

STATE OF RHODE ISLAND  
 PROVIDENCE, SC

SUPERIOR COURT

STATE OF RHODE ISLAND,

*Plaintiff,*

v.

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

AECOM TECHNICAL SERVICES, INC.,

AETNA BRIDGE COMPANY,

ARIES SUPPORT SERVICES, INC.

BARLETTA HEAVY DIVISION, INC.

BARLETTA/AETNA I-195 WASHINGTON

BRIDGE NORTH PHASE 2 JV,

COLLINS ENGINEERS, INC.,

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.,

*Defendants.*

**ANSWER OF STEERE ENGINEERING, INC. TO AMENDED COMPLAINT**

Defendant Steere Engineering, Inc. (“Steere”), by and through counsel, hereby answers the Amended Complaint, paragraph by paragraph, as follows:

**INTRODUCTION**

Steere denies the allegations contained in the first sentence of the first paragraph of the Introduction. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in the second sentence of the first paragraph of the Introduction.

Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in the second paragraph of the Introduction but denies these allegations as to Steer.

Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in the fifth paragraph of the Introduction.

The seventh paragraph of the Introduction purports to characterize the State's Complaint, a document which speaks for itself. To the extent a response is deemed required, Steere denies is has any liability.

### **PARTIES**

#### ***A. The Plaintiff***

1. Admitted

#### ***B. The Defendants***

2. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 2.

3. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 3.

4. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 4.

5. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 5.

6. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 6.

7. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 7.

8. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 8.

9. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 9.

10. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 10.

11. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 11.

12. Admitted.

13. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 12.

14. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 13.

### **JURISDICTION AND VENUE**

15. The allegations in ¶ 15 of the Amended Complaint purport to state a legal conclusion to which no responsive pleading is required. To the extent a responsive pleading is deemed required, denied.

16. The allegations in ¶ 16 of the Amended Complaint purport to state a legal conclusion to which no responsive pleading is required. To the extent a responsive pleading is deemed required, denied.

17. The allegations in ¶ 17 of the Amended Complaint purport to state a legal conclusion to which no responsive pleading is required. To the extent a responsive pleading is deemed required, denied.

### **FACTS**

#### ***A. The Design and Construction of the Washington Bridge***

18. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 18.

19. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 19.

20. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 20.

21. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 21.

22. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 22.

23. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 23.

24. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 24.

25. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 25.

26. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 26.

27. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 27.

28. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 28.

29. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 29.

30. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 30.

31. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 31.

32. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 32.

***B. The Lichtenstein Report***

33. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 33.

34. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 34.

35. The allegations in ¶ 35 purport to characterize a report which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

36. The allegations in ¶ 36 purport to characterize a report which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

37. The allegations in ¶ 37 purport to characterize a report which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

38. The allegations in ¶ 38 purport to characterize a report which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

39. The allegations in ¶ 39 purport to characterize a report which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document. As to the last sentence, in ¶ 39, Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations.

***C. The 1996-1998 Rehabilitation of the Washington Bridge***

40. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 40.

41. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 41.

***D. The 2011 MBI Inspection***

42. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 42.

43. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 43.

44. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 44.

45. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 45.

***E. The State Engages AECOM for the Complete Design***

46. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 46.

47. The allegations set forth in ¶ 47 of the Amended Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

48. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 48.

49. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 49.

50. The allegations in ¶ 50 of the Amended Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

51. The allegations set forth in ¶ 51 of the Amended Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

52. The allegations in ¶ 52 purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

53. The allegation in in ¶ 53 purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

54. The allegation in in ¶ 54 purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

55. The allegations set forth in ¶ 55 of the Amended Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

56. The allegation in in ¶ 56 purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

57. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 57.

58. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 58.

59. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 59.

60. Admitted to the extent that Steere was engaged as a subconsultant to AECOM. Steere is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in ¶ 60.

***F. AECOM Inspects the Washington Bridge and Transmits Its Technical Evaluation Report and Its Inspection Report***



61. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 61.

***G. RIDOT Receives and Relies on AECOM's Final Construction Plans***

62. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 62.

63. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 63.

64. Admitted that Steere provided design services as a subconsultant to AECOM. Steere is without information or knowledge sufficient to form a belief as to the truth of the remaining allegations in ¶ 64.

65. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 65.

***H. The Cardi Corporation Contract***

66. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 66.

67. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 67.

***I. Other Inspections of the Washington Bridge***

68. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 68.

69. Denied to the extent the allegations in ¶ 69 are directed to Steere. Steere is without knowledge or information sufficient to form a belief as to the remaining allegations in ¶ 69.

70. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 70.

71. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 71.

72. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 72.

73. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 73.

74. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 74.

75. Denied to the extent the allegations are directed to Steere. Steere is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in ¶ 75.

***J. A Second Attempt at Rehabilitation of the Washington Bridge: A Design-Build Rehabilitation Project***

76. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 76.

77. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 77.

***K. The Joint Venture Embarks on the Design-Build of the Washington Bridge***

78. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 78.

79. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 79.

80. The allegations set forth in ¶ 80 of the Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

81. The allegations set forth in ¶ 81 of the Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

82. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 82.

83. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 83.

84. The allegations set forth in ¶ 84 of the Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

85. The allegations set forth in ¶ 85 of the Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

86. The allegations set forth in ¶ 86 of the Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

87. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 87.

88. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 88.

89. The allegations set forth in ¶ 89 of the Complaint purport to characterize a document which speaks for itself, and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

90. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 90.

91. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 91.

***L. The Emergency Closure of the Washington Bridge***

92. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 92.

93. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 93.

94. Admitted to the extent that RIDOT closed the Washington Bridge. Steere is without knowledge or information sufficient to form a belief as to the reason for RIDOT's decision.

95. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 95.

***M. Physical Wear and Tear Damage to Eastbound Washington Bridge***

96. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 96.

97. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 97.

98. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 98.

99. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 99.

100. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 100.

101. Admitted. Westbound traffic was re-routed onto the Eastbound Washington Bridge. Steere is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in ¶ 101.

102. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 102.

103. Denied.

104. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 104.

105. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 105.

106. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 106.

### **CAUSES OF ACTION**

#### **COUNT I** **Breach of Contract (2014)** **AECOM**

107. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

108. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 108.

109. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 109.

110. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 110.

**COUNT II**  
**Negligence**  
**AECOM, Steere, Prime, and Aries Support Services**

111. Steere repeats and incorporates by reference its answers to Paragraphs 1- 106 above.

112. Denied.

113. Steere admits that certain duties are imposed by law on professional engineers but denies that ¶ 113 accurately describes duties imposed on Steere related to the Washington Bridge and denies Steere breached any duties owed to the State.

114. Denied.

115. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 115.

116. Paragraph 16 purports to quote from a document that speaks for itself and therefore Steere denies the allegations that are inconsistent with or go beyond the terms of that document.

117. Denied.

118. Denied.

**COUNT III**  
**Negligence**  
**Commonwealth Engineers (2019 and 2023 Inspections)**

119. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

120. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 120.

121. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 121.

122. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 122.

123. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 123.

124. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 124.

**COUNT IV**  
**Breach of Contract (2019)**  
**AECOM**

125. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

126. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 126.

127. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 127.

128. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 128.

**COUNT V**  
**Breach of Fiduciary Duty**  
**AECOM**

129. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

130. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 130.

131. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 131.

132. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 132.

133. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 133.

134. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 134.

135. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 135.

**COUNT VI**  
**Breach of Contract**  
**TransSystems (2016 and 2022 Inspections)**

136. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

137. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 137.

138. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 138.

139. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 139.

140. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 140.



**COUNT VII**  
**Negligence**  
**TransSystems (2016 and 2022 Inspections)**

141. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

142. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 142.

143. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 143.

144. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 144.

**COUNT VIII**  
**Breach of Contract**  
**Colins (2017 Inspection)**

145. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

146. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 146.

147. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 147.

148. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 148.

149. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in ¶ 149.

**COUNT IX**  
**Negligence**  
**Collins (2017 Inspection)**

150. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

151. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 151.

152. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 152.

153. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 153.

**COUNT X**  
**Breach of Contract**  
**AECOM (2017, 2019, 2020, 2023 Inspections)**

154. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

155. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 155.

156. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 156.

157. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 157.

158. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 158.

**COUNT XI**  
**Breach of Contract**  
**MBI (2018 Inspection)**

159. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

160. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 160.

161. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 161.

162. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 162.

163. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 163.

**COUNT XII**  
**Negligence**  
**MBI (2018 Inspection)**

164. Steere repeats and incorporates by reference its answers to Paragraphs 1-149 above.

165. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 165.

166. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 166.

167. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 167.

**COUNTXIII**  
**Breach of Contract**  
**Jacobs Engineering (2021 Inspection)**

168. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

169. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 169.

170. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 170.

171. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 171.

172. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 172.

**COUNT XIV**  
**Negligence**  
**Jacobs Engineering (2021 Inspection)**

173. Steere repeats and incorporates by reference its answers to Paragraphs 1-106.

174. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 174.

175. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 175.

176. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 176.

177. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 177.

**COUNT XV**  
**Breach of Contract**  
**The Joint Venture, Barletta, and Aetna (2021 Desing-Build Contract)**

178. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

179. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 179.

180. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 180.

181. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 181.

182. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 182.

**COUNT XVI**  
**Negligence**  
**The Joint Venture, Barletta, Aetna, VHB, and Commonwealth Engineers**

183. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

184. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 184.

185. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 185.

186. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 186.

187. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 187.

188. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 188.

189. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 189.

**COUNT XVII**  
**Contractual Indemnity**  
**AECOM, Aetna, Barletta, and the Joint Venture**

190. Steere repeats and incorporates by reference its answers to Paragraphs 1-106.

191. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 191.

192. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 192.

193. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 193.

194. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 194.

195. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 195.

**COUNT XVIII**  
**Declaratory Judgment Regarding Contractual Indemnity**  
**AECOM, Aetna, Barletta, and the Joint Venture**

196. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 and 191-195 above.

197. Denied.

198. Denied.

199. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 199.

**COUNT XIX**  
**Declaratory Judgment Regarding Non-Contractual Indemnity**  
**All Defendants**

200. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

201. Denied.

202. Denied.

203. Denied.

**COUNT XX**  
**Declaratory Judgment Regarding Contribution**  
**All Defendants**

204. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

205. Denied.

206. Denied.

207. Denied.

**COUNT XXI**  
**Negligent Misrepresentation**  
**AECOM**

208. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

209. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 209.

210. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 210.

211. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 211.

212. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 212.

213. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 213.

**COUNT XXII**  
**Negligent Misrepresentation**  
**THE JOINT VENTURE, BARLETTA, AND AETNA**

214. Steere repeats and incorporates by reference its answers to Paragraphs 1-106 above.

215. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 215.

216. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 216.

217. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 217.

218. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 218.

219. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 219.

220. Steere is without knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 220.

#### **First Affirmative Defense**

Plaintiff has failed to state a claim upon which relief can be granted.

#### **Second Affirmative Defense**

The claims are barred by the statute of repose and/or the statute of limitations.

#### **Third Affirmative Defense**

The alleged damages were caused by the acts and/or omissions of third-parties over whom Steere exercised no control and for whose conduct Steere is not responsible.

#### **Fourth Affirmative Defense**

The claims are barred by the doctrines of laches, waiver, and/or estoppel.

#### **Fifth Affirmative Defense**

The claims are barred or should be reduced because Plaintiff failed to mitigate its damages.



**Sixth Affirmative Defense**

The claims are barred because no act or omission by Steere caused the alleged damages.

**Seventh Affirmative Defense**

Any conduct by Steere was not a proximate cause of the damages claimed.

**Eighth Affirmative Defense**

Steere breached no duty owed.

**Ninth Affirmative Defense**

The claims are barred by the Economic Loss Doctrine.

**Tenth Affirmative Defense**

Steere at all times relevant hereto acted in accordance with the applicable standard of professional care under the circumstances.

**Eleventh Affirmative Defense**

The claims are barred, or recovery must be reduced, due to contributory negligence.

**Twelfth Affirmative Defense**

The claims are barred under R.I. Gen. Laws § 6-34-1 due to the acts and/or omissions of third-parties over whom Steere exercised no control and for whose conduct Steere is not responsible.

**Thirteenth Affirmative Defense**

The claims are barred due to the Plaintiff's failure to satisfy a condition precedent to bringing its claims, namely, the failure to follow the pre-litigation RIDOT Cost Recovery Policy.

**Fourteenth Affirmative Defense**

Steere incorporates by reference, as if fully set forth herein, all defenses, both affirmative and otherwise, asserted by all other answering defendants.

**Fifteenth Affirmative Defense**

Recovery is not available due to spoliation of evidence.

**PRAYER FOR RELIEF**

WHEREFORE, Defendant Steere Engineering, Inc. respectfully requests this Court:

- (a) Enter judgment in its favor and against Plaintiff as to all counts;
- (b) Award Defendant Steere its reasonable attorneys' fees and costs; and
- (c) Render any such additional relief as may be just and proper provided by law under the circumstances.

**JURY DEMAND**

Steere hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

*/s/ Warren D. Hutchison*

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Dated: September \_\_\_\_, 2025

## **CERTIFICATE OF SERVICE**

I, Warren D. Hutchison, hereby certify that on this day, September 18, 2025, a true copy of the foregoing has been filed and served on all parties of record through the Rhode Island electronic filing system. The document electronically filed and/or served is available for viewing and/or download from the Rhode Island Judiciary's Electronic Filing System.

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