

STATE OF RHODE ISLAND
PROVIDENCE, SC

SUPERIOR COURT

STATE OF RHODE ISLAND,
Plaintiff,

vs.

AECOM TECHNICAL SERVICES, INC.
ET AL.,
Defendant.

C.A. No.: PC-2024-04526

OCTOBER 31, 2024

**DEFENDANT COLLINS ENGINEERS, INC.'S ANSWER AND AFFIRMATIVE
DEFENSES TO PLAINTIFF'S COMPLAINT, JURY DEMAND AND CROSSCLAIM**

Collins Engineers, Inc. ("Collins") answers the Plaintiff's Complaint as follows:

As to the section titled Introduction in Plaintiff's Complaint, Collins lacks sufficient information or belief to either admit or deny the allegations of this section.

1. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

2. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

3. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

4. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

5. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

6. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

7. Collins admits the allegations set forth in this paragraph, except for those stating that “the claims in this Complaint against Collins are based on its doing business in and with the State of Rhode Island” to which it lacks sufficient information or belief to either admit or deny.

8. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

9. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

10. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

11. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

12. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

13. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

14. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

15. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

16. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

17. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

18. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

19. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

20. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

21. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

22. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

23. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

24. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

25. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

26. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

27. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

28. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

29. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

30. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

31. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

32. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

33. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

34. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

35. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

36. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

37. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

38. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

39. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

40. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

41. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

42. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

43. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

44. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

45. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

46. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

47. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

48. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

49. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

50. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

51. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

52. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

53. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

54. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

55. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

56. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

57. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

58. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

59. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

60. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

61. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

62. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

63. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

64. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

65. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

66. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

67. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

68. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

69. Collins denies the allegations of paragraph 69 to the extent that the allegations pertain to Collins. As to the allegations directed to other Defendants, Collins lacks sufficient information or belief to either admit or deny.

70. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

71. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

72. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

73. Collins admits that it conducted a routine inspection of the Washington Bridge in June and July 2017. Collins lacks sufficient information or belief to either admit or deny the remaining allegations of this paragraph.

74. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

75. Collins denies the allegations of paragraph 75 to the extent that the allegations pertain to Collins. As to the allegations directed to other Defendants, Collins lacks sufficient information or belief to either admit or deny.

76. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

77. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

78. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

79. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

80. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

81. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

82. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

83. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

84. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

85. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

86. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

87. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

88. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

89. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

90. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

91. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

92. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

93. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

94. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

95. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph.

Count I

96 - 99. Collins does not answer Count I of Plaintiff's Complaint as it is not directed to Collins.

Count II

100 105. Collins does not answer Count II of Plaintiff's Complaint as it is not directed to Collins.

Count III

106 - 110. Collins does not answer Count III of Plaintiff's Complaint as it is not directed to Collins.

Count IV

111- 114. Collins does not answer Count IV of Plaintiff's Complaint as it is not directed to Collins.

Count V

115 - 121. Collins does not answer the Fifth Count of Plaintiff's Complaint as it is not directed to Collins.

Count VI

122 - 126. Collins does not answer Count VI of Plaintiff's Complaint as it is not directed to Collins.

Count VII

127 - 130. Collins does not answer Count VII of Plaintiff's Complaint as it is not directed to Collins.

Count VIII

131. Collins repeats its responses to paragraphs 1 through 95 as if sent forth fully herein.

132. Collins admits that it entered into a contract purchase agreement with the State of Rhode Island on or about June 14, 2014. The document speaks for itself.

133. Collins admits that it performed services pursuant to its contract purchase agreement with the State of Rhode Island in 2017. The resulting documents speak for themselves.

134. Denied.

135. Denied.

Count IX

136. Collins repeats its responses to paragraphs 1 through 95 as if sent forth fully herein.

137. Collins lacks sufficient information or belief to either admit or deny the allegations of this paragraph as it improperly calls for a legal conclusion.

138. Denied.

139. Denied.

Count X

140 - 144. Collins does not answer Count X of Plaintiff's Complaint as it is not directed to Collins.

Count XI

145 - 149. Collins does not answer Count XI of Plaintiff's Complaint as it is not directed to Collins.

Count XII

150 - 153. Collins does not answer Count XII of Plaintiff's Complaint as it is not directed to Collins.

Count XIII

154 - 158. Collins does not answer Count XIII of Plaintiff's Complaint as it is not directed to Collins.

Count XIV

159 - 162. Collins does not answer Count XIV of Plaintiff's Complaint as it is not directed to Collins.

Count XV

163 - 167. Collins does not answer Count XV of Plaintiff's Complaint as it is not directed to Collins.

Count XVI

168 - 172. Collins does not answer Count XVI of Plaintiff's Complaint as it is not directed to Collins.

Count XVII

173 - 178. Collins does not answer Count XVII of Plaintiff's Complaint as it is not directed to Collins.

Count XVIII

179 – 182. Collins does not answer Count XVIII of Plaintiff's Complaint as it is not directed to Collins.

Count XIX

183. Collins repeats its responses to paragraphs 1 through 95 as if sent forth fully herein.

184. Collins denies the allegations of paragraph 184 to the extent that the allegations pertain to Collins. As to the allegations directed to other Defendants, Collins lacks sufficient information or belief to either admit or deny.

185. Collins denies the allegations of paragraph 185 to the extent that the allegations pertain to Collins. As to the allegations directed to other Defendants, Collins lacks sufficient information or belief to either admit or deny.

186. Denied.

Count XX

187. Collins repeats its responses to paragraphs 1 through 95 as if sent forth fully herein.

188. Collins denies the allegations of paragraph 188 to the extent that the allegations pertain to Collins. As to the allegations directed to other Defendants, Collins lacks sufficient information or belief to either admit or deny.

189. Collins denies the allegations of paragraph 189 to the extent that the allegations pertain to Collins. As to the allegations directed to other Defendants, Collins lacks sufficient information or belief to either admit or deny.

190. Denied

CROSS CLAIMS

1. The Plaintiff State of Rhode Island has asserted various claims against Collins including claims for Breach of Contract, Negligence and also Declaratory Judgment.

2. Collins denies all allegations directed against it by the State of Rhode Island.

3. Notwithstanding Collins' denial, to the extent the State of Rhode Island is able to prove any of the claims against Collins, Collins is entitled to apportionment, indemnity and/or contribution in an amount to be determined by the court against each and every one of the other Defendants in the case including: AECOM TECHNICAL SERVICES, INC., AETNA BRIDGE COMPANY, ARIES SUPPORT SERVICES INC., BARLETTA HEAVY DIVISION, INC., BARLETTA/AETNA 1-195 WASHINGTON BRIDGE NORTH PHASE 2 JV, COMMONWEALTH ENGINEERS & CONSULTANTS, INC., JACOBS ENGINEERING GROUP, INC., MICHAEL BAKER INTERNATIONAL, INC., PRIME AE GROUP, INC., STEERE ENGINEERING, INC., TRANSYSTEMS CORPORATION AND VANASSE HANGEN BRUSTLIN, INC.

JURY DEMAND

Collins demands trial by jury on each and every issue so triable.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint fails to state a cause of action and a claim for which relief may be granted.
2. Plaintiff's Complaint is barred by the doctrines of waiver, estoppel, laches and unclean hands.
3. Plaintiff's Complaint is barred by the applicable statutes of limitations and/or statutes of repose.
4. Plaintiff's claims are barred or reduced to the extent that Plaintiff has failed to mitigate its damages.
5. If Plaintiff suffered damages as alleged in its Complaint such damages were caused by an entity for whose conduct Collins was not and is not legally responsible.
6. The negligence of Plaintiff contributed in whole or part to the injuries or damages alleged, and such negligence should reduce or bar Plaintiff's recovery.
7. The negligence of other parties contributed in whole or part to the injuries or damages alleged by Plaintiff.

Respectfully Submitted,

COLLINS ENGINEERS, INC.

By its Attorney,

/s/ Richard M. Dighello, Jr
Richard M. Dighello, Jr., Esq.
Updike, Kelly & Spellacy, P.C.
225 Asylum, St., 20th Floor
Hartford, CT 06103
P: (860) 548-2633
F: (860) 548-2680
rdighello@uks.com

CERTIFICATE OF SERVICE

I, Richard M. Dighello, Jr, hereby certify that I have served a copy of the foregoing document upon the Plaintiff's attorney and upon all defense counsel of record by electronic service via the Rhode Island Judiciary E-Filing System on October 31, 2024.

/s/ Richard M. Dighello, Jr
Richard M. Dighello, Jr.