

<b>QUARTERLY A-E LIABILITY CASE REPORT</b> For use of this form, see EP 715-1-7; the proponent agency is CECW-CE (See Reverse for Instructions)			1. COMMAND		RCS: CEMP-E-32
2. CASE NUMBER		3. FISCAL YEAR (YYYY)		4. QUARTER	
5. A-E NAME AND ADDRESS		6. PROJECT TITLE AND LOCATION		7. A-E CONTRACT NUMBER	
				8. CONSTRUCTION CONTRACT NUMBER	
9. DESCRIPTION OF DEFICIENCIES					
DISCIPLINE(S) INVOLVED   CIVIL <input type="checkbox"/> ARCH. <input type="checkbox"/> STRUCT. <input type="checkbox"/> HVAC <input type="checkbox"/> PLUMBING <input type="checkbox"/> FIRE PROTECT. <input type="checkbox"/> ELECT. <input type="checkbox"/> OTHER <input type="checkbox"/>					
10. A-E POSITION/REBUTTAL					
11. A-E NOTIFICATION	12. LETTER OF INTENT	13. DEMAND LETTER	14. CONTRACTING OFFICER DECISION	15. DATE OF APPEAL (YYYYMMDD)	17. FINAL ACTION <input type="checkbox"/> DROPPED <input type="checkbox"/> SETTLED DATE (YYYYMMDD) _____
				16. DOCKET NUMBER	
18. CONSTRUCTION DAMAGES, \$	19. ANCILLARY COST, \$	20. INVESTIGATION & RECOVERY COST, \$	21. TOTAL DAMAGES (18 + 19 + 20), \$	22. SETTLEMENT AMOUNT, \$	23. EFFICIENCY RATIO, 20/(18 + 19)
					24. RECOVERY RATIO, 22/21
25. SUMMARY OF EVENTS AND STATUS, INCLUDING CHANGES AND PROGRESS FROM LAST QUARTER					
26. PREPARED BY (AERC)		27. OFFICE SYMBOL	29. DATE (YYYYMMDD)	30. SIGNATURE	
		28. TELEPHONE NUMBER			

## INSTRUCTIONS FOR ENG FORM 4858A

General: A separate form is required for each A-E liability case until it is dropped or settled. Instructions are provided below for items which are not self-explanatory. Attach additional sheets if needed.

1. Enter the three character office symbol; e.g., MRO for Omaha District, NED for New England Division.
  2. Use the following format for the case number: FY-XXX, where FY is the fiscal year in which the liability case was originated and XXX is a serial number assigned sequentially for that fiscal year.
  9. Identify key consultants by name, and city and state address, if involved.
  11. Indicate date(s) and means (T=telephone; L=letter) of initial notification to the A-E firm.
  - 15/16. Enter date and docket number of appeal to Armed Services Board of Contract Appeals (ASBCA), Engineer Board of Contract Appeals (EBCA), or Court of Federal Claims (CFC).
- Note for Items 18-22: See EP 715-1-20, Appendix U for a detailed discussion of the determination of damages. Update damages, especially investigation and recovery costs, as the case progresses. Round-off to nearest dollar.
18. Enter the additional construction costs the Government incurred due to A-E design errors or omissions, or performance deficiencies, such as tear out, reinstallation, premium for expedited delivery, and delay and extended overhead.
  19. Enter the S&A and EDC costs associated with the additional construction costs. Also include costs for redesign (if not performed by the original A-E firm), re-procurement of equipment or construction, and lessened value.
  20. Enter all costs to investigate the A-E liability and responsibility, and to pursue the recovery of damages. Do not include labor costs of personnel who normally charge to overhead.
  25. Summarize key events in the case.
    - a. This should generally be a one line entry for each event, e.g.:
      - o 16 Apr 96: A-E rebuttal
      - o 6 Jun 96: Conference with A-E
      - o 1 Aug 96: A-E appeal to the ASBCA
- Earlier entries do not have to be repeated for liability cases in the later stages of litigation.
- b. Make a concise statement on the present status. For example, when the last step has been a conference with the A-E, a statement might be made that there has been no change in the Government's position and the A-E has been told that a COD will be issued within 30 days.
  - c. Give a brief statement of any changes in the case, such as the amount of damages, from the last report.