VyRal

A LeakReceipts Field Guide

LeakReceipts for Excavation & Earthmoving

The Field Guide: where the money leaks, how to prove it, and how to close it

For: Excavation and Earthmoving — Site Condition Variance

by VyRal Dynasty

LeakReceipts for Excavation & Earthmoving The Field Guide: where the money leaks, how to prove it, and how to close it

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How every number in this book is labeled.

- **VERIFIED** means the figure comes from a named, dated source, and the source is printed next to it.
- **CALCULATED** means it is arithmetic on verified numbers or on your own numbers, and the math is shown.
- **ESTIMATE** means a reasoned range, and it is always called one.
- **STRUCTURAL** marks a standing rule of the trade (a law, a contract term, how the paperwork works), not a market figure.
- **STILL BEING MEASURED** means VyRal has not verified a figure yet, so no number is printed.

If a number is not labeled, it is a blank for you to fill from your own paper.

What this book is not. This is education, not legal, tax, accounting or financial advice. Where a fix says a professional decides, a professional decides. Nothing here says that any company, customer or person did anything wrong. The fixes show you how to check your own paper and ask in writing.

About how this book was made. This book was assembled with AI from VyRal's sourced research on this trade and checked against those sources. AI can make mistakes. Before you act on a figure, check it against the source printed beside it. Rules and rates change, and every figure carries its date for that reason.

Before you share any document with anyone, Vera included, black out account numbers, Social Security numbers and anything else you would not hand a stranger.

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The short answer for your trade

No single company owns this trade nationally, and that's not an oversight — earthmoving and site excavation is a bid-and-build subcontracting business, built job by job on local geology and local general contractors, not a brand a GC or homeowner picks by name. What actually separates a contractor who gets paid for a differing site condition from one who eats it isn't the size of the fleet — it's whether the variance got documented before the ground closed back over it.

Your leak map

Every leak this book covers, biggest first. The size grade is VyRal's research grade for how much money a leak tends to move in this trade. It is a grade, not a dollar figure. Your own paper sets the dollars.

#	Leak	Size grade	Evidence	Fixes
1	Differing Site Conditions — Federal Notice-Before-Disturbance Rule	Major	VERIFIED	1
2	Hazardous-Soil Disposal Reclassification	Significant	VERIFIED	1
3	OSHA Trench Protective-System Trigger	Significant	VERIFIED	1
4	Federal Quantity-Variation Equitable Adjustment Threshold	Moderate	VERIFIED	1
5	Self-Employment / Entity-Structure Tax Boundary	Moderate	STRUCTURAL	1
6	Pride Economy: The Iron and the Yard	Small but common	STRUCTURAL	1
7	Private-Contract DSC Notice Deadline (Contract-Specific)	Major	STILL BEING MEASURED	1
8	One-Call / 811 Utility-Locate Wait Period	Moderate	STILL BEING MEASURED	1

Then there are 4 more leaks to check, each with its own fixes, in the chapter called More leaks to check.

What people in your trade say hurts

Before we built a single fix, we went and read what people in this trade say out loud: forums, trade press, regulators' complaint files and court records. These are the pains that kept coming up, the ones with the most sources first. If one of them is yours, you're not imagining it.

I bid the job fixed-price, diesel jumped mid-job, and I ate every gallon of the difference

My excavators, dozers and loaders burn diesel all day, and the haul trucks burn road diesel on top of that. Most small dirt contracts have no fuel escalation clause, so when fuel spikes in the middle of a job the extra cost comes straight out of my margin. On fixed public bids there is often no surcharge option at all.

Found in 4 public sources; newest dated 2026-05-13. VERIFIED count from VyRal's public research log; the sources are listed at the back.

I hit rock or bad ground the borings didn't show, and the claim got denied because the paper 'should have warned me'

I price dirt work off soil reports that only show what's at a few holes. When I hit rock, water or unstable ground, production can drop by half. A changed-condition claim only pays if the contract papers pointed to different ground and I gave notice in time, and courts often rule the sub should have read the geotech report closer. So the overrun stays with me.

Found in 3 public sources; newest dated 2026-09-04. VERIFIED count from VyRal's public research log; the sources are listed at the back.

My dump trucks and umbrella policy keep going up even when they say insurance is softening

I run trucks on public roads, so commercial auto and umbrella costs hit me harder than most trades. Those lines have risen for years on big jury awards, and small accounts get less of the relief big buyers see. General liability and workers' comp for excavation run thousands a year on top.

Found in 3 public sources; newest dated 2026-10-18. VERIFIED count from VyRal's public research log; the sources are listed at the back.

One bad trench day with no box, or a box set wrong, and the penalty can end the company

Trench cave-ins kill workers every year, and OSHA's trenching enforcement now brings seven-figure proposed penalties when willful and repeat counts stack up. Boxes, shoring, daily inspections and training cost time and rental money that low bids leave out. A death also brings lawsuits, higher insurance and lost bid lists.

Found in 3 public sources; newest dated 2026-04-02. VERIFIED count from VyRal's public research log; the sources are listed at the back.

The same excavator costs a lot more than two years ago, and the note on it costs me more too

Steel and import tariffs pushed new equipment prices up roughly a quarter, and most contractors finance their machines. Dealers say buyers are holding off and keeping old iron longer, which means more repairs and downtime. My hourly machine rate has to cover a bigger payment, but the bid market doesn't always let me raise it.

Found in 3 public sources; newest dated 2026-06-29. VERIFIED count from VyRal's public research log; the sources are listed at the back.

Get your paper together

Every fix in this book starts with paper, not memory. Memory rounds in the other side's favor. Paper doesn't.

Pull the last 90 days. Put it all in one folder, paper or phone, and label each piece with its date. Black out account numbers and Social Security numbers before you share anything with anyone.

The paper that proves each leak:

- Your contracts, invoices, statements, pay records and the messages around them.

The records this trade runs on: Subcontract with site-condition clause, Geotech report and boring logs, Bid quantities and unit prices, Daily logs and photos, Written notices of changed conditions, Haul/load tickets, Disposal manifests, 811 tickets, Pay applications, Change orders, Payment and retainage records, Lien waivers

My folder checklist

Last 90 days of statements or pay records _____

Every contract or agreement I work under _____

Every invoice, ticket or settlement for the same 90 days _____

The messages that changed a price, a scope or a date _____

Leak 1: Differing Site Conditions — Federal Notice-Before-Disturbance Rule

Size grade: Major · Evidence: VERIFIED

What it is. Under FAR 52.236-2(a)-(b), a contractor who encounters subsurface or latent physical conditions materially different from those indicated in the contract (Type I) or unusual conditions differing materially from those ordinarily encountered (Type II) must give the contracting officer prompt written notice before the conditions are disturbed, or the right to a price/time adjustment can be lost.

Why it leaks. The ground gets backfilled long before the paperwork catches up, and once it's covered there is no way to prove what was actually hit. A crew that fixes the problem first and reports it later — the normal job-site instinct — can forfeit an adjustment worth real money no matter how legitimate the extra cost was.

The number to hold it against. On federal contracts, notice of differing site conditions must be given promptly and before the conditions are disturbed. Source: FAR 52.236-2(a), acquisition.gov, re-confirmed 2026-08-28.
VERIFIED · Primary — government or regulator

> **Ask yourself:** When your crew hits rock, soft ground, contamination, or anything that doesn't match the plans, does someone stop and document it in writing before the hole gets filled back in — or does the story only get told after the invoice goes out?

1. Differing site condition fixed and backfilled before written notice

Fix approved · leak evidence: Verified

Fix 1 — Do it yourself (free).

1. When you hit rock, soft ground, water, contamination or anything the plans did not show, stop work in that spot if it is safe to.
2. Photograph and measure it in place, with date, time and location.
3. Give written notice to the contracting officer, owner or GC right away, before the condition is disturbed. On federal jobs under FAR 52.236-2, notice must be given promptly and before the condition is disturbed. Under that clause, a request made after final payment is not allowed, so get it in early. Private jobs follow your own contract.

4. Ask for direction in writing.
5. Track the extra hours, equipment and material separately from the base work. Whether you have a claim is a matter for your attorney.

Fix 2 — The words to send, under your own name. Fill in the brackets, keep a copy, and send it from your own email or by mail. Nobody sends it for you.

> Notice letter: 'Re: [PROJECT NAME], Contract [#] - Notice of Differing Site Condition. On [DATE] at [TIME], at [LOCATION / STATION], our crew encountered [DESCRIBE CONDITION]. This differs from [What the plans / soil report showed, with page or boring #]. Photos and measurements taken before disturbance are attached. We are giving this notice under [FAR 52.236-2 / CONTRACT SECTION] and have [stopped work at this location / continued only as needed for safety]. Please inspect and give us written direction. We will track all added costs separately. [YOUR NAME], [TITLE], [COMPANY], [PHONE].'

Fix 3 — Done for you. **LeakReceipts · Claims & Disputes Desk**

WE DO: build the notice packet - photos, location, plan references, timeline - from what your crew logs, track the added costs in their own bucket, and keep the reply deadline in front of you. YOU DO: stop and document in the field, sign and send the notice, and decide with your attorney whether to pursue a claim.

Keep it closed. Train every foreman: photo and notice first, dig second. Keep a blank notice form in every truck.

What this fix can't decide for you. Whether a condition qualifies and whether money is owed is the contracting officer's or an attorney's call.

My receipt for this leak			
Owed by my paper	Paid or billed	Gap (CALCULATED: owed – paid)	Fix 2 sent · answer

FREE FIRST CHAPTER

That's Leak 1 of 8.

The full Field Guide for Excavation & Earthmoving walks through every leak on the map you just read: why it happens, the paper that proves it, and three fixes for each one — one you do yourself for free, the words to send under your own name, and what LeakReceipts can do for you while the decision stays yours.

Get the full guide:
leakreceipts.com/ebooks/excavation-and-earthmoving

Run it on your own numbers:
leakreceipts.com

WE WALK BY FAITH NOT BY SIGHT — 2 Corinthians 5:7