

## **REQUESTS FOR INFORMATION Their Misuse and Abuse In Construction**

Sometime between the years of 1964 when I began working in the Engineering & Construction Industry (E&C) and late 1980 when I went to work for a general contractor Requests for Information (RFI's) became a formalized process for obtaining clarification to the Contract Documents. It was for that purpose a quite effective process.

For those of you who, like me, watched the industry mature and grow, you will understand the growing need for contract document clarification. Two basic reasons are behind the changing RFI. First, the level of engineering and detailing was shifting year-by-year from the engineer's design board to the contractor in the field. Secondly, the legal profession was beginning to infiltrate the E&C and this brought with it the move from communication and negotiation between engineer and contractor from an informal "Let's make it work" attitude to a "You owe me if you were unclear" attitude spawning the need for documented answers; the RFI.

When RFIs began, their purpose, only purpose, was to obtain needed clarifications to items in, incorrect, or not in the Contract Documents. This of course includes along with other documents, the drawings and specifications. Though often slow the process worked well for the conscientious contractor who reviewed the documents in a timely manner.

Of course, there were often problems discovered at the field-level, which were not easily found in the documents themselves. In the early days of my career as the Engineer taking my design to the field, these problems were most often solved by an engineer-owner discussion in the field and an on the spot gentleman's agreement. Well, either the gentlemen or the ability or willingness to agree has faded away over the years.

At this juncture, the RFI became very much a legal document and continued to metamorphous over the years to what it has become today; a misused and abused document. Today the RFI is no longer only a Request for Information, it is a multi-purpose zinger! This creates a massive communication problem and major time issues. Just imagine, there is a world of difference between a legitimate question asked early and answered in time for the specific need, and a question asked at the time of field discovery with an answer that causes the field to stop and realize a delay. Yet, the same vanilla RFI is used in both cases. If I am the engineer, and a number of vanilla RFI's are in my inbox for my attention, I will probably take them in the order of my inbox pile or in date order.



Clear and succinct communication mandates that we make ourselves clear and get the other party to understand. Yes, it is the sender's responsibility to make sure that their needs and priorities are known. True enough; the specifications need to make the proper allowance for urgencies. But, who's to know, it's the same vanilla RFI and the specifications dictate that process.

The construction industry needs to make it resoundingly clear that an RFI is not a document that solves every issue type. This day and age requires a new document covered by a new specification to handle impact and urgent items. An RFI is not the document for this purpose.