

## Handle **hidden** installation **surprises**

**Buried drywall, lumber, pipe and carpet. Soil saturated with paint thinner and concrete wash. You're faced with more and more debris. What to do?**

BY MIKE PERRAULT

**D**uring the 12 years that Denise and Dave Losey have lived in Detroit, they've heard persistent rumors from neighbors that something was buried in their backyard. On Memorial Day 1999, while digging for an in-ground pool, they unearthed a 1953 Chevy.

While most landscape professionals would be surprised by a buried car, many are increasingly faced with an array of debris that makes their jobs difficult. Part of the problem stems from a booming economy in which construction contractors — often under tight deadlines — rush to com-

plete jobs and move on, sometimes failing to pick up after themselves. Or, to avoid trips to the landfill or cut corners, some bury everything from drywall to concrete, pipe and shingles.

"It's definitely a problem, and I'd say it's gotten worse over the years," says Kurt Kluznik, president of Painesville, OH-based Yardmaster Inc. He believes the debris problem is the result of a combination of factors: Contractors are hurried, they're trying to do more with less and, for some, their habits have gotten sloppier.

"And there aren't as many people supervising," Kluznik notes. "It used to be that an excavator came on site and he'd not only be there with a bulldozer to grade



Debris like this is becoming an increasingly common problem at job sites.

the property, but he'd also have a laborer to pick up debris, backfill sidewalks or clean up around the base of the foundation. It's rare to see a laborer nowadays."

To cope with unexpected obstacles,

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## What's in this dirt?

Common problems you may find on a site or in the ground include:

- ▶ Buried lumber and tree stumps, which can cause problems as materials decompose and become "a great spot for fungi to thrive," causing turf diseases such as fairy ring, says Jim Baird, Ph.D., turfgrass specialist at Michigan State.

- ▶ Broken glass, cutting blades and electrical wires — a safety problem.

- ▶ Petroleum-based chemicals and everything from epoxy and roofing tar paper to latex- and liquid solvent-based paints and paint thinners. "These might create some volatilization problems," says Frank Rossi, Ph.D., turfgrass specialist at Cornell University. "If it's very concentrated, that's going to severely restrict the root system."

- ▶ Even harsher liquids — tars, sludges, oils and cyanide compounds, for example — can seep into topsoil and subsurface soils and may require heating or washing with solvents to clean the soil, agronomists say.

- ▶ Other objects can severely restrict root systems, while such elements as lime in concrete can significantly alter soil pH levels. "This is not as big an issue with grasses as it might be with more deep-rooted plants — trees and perennials," Rossi says.

- ▶ Items impeding the normal function of grasses, from plastic sheeting that deters drainage to vinyl siding, can prevent plants from taking up water and interfere with proper drainage, adds Pete Landschoot, Penn State associate professor of turfgrass science.

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you need to think ahead, recognize potential problems and solutions, and know when to negotiate for additional charges.

### Expect some trouble

Veteran landscape installers expect obstacles. Typically the last contractors onto a site, they've learned to staff up and make up for lost time in the wake of other subcontractors who have fallen behind schedule. They've learned to monitor job sites before sending crews out so they don't waste time and manpower.

"Five or six years ago, we went when the contractor told us to get there," recalls Nathan Dirksen, production coordinator for Portland-based Dennis' Seven Dees Landscaping Inc. But now, to control expenses, improve efficiency and turn a profit, the company sends out a crew only when it's sure the site is *really* ready, adds David Snodgrass, company president. "If we're there too soon, a lot of times we're just spinning our wheels," Snodgrass says. "It's a battle, because they (contractors) want you there."

Weather is another obstacle, but one for which landscape installers can prepare. It may take creative thinking to use flotation tires on trenchers or tracked skid-steer loaders in the

mud. Trees can be pre-dug in the spring in anticipation of hot summer projects.

To adjust to the constantly fluctuating schedules of fellow tradesmen, Dirksen holds preconstruction meetings where he juggles schedules. He communicates with crews, notifying them that they'll need to be ready to scarify and put down amendments and compost to overcome heavy clays at a job site.

But what can throw off and unnerve even the most prepared landscape installers are the unexpected obstacles — everything from buried chunks of concrete and asphalt to mounds of crumpled drywall sheets, septic tanks and more.

### Where's the property line?

They come in all shapes and sizes, and many aren't even tangible. One of the most common problems that Charlie Bowers, president of Garden Gate Landscaping Inc. in Silver Springs, MD, faces in his area is locating property lines. "Even the surveyors sometimes have trouble finding the corners," Bowers says.

Homeowners unknowingly build fences and walls 2 or 3 feet beyond their rightful property lines, an obstacle that can make obtaining building permits difficult. He also unexpectedly encounters decades-old foundations and stairways in historic areas. "We run into all sorts of items in the ground," concedes Bruce Bachand, vice president of operations for Carol King Landscaping, a residential, commercial and industrial landscaping company in Orlando. "On the commercial side, drywall is a famous one; and concrete wash, where they've emp-



... tied the concrete trucks. You're always going to run into something in the ground."

Bachand's company has a policy to deal with the incidents. "We ask for a change order on anything below the ground that we don't know about, within reason," he says, noting that their contract states his company isn't responsible for anything underground that's not identified on site or engineering plans. "If it's a matter of extra time having to be taken, we usually photograph it."

Carol King employees carry Polaroid cameras in their trucks, snapping photographs of obstacles so construction site supervisors can see problems for themselves. "We tell them we're going to need a little extra money to excavate the area and put in proper fill for planting," Bachand explains.

Likewise, to head off potential problems and disputes, Garden Gate Landscaping sends employees to monitor sites and verify that post-construction cleanup is adequate, Bowers says. Snodgrass has employees write field memos outlining what needs to be done.

### Put it in writing

Notifying clients or general contractors that they'll have to pay more because of unexpected obstacles is not always well accepted, the contractors admit. That's why addressing these problems in contracts serves as an excellent vehicle to substantiate work order changes, says Ron Price, senior landscape architect at Greenscape Inc., NC.

A "hidden contingency clause" ensures that Garden Gate Landscaping is protected and can tack on necessary expenses, Bowers agrees. And Yardmaster's "concealed contingency clause" is one of 14 important clauses on the back of its contracts — it outlines when the company can charge extra to deal with hidden or unexpected surprises. Such clauses protect landscape companies, Bachand insists.

"We have run into cases where the fire department came in and installed underground piping for their fire hydrants," Bachand says. "It was an after-the-fact deal, so it wasn't in the plans. If you don't have some protection, a general contractor won't want to pay for those kinds of problems. Sometimes it's as simple as moving an item, or you may have to excavate."

Although it's critical to have such clauses in a contract, it's just as important to be on the lookout for onerous clauses in a client's or general contractor's contract, landscapers warn. Find ambiguous words and have them clarified. If possible, discuss them at a pre-construction conference. Identify representatives with authority to make changes in the field. If you expect cleanup problems, factor more charges in the bid.

### Don't be a victim

It may be human nature for construction contractors to eke out maximum profits on a job, but the corners they cut could end up costing you, warns Saeed Assadzandi, a Penn State turfgrass program graduate and certified golf course superintendent at Whistling Straits Golf Course in Sheboygan, WI.

In a 1999 presentation at the Future Turf Managers Seminar sponsored by Textron Turf Care And Specialty Products in Racine, WI, Assadzandi showed slides of golf course grow-in and installation projects gone bad — due to contractors who cut corners on drainage and erosion measures.

Landscape professionals like Assadzandi agree that spotting potential obstacles to installation early helps prevent toe-to-toe battles that can permanently damage relationships with other contractors or clients.

Failure to take the time for a detailed site investigation can kill profits, they add. In



## Tools for negotiating

Maybe more important to good on-site relations is keeping lines of communication open between contracting parties and management, particularly when it comes to change orders. Kurt Kluznik of Yardmaster Inc., Painesville, OH, says pre-job walk-throughs with clients often clear up any potential misunderstandings or assumptions, and such discussions can lead to intervention.

Often, ironing out problems comes down to negotiations, landscape professionals say. To be a successful negotiator, don't underestimate your opponent. Good negotiators also say it takes a combination of:

- ▶ planning skills,
- ▶ verbal grace,
- ▶ patience,
- ▶ self-confidence and
- ▶ calm.

... some cases, if you haven't done your homework and negotiated up front, you may be barred from recovery of additional costs associated with differing site conditions.

"Contractors by nature are used to negotiating," Kluznik says. "They're used to disputes. Sometimes we're the ones who are inconveniencing other contractors. If we can trade some things off, work with them, that's the win-win situation."

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