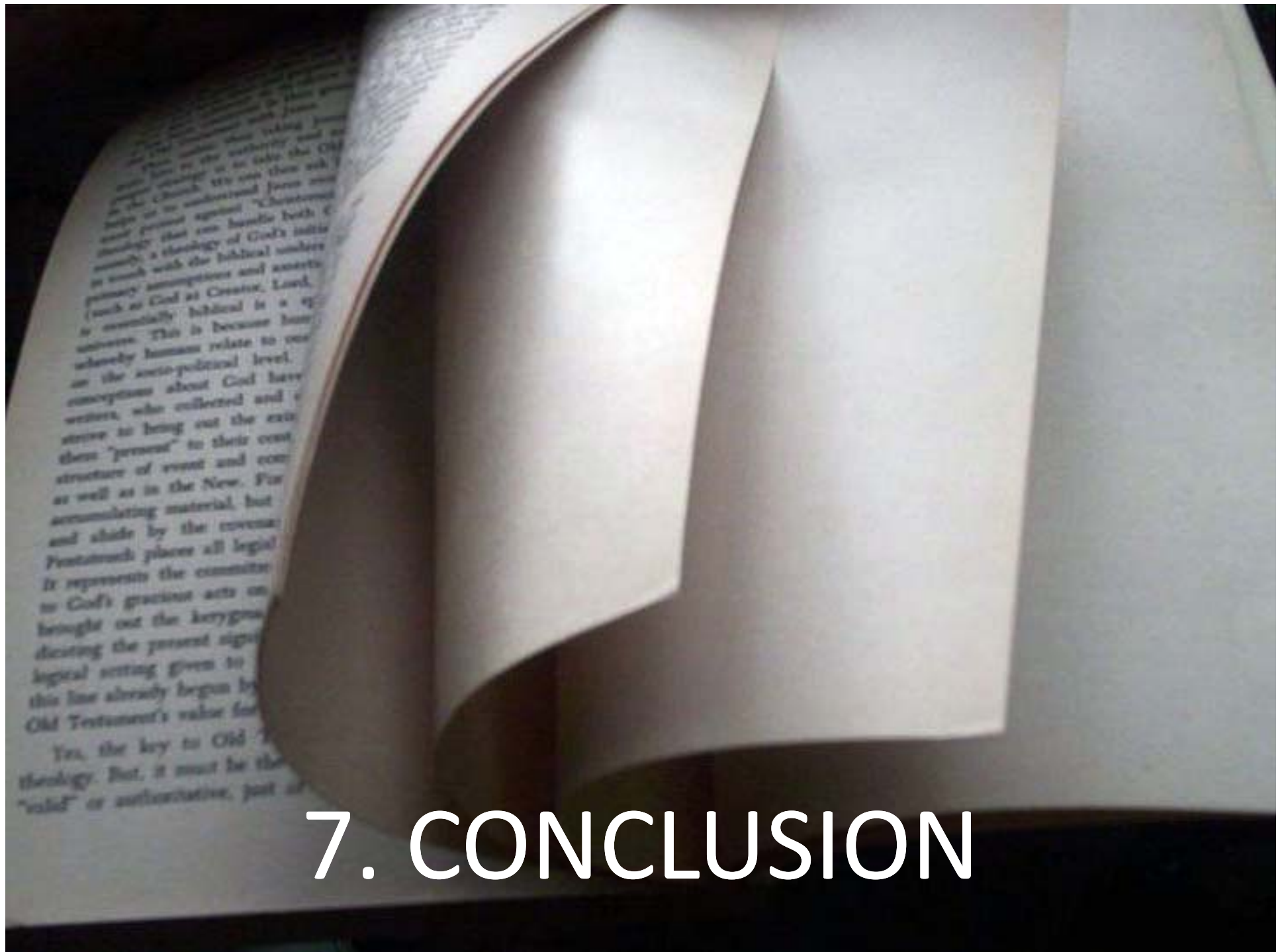
## Case Study

### ACTIONS AND RESULTS

1. PFCS investigated and analyzed issues related to concrete subcontractor. Original allegations of \$1.5 million for repairs.
2. Concrete subcontractor settled for \$300,000 due to poor sealant work that was contracted for with the general contractor.
3. The concrete subcontractor sub-subcontracted to the sealant sub-subcontractor, who refused to participate in underlying litigation.
4. Concrete subcontractor sued sealant sub-subcontractor for reimbursement of \$300,000 plus \$92,000 in expenses.
5. PFCS testified to our Conclusions.
6. After a week of trial, the jury returned a unanimous verdict awarding the concrete subcontractor \$392,000.



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## 7. CONCLUSION

7. CONCLUSION

## Conclusion

- Learning Objectives
- Program Outline
- Back-up Materials
- Webinar Materials/CE Certificate
- Feedback



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7. CONCLUSION

## Learning Objectives

1. Understand the mechanics of allocating defects to responsible parties
2. Understand which parts of the process are “science.” That is, mostly unarguable.
3. Understand which parts of the process include the “art” of applying professional judgment. That is, arguable.
4. Review some case studies and real world examples of allocation in action.



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7. CONCLUSION

## Program Outline

1. Program Introduction
2. Analyzing Construction Defects
3. A Sensible List
4. First Pass Allocation Methods
5. Applying Professional Judgment
6. Fancy Stuff
7. Conclusion



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7. CONCLUSION

## Back-Up Materials

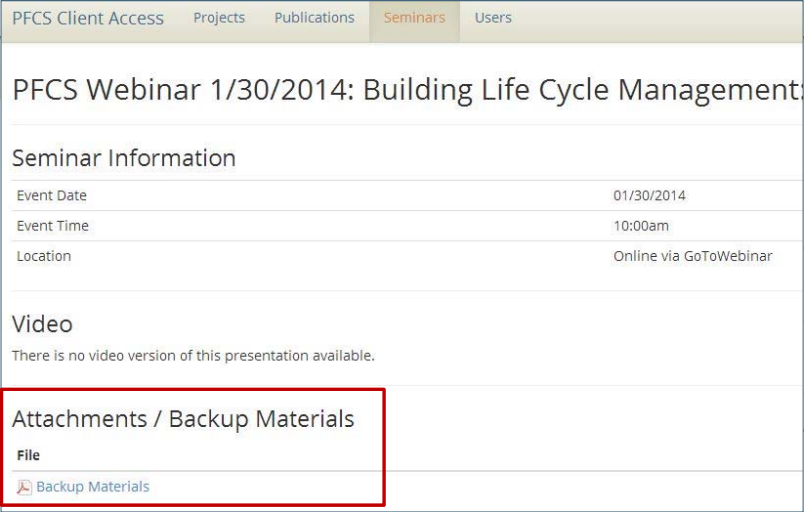
1. Section 4: Dogby v Awesome Contracting
2. Section 5: Thom Investments v Phillips



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7. CONCLUSION

## Webinar Materials



PFCS Client Access Projects Publications **Seminars** Users

PFCS Webinar 1/30/2014: Building Life Cycle Management

Seminar Information


Event Date	01/30/2014
Event Time	10:00am
Location	Online via GoToWebinar


Video

There is no video version of this presentation available.

Attachments / Backup Materials

File

 Backup Materials

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7. CONCLUSION

## CE CERTIFICATES WILL BE SENT OUT WITHIN 3 BUSINESS DAYS

*(There is no need to contact us, Certificates of Attendance are sent to all who logged in for the seminar).*

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7. CONCLUSION

## Your Feedback is Important

### SURVEY SAYS!



You will receive a survey link immediately following the webinar. We put a lot of effort into providing these programs free of charge, we just ask that you take a few seconds to leave your feedback on today's presentation

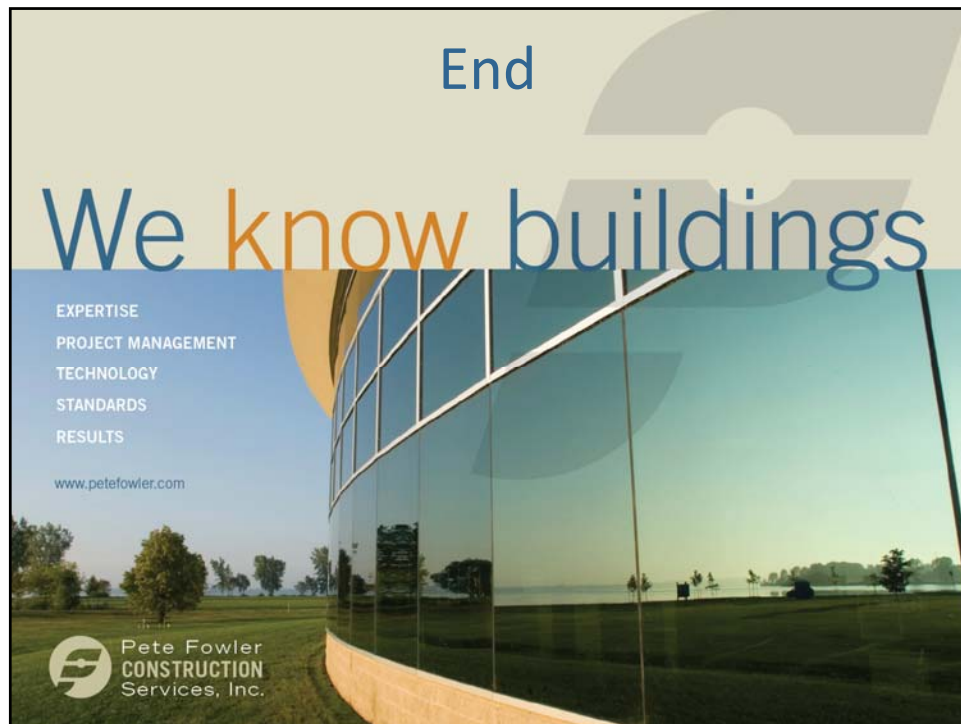


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Join us for our next WEBINAR:  
**Expert Qualification,  
Designation & Declarations**  
Wednesday, March 16, 2016 at  
10:00 A.M. PST



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# Dogby v Awesome Contracting

## PLTF Cost Allocation - Summary

#	Subcontractors	Trade	Status	Amount
1	Pour IT Concrete	Concrete Slabs and Flatwork		\$ 180,052.34
2	Sleek Fabrication	Structural Steel		\$ 137,095.69
3	TinPan Sheetmetal	Sheetmetal	No Allocation	\$ -
4	Lift, Inc.	Elevator		\$ 100,536.84
5	Fireside Manner	Fireplace and Chimney	No Allocation	\$ -
6	Stairs Go Up	Stairs, Railings, etc.	No Allocation	\$ -
7	123 Corporation	Gyp-crete	Dismissed/No Allocation	\$ -
8	ABC Carpet & Tile	Floor Covering: Carpet	No Allocation	\$ -
9	Drywall Company	Drywall	Dismissed/No Allocation	\$ -
10	We Make Cabinets	Cabinets	No Allocation	\$ -
11	Lighting4U	Lighting Fixtures	No Allocation	\$ -
12	Rooftop Roofing, Inc.	Roofing	No Allocation	\$ -
13	Dirt Landscaping	Landscaping	No Allocation	\$ -
14	Fenses that Work	Wrought Iron Fence		\$ 12,863.30
15	Easy Livin Furniture	Finish Carpentry	No Allocation	\$ -
16	We Do Stakes	Staking	No Allocation	\$ -
17	Drippy Raingutter	Raingutters	No Allocation	\$ -
18	Even Grading	Grading		\$ 78,601.53
19	Board Feet Lumber	Supplier	No Allocation	\$ -
20	XYZ, Inc.	WP Supplier	No Allocation	\$ -
21	Sons and Daughters at Work	Finish Carpentry: Assume crown, doors (incl. at elevator), etc.		\$ 93,933.68
22	Ungeneral Electric	Electrical	Dismissed	\$ 4,569.86
23	Painting by Numbers	Painting	No Allocation	\$ -
24	No More Leaky Decks	Waterproof Deck		\$ 56,077.22
25	Choo-Choo Railing Systems	Handrail/Guardrail	No Allocation	\$ -
26	Coal Black Iron Works	Wrought Iron Fence		\$ 6,431.65
27	Anyday Plumbing, Inc.	Plumbing	No Allocation	\$ -
28	Instant Concrete Co.	Front and Back Colored Concrete	Dismissed	\$ 12,434.52
29	Much More Masonry	Foundation and Retaining Walls	Dismissed	\$ 77,179.80
30	In and Out Door Company	Window & Door Supplier		\$ 10,358.34
31	Twinkle Lighting, LLC	Landscape Lighting	Dismissed/No Allocation	\$ -
32	Uneven Grading, Co.	Rough Grading		\$ 78,601.53
33	Slip and Slide Tile & Marble	Tile		\$ 142,122.53
34	We Do It All	General Contractor		\$ 163,177.72
35	Pretty Pool and Repair	Pool and Yard Improvements		\$ 288,352.30
36	Graffiti Painters, LLC	Painting		\$ 10,358.34
37	Greco-Roman Supplies	Counter Tops	Dismissed/No Allocation	\$ -
38	123 Construction	Framing		\$ 345,402.16
39	Stucco & Plastering Co.	Stucco		\$ 12,710.97
40	Pool Associates, Inc.	Pool Designer		\$ 30,014.37
41	How to HVAC	HVAC		\$ 11,317.45
42	Engineering Associates	Structural Engineering		\$ 220,724.06
43	GEO Company	Geotechnical Engineer		\$ 147,149.38
44	South by South West, Inc.	Decorative Columns & Balustrade	No Allocation	\$ -
45	Civil Engineer	Civil Design	No Allocation	\$ -
46	XXX Group, Inc.	Architectural Design		\$ 18,024.42
47	UnNamed Construction, Inc	Cabinets	No Allocation	\$ -
48	<b>Total</b>			\$ 2,238,090.00

## PLTF Cost Allocation - Details

			Project Cost	
#	Item	Description	Total	Notes
1	1.0	<b>RESIDENCE</b>		
2	1.1	Building Movement - Interior Finish Distress	\$ 1,370,956.92	Soils Engineer, Structural Engineer, Architectural Designer, Grading, Structural Steel, Concrete, Framers, Finish Carpenter, Wall / Shower Tile, Counter Tile for solid grout at horizontal counter to vertical wall (splash), General Contractor.
3	1.2	Building Movement - Interior Assembly Movement		Soils Engineer, Structural Steel, Structural Engineer, Grading, Structural Steel, Concrete, Framers, Finish Carpenter, Wall / Shower Tile, Counter Tile for solid grout at horizontal counter to vertical wall (splash), General Contractor.
4	1.3	Building Movement - Residence Foundation Movement	\$ 100,536.84	Soils Engineer, Structural Engineer, Grading, Concrete, Framers, Floor Tile, General Contractor.
5	1.4	Framing Failures - Ponding at Exterior Wood Frame Deck	\$ 85,755.33	1.4 Deck Waterproofer, Framers; 1.7 Deck Waterproofer, Framers.
6	1.5	Framing Failures - Improper Weather Step at Exterior Wood Frame Deck	\$ 54,838.28	Architectural Designer, Framers, Finish Carpenter (Door Installer), Deck Waterproofer, Window & Door Supplier, Painter, General Contractor.
7	1.6	Moisture Intrusion - Failure of Below Grade Waterproofing		General Contractor.
8	1.7	Moisture Intrusion - Failure of Main Level Deck Waterproofing		Deck Waterproofer, Framers.
9	1.8	Balustrade - Defective Installation of Precast Concrete Balustrade	\$ 60,028.73	Balustrade Installer/Pool Contractor.
10	1.9	Deck Stairway - Defective Installation		Pool Contractor.
11	1.10	Buried Weep Screed	\$ 24,869.05	Concrete Flatwork, Issue 1.19 Architectural Designer, Deck Waterproofer, Finish Carpenter.
12	1.11	Exterior Doors - Defective Installation	\$ 6,397.80	Finish Carpenter (Door Installer), Painter, Door Supplier / Manufacturer.
13	1.12	Finish Carpentry - Crown Molding	\$ 10,053.68	Finish Carpenter.
14	1.13	Stucco - Improper Finish Work at Exterior Windows	\$ 1,286.33	Stucco.
15	1.14	Electrical - Shorts and Failures	\$ 4,569.86	Electrician.
16	1.15	Electrical - Incomplete, Open Electrical		Electrician.
17	1.16	Elevator - Non-Compliant with State Law	\$ 100,536.84	Elevator Installer.
18	1.17	Moisture Intrusion - Attic Mechanical	\$ 2,741.91	HVAC.
19	1.18	Defective Weather Step: At Maid's Room	\$ 45,698.56	Architectural Designer, Concrete Foundation & Flatwork, Stucco. General Contractor.
20	1.19	Threshold Transition - Defective Design/Construction		Architectural Designer, Deck Waterproofer, Finish Carpenter.
21	2.0	<b>SITE</b>		
22	2.1	HVAC - Condensers Clearances	\$ 8,575.53	HVAC.
23	2.2	Site Concrete - Cracking, Lifting, Separating	\$ 111,053.15	Pool Contractor.
24	2.3	Waterfall - Defective Design and/ or Installation	\$ 60,028.73	Pool Designer, Pool Contractor.
25	2.4	Electrical - Defective Electrical		Electrician, Pool Contractor.
26	2.5	Retaining Walls - Waterproofing	\$ 77,179.80	Site Retaining Wall Contractor.
27	2.6	Wrought Iron (fencing)	\$ 25,726.60	Wrought Iron Fence Installer, General Contractor.
28	2.7	Pool - Water Level	\$ 87,256.05	Pool Contractor.
29	2.8	Pool - Waterfall Basin Defective Design		Pool Contractor.
30	2.9	Pool - Pool and Jacuzzi General Plumbing Issues		Pool Contractor.
31	2.10	Pool Remote Control		Pool Contractor.
32		<b>Total Project Cost</b>	\$ 2,238,090.00	

# Dogby v Awesome Contracting

## PLTF Cost Allocation - Details

				<b>Pour IT Concrete</b>	
			<b>Project Cost</b>	<b>Concrete Slabs and Flatwork</b>	
#	Item	Description	Total	%	Total
1	<b>1.0</b>	<b>RESIDENCE</b>			
2	1.1	Building Movement - Interior Finish Distress	\$ 1,370,956.92	10%	\$ 137,095.69
3	1.2	Building Movement - Interior Assembly Movement		10%	
4	1.3	Building Movement - Residence Foundation Movement	\$ 100,536.84	20%	\$ 20,107.37
5	1.4	Framing Failures - Ponding at Exterior Wood Frame Deck	\$ 85,755.33	0%	\$ -
6	1.5	Framing Failures - Improper Weather Step at Exterior Wood Frame Deck	\$ 54,838.28	0%	\$ -
7	1.6	Moisture Intrusion - Failure of Below Grade Waterproofing		0%	\$ -
8	1.7	Moisture Intrusion - Failure of Main Level Deck Waterproofing			
9	1.8	Balustrade - Defective Installation of Precast Concrete Balustrade	\$ 60,028.73	0%	\$ -
10	1.9	Deck Stairway - Defective Installation		0%	\$ -
11	1.10	Buried Weep Screed	\$ 24,869.05	0%	\$ -
12	1.11	Exterior Doors - Defective Installation	\$ 6,397.80	0%	\$ -
13	1.12	Finish Carpentry - Crown Molding	\$ 10,053.68	0%	\$ -
14	1.13	Stucco - Improper Finish Work at Exterior Windows	\$ 1,286.33	0%	\$ -
15	1.14	Electrical - Shorts and Failures	\$ 4,569.86	0%	\$ -
16	1.15	Electrical - Incomplete, Open Electrical			
17	1.16	Elevator - Non-Compliant with State Law	\$ 100,536.84	0%	\$ -
18	1.17	Moisture Intrusion - Attic Mechanical	\$ 2,741.91	0%	\$ -
19	1.18	Defective Weather Step: At Maid's Room	\$ 45,698.56	50%	\$ 22,849.28
20	1.19	Threshold Transition - Defective Design/Construction			
21	<b>2.0</b>	<b>SITE</b>			
22	2.1	HVAC - Condensers Clearances	\$ 8,575.53	0%	\$ -
23	2.2	Site Concrete - Cracking, Lifting, Separating	\$ 111,053.15	0%	\$ -
24	2.3	Waterfall - Defective Design and/ or Installation	\$ 60,028.73	0%	\$ -
25	2.4	Electrical - Defective Electrical			
26	2.5	Retaining Walls - Waterproofing	\$ 77,179.80	0%	\$ -
27	2.6	Wrought Iron (fencing)	\$ 25,726.60	0%	\$ -
28	2.7	Pool - Water Level	\$ 87,256.05	0%	\$ -
29	2.8	Pool - Waterfall Basin Defective Design			
30	2.9	Pool - Pool and Jacuzzi General Plumbing Issues			
31	2.10	Pool Remote Control			
32		<b>Total Project Cost</b>	<b>\$ 2,238,090.00</b>		<b>\$ 180,052.34</b>

# Dogby v Awesome Contracting

## PLTF Cost Allocation - Details

				<b>Sleek Fabrication</b>	
			<b>Project Cost</b>	<b>Structural Steel</b>	
#	Item	Description	Total	%	Total
1	<b>1.0</b>	<b>RESIDENCE</b>			
2	1.1	Building Movement - Interior Finish Distress	\$ 1,370,956.92	10%	\$ 137,095.69
3	1.2	Building Movement - Interior Assembly Movement		10%	
4	1.3	Building Movement - Residence Foundation Movement	\$ 100,536.84	0%	\$ -
5	1.4	Framing Failures - Ponding at Exterior Wood Frame Deck	\$ 85,755.33	0%	\$ -
6	1.5	Framing Failures - Improper Weather Step at Exterior Wood Frame Deck	\$ 54,838.28	0%	\$ -
7	1.6	Moisture Intrusion - Failure of Below Grade Waterproofing		0%	\$ -
8	1.7	Moisture Intrusion - Failure of Main Level Deck Waterproofing			
9	1.8	Balustrade - Defective Installation of Precast Concrete Balustrade	\$ 60,028.73	0%	\$ -
10	1.9	Deck Stairway - Defective Installation		0%	\$ -
11	1.10	Buried Weep Screed	\$ 24,869.05	0%	\$ -
12	1.11	Exterior Doors - Defective Installation	\$ 6,397.80	0%	\$ -
13	1.12	Finish Carpentry - Crown Molding	\$ 10,053.68	0%	\$ -
14	1.13	Stucco - Improper Finish Work at Exterior Windows	\$ 1,286.33	0%	\$ -
15	1.14	Electrical - Shorts and Failures	\$ 4,569.86	0%	\$ -
16	1.15	Electrical - Incomplete, Open Electrical			
17	1.16	Elevator - Non-Compliant with State Law	\$ 100,536.84	0%	\$ -
18	1.17	Moisture Intrusion - Attic Mechanical	\$ 2,741.91	0%	\$ -
19	1.18	Defective Weather Step: At Maid's Room	\$ 45,698.56	0%	\$ -
20	1.19	Threshold Transition - Defective Design/Construction			
21	<b>2.0</b>	<b>SITE</b>			
22	2.1	HVAC - Condensers Clearances	\$ 8,575.53	0%	\$ -
23	2.2	Site Concrete - Cracking, Lifting, Separating	\$ 111,053.15	0%	\$ -
24	2.3	Waterfall - Defective Design and/ or Installation	\$ 60,028.73	0%	\$ -
25	2.4	Electrical - Defective Electrical			
26	2.5	Retaining Walls - Waterproofing	\$ 77,179.80	0%	\$ -
27	2.6	Wrought Iron (fencing)	\$ 25,726.60	0%	\$ -
28	2.7	Pool - Water Level	\$ 87,256.05	0%	\$ -
29	2.8	Pool - Waterfall Basin Defective Design			
30	2.9	Pool - Pool and Jacuzzi General Plumbing Issues			
31	2.10	Pool Remote Control			
32		<b>Total Project Cost</b>	<b>\$ 2,238,090.00</b>		<b>\$ 137,095.69</b>

# Dogby v Awesome Contracting

## PLTF Cost Allocation - Details

				<b>Lift, Inc.</b>	
			<b>Project Cost</b>	<b>Elevator</b>	
#	Item	Description	Total	%	
1	<b>1.0</b>	<b>RESIDENCE</b>			
2	1.1	Building Movement - Interior Finish Distress	\$ 1,370,956.92	0%	\$ -
3	1.2	Building Movement - Interior Assembly Movement			
4	1.3	Building Movement - Residence Foundation Movement	\$ 100,536.84	0%	\$ -
5	1.4	Framing Failures - Ponding at Exterior Wood Frame Deck	\$ 85,755.33	0%	\$ -
6	1.5	Framing Failures - Improper Weather Step at Exterior Wood Frame Deck	\$ 54,838.28	0%	\$ -
7	1.6	Moisture Intrusion - Failure of Below Grade Waterproofing		0%	\$ -
8	1.7	Moisture Intrusion - Failure of Main Level Deck Waterproofing			
9	1.8	Balustrade - Defective Installation of Precast Concrete Balustrade	\$ 60,028.73	0%	\$ -
10	1.9	Deck Stairway - Defective Installation		0%	\$ -
11	1.10	Buried Weep Screed	\$ 24,869.05	0%	\$ -
12	1.11	Exterior Doors - Defective Installation	\$ 6,397.80	0%	\$ -
13	1.12	Finish Carpentry - Crown Molding	\$ 10,053.68	0%	\$ -
14	1.13	Stucco - Improper Finish Work at Exterior Windows	\$ 1,286.33	0%	\$ -
15	1.14	Electrical - Shorts and Failures	\$ 4,569.86	0%	\$ -
16	1.15	Electrical - Incomplete, Open Electrical			
17	1.16	Elevator - Non-Compliant with State Law	\$ 100,536.84	100%	\$ 100,536.84
18	1.17	Moisture Intrusion - Attic Mechanical	\$ 2,741.91	0%	\$ -
19	1.18	Defective Weather Step: At Maid's Room	\$ 45,698.56	0%	\$ -
20	1.19	Threshold Transition - Defective Design/Construction			
21	<b>2.0</b>	<b>SITE</b>			
22	2.1	HVAC - Condensers Clearances	\$ 8,575.53	0%	\$ -
23	2.2	Site Concrete - Cracking, Lifting, Separating	\$ 111,053.15	0%	\$ -
24	2.3	Waterfall - Defective Design and/ or Installation	\$ 60,028.73	0%	\$ -
25	2.4	Electrical - Defective Electrical			
26	2.5	Retaining Walls - Waterproofing	\$ 77,179.80	0%	\$ -
27	2.6	Wrought Iron (fencing)	\$ 25,726.60	0%	\$ -
28	2.7	Pool - Water Level	\$ 87,256.05	0%	\$ -
29	2.8	Pool - Waterfall Basin Defective Design			
30	2.9	Pool - Pool and Jacuzzi General Plumbing Issues			
31	2.10	Pool Remote Control			
32		<b>Total Project Cost</b>	<b>\$ 2,238,090.00</b>		<b>\$ 100,536.84</b>

# Dogby v Awesome Contracting

## PLTF Cost Allocation - Details

				Fences That Work	
			Project Cost	Wrought Iron Fence	
#	Item	Description	Total		
1	<b>1.0</b>	<b>RESIDENCE</b>			
2	1.1	Building Movement - Interior Finish Distress	\$ 1,370,956.92	0%	\$ -
3	1.2	Building Movement - Interior Assembly Movement			
4	1.3	Building Movement - Residence Foundation Movement	\$ 100,536.84	0%	\$ -
5	1.4	Framing Failures - Ponding at Exterior Wood Frame Deck	\$ 85,755.33	0%	\$ -
6	1.5	Framing Failures - Improper Weather Step at Exterior Wood Frame Deck	\$ 54,838.28	0%	\$ -
7	1.6	Moisture Intrusion - Failure of Below Grade Waterproofing		0%	\$ -
8	1.7	Moisture Intrusion - Failure of Main Level Deck Waterproofing			
9	1.8	Balustrade - Defective Installation of Precast Concrete Balustrade	\$ 60,028.73	0%	\$ -
10	1.9	Deck Stairway - Defective Installation		0%	\$ -
11	1.10	Buried Weep Screed	\$ 24,869.05	0%	\$ -
12	1.11	Exterior Doors - Defective Installation	\$ 6,397.80	0%	\$ -
13	1.12	Finish Carpentry - Crown Molding	\$ 10,053.68	0%	\$ -
14	1.13	Stucco - Improper Finish Work at Exterior Windows	\$ 1,286.33	0%	\$ -
15	1.14	Electrical - Shorts and Failures	\$ 4,569.86	0%	\$ -
16	1.15	Electrical - Incomplete, Open Electrical		0%	\$ -
17	1.16	Elevator - Non-Compliant with State Law	\$ 100,536.84	0%	\$ -
18	1.17	Moisture Intrusion - Attic Mechanical	\$ 2,741.91	0%	\$ -
19	1.18	Defective Weather Step: At Maid's Room	\$ 45,698.56	0%	\$ -
20	1.19	Threshold Transition - Defective Design/Construction			
21	<b>2.0</b>	<b>SITE</b>			
22	2.1	HVAC - Condensers Clearances	\$ 8,575.53	0%	\$ -
23	2.2	Site Concrete - Cracking, Lifting, Separating	\$ 111,053.15	0%	\$ -
24	2.3	Waterfall - Defective Design and/ or Installation	\$ 60,028.73	0%	\$ -
25	2.4	Electrical - Defective Electrical		0%	\$ -
26	2.5	Retaining Walls - Waterproofing	\$ 77,179.80	0%	\$ -
27	2.6	Wrought Iron (fencing)	\$ 25,726.60	50%	\$ 12,863.30
28	2.7	Pool - Water Level	\$ 87,256.05	0%	\$ -
29	2.8	Pool - Waterfall Basin Defective Design			
30	2.9	Pool - Pool and Jacuzzi General Plumbing Issues			
31	2.10	Pool Remote Control			
32		<b>Total Project Cost</b>	<b>\$ 2,238,090.00</b>		<b>\$ 12,863.30</b>

# Dogby v Awesome Contracting

## PLTF Cost Allocation - Details

				XXX Group, Inc.	
			Project Cost	Architectural Designer	
#	Item	Description	Total	%	Total
1	<b>1.0</b>	<b>RESIDENCE</b>			
2	1.1	Building Movement - Interior Finish Distress	\$ 1,370,956.92	0%	\$ -
3	1.2	Building Movement - Interior Assembly Movement		0%	
4	1.3	Building Movement - Residence Foundation Movement	\$ 100,536.84	0%	\$ -
5	1.4	Framing Failures - Ponding at Exterior Wood Frame Deck	\$ 85,755.33	0%	\$ -
6	1.5	Framing Failures - Improper Weather Step at Exterior Wood Frame Deck	\$ 54,838.28	20%	\$ 10,967.66
7	1.6	Moisture Intrusion - Failure of Below Grade Waterproofing		0%	\$ -
8	1.7	Moisture Intrusion - Failure of Main Level Deck Waterproofing			
9	1.8	Balustrade - Defective Installation of Precast Concrete Balustrade	\$ 60,028.73	0%	\$ -
10	1.9	Deck Stairway - Defective Installation		0%	\$ -
11	1.10	Buried Weep Screed	\$ 24,869.05	10%	\$ 2,486.90
12	1.11	Exterior Doors - Defective Installation	\$ 6,397.80	0%	\$ -
13	1.12	Finish Carpentry - Crown Molding	\$ 10,053.68	0%	\$ -
14	1.13	Stucco - Improper Finish Work at Exterior Windows	\$ 1,286.33	0%	\$ -
15	1.14	Electrical - Shorts and Failures	\$ 4,569.86	0%	\$ -
16	1.15	Electrical - Incomplete, Open Electrical			
17	1.16	Elevator - Non-Compliant with State Law	\$ 100,536.84	0%	\$ -
18	1.17	Moisture Intrusion - Attic Mechanical	\$ 2,741.91	0%	\$ -
19	1.18	Defective Weather Step: At Maid's Room	\$ 45,698.56	10%	\$ 4,569.86
20	1.19	Threshold Transition - Defective Design/Construction		33%	
21	<b>2.0</b>	<b>SITE</b>			
22	2.1	HVAC - Condensers Clearances	\$ 8,575.53	0%	\$ -
23	2.2	Site Concrete - Cracking, Lifting, Separating	\$ 111,053.15	0%	\$ -
24	2.3	Waterfall - Defective Design and/ or Installation	\$ 60,028.73	0%	\$ -
25	2.4	Electrical - Defective Electrical			
26	2.5	Retaining Walls - Waterproofing	\$ 77,179.80	0%	\$ -
27	2.6	Wrought Iron (fencing)	\$ 25,726.60	0%	\$ -
28	2.7	Pool - Water Level	\$ 87,256.05	0%	\$ -
29	2.8	Pool - Waterfall Basin Defective Design			
30	2.9	Pool - Pool and Jacuzzi General Plumbing Issues			
31	2.10	Pool Remote Control			
32		<b>Total Project Cost</b>	\$ 2,238,090.00		\$ 18,024.42

# Dogby v Awesome Contracting

## PLTF Cost Allocation - Details

				<b>Total</b>	
			<b>Project Cost</b>		
#	Item	Description	Total	%	Total
1	<b>1.0</b>	<b>RESIDENCE</b>			
2	1.1	Building Movement - Interior Finish Distress	\$ 1,370,956.92	100%	\$ 1,370,956.92
3	1.2	Building Movement - Interior Assembly Movement		100%	\$ -
4	1.3	Building Movement - Residence Foundation Movement	\$ 100,536.84	100%	\$ 100,536.84
5	1.4	Framing Failures - Ponding at Exterior Wood Frame Deck	\$ 85,755.33	100%	\$ 85,755.33
6	1.5	Framing Failures - Improper Weather Step at Exterior Wood Frame Deck	\$ 54,838.28	100%	\$ 54,838.28
7	1.6	Moisture Intrusion - Failure of Below Grade Waterproofing		100%	\$ -
8	1.7	Moisture Intrusion - Failure of Main Level Deck Waterproofing		100%	\$ -
9	1.8	Balustrade - Defective Installation of Precast Concrete Balustrade	\$ 60,028.73	100%	\$ 60,028.73
10	1.9	Deck Stairway - Defective Installation		100%	\$ -
11	1.10	Buried Weep Screed	\$ 24,869.05	100%	\$ 24,869.05
12	1.11	Exterior Doors - Defective Installation	\$ 6,397.80	100%	\$ 6,397.80
13	1.12	Finish Carpentry - Crown Molding	\$ 10,053.68	100%	\$ 10,053.68
14	1.13	Stucco - Improper Finish Work at Exterior Windows	\$ 1,286.33	100%	\$ 1,286.33
15	1.14	Electrical - Shorts and Failures	\$ 4,569.86	100%	\$ 4,569.86
16	1.15	Electrical - Incomplete, Open Electrical		100%	\$ -
17	1.16	Elevator - Non-Compliant with State Law	\$ 100,536.84	100%	\$ 100,536.84
18	1.17	Moisture Intrusion - Attic Mechanical	\$ 2,741.91	100%	\$ 2,741.91
19	1.18	Defective Weather Step: At Maid's Room	\$ 45,698.56	100%	\$ 45,698.56
20	1.19	Threshold Transition - Defective Design/Construction		100%	\$ -
21	<b>2.0</b>	<b>SITE</b>			\$ -
22	2.1	HVAC - Condensers Clearances	\$ 8,575.53	100%	\$ 8,575.53
23	2.2	Site Concrete - Cracking, Lifting, Separating	\$ 111,053.15	100%	\$ 111,053.15
24	2.3	Waterfall - Defective Design and/ or Installation	\$ 60,028.73	100%	\$ 60,028.73
25	2.4	Electrical - Defective Electrical		100%	\$ -
26	2.5	Retaining Walls - Waterproofing	\$ 77,179.80	100%	\$ 77,179.80
27	2.6	Wrought Iron (fencing)	\$ 25,726.60	100%	\$ 25,726.60
28	2.7	Pool - Water Level	\$ 87,256.05	100%	\$ 87,256.05
29	2.8	Pool - Waterfall Basin Defective Design		100%	\$ -
30	2.9	Pool - Pool and Jacuzzi General Plumbing Issues		100%	\$ -
31	2.10	Pool Remote Control		100%	\$ -
32		<b>Total Project Cost</b>	\$ 2,238,090.00		\$ 2,238,090.00



*Subcontractor Allocation - DEF Scope/ DEF Costs*

#	Subcontractors	Amount
1	East-West Builders Corporation	\$ 23,943.31
2	Mountain Goat Properties	\$ 1,105.96
3	Expert Designers	\$ 46,988.39
4	Can't Crack Concrete	\$ 17,695.30
5	Prime Construction	\$ 40,054.05
6	Martinez Construction	\$ 69,253.67
7	Clover Doors & Windows	\$ 53,553.99
8	Shining Glass	\$ 25,815.42
9	Calexo	\$ 110,505.86
10	Stellar Stonework	\$ 100,283.78
11	Eco Landscape	\$ 13,724.28
12	Robbie's Air Conditioning	\$ 4,434.24
13	Team Painters	\$ 747.72
14	Scialli Plumbing	\$ 2,243.17
15	Golden Roofers	\$ 4,423.82
16	Larissa's Custom Designs	\$ 747.72
17	NAS Masonry, Inc.	\$ 8,647.27
18	Preferred Pools	\$ 747.72
19	Rightway Interiors	\$ 1,300.70
20	PB&J Appliances	\$ -
21	Mountain Peak Sheet Metal	\$ -
22	Stella's Custom Garage Doors	\$ -
23	STS Security	\$ 747.72
24	Fireplaces Extra	\$ -
25	Gadget Inspections	\$ -
26	Panther Painters	\$ -
27	Madonna Designer	\$ -
28	Insulation Geniuses	\$ -
29	ACME Power	\$ -
30	Dafoe & Sons	\$ -
31	Silver Steel	\$ -
32	Phoenix Landscaping	\$ -
33	Total	\$ 526,964.12

**Thom Investments v Phillips**  
*Subcontractor Allocation - Defense Scope/ Defense Costs*

							<b>Project Cost</b>
<b>Line #</b>	<b>PFCS Item</b>	<b>Pltf Issue</b>	<b>Description</b>	<b>Notes</b>	<b>Qty.</b>	<b>Unit</b>	<b>Total</b>
1	1.0	D2-1, D2-2	Rear Yard Pad, Pool, Jacuzzi, Rear Yard Improvements	No repair	1	ls	\$ -
2	2.0	D2-3, D2-4	Flatwork, Landscape and Pool pump equipment	No repair	1	ls	\$ -
3	3.0	D2-5	Addition Encroaches 6" into F-Yard Setback	Get variance	1	ls	\$ 22,119.12
4	4.0	D2-6	Lot Compaction - Lot Soils Report	No repair	1	ls	\$ -
5	5.0	D2-7	Precise Grade and Site Drainage	Per Terra Pacific	1	ls	\$ 14,746.08
6	6.0	D3-1	Concrete Flatwork	No repair	1	ls	\$ -
7	7.0	D3-2	Cold joint between the main building & addition	Epoxy	1	ls	\$ 14,746.08
8	8.0	D3-3	Cracks at shower, distortion of wall at Bedroom 3	Replace shwr.	1	ls	\$ 14,746.08
9	9.0	D3-4	Slab: High vapor emission due to high permeability	No repair	1	ls	\$ -
10	10.0	D3-5	Foundation: Inadequately sized footings	No repair	1	ls	\$ -
11	11.0	D3-6	Uplift hardware does not meet requirements	No repair	1	ls	\$ -
12	12.0	D6-1	Discontinues transfer at shear panels	No repair	1	ls	\$ -
13	13.0	D6-2	Lack of support of sub ceiling at family room	No repair	1	ls	\$ -
14	14.0	D6-3	Notching of Glu-Lam Beams in living and dining areas	No repair	1	ls	\$ -
15	15.0	D6-4	Notching of wood beams throughout north patio area	No repair	1	ls	\$ -
16	16.0	D6-5	Improper fastening of false beams	No repair	1	ls	\$ -
17	17.0	D7-1	Stucco-Flashing: Leaks through window flashing	Reset all	1	ls	\$ 86,264.58
18	18.0	D7-2	Planter Wall Waterproofing		1	ls	\$ 17,695.30
19	19.0	D7-3	Lack of drip edge at garage door headers		1	ls	\$ 2,211.91
20	20.0	D7-4	Stucco Building Walls and on Retaining Wall	Crack Isolation	1	ls	\$ 58,984.33
21	21.0	D7-5	Stucco-Exposed Framing-Envelope Throughout	No repair	1	ls	\$ -
22	22.0	D7-6	Stone Columns - Stucco	Clean	1	ls	\$ 1,642.86
23	23.0	D7-7	Screed set with gap	No repair	1	ls	\$ -
24	24.0	D7-8	Buried weep screed	No repair	1	ls	\$ -
25	25.0	D7-9	Roof: See Appendix B	Tune up	1	ls	\$ 4,423.82
26	26.0	D8-1	Doors: Interior doors at exterior application	Further anal. reqd.	1	ls	\$ 14,746.08
27	27.0	D8-2	Doors: Front door is mis-cut and improperly mounted	No repair	1	ls	\$ -
28	28.0	D9-1	Tile Floor: Widespread de-bonding of floor tiles		1	ls	\$ 94,374.93
29	29.0	D9-2	Stone Fireplace Finish in Guest House Fireplace	No repair	1	ls	\$ -
30	30.0	D9-3	Drywall electrical and attachment issues		1	ls	\$ 2,211.91
31	31.0	D9-4	Baseboards: See Appendix C		1	ls	\$ 42,980.26
32	32.0	D9-5	Interior Doors: Improperly installed	Repair	1	ls	\$ 9,078.28
33	33.0	D10-1	Pool: Setback issues and built on uncertified fill	No repair	1	ls	\$ -
34	34.0	D10-2	Jacuzzi: Setback, uncertified fill and friction loss	No repair	1	ls	\$ -
35	35.0	D15-1	Dryer Vent: Improper venting of laundry dryer		1	ls	\$ 3,686.52
36	36.0	D16-1	Electrical Boxes: Improper Fastening of chandelier	Dining Room	1	ls	\$ 2,211.91
37	37.0	D16-2	Rough Wiring (throughout)	See item 38	1	ls	\$ -
38	38.0	D16-3	Rough Electrical: Observed to be deficient		1	ls	\$ 95,849.54
39	39.0	D16-4	Electrical Boxes: Defective installation throughout		1	ls	\$ 9,290.03
40	40.0	D17-1	Appendix D: Punch List Items		1	ls	\$ 14,954.48
41			<b>Total Project Cost</b>				\$ 526,964.12

**Thom Investments v Phillips**  
*Subcontractor Allocation - Defense Scope/ Defense Costs*

Line #	PFCS Item	Pltf Issue	Description	Notes	Qty.	Unit	Project Cost		East-West Builders Corporation	
							Total	%	Total	
1	1.0	D2-1, D2-2	Rear Yard Pad, Pool, Jacuzzi, Rear Yard Improvements	No repair	1	ls	\$ -	0%	\$ -	
2	2.0	D2-3, D2-4	Flatwork, Landscape and Pool pump equipment	No repair	1	ls	\$ -	0%	\$ -	
3	3.0	D2-5	Addition Encroaches 6" into F-Yard Setback	Get variance	1	ls	\$ 22,119.12	10%	\$ 2,211.91	
4	4.0	D2-6	Lot Compaction - Lot Soils Report	No repair	1	ls	\$ -	0%	\$ -	
5	5.0	D2-7	Precise Grade and Site Drainage	Per Terra Pacific	1	ls	\$ 14,746.08	10%	\$ 1,474.61	
6	6.0	D3-1	Concrete Flatwork	No repair	1	ls	\$ -	0%	\$ -	
7	7.0	D3-2	Cold joint between the main building & addition	Epoxy	1	ls	\$ 14,746.08	20%	\$ 2,949.22	
8	8.0	D3-3	Cracks at shower, distortion of wall at Bedroom 3	Replace shwr.	1	ls	\$ 14,746.08	5%	\$ 737.30	
9	9.0	D3-4	Slab: High vapor emission due to high permeability	No repair	1	ls	\$ -	0%	\$ -	
10	10.0	D3-5	Foundation: Inadequately sized footings	No repair	1	ls	\$ -	0%	\$ -	
11	11.0	D3-6	Uplift hardware does not meet requirements	No repair	1	ls	\$ -	0%	\$ -	
12	12.0	D6-1	Discontinues transfer at shear panels	No repair	1	ls	\$ -	0%	\$ -	
13	13.0	D6-2	Lack of support of sub ceiling at family room	No repair	1	ls	\$ -	0%	\$ -	
14	14.0	D6-3	Notching of Glu-Lam Beams in living and dining areas	No repair	1	ls	\$ -	0%	\$ -	
15	15.0	D6-4	Notching of wood beams throughout north patio area	No repair	1	ls	\$ -	0%	\$ -	
16	16.0	D6-5	Improper fastening of false beams	No repair	1	ls	\$ -	0%	\$ -	
17	17.0	D7-1	Stucco-Flashing: Leaks through window flashing	Reset all	1	ls	\$ 86,264.58	5%	\$ 4,313.23	
18	18.0	D7-2	Planter Wall Waterproofing		1	ls	\$ 17,695.30	20%	\$ 3,539.06	
19	19.0	D7-3	Lack of drip edge at garage door headers		1	ls	\$ 2,211.91	5%	\$ 110.60	
20	20.0	D7-4	Stucco Building Walls and on Retaining Wall	Crack Isolation	1	ls	\$ 58,984.33	5%	\$ 2,949.22	
21	21.0	D7-5	Stucco-Exposed Framing-Envelope Throughout	No repair	1	ls	\$ -	0%	\$ -	
22	22.0	D7-6	Stone Columns - Stucco	Clean	1	ls	\$ 1,642.86	0%	\$ -	
23	23.0	D7-7	Screed set with gap	No repair	1	ls	\$ -	0%	\$ -	
24	24.0	D7-8	Buried weep screed	No repair	1	ls	\$ -	0%	\$ -	
25	25.0	D7-9	Roof: See Appendix B	Tune up	1	ls	\$ 4,423.82	0%	\$ -	
26	26.0	D8-1	Doors: Interior doors at exterior application	Further anal. reqd.	1	ls	\$ 14,746.08	33%	\$ 4,910.45	
27	27.0	D8-2	Doors: Front door is mis-cut and improperly mounted	No repair	1	ls	\$ -	0%	\$ -	
28	28.0	D9-1	Tile Floor: Widespread de-bonding of floor tiles		1	ls	\$ 94,374.93	0%	\$ -	
29	29.0	D9-2	Stone Fireplace Finish in Guest House Fireplace	No repair	1	ls	\$ -	0%	\$ -	
30	30.0	D9-3	Drywall electrical and attachment issues		1	ls	\$ 2,211.91	0%	\$ -	
31	31.0	D9-4	Baseboards: See Appendix C		1	ls	\$ 42,980.26	0%	\$ -	
32	32.0	D9-5	Interior Doors: Improperly installed	Repair	1	ls	\$ 9,078.28	0%	\$ -	
33	33.0	D10-1	Pool: Setback issues and built on uncertified fill	No repair	1	ls	\$ -	0%	\$ -	
34	34.0	D10-2	Jacuzzi: Setback, uncertified fill and friction loss	No repair	1	ls	\$ -	0%	\$ -	
35	35.0	D15-1	Dryer Vent: Improper venting of laundry dryer		1	ls	\$ 3,686.52	0%	\$ -	
36	36.0	D16-1	Electrical Boxes: Improper Fastening of chandelier	Dining Room	1	ls	\$ 2,211.91	0%	\$ -	
37	37.0	D16-2	Rough Wiring (throughout)	See item 38	1	ls	\$ -	0%	\$ -	
38	38.0	D16-3	Rough Electrical: Observed to be deficient		1	ls	\$ 95,849.54	0%	\$ -	
39	39.0	D16-4	Electrical Boxes: Defective installation throughout		1	ls	\$ 9,290.03	0%	\$ -	
40	40.0	D17-1	Appendix D: Punch List Items		1	ls	\$ 14,954.48	5%	\$ 747.72	
41			<b>Total Project Cost</b>				\$ 526,964.12		\$ 23,943.31	

# Thom Investments v Phillips

## Subcontractor Allocation - Defense Scope/ Defense Costs

Line #	PFCS Item	Pltf Issue	Description	Notes	Qty.	Unit	Project Cost		Mountain Goat Properties	
							Total	%	Total	
1	1.0	D2-1, D2-2	Rear Yard Pad, Pool, Jacuzzi, Rear Yard Improvements	No repair	1	ls	\$ -	0%	\$ -	
2	2.0	D2-3, D2-4	Flatwork, Landscape and Pool pump equipment	No repair	1	ls	\$ -	0%	\$ -	
3	3.0	D2-5	Addition Encroaches 6" into F-Yard Setback	Get variance	1	ls	\$ 22,119.12	5%	\$ 1,105.96	
4	4.0	D2-6	Lot Compaction - Lot Soils Report	No repair	1	ls	\$ -	0%	\$ -	
5	5.0	D2-7	Precise Grade and Site Drainage	Per Terra Pacific	1	ls	\$ 14,746.08	0%	\$ -	
6	6.0	D3-1	Concrete Flatwork	No repair	1	ls	\$ -	0%	\$ -	
7	7.0	D3-2	Cold joint between the main building & addition	Epoxy	1	ls	\$ 14,746.08	0%	\$ -	
8	8.0	D3-3	Cracks at shower, distortion of wall at Bedroom 3	Replace shwr.	1	ls	\$ 14,746.08	0%	\$ -	
9	9.0	D3-4	Slab: High vapor emission due to high permeability	No repair	1	ls	\$ -	0%	\$ -	
10	10.0	D3-5	Foundation: Inadequately sized footings	No repair	1	ls	\$ -	0%	\$ -	
11	11.0	D3-6	Uplift hardware does not meet requirements	No repair	1	ls	\$ -	0%	\$ -	
12	12.0	D6-1	Discontinues transfer at shear panels	No repair	1	ls	\$ -	0%	\$ -	
13	13.0	D6-2	Lack of support of sub ceiling at family room	No repair	1	ls	\$ -	0%	\$ -	
14	14.0	D6-3	Notching of Glu-Lam Beams in living and dining areas	No repair	1	ls	\$ -	0%	\$ -	
15	15.0	D6-4	Notching of wood beams throughout north patio area	No repair	1	ls	\$ -	0%	\$ -	
16	16.0	D6-5	Improper fastening of false beams	No repair	1	ls	\$ -	0%	\$ -	
17	17.0	D7-1	Stucco-Flashing: Leaks through window flashing	Reset all	1	ls	\$ 86,264.58	0%	\$ -	
18	18.0	D7-2	Planter Wall Waterproofing		1	ls	\$ 17,695.30	0%	\$ -	
19	19.0	D7-3	Lack of drip edge at garage door headers		1	ls	\$ 2,211.91	0%	\$ -	
20	20.0	D7-4	Stucco Building Walls and on Retaining Wall	Crack Isolation	1	ls	\$ 58,984.33	0%	\$ -	
21	21.0	D7-5	Stucco-Exposed Framing-Envelope Throughout	No repair	1	ls	\$ -	0%	\$ -	
22	22.0	D7-6	Stone Columns - Stucco	Clean	1	ls	\$ 1,642.86	0%	\$ -	
23	23.0	D7-7	Screed set with gap	No repair	1	ls	\$ -	0%	\$ -	
24	24.0	D7-8	Buried weep screed	No repair	1	ls	\$ -	0%	\$ -	
25	25.0	D7-9	Roof: See Appendix B	Tune up	1	ls	\$ 4,423.82	0%	\$ -	
26	26.0	D8-1	Doors: Interior doors at exterior application	Further anal. reqd.	1	ls	\$ 14,746.08	0%	\$ -	
27	27.0	D8-2	Doors: Front door is mis-cut and improperly mounted	No repair	1	ls	\$ -	0%	\$ -	
28	28.0	D9-1	Tile Floor: Widespread de-bonding of floor tiles		1	ls	\$ 94,374.93	0%	\$ -	
29	29.0	D9-2	Stone Fireplace Finish in Guest House Fireplace	No repair	1	ls	\$ -	0%	\$ -	
30	30.0	D9-3	Drywall electrical and attachment issues		1	ls	\$ 2,211.91	0%	\$ -	
31	31.0	D9-4	Baseboards: See Appendix C		1	ls	\$ 42,980.26	0%	\$ -	
32	32.0	D9-5	Interior Doors: Improperly installed	Repair	1	ls	\$ 9,078.28	0%	\$ -	
33	33.0	D10-1	Pool: Setback issues and built on uncertified fill	No repair	1	ls	\$ -	0%	\$ -	
34	34.0	D10-2	Jacuzzi: Setback, uncertified fill and friction loss	No repair	1	ls	\$ -	0%	\$ -	
35	35.0	D15-1	Dryer Vent: Improper venting of laundry dryer		1	ls	\$ 3,686.52	0%	\$ -	
36	36.0	D16-1	Electrical Boxes: Improper Fastening of chandelier	Dining Room	1	ls	\$ 2,211.91	0%	\$ -	
37	37.0	D16-2	Rough Wiring (throughout)	See item 38	1	ls	\$ -	0%	\$ -	
38	38.0	D16-3	Rough Electrical: Observed to be deficient		1	ls	\$ 95,849.54	0%	\$ -	
39	39.0	D16-4	Electrical Boxes: Defective installation throughout		1	ls	\$ 9,290.03	0%	\$ -	
40	40.0	D17-1	Appendix D: Punch List Items		1	ls	\$ 14,954.48	0%	\$ -	
41			<b>Total Project Cost</b>				\$ 526,964.12		\$ 1,105.96	

**Thom Investments v Phillips**  
*Subcontractor Allocation - Defense Scope/ Defense Costs*

Line #	PFCS Item	Pltf Issue	Description	Notes	Qty.	Unit	Project Cost		Expert Designers	
							Total	%	Total	
1	1.0	D2-1, D2-2	Rear Yard Pad, Pool, Jacuzzi, Rear Yard Improvements	No repair	1	ls	\$ -	0%	\$ -	
2	2.0	D2-3, D2-4	Flatwork, Landscape and Pool pump equipment	No repair	1	ls	\$ -	0%	\$ -	
3	3.0	D2-5	Addition Encroaches 6" into F-Yard Setback	Get variance	1	ls	\$ 22,119.12	65%	\$ 14,377.43	
4	4.0	D2-6	Lot Compaction - Lot Soils Report	No repair	1	ls	\$ -	0%	\$ -	
5	5.0	D2-7	Precise Grade and Site Drainage	Per Terra Pacific	1	ls	\$ 14,746.08	10%	\$ 1,474.61	
6	6.0	D3-1	Concrete Flatwork	No repair	1	ls	\$ -	0%	\$ -	
7	7.0	D3-2	Cold joint between the main building & addition	Epoxy	1	ls	\$ 14,746.08	40%	\$ 5,898.43	
8	8.0	D3-3	Cracks at shower, distortion of wall at Bedroom 3	Replace shwr.	1	ls	\$ 14,746.08	10%	\$ 1,474.61	
9	9.0	D3-4	Slab: High vapor emission due to high permeability	No repair	1	ls	\$ -	0%	\$ -	
10	10.0	D3-5	Foundation: Inadequately sized footings	No repair	1	ls	\$ -	0%	\$ -	
11	11.0	D3-6	Uplift hardware does not meet requirements	No repair	1	ls	\$ -	0%	\$ -	
12	12.0	D6-1	Discontinues transfer at shear panels	No repair	1	ls	\$ -	0%	\$ -	
13	13.0	D6-2	Lack of support of sub ceiling at family room	No repair	1	ls	\$ -	0%	\$ -	
14	14.0	D6-3	Notching of Glu-Lam Beams in living and dining areas	No repair	1	ls	\$ -	0%	\$ -	
15	15.0	D6-4	Notching of wood beams throughout north patio area	No repair	1	ls	\$ -	0%	\$ -	
16	16.0	D6-5	Improper fastening of false beams	No repair	1	ls	\$ -	0%	\$ -	
17	17.0	D7-1	Stucco-Flashing: Leaks through window flashing	Reset all	1	ls	\$ 86,264.58	15%	\$ 12,939.69	
18	18.0	D7-2	Planter Wall Waterproofing		1	ls	\$ 17,695.30	0%	\$ -	
19	19.0	D7-3	Lack of drip edge at garage door headers		1	ls	\$ 2,211.91	0%	\$ -	
20	20.0	D7-4	Stucco Building Walls and on Retaining Wall	Crack Isolation	1	ls	\$ 58,984.33	10%	\$ 5,898.43	
21	21.0	D7-5	Stucco-Exposed Framing-Envelope Throughout	No repair	1	ls	\$ -	0%	\$ -	
22	22.0	D7-6	Stone Columns - Stucco	Clean	1	ls	\$ 1,642.86	0%	\$ -	
23	23.0	D7-7	Screed set with gap	No repair	1	ls	\$ -	0%	\$ -	
24	24.0	D7-8	Buried weep screed	No repair	1	ls	\$ -	0%	\$ -	
25	25.0	D7-9	Roof: See Appendix B	Tune up	1	ls	\$ 4,423.82	0%	\$ -	
26	26.0	D8-1	Doors: Interior doors at exterior application	Further anal. reqd.	1	ls	\$ 14,746.08	33%	\$ 4,925.19	
27	27.0	D8-2	Doors: Front door is mis-cut and improperly mounted	No repair	1	ls	\$ -	0%	\$ -	
28	28.0	D9-1	Tile Floor: Widespread de-bonding of floor tiles		1	ls	\$ 94,374.93	0%	\$ -	
29	29.0	D9-2	Stone Fireplace Finish in Guest House Fireplace	No repair	1	ls	\$ -	0%	\$ -	
30	30.0	D9-3	Drywall electrical and attachment issues		1	ls	\$ 2,211.91	0%	\$ -	
31	31.0	D9-4	Baseboards: See Appendix C		1	ls	\$ 42,980.26	0%	\$ -	
32	32.0	D9-5	Interior Doors: Improperly installed	Repair	1	ls	\$ 9,078.28	0%	\$ -	
33	33.0	D10-1	Pool: Setback issues and built on uncertified fill	No repair	1	ls	\$ -	0%	\$ -	
34	34.0	D10-2	Jacuzzi: Setback, uncertified fill and friction loss	No repair	1	ls	\$ -	0%	\$ -	
35	35.0	D15-1	Dryer Vent: Improper venting of laundry dryer		1	ls	\$ 3,686.52	0%	\$ -	
36	36.0	D16-1	Electrical Boxes: Improper Fastening of chandelier	Dining Room	1	ls	\$ 2,211.91	0%	\$ -	
37	37.0	D16-2	Rough Wiring (throughout)	See item 38	1	ls	\$ -	0%	\$ -	
38	38.0	D16-3	Rough Electrical: Observed to be deficient		1	ls	\$ 95,849.54	0%	\$ -	
39	39.0	D16-4	Electrical Boxes: Defective installation throughout		1	ls	\$ 9,290.03	0%	\$ -	
40	40.0	D17-1	Appendix D: Punch List Items		1	ls	\$ 14,954.48	0%	\$ -	
41			<b>Total Project Cost</b>				\$ 526,964.12		\$ 46,988.39	

# Thom Investments v Phillips

## Subcontractor Allocation - Defense Scope/ Defense Costs

Line #	PFCS Item	Pltf Issue	Description	Notes	Qty.	Unit	Project Cost		Phoenix Landscaping	
							Total	%	Total	
1	1.0	D2-1, D2-2	Rear Yard Pad, Pool, Jacuzzi, Rear Yard Improvements	No repair	1	ls	\$ -	0%	\$ -	
2	2.0	D2-3, D2-4	Flatwork, Landscape and Pool pump equipment	No repair	1	ls	\$ -	0%	\$ -	
3	3.0	D2-5	Addition Encroaches 6" into F-Yard Setback	Get variance	1	ls	\$ 22,119.12	0%	\$ -	
4	4.0	D2-6	Lot Compaction - Lot Soils Report	No repair	1	ls	\$ -	0%	\$ -	
5	5.0	D2-7	Precise Grade and Site Drainage	Per Terra Pacific	1	ls	\$ 14,746.08	0%	\$ -	
6	6.0	D3-1	Concrete Flatwork	No repair	1	ls	\$ -	0%	\$ -	
7	7.0	D3-2	Cold joint between the main building & addition	Epoxy	1	ls	\$ 14,746.08	0%	\$ -	
8	8.0	D3-3	Cracks at shower, distortion of wall at Bedroom 3	Replace shwr.	1	ls	\$ 14,746.08	0%	\$ -	
9	9.0	D3-4	Slab: High vapor emission due to high permeability	No repair	1	ls	\$ -	0%	\$ -	
10	10.0	D3-5	Foundation: Inadequately sized footings	No repair	1	ls	\$ -	0%	\$ -	
11	11.0	D3-6	Uplift hardware does not meet requirements	No repair	1	ls	\$ -	0%	\$ -	
12	12.0	D6-1	Discontinues transfer at shear panels	No repair	1	ls	\$ -	0%	\$ -	
13	13.0	D6-2	Lack of support of sub ceiling at family room	No repair	1	ls	\$ -	0%	\$ -	
14	14.0	D6-3	Notching of Glu-Lam Beams in living and dining areas	No repair	1	ls	\$ -	0%	\$ -	
15	15.0	D6-4	Notching of wood beams throughout north patio area	No repair	1	ls	\$ -	0%	\$ -	
16	16.0	D6-5	Improper fastening of false beams	No repair	1	ls	\$ -	0%	\$ -	
17	17.0	D7-1	Stucco-Flashing: Leaks through window flashing	Reset all	1	ls	\$ 86,264.58	0%	\$ -	
18	18.0	D7-2	Planter Wall Waterproofing		1	ls	\$ 17,695.30	0%	\$ -	
19	19.0	D7-3	Lack of drip edge at garage door headers		1	ls	\$ 2,211.91	0%	\$ -	
20	20.0	D7-4	Stucco Building Walls and on Retaining Wall	Crack Isolation	1	ls	\$ 58,984.33	0%	\$ -	
21	21.0	D7-5	Stucco-Exposed Framing-Envelope Throughout	No repair	1	ls	\$ -	0%	\$ -	
22	22.0	D7-6	Stone Columns - Stucco	Clean	1	ls	\$ 1,642.86	0%	\$ -	
23	23.0	D7-7	Screed set with gap	No repair	1	ls	\$ -	0%	\$ -	
24	24.0	D7-8	Buried weep screed	No repair	1	ls	\$ -	0%	\$ -	
25	25.0	D7-9	Roof: See Appendix B	Tune up	1	ls	\$ 4,423.82	0%	\$ -	
26	26.0	D8-1	Doors: Interior doors at exterior application	Further anal. reqd.	1	ls	\$ 14,746.08	0%	\$ -	
27	27.0	D8-2	Doors: Front door is mis-cut and improperly mounted	No repair	1	ls	\$ -	0%	\$ -	
28	28.0	D9-1	Tile Floor: Widespread de-bonding of floor tiles		1	ls	\$ 94,374.93	0%	\$ -	
29	29.0	D9-2	Stone Fireplace Finish in Guest House Fireplace	No repair	1	ls	\$ -	0%	\$ -	
30	30.0	D9-3	Drywall electrical and attachment issues		1	ls	\$ 2,211.91	0%	\$ -	
31	31.0	D9-4	Baseboards: See Appendix C		1	ls	\$ 42,980.26	0%	\$ -	
32	32.0	D9-5	Interior Doors: Improperly installed	Repair	1	ls	\$ 9,078.28	0%	\$ -	
33	33.0	D10-1	Pool: Setback issues and built on uncertified fill	No repair	1	ls	\$ -	0%	\$ -	
34	34.0	D10-2	Jacuzzi: Setback, uncertified fill and friction loss	No repair	1	ls	\$ -	0%	\$ -	
35	35.0	D15-1	Dryer Vent: Improper venting of laundry dryer		1	ls	\$ 3,686.52	0%	\$ -	
36	36.0	D16-1	Electrical Boxes: Improper Fastening of chandelier	Dining Room	1	ls	\$ 2,211.91	0%	\$ -	
37	37.0	D16-2	Rough Wiring (throughout)	See item 38	1	ls	\$ -	0%	\$ -	
38	38.0	D16-3	Rough Electrical: Observed to be deficient		1	ls	\$ 95,849.54	0%	\$ -	
39	39.0	D16-4	Electrical Boxes: Defective installation throughout		1	ls	\$ 9,290.03	0%	\$ -	
40	40.0	D17-1	Appendix D: Punch List Items		1	ls	\$ 14,954.48	0%	\$ -	
41			<b>Total Project Cost</b>				\$ 526,964.12		\$ -	

## Subcontractor Allocation - Defense Scope/ Defense Costs

Line #	PFCS Item	Pltf Issue	Description	Notes	Qty.	Unit	Project Cost		Total	
							Total	%	\$	\$
1	1.0	D2-1, D2-2	Rear Yard Pad, Pool, Jacuzzi, Rear Yard Improvements	No repair	1	ls	\$ -	0%	\$ -	-
2	2.0	D2-3, D2-4	Flatwork, Landscape and Pool pump equipment	No repair	1	ls	\$ -	0%	\$ -	-
3	3.0	D2-5	Addition Encroaches 6" into F-Yard Setback	Get variance	1	ls	\$ 22,119.12	100%	\$ 22,119.12	-
4	4.0	D2-6	Lot Compaction - Lot Soils Report	No repair	1	ls	\$ -	0%	\$ -	-
5	5.0	D2-7	Precise Grade and Site Drainage	Per Terra Pacific	1	ls	\$ 14,746.08	100%	\$ 14,746.08	-
6	6.0	D3-1	Concrete Flatwork	No repair	1	ls	\$ -	0%	\$ -	-
7	7.0	D3-2	Cold joint between the main building & addition	Epoxy	1	ls	\$ 14,746.08	100%	\$ 14,746.08	-
8	8.0	D3-3	Cracks at shower, distortion of wall at Bedroom 3	Replace shwr.	1	ls	\$ 14,746.08	100%	\$ 14,746.08	-
9	9.0	D3-4	Slab: High vapor emission due to high permeability	No repair	1	ls	\$ -	0%	\$ -	-
10	10.0	D3-5	Foundation: Inadequately sized footings	No repair	1	ls	\$ -	0%	\$ -	-
11	11.0	D3-6	Uplift hardware does not meet requirements	No repair	1	ls	\$ -	0%	\$ -	-
12	12.0	D6-1	Discontinues transfer at shear panels	No repair	1	ls	\$ -	0%	\$ -	-
13	13.0	D6-2	Lack of support of sub ceiling at family room	No repair	1	ls	\$ -	0%	\$ -	-
14	14.0	D6-3	Notching of Glu-Lam Beams in living and dining areas	No repair	1	ls	\$ -	0%	\$ -	-
15	15.0	D6-4	Notching of wood beams throughout north patio area	No repair	1	ls	\$ -	0%	\$ -	-
16	16.0	D6-5	Improper fastening of false beams	No repair	1	ls	\$ -	0%	\$ -	-
17	17.0	D7-1	Stucco-Flashing: Leaks through window flashing	Reset all	1	ls	\$ 86,264.58	100%	\$ 86,264.58	-
18	18.0	D7-2	Planter Wall Waterproofing		1	ls	\$ 17,695.30	100%	\$ 17,695.30	-
19	19.0	D7-3	Lack of drip edge at garage door headers		1	ls	\$ 2,211.91	100%	\$ 2,211.91	-
20	20.0	D7-4	Stucco Building Walls and on Retaining Wall	Crack Isolation	1	ls	\$ 58,984.33	100%	\$ 58,984.33	-
21	21.0	D7-5	Stucco-Exposed Framing-Envelope Throughout	No repair	1	ls	\$ -	0%	\$ -	-
22	22.0	D7-6	Stone Columns - Stucco	Clean	1	ls	\$ 1,642.86	100%	\$ 1,642.86	-
23	23.0	D7-7	Screed set with gap	No repair	1	ls	\$ -	0%	\$ -	-
24	24.0	D7-8	Buried weep screed	No repair	1	ls	\$ -	0%	\$ -	-
25	25.0	D7-9	Roof: See Appendix B	Tune up	1	ls	\$ 4,423.82	100%	\$ 4,423.82	-
26	26.0	D8-1	Doors: Interior doors at exterior application	Further anal. reqd.	1	ls	\$ 14,746.08	100%	\$ 14,746.08	-
27	27.0	D8-2	Doors: Front door is mis-cut and improperly mounted	No repair	1	ls	\$ -	0%	\$ -	-
28	28.0	D9-1	Tile Floor: Widespread de-bonding of floor tiles		1	ls	\$ 94,374.93	100%	\$ 94,374.93	-
29	29.0	D9-2	Stone Fireplace Finish in Guest House Fireplace	No repair	1	ls	\$ -	0%	\$ -	-
30	30.0	D9-3	Drywall electrical and attachment issues		1	ls	\$ 2,211.91	100%	\$ 2,211.91	-
31	31.0	D9-4	Baseboards: See Appendix C		1	ls	\$ 42,980.26	100%	\$ 42,980.26	-
32	32.0	D9-5	Interior Doors: Improperly installed	Repair	1	ls	\$ 9,078.28	100%	\$ 9,078.28	-
33	33.0	D10-1	Pool: Setback issues and built on uncertified fill	No repair	1	ls	\$ -	0%	\$ -	-
34	34.0	D10-2	Jacuzzi: Setback, uncertified fill and friction loss	No repair	1	ls	\$ -	0%	\$ -	-
35	35.0	D15-1	Dryer Vent: Improper venting of laundry dryer		1	ls	\$ 3,686.52	100%	\$ 3,686.52	-
36	36.0	D16-1	Electrical Boxes: Improper Fastening of chandelier	Dining Room	1	ls	\$ 2,211.91	100%	\$ 2,211.91	-
37	37.0	D16-2	Rough Wiring (throughout)	See item 38	1	ls	\$ -	100%	\$ -	-
38	38.0	D16-3	Rough Electrical: Observed to be deficient		1	ls	\$ 95,849.54	100%	\$ 95,849.54	-
39	39.0	D16-4	Electrical Boxes: Defective installation throughout		1	ls	\$ 9,290.03	100%	\$ 9,290.03	-
40	40.0	D17-1	Appendix D: Punch List Items		1	ls	\$ 14,954.48	100%	\$ 14,954.48	-
41			<b>Total Project Cost</b>				\$ 526,964.12		\$ 526,964.12	

# Windiplace v Builder

## Allocation of Plaintiff Scope/Plaintiff Estimate

### Summary by Party

#	Contractor	Trade	Total Lots *	% of Units	Allocation
1	1st In Counters Inc	Cabinets	1	1%	-
2	5280 Commercial Carpet Cleaning &	Cleanup	11	9%	-
3	A & A Construction Service Llc	Masonry - Stone Veneer	27	23%	2,708.73
4	A & A Construction Service Llc	Stucco	27	23%	94,390.17
5	AE Seven, LLC	Inspection - Framing	39	33%	-
6	AE Seven, LLC	Inspection - Conc. Slab	16	13%	-
7	AE Seven, LLC	Design - Structural	66	55%	61,210.64
8	Martin Design, Inc.	Design - Structural	54	45%	50,081.43
9	All Clean Restoration LLC	Cleanup	6	5%	-
10	All Phase Landscape	Landscape	9	8%	-
11	Allied Insulation Company/Masco	Insulation	72	60%	-
12	American Woodmark Corp (Tri)	Cabinets	120	100%	-
13	Ankmar Door Inc	Garage Doors	71	59%	-
14	Arvada Hardwood Floor Co Inc	Interior Finishes	9	8%	-
15	Arvada Hardwood Floor Co Inc	Windows	4	3%	-
16	Atrium Windows & Doors Company	Windows	120	100%	-
17	Atrium Windows & Doors Company	Windows - Reglaze	12	10%	-
18	Autumn Landscaping	Landscape Materials	3	3%	-
19	Barnett Construction Co Inc	Rough Carpentry	33	28%	59,589.50
20	Barnett Construction Co Inc	Siding	33	28%	57,416.27
21	Bronson Construct & Glass Inc	Windows - Reglaze	6	5%	-
22	Budget Pest Control	Cleanup	1	1%	-
23	Campbell Beard Roofing Inc (Tri)	Roofing	120	100%	654,830.75
24	Campbell Beard Roofing Inc (Tri)	Gutters & Downspouts	120	100%	-
25	CBM Surveys, Inc.	ISP	6	5%	-
26	Cobb Associates Inc	Inspection - Floor Deflection	3	3%	-
27	Cobb Associates Inc	Inspection - Conc. Slab	1	1%	-
28	Colorado Counter Tops Inc	Interior Finishes	72	60%	-
29	Colorado Fireplace Supply Inc	Interior Finishes	120	100%	-
30	Commercial Cleaning Systms Crp	Cleanup	3	3%	-
31	Concrete Express Inc	Concrete - Flatwork	33	28%	137,781.30
32	Concrete Express Inc	Concrete - Foundations	30	25%	226,641.65
33	Concrete Express Inc	Sitework	30	25%	25,371.81
34	Concrete Express Inc	Concrete - Curbs & Gutters	120	100%	15,350.47
35	Concrete Management Corp	Concrete - Flatwork	72	60%	209,069.10
36	Concrete Management Corp	Concrete - Foundations	60	50%	141,371.80
37	Concrete Management Corp	Sitework	60	50%	92,907.88
38	Cpc Painting Inc	Painting	120	100%	-
39	Custom Wood Interiors Inc	Interior Finishes	42	35%	-
40	Custom Wood Interiors Inc	Doors - Interior	39	33%	-
41	Custom Wood Interiors Inc	Doors - Exterior	45	38%	-
42	D.R. Horton	General Contractor	120	100%	262,153.30
43		Design - Civil Engineering	120	100%	-
44		Design - Architecture	120	100%	68,127.36
45	Dakota Cleaning Services	Cleanup	30	25%	-
46	Deneva Inc	Window Treatments	23	19%	-
47	Denver Industries Inc	Fireproofing	72	60%	68.14
48	Denver Water	Municipality	25	21%	-
49	Eagle Flooring LLC	Interior Finishes	1	1%	-
50	Electric Company Inc, The	Electrical	120	100%	-
51	Electric Company Inc, The	HVAC	120	100%	-
52	Five Star Glass & Mirror Inc	Mirrors	120	100%	-
53	Five Star Glass & Mirror Inc	Shower Doors	53	44%	-
54	Floors By Design Inc	Interior Finishes	12	10%	-
55	Four Seasons	HVAC	9	8%	5,220.76
56	Front Range Cabinets Of Denver	Repairs	1	1%	-
57	Front Range Stone Inc	Interior Finishes	69	58%	-
58	Great Denver Iron	Steel	9	8%	-



# Windiplace v Builder

## Allocation of Plaintiff Scope/Plaintiff Estimate

### Summary by Party

#	Contractor	Trade	Total Lots *	% of Units	Allocation
59	Havana Water & Sanitation District	Municipality	8	7%	-
60	Home Depot	Concessions	1	1%	-
61	Home Lumber & Supply Co Inc	Framing Materials	102	85%	-
62	Horizon Drywall & Colorado Drywall	Drywall	48	40%	7,734.46
63	Images Flooring, Inc.	Interior Finishes	57	48%	-
64	Itg Enterprises Llc	Finish Carpentry	15	13%	-
65	Itg Enterprises Llc	Doors - Exterior	9	8%	-
66	Joe V. Troncagli / Artistic Marble & Tile	Interior Finishes	38	32%	-
67	Kelley Sprinkler & Landscape Inc	Landscape	111	93%	-
68	Kellory & Co., Inc.	Rough Carpentry	3	3%	-
69	Kelly Cable Corporation	Electrical	120	100%	-
70	Kelly's Excavation	Sitework	6	5%	5,771.37
71	Maytag Corporation	Appliances	117	98%	-
72	Meadows Concrete Constr Inc	Concrete - Flatwork	15	13%	22,189.32
73	Mena Concrete Construction Inc.	Concrete - Flatwork	1	1%	-
74	Midwest Insulators	Insulation	48	40%	-
75	Midwest Insulators	Fireproofing	48	40%	45.43
76	Mike Hines dba A New View	Window Treatments	12	10%	-
77	Mike Morgan	Cleanup	3	3%	-
78	Mikhail Glukhoman / Mikes Stucco	Stucco	93	78%	325,121.69
79	Mikhail Glukhoman / Mikes Stucco	Masonry - Stone Veneer	93	78%	9,330.08
80	Ovation Plumbing Inc	Foundation Drains	93	78%	-
81	Ovation Plumbing Inc	Plumbing	78	65%	98,415.52
82	Ovation Plumbing Inc	Electrical	44	37%	-
83	PEB Services LLC	Plumbing	33	28%	-
84	Premier Paving, Inc.	Asphalt	120	100%	-
85	Pro Door and Trim Inc.	Finish Carpentry	74	62%	-
86	Pro Door and Trim Inc.	Doors - Exterior	72	60%	-
87	Public Service Co Of Co	Utilities	43	36%	-
88	R & R Builders Corporation	Siding	87	73%	151,370.17
89	R & R Builders Corporation	Rough Carpentry	87	73%	309,964.12
90	Repairs Unique Inc	Repairs	39	33%	-
91	Rochas Drain Systems	Waterproofing	27	23%	-
92	Rochas Drain Systems	Foundation Drains	27	23%	-
93	Safety Rails Of Colorado Inc	Misc. Framing	81	68%	-
94	SCD Corp	Concrete - Foundations	6	5%	2,480.58
95	Scott Free Plumbing	Plumbing	42	35%	89,679.67
96	Singing Hills Landscape Inc.	Concrete - Flatwork	19	16%	-
97	Snow's Concrete Forming	Concrete - Foundations	24	20%	27,052.08
98	Solid Rock Excavation LLC	Sitework	24	20%	21,861.33
99	Split Rail Fence Co	Fences and Gates	120	100%	-
100	Superior Cleaning Service Llc	Cleanup	120	100%	-
101	Surface Repair Techs Inc	Interior Finishes	34	28%	-
102	Telecommunications Eng & Const	Tape and Texture Drywall	3	3%	-
103	Terracon Consultants, Inc.	Design - Geotechnical	120	100%	232,428.78
104	The Cooler Company Inc.	HVAC	111	93%	64,389.41
105	The Cooler Company Inc.	Plumbing	6	5%	-
106	Torres Masonry Experts Lp	Masonry - Brick - Materials	1	1%	-
107	Tristar Drywall, Inc.	Drywall	72	60%	206.25
108	Trussway LTD.	Trusses	27	23%	-
109	Wayne-Dalton Corp.	Garage Doors	54	45%	-
110	Whirlpool Corporation	Appliances	6	5%	-
111	White Wolf Publishing	Signage	36	30%	-
112	Windemere Townhome Assoc Inc	HOA	120	100%	-
113					
114	112 contractors				<b>3,532,331.36</b>
115					
116	* See the Trade Contractor Scope of Work for explanation of lot counts/percentages.				

# Windiplace v Builder

## Allocation of Plaintiff Scope/Plaintiff Estimate

### Summary by Party

#	Contractor	Trade	Total Lots *	% of Units	Allocation
1	Cabinets, ETC.	Cabinets	1	1%	-
2	Clean It	Cleanup	11	9%	-
3	Masonry Magnets	Masonry - Stone Veneer	27	23%	2,708.73
4	Stucco & Plaster, Inc	Stucco	27	23%	94,390.17
5	ABC, LLC	Inspection - Framing	39	33%	-
6	ABC, LLC	Inspection - Conc. Slab	16	13%	-
7	ABC, LLC	Design - Structural	66	55%	61,210.64
8	Great Design, LLC	Design - Structural	54	45%	50,081.43
9	Super Cleaners	Cleanup	6	5%	-
10	Even and Unevan Landscapes	Landscape	9	8%	-
11	Between the Wall Co.	Insulation	72	60%	-
12	Cabinets4You	Cabinets	120	100%	-
13	Garage Door Inc	Garage Doors	71	59%	-
14	Interiors by Design	Interior Finishes	9	8%	-
15	See Through Windows	Windows	4	3%	-
16	ABC Windows	Windows	120	100%	-
17	See Through Windows	Windows - Reglaze	12	10%	-
18	Rocks & Stones Landscaping	Landscape Materials	3	3%	-
19	XYZ Construction Co Inc	Rough Carpentry	33	28%	59,589.50
20	XYZ Construction Co Inc	Siding	33	28%	57,416.27
21	Windows & Repair	Windows - Reglaze	6	5%	-
22	Pests No More	Cleanup	1	1%	-
23	XYZ Roof Co Inc	Roofing	120	100%	654,830.75
24	XYZ Roof Co Inc	Gutters & Downspouts	120	100%	-
25	123 Surveys, Inc.	ISP	6	5%	-
26	Dancing Floors, Inc	Inspection - Floor Deflection	3	3%	-
27	Dancing Floors, Inc	Inspection - Conc. Slab	1	1%	-
28	NW Countertop Company	Interior Finishes	72	60%	-
29	Warm Fireplaces, Inc.	Interior Finishes	120	100%	-
30	Pick Up You Mess, Inc.	Cleanup	3	3%	-
31	Everything Concrete Co.	Concrete - Flatwork	33	28%	137,781.30
32	Everything Concrete Co.	Concrete - Foundations	30	25%	226,641.65
33	Everything Concrete Co.	Sitework	30	25%	25,371.81
34	Fast Concrete Co.	Concrete - Curbs & Gutters	120	100%	15,350.47
35	Fast Concrete Co.	Concrete - Flatwork	72	60%	209,069.10
36	Fast Concrete Co.	Concrete - Foundations	60	50%	141,371.80
37	Fast Concrete Co.	Sitework	60	50%	92,907.88
38	One Day Painting, Inc.	Painting	120	100%	-
39	Polished Wood, Inc.	Interior Finishes	42	35%	-
40	Polished Wood, Inc.	Doors - Interior	39	33%	-
41	Polished Wood, Inc.	Doors - Exterior	45	38%	-
42	We Do It All Contractors	General Contractor	120	100%	262,153.30
43	We Do It All Contractors	Design - Civil Engineering	120	100%	-
44	We Do It All Contractors	Design - Architecture	120	100%	68,127.36
45	Cleaner Picker Uppers	Cleanup	30	25%	-
46	Pretty Windows, Inc.	Window Treatments	23	19%	-
47	Fire Proofers Company	Fireproofing	72	60%	68.14
48	City Water Co.	Municipality	25	21%	-
49	Floors and Finishes Co.	Interior Finishes	1	1%	-
50	Electricity Light Co.	Electrical	120	100%	-
51	Electricity Light Co.	HVAC	120	100%	-
52	Mirror Mirror on the Wall	Mirrors	120	100%	-
53	Glass & Mirror Co.	Shower Doors	53	44%	-
54	Interior Floors Co.	Interior Finishes	12	10%	-
55	How To HVAC	HVAC	9	8%	5,220.76
56	Repairs for Hire	Repairs	1	1%	-
57	Stone Finishes	Interior Finishes	69	58%	-
58	Coal Black Iron Works	Steel	9	8%	-

# Windiplace v Builder

## Allocation of Plaintiff Scope/Plaintiff Estimate

### Summary by Party

#	Contractor	Trade	Total Lots *	% of Units	Allocation
59	City Water Co.	Municipality	8	7%	-
60	Home Repair, LLC	Concessions	1	1%	-
61	ABC Lumber Co.	Framing Materials	102	85%	-
62	Drywall Experts	Drywall	48	40%	7,734.46
63	Asthetic Interior, LLC	Interior Finishes	57	48%	-
64	Asthetic Interior, LLC	Finish Carpentry	15	13%	-
65	Asthetic Interior, LLC	Doors - Exterior	9	8%	-
66	Classic Marble Look Co.	Interior Finishes	38	32%	-
67	Hills & Valleys Landscaping	Landscape	111	93%	-
68	Rough and Ready Carpentry	Rough Carpentry	3	3%	-
69	Zap Electrical	Electrical	120	100%	-
70	Digging Holes, Inc.	Sitework	6	5%	5,771.37
71	Generic Appliances	Appliances	117	98%	-
72	Concretion Co.	Concrete - Flatwork	15	13%	22,189.32
73	Instant Concrete	Concrete - Flatwork	1	1%	-
74	Anywhere Insulators	Insulation	48	40%	-
75	Fire Insulators	Fireproofing	48	40%	45.43
76	Window Designs LLC	Window Treatments	12	10%	-
77	Neat and Clean Co.	Cleanup	3	3%	-
78	Masonry & Stucco, Inc.	Stucco	93	78%	325,121.69
79	Masonry & Stucco, Inc.	Masonry - Stone Veneer	93	78%	9,330.08
80	Leaky Plumbing Inc	Foundation Drains	93	78%	-
81	Leaky Plumbing Inc	Plumbing	78	65%	98,415.52
82	Leaky Plumbing Inc	Electrical	44	37%	-
83	A1-A2 Plumbing	Plumbing	33	28%	-
84	Paving Your Way	Asphalt	120	100%	-
85	Finished Doors and Trim	Finish Carpentry	74	62%	-
86	Doors & Trim Co.	Doors - Exterior	72	60%	-
87	Public Services	Utilities	43	36%	-
88	Build It Rite	Siding	87	73%	151,370.17
89	Build It Rite	Rough Carpentry	87	73%	309,964.12
90	All Repairs Co.	Repairs	39	33%	-
91	Down the Drain Co	Waterproofing	27	23%	-
92	Down the Drain Co	Foundation Drains	27	23%	-
93	Frame the World	Misc. Framing	81	68%	-
94	Fundamental Foundations	Concrete - Foundations	6	5%	2,480.58
95	Cheap Plumbing	Plumbing	42	35%	89,679.67
96	Pour Out Concrete	Concrete - Flatwork	19	16%	-
97	Concrete Foundations Co.	Concrete - Foundations	24	20%	27,052.08
98	Level Ground Co.	Sitework	24	20%	21,861.33
99	Surround Fence Co.	Fences and Gates	120	100%	-
100	No More Mess Co.	Cleanup	120	100%	-
101	Repair Technicians, LLC	Interior Finishes	34	28%	-
102	Fancy Wall Co.	Tape and Texture Drywall	3	3%	-
103	GEO Company	Design - Geotechnical	120	100%	232,428.78
104	Some Like it Hot HVAC	HVAC	111	93%	64,389.41
105	Some Like it Cold HVAC	Plumbing	6	5%	-
106	Build From Scratch	Masonry - Brick - Materials	1	1%	-
107	Wonderful Walls Co.	Drywall	72	60%	206.25
108	Trust the Truss	Trusses	27	23%	-
109	Automatic Doors, Ltd	Garage Doors	54	45%	-
110	ABC Appliances	Appliances	6	5%	-
111	Signature Signs	Signage	36	30%	-
112	Anywhere HOA	HOA	120	100%	-
113					
114	112 contractors				<b>3,532,331.36</b>
115					
116	* See the Trade Contractor Scope of Work for explanation of lot counts/percentages.				

# Cuban's Manor v Builder

## Summary by Contractor

#	Job Cost Code	Contractor	Trade	Scope of Work *	Source	Unit Data	Lots Worked	% of 47	Allocated
1		3D Drywall	Gypsum Board	Sheetrock Material	Palumbo "Scope of Work Matrix 1"				
2	36BT	Ace Heating	HVAC	HVAC	Job Cost Detail - 11/10/06	X	22	47%	92,340.33
3	99KJ	A-Classic Color	Painting	Exterior / Interior Paint	Job Cost Detail - 11/10/06	X	10	21%	175,021.43
4	84BV	Advanced Electric	Electrical	Electrical	Job Cost Detail - 11/10/06	X	22	47%	87,601.68
5		AJ Nieuwlan	Finish Carpentry	Trim Labor	Palumbo "Scope of Work Matrix 1"				253,678.25
6	014B	All Weatherization	Thermal Protection & Insulation Fireplaces and Stoves	Insulation / Prefab Fireplace	Job Cost Detail - 11/10/06	X	47	100%	
7	96GJ	Ariel Truss	Wood Trusses	Roof Trusses	Job Cost Detail - 11/10/06	X	9	19%	
8		Atled South Corp		Survey	Contract				
9	59GH	Best Fence	Fences and Gates	Privacy Fence	Job Cost Detail - 11/10/06	X	20	43%	6,558.35
10	250B	BMC West	Rough Carpentry Siding Finish Carpentry	Framing Materials and Labor, Siding Materials, Trusses, Flatwork Extras, Silt Fence, Trim Materials and Labor	Job Cost Detail - 11/10/06	X	47	100%	2,662,882.49
11	064B	Brothers Con.	Concrete	Foundation Concrete	Job Cost Detail - 11/10/06	X	1	2%	
12	086B	Canby / GTS	Gypsum Board	Sheetrock Material	Job Cost Detail - 11/10/06	X	21	45%	
13		Centerline Concepts		Land Survey	Contract				
14	23KR	Clackamas Restoration		Moisture Inspection / Pest Ban	Job Cost Detail - 11/10/06	X	12	26%	
15	118B	Clark Public		Utilities / Permits	Job Cost Detail - 11/10/06	X	22	47%	
16	123B	Compwest/ABC	Roofing	Roofing Labor #1	Job Cost Detail - 11/10/06	X	20	43%	128,092.26
17		CSR Corp.	Concrete	Flatwork	Palumbo "Scope of Work Matrix 1"				1,032,663.22
18		Dave Schuler Masonry	Masonry	Masonry	Invoice Copies	X	24	51%	16,414.61
19		Davis/Sca/Be...	Concrete	Flatwork	Palumbo "Scope of Work Matrix 1"				1,032,663.22
20	58KQ	Durite Paint	Painting	Exterior / Interior Paint	Job Cost Detail - 11/10/06	X	21	45%	367,545.01
21	49GH	EK Plumbing	Plumbing	Plumbing	Job Cost Detail - 11/10/06	X	22	47%	23,073.11
22	203B	Empire Pacific	Windows	Windows	Job Cost Detail - 8/21/06	X	25	53%	110,780.63
23	10BV	Endco Construction Cleanup		Exterior Clean 2	Job Cost Detail - 11/10/06	X	22	47%	
24	204B	ESP Supply		Mirrors Bath	Job Cost Detail - 11/10/06	X	22	47%	
25		Familian NW	Concrete	Flatwork	Palumbo "Scope of Work Matrix 1"				1,032,663.22
26	031K	Fettig Construction	Concrete	Flatwork, Garage Slab, Curb Cuts	Job Cost Detail - 11/10/06	X	22	47%	483,374.27
27		Fireside Dis...	Masonry Fireplaces and Stoves	Prefab Fireplace, Masonry Labor	Palumbo "Scope of Work Matrix 1"				192,871.71
28	550A	First Home Construction	Siding	Siding Labor	Job Cost Detail - 8/21/06	X	4	9%	151,594.29
29	R080	Framin/Shelt	Rough Carpentry	Framing Material	Job Cost Detail - 8/21/06	X	10	21%	133,610.92
30	Q572 / 94BV	Framing Cons	Wood Trusses Rough Carpentry	Roof Trusses, Framing Material / Labor	Job Cost Detail - 11/10/06	X	22	47%	293,944.01
31	26GE	General Flooring	Flooring Wood Decks	Underlayment, Wood Deck	Job Cost Detail - 11/10/06	X	12	26%	1,098.45
32	357B	Glacier NW	Siding	Siding Labor	Job Cost Detail - 8/21/06	X	1	2%	37,898.57
33		Green Haven		Sod/Seed	Palumbo "Scope of Work Matrix 1"				641,273.27
34	464G	Gregg's Carp.	Fences and Gates	Privacy Fence, Framing / Siding Labor	Job Cost Detail - 11/10/06	X	21	45%	6,886.27
35	649L	Gregg's/TVBS	Finish Carpentry	Interior Trim Material	Job Cost Detail - 11/10/06	X	1	2%	5,397.41
36	349H	Hazel Dell		Water	Job Cost Detail - 11/10/06	X	17	36%	
37		Head East Co.	Flooring	Underlayment	Palumbo "Scope of Work Matrix 1"				
38	75KK	Hertz Equip		Equipment Rental	Job Cost Detail - 11/10/06	X	21	45%	
39		Hillsdale Sa...		Cabinetry	Palumbo "Scope of Work Matrix 1"				
40	88AT	James Vander	Roof Gutters	Gutters and Downspouts	Job Cost Detail - 11/10/06	X	20	43%	168,217.22
41	700A	KMR Framing	Rough Carpentry	Frame Labor 1	Job Cost Detail - 11/10/06	X	4	9%	53,444.37
42		LB Gutter	Roof Gutters	Gutters and Downspouts	Palumbo "Scope of Work Matrix 1"				395,310.46

# Cuban's Manor v Builder

## Summary by Contractor

#	Job Cost Code	Contractor	Trade	Scope of Work *	Source	Unit Data	Lots Worked	% of 47	Allocated
43	88GE	LL Lindberg	Fine Grading & Site Drainage	Excavation, Backfill, Grading, Retaining Walls, Underground Drainage, Flatwork Concrete	Job Cost Detail - 11/10/06	X	22	47%	502,622.33
44	86GE	Lonnie Barnes	Rough Carpentry Siding	Framing Material / Labor, Siding Material / Labor, Porch Columns, Pit Gravel	Job Cost Detail - 11/10/06	X	22	47%	1,127,712.62
45	23GE	Magic Broom		Interior Clean 1	Job Cost Detail - 11/10/06	X	4	9%	
46		Mark Vasey		Foundation Excavation	Palumbo "Scope of Work Matrix 1"				
47	24BM	Merillat		Cabinets Turnkey	Job Cost Detail - 11/10/06	X	18	38%	
48	63BS	Milgard	Windows	Windows, Reglazing	Job Cost Detail - 11/10/06	X	22	47%	97,486.96
49		Monocrete An...		Foundation Excavation and Footing Labor	Palumbo "Scope of Work Matrix 1"				
50	374B	Moore Constr.	Rough Carpentry Wood Decks	Framing Labor, Wood Deck	Job Cost Detail - 8/21/06	X	18	38%	242,147.33
51		Mosley & Son	Gypsum Board	Sheetrock Material	Palumbo "Scope of Work Matrix 1"				
52	381B	Mowrey & Seal	Rough Carpentry	Framing Labor	Job Cost Detail - 8/21/06	X	2	4%	26,722.18
53	Z879	Nefodey/Sher	Painting	Exterior / Interior Paint	Job Cost Detail - 11/10/06	X	9	19%	157,519.29
54	396A	Nutek Const.	Siding	Siding Labor	Job Cost Detail - 8/21/06	X	25	53%	947,464.32
55	406B	NW Nat. Gas		Gas	Job Cost Detail - 11/10/06	X	16	34%	
56	253J	NW Shelving		Closet Shelving	Job Cost Detail - 11/10/06	X	22	47%	
57	429B	Pacific Rock	Concrete	Pit Gravel, Foundation Concrete	Job Cost Detail - 11/10/06	X	19	40%	
58		Peninsula Flooring	Flooring	Vinyl Flooring	Palumbo "Scope of Work Matrix 1"				
59	474J	Performance	Garage Doors	Garage Doors and Openers	Job Cost Detail - 11/10/06	X	22	47%	5,598.21
60	447B	Power Rents		Equipment Rental	Job Cost Detail - 11/10/06	X	1	2%	
61		Precision Roof Trusses	Wood Trusses	Roof Trusses	Palumbo "Scope of Work Matrix 1"				
62	05GJ	Priority 1		Interior Cleanup	Job Cost Detail - 11/10/06	X	18	38%	
63		Randal / RB Concrete		Concrete Pumping	Palumbo "Scope of Work Matrix 1"				
64	65KV	Riverview Tr.		Tree Removal	Job Cost Detail - 11/10/06	X	1	2%	
65	Y808	Sageland Hms	Rough Carpentry	Framing Labor	Job Cost Detail - 8/21/06	X	21	45%	280,582.92
66		Seven Gables		Foundation Excavation	Palumbo "Scope of Work Matrix 1"				
67	28KG	Shelter Products	Rough Carpentry	Framing Materials	Job Cost Detail - 11/10/06	X	22	47%	293,944.01
68		Stephen Vane...	Electrical	Electrical	Palumbo "Scope of Work Matrix 1"				
69	626B	Super Floors	Flooring	Carpet, Vinyl	Job Cost Detail - 11/10/06	X	22	47%	
70	580K	Thomas Burness		Sod/Seed, Exterior Cleanup	Job Cost Detail - 11/10/06	X	22	47%	300,170.47
71		Tigard Door	Garage Doors	Garage Doors	Palumbo "Scope of Work Matrix 1"				11,959.81
72		Todd Larsen / Ideal Homes		Foundation Footing Labor	Vendor Listing - DRH-BM 004732				
73	507A	Trinity Carpet	Flooring	Carpet	Job Cost Detail - 11/10/06	X	2	4%	
74	24KV	Unique Ext.	Rough Carpentry Flooring Wood Decks	Framing Labor, Underlayment Materials and Labor, Wood Deck	Job Cost Detail - 11/10/06	X	16	34%	215,242.07
75	Z803	Whirlpool		Appliances	Job Cost Detail - 11/10/06	X	22	47%	
76	29KT	Will Stark	Rough Carpentry	Framing Labor 1	Job Cost Detail - 11/10/06	X	1	2%	13,361.09
77	603B	Willamette V		Tub Chip Repair	Job Cost Detail - 11/10/06	X	16	34%	
78		Wolcott Plumbing	Plumbing	Plumbing	Palumbo "Scope of Work Matrix 1"				49,292.55
79	911F	Wood You Believe	Siding	Siding Material	Job Cost Detail - 8/21/06	X	1	2%	37,898.57
80		79 contractors				56			13,896,623.75
81									
82	* Scope of Work as described in source documents								