

Subcontractor Sues Lemartec for Nearly \$600K in Unpaid Work on Bomba Allick Port Facility

A lawsuit claims S.D.&C performed site clearing, concrete, and septic work for the Bomba Allick facility but was never paid. VIPA is also listed as a defendant on an unjust enrichment claim alleging it received the value of the work after paying Lemartec.

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The Wilfred “Bomba” Allick Port Facility. By. V.I. CONSORTIUM.

A subcontractor hired to help rebuild the Wilfred “Bomba” Allick Port Facility on St. Croix is suing Lemartec USVI, alleging that the contractor failed to pay for nearly \$600,000 worth of completed work. The V.I. Port Authority (VIPA), which oversaw the larger reconstruction project, is also named in the lawsuit on an unjust enrichment claim.

According to the complaint, S.D.&C, a construction company with offices in Georgia and St. Croix, entered into a subcontract with Lemartec USVI in April 2020 for work related to the Bomba Allick facility. Lemartec, a major Florida-based contractor, provides “program management services for the repairing and re-building of assets that sustained damages caused by Hurricanes Irma and Maria,” the lawsuit notes, citing the company’s website. Rebuilding the Bomba Allick building was among Lemartec’s listed responsibilities.

S.D.&C says the work it performed included site clearing, excavation for foundations, concrete installation, sanitation and septic system installation, and other construction tasks. The company claims its labor and materials “added almost \$600,000 worth of value to the property,” and that the project was fully completed.

The suit states that VIPA has already paid Lemartec “either all or much” of the money associated with the contract. However, S.D.&C alleges that Lemartec has not paid the subcontractor what it is owed. “VIPA has therefore received the benefit of Plaintiff’s labor and materials without payment to Plaintiff,” the complaint asserts.

The lawsuit brings a breach of contract claim against Lemartec and an unjust enrichment claim against VIPA, and asks the court to award damages based on the value of the improvements and services S.D.&C says remain unpaid.

As of press time, neither Lemartec nor VIPA has filed a response to the complaint.