

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

JUNE 13, 2025

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

Collins Engineers, Inc. ("Collins") answers the Plaintiff's Amended Complaint
"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.

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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.

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

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

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

Count I

107-110. Collins does not answer Count I of Plaintiff's Complaint as it is not directed to Collins.

Count II

111-118. Collins does not answer Count II of Plaintiff's Complaint as it is not directed to Collins.

Count III

119-124. Collins does not answer Count III of Plaintiff's Complaint as it is not directed to Collins.

Count IV

125-128. Collins does not answer Count IV of Plaintiff's Complaint as it is not directed to Collins.

Count V

129-135. Collins does not answer the Fifth Count of Plaintiff's Complaint as it is not directed to Collins.

Count VI

136-140. Collins does not answer Count VI of Plaintiff's Complaint as it is not directed to Collins.

Count VII

141-144. Collins does not answer Count VII of Plaintiff's Complaint as it is not directed to Collins.

Count VIII

145. Collins repeats its responses to paragraphs 1 through 106 as if sent forth fully herein.

146. 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.

147. 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.

148. Denied.

149. Denied.

Count IX

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

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

152. Denied.

153. Denied.

Count X

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

Count XI

159-163. Collins does not answer Count XI of Plaintiff's Complaint as it is not directed to Collins.

Count XII

164-167. Collins does not answer Count XII of Plaintiff's Complaint as it is not directed to Collins.

Count XIII

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

Count XIV

173-177. Collins does not answer Count XIV of Plaintiff's Complaint as it is not directed to Collins.

Count XV

178-182. Collins does not answer Count XV of Plaintiff's Complaint as it is not directed to Collins.

Count XVI

183-189. Collins does not answer Count XVI of Plaintiff's Complaint as it is not directed to Collins.

Count XVII

190-195. Collins does not answer Count XVII of Plaintiff's Complaint as it is not directed to Collins.

Count XVIII

196-199. Collins does not answer Count XVIII of Plaintiff's Complaint as it is not directed to Collins.

Count XIX

200. Collins repeats its responses to paragraphs 1 through 106 as if sent forth fully herein.

201. Collins denies the allegations of paragraph 201 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.

202. Collins denies the allegations of paragraph 202 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.

203. Denied.

Count XX

204. Collins repeats its responses to paragraphs 1 through 106 as if sent forth fully herein.

205. Collins denies the allegations of paragraph 205 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.

206. Collins denies the allegations of paragraph 206 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.

207. Denied

Count XXI

208-213. Collins does not answer Count XXI of Plaintiff's Complaint as it is not directed to Collins.

Count XXII

214-220. Collins does not answer Count XXII of Plaintiff's Complaint as it is not directed to Collins.

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 claims are barred, in part or in whole, by the doctrine of waiver, .
3. Plaintiff's claims are barred, in part or in whole, by the doctrine of estoppel.
4. Plaintiff's claims are barred, in part or in whole, by the doctrine of laches.
5. Plaintiff's claims are barred, in part or in whole, by the doctrine of unclean hands.
6. Plaintiff's claims are barred, in part or in whole, by the applicable statutes of limitations and/or statutes of repose.
7. Plaintiff's claims are barred, in part or in whole, to the extent that Plaintiff has failed to mitigate its damages.
8. 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.
9. The negligence of Plaintiff contributed in whole or in part to the injuries or damages alleged, and such negligence should reduce or bar Plaintiff's recovery accordingly.
10. The negligence of other parties contributed in whole or part to the injuries or damages alleged by Plaintiff.
11. The Plaintiff's claims are barred, in part or in whole, by assumption of risk.
12. The Plaintiff's claims are barred, in part or in whole, by the spoliation of evidence.
13. The Plaintiff's claims are barred by its breach of the covenant of good faith and fair dealing.

14. The Plaintiff's claims are barred due to misrepresentations made by the State with respect to the condition of the Washington Bridge.

15. Plaintiff's claims are barred, in whole or in part, by the economic loss doctrine.

16. Plaintiff's claims are barred, in whole or in part, by the doctrine of mutual mistake of material fact.

17. Plaintiff's claims are barred, in whole or in part, by the doctrine of unilateral mistake of material fact.

18. Collins reserves its right to rely upon any defenses asserted by other defendants in this matter and to amend its affirmative defenses based upon fact and expert witness discovery.

Respectfully Submitted,

COLLINS ENGINEERS, INC.

By its Attorney,

/s/ Richard M. Dighello, Jr
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Hartford, CT 06103
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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 June 13, 2025.

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