

# STEVEN P. VIANI, P.E. | ENGINEERING EXPERT

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Civil engineering expert Steve Viani, PE, has decades of hands-on experience that makes him prepared to quickly identify and resolve difficult engineering and construction cases, many of which have been settled before reaching a courtroom.

For more than 45 years, Steve's developed his civil engineering expertise through work on a vast number of projects involving construction claims and defects, water/wastewater treatment plants, soils and landslides, water and fire damage, hazardous waste remediation, asbestos abatement, design and construction management, and insurance claims.

Steve has held senior-level positions in construction, consulting and governmental entities. He has managed, directed or performed projects ranging from \$200,000 micropile design/build projects to \$20 million site remediations, including large and significant environmental and geotechnical construction projects as a direct hire contractor. He's managed business units and design departments with total P+L responsibility and a staff of up to 35 people.

In his years on the job, he's performed hundreds of insurance-related inspections, including scope of damage and cost to repair. He's provided expert engineering reviews of construction defects and standard of care associated with sewer lines, water lines, moisture intrusion, land movement, drainage systems, land development, soils testing, structural systems, residential construction, and other civil engineering defects.

Always hands on, Steve continues to get his hands dirty working at the direct hire construction company he owns and operates, which has yearly revenue of about \$1 million.

## EDUCATION & SPECIALIZED TRAINING

B.S. Civil Engineering, California State University, Sacramento

Graduate courses in Geotechnical Engineering

Continuing education classes in claims avoidance, negotiations and project management

OSHA 40-hour training

USACOE Construction Quality Management Certification

## PROFESSIONAL REGISTRATIONS

Registered Civil Engineer in California, Arizona, Hawaii and Washington

Licensed A, B & Haz. Contractor (RMO Alvia Services Inc.)

Certified Appraiser and Umpire by International Appraisal and Umpire Association (IAUA)

## MEMBERSHIPS & AFFILIATIONS

Life Member, American Society of Civil Engineers

Director, El Dorado County Agricultural Water Quality Management Corp.  
Member, North American Railcar Operators Association (NARCOA)  
El Dorado County Grape Growers Association

#### EMPLOYMENT

Independent Expert Consultant	(2003-Present)
Alvia Services Inc.	(2003-Present)
Donald B. Murphy Contractors Inc., Regional Manager	(2001-2003)
BCN Company, Vice President of Operations	(1999-2001)
Layne-Christensen Co., Western Regional Manager	(1998-1999)
Geo Con Inc., Western Regional Manager	(1994-1998)
Canonie Environmental Services, Inc., Western Regional Manager	(1990-1994)
Roy F. Weston, Inc., Project Director	(1987-1990)
Department of Health Services, Senior Engineer	(1984-1987)
Kellogg Corporation, Senior Engineer	(1982-1983)
State Water Resources Control Board, Associate Engineer (Included two-year assignment with Army Corps of Engineers)	(1977-1982)

#### EXPERT WITNESS HIGHLIGHTS

2022	Deposition and trial testimony, Arza Trust v. Engelberg. SF Superior Court – plaintiff
2022	Deposition regarding soil and structural conditions, MacGuinness v. 246 Carl St., San Francisco, Case No. CGC-20-586159, SF Superior court – plaintiff
2022	Deposition, Diana Lui, et al. v. Artemis Investments, Inc., et al., Alameda County Superior Court – plaintiff
2020	Expert testimony and technical reports, Ammari v. Temurian, LA County Superior Court. BC608980 – defendant
2019	Deposition, City of Los Angeles, Acting By And Through Harbor Commissioners, Case No. NC061384 – defendant
2018	Deposition, Kaplan v. Biltmore Hotel, Case Name: O-028248, LA Superior Court – defendant
2018	Deposition, Waldorf v. Schultz, San Mateo Superior Court – plaintiff
2018	Scope of damages and repair methodology, Peters v. Montgomery Sansome, testimony in San Mateo County Superior Court – defendant
2017	Technical reports for mediation in Orange County Superior Court, Eng v. Milan Construction, 30-2016-00861627 – plaintiff

2017	Declaration against AMCO expert, NKD v. AMCO, Stanislaus County Superior Court, 679681 – plaintiff
2017	Declaration, Butte County Superior Court, Thomas Fogarty, et al. v. Glenn A. Rick Engineering, et al., deposition in August 2018 – plaintiff
2016	Deposition, Vardanyan v. AMCO, Fresno Superior Court, 11CECGO2112 – plaintiff
2015	Deposition, homeowner claim against design engineer and contractor. Gini v. Dixon, Placer County Superior Court, SCV0032617, 2015-2017 – plaintiff
2014	Deposition and trial testimony, Lovco v. War. Dispute involving loss of business from unlicensed recycling facility, Los Angeles County Superior Court – plaintiff
2014	Deposition, City of Alhambra v. Tait Environmental. City claim of exterior damage from neighboring pile driving operation. Found damage to City building caused by improper design/construction, 2009-2014 – defendant
2013	Deposition in San Mateo County Superior Court, Chang v. Farmers Insurance. Dispute involving insurance coverage, cost to rebuild and toxic contamination – plaintiff
2012	Mediation involving vibration damage caused by pile driving, City of SF v. Foundation Constructors, Inc. – defendant

#### **CONTRACT DISPUTES, CONSTRUCTION DEFECTS, ERRORS & OMISSIONS, STANDARD OF CARE**

- Expert witness service and depositions for case involving pile driving operations affecting defectively designed and constructed stucco-clad public library in LA area. Saved carrier more than \$2 million.
- Developed claim document under litigation for high rise hotel in downtown Los Angeles involving directed changes, constructive changes, defective and deficient contract documents, acceleration and significant contractual issues. Contractor received over \$1 million from claim.
- Construction defect case involving push piers, Geo-Lock wall anchors, helical piers and carbon armor to repair and level a single-family dwelling in Willows, CA. Owner prevailed with settlement of over \$300,000.
- Evaluation and cost to repair for construction defects associated with the Beacon and Metropolitan condominium projects in San Francisco. Owners received sufficient funds to repair defects.
- Contract review and cost to complete for a 900-unit military family housing project in Honolulu, HI. Project encountered numerous changes that required renegotiation of unit prices, payment for acceleration and additional time-related overhead. Contractor was able to negotiate new pricing to finish work.

- Investigated and oversaw repairs to a 45-unit condominium project in Sacramento affected by design and construction defects.
- Determined cost to construct soil nail/shotcrete retaining wall as part of expert witness testimony under litigation in Pismo Beach, CA.
- Expert witness services for issues related to a subsiding rock retaining wall causing damage to an adjacent dwelling in San Francisco, CA.
- Expert witness services for issues related to tieback anchors causing damage to an adjacent dwelling in San Francisco, CA. Dwelling owner received a substantial settlement.
- Cost to complete and termination for default owner against contractor of N. California fast food restaurant under arbitration. Owner received over \$150,000 to repair defects.
- As part of a construction claim on a 4-story parking structure at San Francisco International Airport, evaluated an earthwork claim concerning the presence of hazardous waste, rock, trash and unsuitable materials and their effect on the project schedule. Further analysis of environmental requirements on illegal filling of wetlands in San Francisco Bay.
- Performed engineering reviews by the Board of Professional Engineers, Land Surveyors and Geologists (BPELSG) for technical support of enforcement actions involving errors and omissions and negligence.

## **INSURANCE INVESTIGATIONS & SETTLEMENTS**

Provided investigation and reporting for more than 500 insurance claims involving causation, origin, scope of damage and cost to repair for files involving structural damage, water intrusion, earth movement, fire, accidents, tree and auto impact, wind, construction defects, mold, flooding and other causes.

- For an insurance company client faced with an \$18 million fire loss, developed a cost estimate for the loss that saved them \$10 million that was more comprehensive and reflective of the difficult working conditions that would affect the repairs.
- Developed inspection report and cost estimate for water damage loss in Atherton, CA, resulting in insured receiving nearly \$1 million settlement from insurance.
- Served as expert to an insurance group for major excavation support failure in San Francisco on Spear St. to determine cause and cost to repair damage caused by differing soil conditions from improper design based on poorly written soils report, which saved them \$20 million.

- Provided reports, expert review and supervised reconstruction of improperly designed 6,000 sq. ft. residence where design contributed to excessive movement that caused damage to structure, resulting in an award to client of nearly \$ 1 Million.
- Evaluated insurance company estimate and contractor estimate and determined scope and level of quality of finishes for restoration cost for severe water damage to 30,000 square foot basement. Material difference and workmanship differences were compared and evaluated and both parties agreed on final price, saving insurance company over \$300,000.
- Saved an insurance company more than \$1.5 million on the reconstruction and repair of warehouse facilities damage by fire from an adjacent structure.
- Evaluated and negotiated for insurance company cost to repair unique structure in Santa Monica damaged by fire. Historical building and restricted space were factors in cost development that saved insurance company more than \$800,000.
- Evaluated and negotiated a water loss claim at a private college where a water main ruptured and flooded the basement causing extensive damage. Negotiated the settlement and saved the insurance company more than \$200,000.

#### SOILS & GEOTECHNICAL REPORTS

- Provided direct testimony regarding illegally disposed soil in Burbank, including determination of volume and cost to remove from steep site with limited access. Testimony resulted in plaintiff receiving nearly \$500,000 award, including expert fees.
- Expert witness services and court testimony for \$700,000 construction defect case involving expansive soils, construction impacts and water damage to a house foundation in Irvine, CA.
- Determination of cause of 100,000 CY landslide and cost estimate to repair \$40M damages in Issaquah, WA, under insurance litigation.
- Expert deposition testimony regarding a complex geotechnical technique, jet grouting, its design, uses, and quality control regrading a project at the Port of Los Angeles.
- Contract review and claims support for \$2 million steel water reservoir project in Honouliuli, HI, affected by delays, changes and differing site soil conditions.
- Expert witness testimony for contractual dispute involving adequacy of geotechnical report, differing site conditions and cost to install for sewer line in Las Vegas, NV.
- Developed geotechnical reports for new housing, including stick-built and manufactured housing throughout California.

## GEOTECHNICAL DESIGN & CONSTRUCTION

- Designed and constructed a \$1.5 million micropile foundation for a community college administration building in Alameda, CA.
- Designed and constructed micropile foundation system for elevated transit structure for BART in East Bay area.
- Constructed Administration, Switchyard and Electrical Control steel-framed buildings consisting of about 50,000 sq. ft. for a combined-cycle gas fired power plant.
- Designed and built a \$200,000 micropile project for a new state building in Sacramento.
- Designed and constructed a \$400,000 micropile-supported foundation for Hotel Berry in Sacramento.
- Designed and built a \$400,000 micropile slope stabilization project for the emergency support of a sewer main sliding into a creek in Thousand Oaks.

## SUPERFUND SITE & HAZARDOUS WASTE REMEDIATION

- Successfully negotiated a \$6 million termination for convenience claim for a Superfund site. Developed an estimate of contractor costs and negotiated a fair and reasonable settlement while representing a state government entity. Project required negotiation of an acceleration claim for previous contractor, expert testimony at various court proceedings and presentations to media.
- Developed a Remedial Investigation/Feasibility Study/Remedial Design for the removal of PCBs and PAHs from a site in Norwalk, CA. Documents were submitted to LAFD and City of Norwalk for approval prior to initiating cleanup. (Clean closure granted.)
- Oversaw design development and remediation of the Jibboom Superfund Site in Sacramento, CA. Site was a former scrap yard that had impacted the area with lead, PCB, and hydrocarbons. Extensive air monitoring of the perimeter was performed to limit migration of contaminants. Designed remediation of inside surfaces at remaining building involving PCB, lead and asbestos.
- Remediated a TCE/TCA-impacted groundwater plume using a Deep Soil Mix (DSM) wall that was 65-feet deep and had a surface area of 50,000 sq. ft. at an active rail yard.
- Site/project manager for the McColl Superfund site in Fullerton, CA. Involvement included site sampling of surface and subsurface runoff, construction of site facilities and management of remedial contractors.

- Completed remediation of the Capri Pumping Services site in East Los Angeles, CA. Site was contaminated with lead, copper, cadmium, solvents and petroleum hydrocarbons. Remediation of this State Superfund site included preparation of a health risk assessment for lead exposure to the surrounding community.
- Assisted the remediation contractor at the Ellis Superfund site in New Jersey with a differing site conditions claim involving incomplete and inaccurate soils information that affected the final price of the remedial action.
- Developed environmental analysis for portion of former Superfund site that was to be removed from Superfund designation to assess impacts on new owners of property.
- Remediated soil impacted with solvents using vapor extraction at the Xerox site in Santa Ana, California. Project included permitting, monitoring and maintenance.
- Remediated a PCP impacted groundwater plume using funnel-gate technology at a wood treating facility. Project involved innovative concept using activated carbon in a passive treatment system.
- Developed a Remedial Investigation/Feasibility Study for the Purity Oil Sales Superfund site in Malaga, CA. Site was former oil processor that had filled onsite ponds and ASTs with construction debris containing oil, PCB, lead and asbestos that impacted soil, surface water and groundwater. RI/FS included on-site and off-site investigation, surface water sampling, development of remedial objectives and interim remedial measures.
- Designed, permitted and remediated 70,000 CY of TPH-impacted soil removal for the closure of the Lockheed C plant in Burbank, California. (Clean closure granted.)

#### ACCIDENT RECONSTRUCTION & CONSTRUCTION SITE INVESTIGATIONS

- Expert witness services for accident at multi-party commercial construction site in Auburn, CA, involving rolling scaffolding.
- Expert services for a fatal accident involving improperly secured construction equipment on a construction site in Northern California.
- Expert services, including accident reconstruction of a major fall injury case involving truck loading at an active wastewater treatment facility in the San Francisco area. Claimant received over \$250,000 settlement from general contractor.
- Provided expert review and deposition of overloaded shoring/scaffolding failure at mid-rise residential/commercial building in San Francisco which caused severe injury.
- Providing expert review and legal support for a case involving a drowning death in Chandler, AZ, where a two-year old entered a storm water pond and drowned.

## ASBESTOS ABATEMENT

- Expert witness for cost and schedule claim by County of Monterey against CM and Prime Contractor involving asbestos containing materials and mold.
- Investigated, designed and oversaw abatement of asbestos-affected state buildings, including prisons, after Loma Prieta earthquake in 1989.
- Managed lead abatement, asbestos abatement, structural repairs and painting for 1,400 military housing units at Beale Air Force base.
- Designed and managed asbestos abatement activities for 500,000 sq. ft. of office space for TRW buildings in El Segundo.

## WASTEWATER TREATMENT FACILITIES & GROUNDWATER CONTAMINATION

- Served as expert in construction dispute involving a \$5 million environmental remediation groundwater collection and storage system constructed at a large refinery facility in NJ.
- Oversaw the design and construction of a \$2 million groundwater treatment facility for pesticide-contaminated soils in Fresno, California as well as excavation of 10,000 CY of pesticide soils.
- Assisted with the preparation of counter claim and negotiation of a settlement for the City of LA on the Terminal Island Treatment Plant.
- Project manager for Kyocera facility in Sorrento Valley, CA. Project involved leaking UST solvent tank that impacted groundwater and adjacent wetlands and ponds. Project included on-site and off-site investigation, development of remedial alternatives, permitting and monitoring.
- Oversaw construction of large wastewater treatment plants, pump stations, earth-pressure balance and open road header tunnels and box sewers for Federal Government construction program in San Francisco worth over \$1 billion (in current dollars).
- Evaluated \$1 million claim against contractor by City of Santa Barbara regarding unlawful termination and against Engineer for defective and deficient contract documents as well as standard of care of engineer for a tertiary wastewater treatment plant expansion in litigation. Based on my work, the case was dismissed against contractor.