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WHAT'S THE FUTURE HOLD?





No Good Deed Goes Unpunished

By John P. Bachner



Adages are brief statements that convey pithy guidance to successive generations. Take, for example, “No good deed goes unpunished,” an adage seemingly borne out in multiple case histories published by the Geoprofessional Business Association (GBA). In many cases, the good deed takes the form of doing a favor for a friend (“Familiarity breeds contempt.”), typically by providing a service for a low fee (“You get what you pay for.”) or by meeting an extremely tight schedule (“Haste makes waste.”).

In one of these GBA cases, a member firm’s CEO was the good buddy of the client organization’s site engineer. The site engineer asked for a quick, preliminary subsurface study of a site that was to become a housing development. He asked the CEO to include foundation-design recommendations and foundation-cost estimates in the preliminary-study report. The CEO was quick to oblige, excavating test pits to the 10-ft level, and submitting a

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report that made no mention of the fact that, indeed, it was preliminary. Fast forward three years when the client organization sold the land *and the member firm's report* to a third party. The new owner had its own study performed, leading to a finding of organic soils outside the member firm's test area and below the 10-ft level. The new owner filed a \$100,000 claim against the member firm for excessive foundation costs.

In another case, an architect retained to design a new church asked a geotechnical engineer it often retained to "cut the church a break." The firm did, asking for a tiny fee, but using the project as a training exercise for relatively inexperienced personnel whom the firm made no effort to closely oversee. In performing the subsurface exploration, the geotechnical engineer drilled borings to a maximum depth of 30 ft. Nonetheless, its brief letter report addressed issues below the 30-ft depth, and failed to note that comments about conditions below 30 ft were pure guesstimates. Guessing is not required to figure out what happened next.

The third case involved a member firm whose CEO was called by a friend who happened to be a representative of a local housing developer. The developer was about to start a new subdivision and saw that the member firm was working on a major industrial

project nearby. Could the member firm *please* handle the housing project's geotechnical-engineering aspects?

Pretty please? The firm obliged, assigning the engagement to the project manager who was in charge of the industrial project. Because of time pressures, and because the housing project was a virtual nothing compared to the industrial project, the project manager rendered his opinions orally at site meetings; failed to keep a diary of his observations; and issued no follow-up memoranda to the developer, the architect, or the constructor-in-charge. Did problems result? Duh! Leading me to modify an existing adage to "Hell hath no fury like a successful housing developer scorned."

The fourth case involved an old rowhouse in Boston's Back Bay, supported on wooden piles driven about 30 ft through fill and an organic stratum to bearing on a layer of sand. Granite blocks were used as pile caps; thick brick walls were built over them. The member firm involved had experience with these row houses: It had been retained a few years before to design and observe construction of a 19-home underpinning project that included the five-story row house the friend of a senior project manager was thinking about buying. The friend called on a Friday afternoon to inform the project manager that he needed some guidance

quickly. The project manager — despite an unusually heavy workload — obliged, and scheduled an appointment for first thing Monday morning. The two did a walk-through at 9:00 a.m., and, based on what he saw, the project manager recommended that his friend retain a structural engineer and review the firm's stored field notes that it had prepared during the underpinning project. The project manager also offered to review the original file, which he had not had the time to retrieve, but the friend told the project manager not to bother. "How much do I owe you?" the friend asked the project manager. "Nothing at all," was the response. The friend was delighted.

Six weeks later, the friend called the project manager to let him know that he had purchased the row house, without first contacting a structural engineer, and the renovation constructor found something amiss. The project manager went to the home and, in the crawlspace, saw what appeared to be a severe settlement problem. He went to his firm's storage facility to retrieve the project files and, during review, discovered that the piling repairs he assumed had been performed had not been performed, per the dictates of the row house's then owner. The project manager felt bad about the situation. True: The problem could have been avoided had his friend contacted a

structural engineer, as he had advised, but he also believed he probably should have insisted on reviewing the notes before offering an opinion or guidance. The upshot: The project manager offered to provide remediation design

and observation services for no fee, and he retained a constructor who agreed to undertake repairs at its cost. However, when the friend received the constructor's \$30,000 bill, he let the project manager know that, in his

judgment, the firm should have paid it. The firm's leadership disagreed with the friend, and things went downhill from there. Ultimately, the project manager's good deed cost the firm about \$300,000.

So what should we learn from these cases and so many others like them? Just this: Performing in a less-than-professional manner is not a good deed; it's inadequate professional performance. A good deed is doing what you would ordinarily do for the best client you could possibly have, who is willing to pay you adequately for a top-flight service performed in accordance with a schedule that is designed to support excellence. Real good deeds seldom get punished. As soon as you decide to do less than what a true good deed requires, with or without the client's knowledge, you are taking shortcuts and, as another adage has it: "Shortcuts are the pathways to hell." What does hell look like? GBA doesn't have any photos, but if you have at least an average imagination, it shouldn't be that hard to develop a mind's-eye picture... just read some of our GBA member firms' oh-so-instructive tales of woe. **ES**

► **JOHN P. BACHNER** served as the executive vice president of the Geoprofessional Business Association (GBA) from 1973 through 2015. GBA is a not-for-profit association that develops programs, services, and materials to help its member firms and their clients confront risk and optimize performance. GBA-Member Firms provide geotechnical, geologic, environmental, construction-materials engineering and testing (CoMET), and related professional services (en.wikipedia.org/wiki/Geoprofessions). GBA invites geoprofessional constructors, educators, and government officials to become involved. Contact GBA at info@geoprofessional.org.

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