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NEWSLETTER

CONSULTING ENGINEERS ASSOCIATES 2005 LTD.

Negligence by Omission: The Hidden Cost of Poor Project Oversight

Across the Caribbean region, large-scale state housing projects continue to be delivered with limited independent engineering oversight. While design-build procurement methods aim to streamline delivery, they have unintentionally created a gap in accountability. Without proper professional supervision, critical issues ranging from design flaws to construction defects often go undetected until they become visible, costly, or irreversible. This absence of oversight is not simply an administrative oversight; it represents a deeper issue: negligence by omission.

The Illusion of "No Client Risk"

A common misconception underpinning this issue is the belief that because the contractor under a design-build arrangement carries full responsibility for project outcomes, he is solely responsible for remedying any and all defects and as such the client's need for oversight is diminished. This has led some clients to reduce or eliminate professional oversight as a cost saving measure.

However, in practice, this approach weakens accountability. Without independent verification, construction standards can slip, errors remain unchallenged, and project risks accumulate. The result is familiar delays, cost overruns, and infrastructure that fails to meet long-term performance expectations.

Crucially, delegating responsibility does not remove the duty of care. Oversight remains a fundamental obligation.

Why Oversight Matters

Construction oversight is not a formality; it is a safeguard.
The presence of qualified engineers during construction ensures that:

- Design intent is preserved
- Materials meet required standards
- Workmanship aligns with specifications

When oversight is reduced to basic progress checks, critical technical elements such as structural integrity, drainage systems, and material performance are often left entirely in the hands of contractors. This creates an inherent conflict of interest and significantly increases project risk.

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A Systemic Issue: The Marginalization of Engineers

The limited involvement of engineers in planning and oversight reflects a broader systemic challenge. When technical professionals are excluded from decision-making, projects become driven by administrative priorities rather than engineering judgment.

This not only compromises project outcomes but also weakens the local engineering sector, reducing opportunities for innovation, mentorship, and long-term capacity building within the industry.

The Risk of Non-Technical Oversight

In many cases, project oversight is assigned to professionals skilled in administration but lacking engineering expertise. While effective in coordination, they are often not equipped to challenge technical decisions or identify underlying risks.

This creates a critical blind spot. Without the ability to evaluate design changes, material substitutions, or construction methods, substandard work can pass undetected simply because it appears acceptable on the surface.

Oversight as a Duty of Care

Oversight is not optional; it is a responsibility.

For publicly funded projects, this responsibility is even greater. Taxpayers expect that infrastructure is delivered with diligence, accountability, and professional integrity.

Failure to provide adequate supervision, particularly where risks are foreseeable, constitutes a breach of that duty.

Building Accountability, Protecting Value

Negligence by omission is not always visible but its consequences are.

Poor oversight leads to compromised quality, inefficient use of public funds, and erosion of trust in institutions. Conversely, strong professional involvement ensures that projects deliver lasting value, structural integrity, and public confidence.

At its core, effective oversight is about more than compliance it is about accountability, sustainability, and doing what is right from the start.

The CEAL 2005 Perspective

At Consulting Engineers Associates 2005 Ltd., we view the absence of professional oversight as a critical failure in project delivery. Negligence by omission occurs when independent engineering review and supervision are excluded, leading to compromised quality, higher costs, and avoidable risk.

Effective oversight must be proactive and technically ground, ensuring accountability maintaining standards.

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