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Bel Aire Files Lawsuit Against MKEC Engineering, Pearson Construction, and Garver Over Woodlawn Project Failures

Bel Aire, Kan. – The City of Bel Aire is filing suit against Mid Kansas Engineering Consultants (MKEC), Pearson Construction, LLC and Garver, LLC claiming that professional negligence and breach of contract resulted in the Woodlawn Project’s pavement failure between 37th and 45th Street North. The suit, to be filed in Sedgwick County District Court on Oct. 9, 2024, seeks recovery of damages to redesign and reconstruct the road. KDOT estimates the cost of redesign and reconstruction could be between \$3 million and \$8 million.

The City of Bel Aire spent more than a year in discussions with all interested parties but could not reach a satisfactory option ([see project timeline](#)).

“Our role as a City Council is to be good stewards of taxpayer dollars,” said Bel Aire Mayor Benage. “We also want to be good partners with those companies who are using federal grant money to build local infrastructure. Our hope was to fix the problem collaboratively with all three companies. It is unfortunate for everyone that we are now in litigation, but the City must protect taxpayers. We need to get that for which we contracted: a safe, lasting roadway.

“We don’t take lightly our decision to file suit,” Benage continued. “The City has completed multiple, successful projects with each of these companies and we have great respect for their professional expertise. But it is our responsibility to hold all our vendors accountable for their work.”

Moving Forward with Reconstruction

To move the Woodlawn reconstruction forward while the lawsuit works its way through the court system, Benage said the City has cancelled its contract with MKEC and approved a new contract with Professional Engineering Consultants (PEC) to develop design options for a new roadway and underground drainage system.

KDOT will assist the City with short-term financing for the new work, while the City awaits a settlement or judgment from the lawsuit.

“The failure of this project has been a huge burden on the citizens of Bel Aire,” Benage said. “Our City staff and Council are frustrated by this adversity, but we are more determined than ever to get this job done right, and get it done as quickly as possible.”

Since the Woodlawn Project has entered the litigation phase, City Staff and Council Members are no longer at liberty to respond to specific questions regarding the road failure. Through social media and the City’s website, general updates on the litigation will be provided whenever possible.