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PATRICK C. KELLY

EXPERT SCHEDULE DELAY ANALYST & SCHEDULER

- Mr. Kelly has 20 years of international project experience covering over 200 appointments in the United States and abroad. His hands-on work includes the development and maintenance of project schedules, preparation of schedule delay analyses, providing cost analyses for troubled projects and damages for contractor claims, providing job cost accounting and job cost analyses, including conceptual and hard dollar project estimating, and risk avoidance expertise. Mr. Kelly has created and reviewed baseline and project update schedules for large to mega projects. He has prepared delay, disruption, and acceleration analyses for numerous projects including road and bridge projects; a nuclear power project; and various commercial, manufacturing, federal, municipal and multi-family building projects.
- Mr. Kelly is a master scheduler with Primavera P6. He remains continuously retained as the contractor appointed senior scheduler for numerous federal and state projects in the eastern seaboard of the United States of America.
- Mr. Kelly's experience includes the creation and review of Time Impact Analysis, the creation and updating of risk registers, and the quantifying of impacts from potential project risks.
- His experience further includes case document management using electronic document management systems for trial matters.
- Mr. Kelly has been the schedule expert at mediations for U.S. Federal projects in dispute.

CERTIFICATIONS

- PSP/Planning & Scheduling Professional
 - CPE/Certified Professional Estimator
 - Certified Primavera Basic/Advanced PM
 - Mr. Kelly holds certification in Primavera Project Planner P3 and Primavera Project Management P5 and P6, and is proficient in Microsoft Project, Primavera Suretrak, and Project Management through version 19.12.
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PROJECT EXPERIENCE BY COUNTRY

As a consultant, Mr. Kelly has worked on appointments in the following countries:

- Finland
- Mexico
- United Arab Emirates (UAE)
- United States of America

PROJECT EXPERIENCE

- Airports and runways/airfields
- Bridges (suspension, fixed, elevated highway, causeway)
- Electronics factory
- Chemical
- Dams and flood control projects
- Embassies
- Highways
- Hospitals
- Hospitality facilities
- Institutional buildings
- Mines
- Nuclear projects
- Oil & Gas
- Pharmaceutical facilities
- Pipelines (gas, sewer, water)
- Ports
- Prisons
- Rail (heavy, metro, and light rail, and metro station boxes above and underground)
- Waste Water Treatment

EDUCATION

- Bachelor of Arts, 2001, Hampton Sydney University, Virginia USA.

PUBLICATIONS

- On behalf of the State of Arkansas Department of Education Division of Public Schools Academic Facilities and Transportation (DPSAFT), Mr. Kelly is author of the revised edition of the Facility Manual. The manual covers topics for product and system specifications, program requirements, and participant responsibilities / timeline for the project process.



EXPERT EXPERIENCE – INDUSTRIAL PROJECTS

Electronics Facility

USA – On behalf of the Contractor for a US\$120 million Intel computer chip factory in Denver, Colorado, prepared schedule delay analyses arising from design change impacts, changed conditions on earthwork efficiency, and other delay events to support a claim.

EXPERT EXPERIENCE – POWER PROJECTS

Nuclear

Finland – On behalf of the Contractor for the Olkiluoto Nuclear Power Plant in Finland, participated on a team to prepare a delay analysis for a multi-billion dollar delay and disruption claim related to a 9-year delay on a 5-year project. The project was for a European Pressurized Reactor (EPR) delivered through the design build method, the first of its kind for the type of project. Responsibilities included the organization and review of project data including seven years of monthly schedule updates that were over one hundred thousand activities each. Provided forensic examination and verification of contractor submitted project schedules, performed reviews of the contractor's schedule delay analyses, and performed an analysis of the opposing expert's schedule delay analysis.

EXPERT EXPERIENCE – INFRASTRUCTURE PROJECTS

Ports & Docks

USA – On behalf of the marine subcontractor responsible for structural repairs to a U. S. Navy dock in Charleston, South Carolina, appointed to prepare nine Requests for Equitable Adjustment (REA) totaling US\$2.4 million.

Reservoirs and Dams

USA – On behalf of the Contractor for the Cobbs Creek Reservoir project in Columbia, Virginia, Mr. Kelly is the Senior Project Controls consultant. He continues to support the contractor during the course of the project including the preparation of monthly schedule updates.



Roads

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Richmond District, appointed as Schedule Consultant to prepare a review of the contractor’s baseline schedule for the US\$2.8 million roadway realignment project in Chesterfield County, Virginia.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, assisted in the administration of constructability reviews for 119 projects to secure on-time completion.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Senior Project Controls Consultant for the 55 mile, US\$1.2 billion Route 460 design-build highway project connecting Suffolk to Petersburg, Virginia. Responsible for leading procurement documentation efforts including Sharepoint design and access support, scheduling and preliminary costing efforts. Currently responsible for managing the project controls team on the ground that provides all schedule and costs validation efforts on the project including baseline, updates and pay applications. Cosponsored the Project Risk Workshop and co-authored the risk response plans for the top risks on the project. Created the change management process, prepared a contractual analysis protocol for rebuttals of claims and requested change orders, and currently engaged to validate costs associated with owner directed changes.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Senior Scheduler Consultant for the Chincoteague Bridge project in Chincoteague, Virginia. Responsible for review of the contractor’s schedule updates, provide support for recovery schedule efforts, and provide analysis of contractor Time Impact Analyses. The project included two new bridges that intersect over the Black Narrows Channel with three shorefront landings and associated waterfront work. There were delays during waterfront abutment shoring and subsequent surcharge earthwork activities on the abutments that were due to differing site conditions.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Senior Scheduler Consultant for the Hampton Boulevard Six Lane Roadway Depression project in Norfolk, Virginia. Responsible for review of contractor schedule submissions, facilitating Risk Management Workshops, review of on-going risks, provide analysis of progress through critical path analysis and the Earned Value Management System, and reviewed the contractor’s Time Impact Analyses for a Type II Differing Site condition claim. The project included relocation of six traffic lanes into the main gate of the Norfolk Naval Base. The Project required depressing



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all six lanes underground in a high water table environment, building bridges for roadway and railroad crossovers, building new railroad and roadways for the intersecting roads, and traffic phasing.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Consultant for the Regional Buildability Review Project, covering the cities of Norfolk, Hampton, Virginia Beach, and Portsmouth, Virginia. Performed evaluation of various projects with respect to ease of construction and probability of receiving appropriate and competitive bids from contractors, and verify contract documents meet appropriate agency requirements including the Federal Highway Administration requirements. Responsibilities included examination and verification of the project specifications, identification of deficiencies in the specifications, review of alignment between local city specifications and contract documents and VDOT standards. Projects included upgrading traffic signalizations, turn lane renovations and construction, ADA upgrades, and construction of multi-use trails and sidewalks.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Senior Scheduler Consultant for the renovation of Dominion Boulevard project in Chesapeake, Virginia. Responsible for review of the Contract Time Determination Schedule developed by the Engineer of Record (“EOR”) to determine the appropriate project duration for bidding purposes. Responsibilities included meeting with scheduling personnel, review project documents, review the schedule design and prepare an independent development of crew resources to determine activity durations, review of logic, and review of critical path issues related to level of detail. Provided independent weather planning including asphalt paving time of year restrictions and risk analysis. The project included construction of two bridges crossings over one mile long and numerous smaller new bridges over existing intersections, tolling facilities, mechanical stabilized earth works, sound walls, and other major ground improvements.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Culpepper District, appointed as Senior Scheduler Consultant for the new Route 522 Bridge project in the Town of Sperryville, Virginia. Responsible for development of the planning schedule to determine the appropriate project duration for bidding purposes. Responsibilities included meeting with project management personnel, review of project documents, development of crew resources to determine activity durations, provide weather planning including asphalt paving time of year restrictions, and provide a risk analysis.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Northern Virginia District, appointed as Claims Analyst Consultant to examine a delay claim brought by a contractor on a US\$100 million highway project



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Springfield Interchange Expansion Project located in Springfield Virginia. The contractor alleged constructive acceleration due to VDOT. The contractor's claims totaled over US\$17 million including relief of US\$7 million of liquidated damages to interim milestones because project completion was on time.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Claims Consultant for the Route 60 (Warwick Boulevard) Project, Phase 3 project in Newport News, Virginia. Provided evaluation of a multi-million dollar claim submitted by the contractor for delay and disruption. Responsibilities included review of contractor analysis and report and presentation at hearing.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Claims Consultant for a US\$13 million roadway and bridge expansion project located in Virginia to evaluate a contractor's US\$7.2 million delay and damages claim.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Claims Consultant for the new US\$45 million Nimmo Parkway project in Virginia Beach, Virginia. Named as expert to evaluate a contractor's US\$0.9 million claim.

USA – On behalf of the paving contractor for the Route 188 road and bridge expansion project in Chesterfield, Virginia, prepared a claim for delay and disruption arising due to multiple delays in grade preparation.

Waste Water Treatment Facility

USA – On behalf of the Contractor, Mr. Kelly is currently the Senior Project Controls consultant on the US\$38 million refurbishment project for the S5A Pump Station in Loxahatchee, Florida. Mr. Kelly prepares the monthly updates and provides maintenance on a cost loaded Primavera P6 schedule including identifying project performance risk and providing mitigation strategies.

USA – On behalf of the Contractor for the U.S. Department of the Army's US\$71 million renovation and expansion of project of a Hampton Roads Sanitary District wastewater treatment facility in Norfolk, Virginia, Mr. Kelly is currently the Senior Project Controls consultant. Mr. Kelly prepares the monthly updates and provides maintenance on a cost loaded Primavera P6 schedule including identifying project performance risk and providing mitigation strategies.



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USA – On behalf of the Contractor for the U.S. Department of the Army’s US\$71 million renovation and expansion of project of a Hampton Roads Sanitary District wastewater treatment facility in Norfolk, Virginia, appointed as Claims Consultant to prepare an analysis of labor disruption to support a claim.

USA – On behalf of the Contractor of a US\$25 million waste water treatment facility in Stafford County, Virginia, appointed as Claims Consultant to prepare an independent schedule delay and damages expert report. The contractor was claiming \$US9.4 million in damages.

USA – On behalf of the Contractor for the construction of a waste water treatment facility in Richmond, Virginia, appointed Claims Consultant to prepare a schedule delay and disruption change order, and provide schedule support services.

EXPERT EXPERIENCE – COMMERCIAL, FEDERAL & INSTITUTIONAL BUILDING PROJECTS

Airport

USA – On behalf of the Contractor for the US\$3.6 billion, North Terminal Development Program at Miami International Airport in Miami, Florida appointed as the Senior Scheduler. Responsibilities included baseline schedule review, re-baselining of the work, prepare monthly schedule updates, review contractor Time Impact Analyses delay analyses, and develop/review mitigation plans.

USA – On behalf of the Contractor for the US\$243 million, MIA Mover project at the Miami International Airport in Miami, Florida, appointed as the Senior Scheduler. Project included two miles of track, rail car design and delivery, renovation of multiple parking garages, and construction of train stations and maintenance facilities. Responsibilities included the preparation of schedule updates, risk analyses, and mitigation plans.

Correctional Facility

USA – On behalf of the Contractor for the Belmont Correctional Facility project located in Belmont, Ohio, appointed as Claims Consultant to prepare a claim. The claim was for delay, disruption, and acceleration costs arising to latent defects. Responsibilities included analysis of latent defects and preparation of cost estimates to repair the 2500 bed prison.



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USA – On behalf of the State of Ohio Department of Youth Services for the Marion Youth Detention Center project located in Marion, Ohio, appointed as Claims Consultant to review a claim submitted by an electrical contractor.

Educational

USA – On behalf of the Virginia Beach School Board, Mr. Kelly is the Senior Project Controls consultant on the \$63 million new Princess Anne Middle School project in Virginia Beach, Virginia. Mr. Kelly participated in the procurement of contractors and prepared the master project schedule. He continues to provide monthly updates on a cost loaded primavera P6 schedule including identifying project performance risks and presenting mitigation strategies.

USA – On behalf of the site development contractor for the Phoenix and Bethel High School projects located in Hampton, Virginia, appointed as the Claims Consultant to prepare, submit, and negotiate resolution of the contractor's US\$0.75 million claims before the City of Hampton School Board.

USA – On behalf of an electrical subcontractor in litigation for the South High Rise Dormitory renovation project located at Ohio State University in Columbus, Ohio, appointed as the Claims Consultant to prepare a delay/disruption analysis for the subcontractor's US\$0.8 million labor productivity claim submitted before the Ohio Court of Claims.

USA – On behalf of Ohio State University in Columbus, Ohio, appointed as the Claims Consultant to prepare a delay/disruption analysis for litigation against a contractor on a power plant renovation project.

USA – On behalf of Ohio State University in Columbus, Ohio, appointed as the Claims Consultant to prepare a delay/disruption analysis against a claim submitted by a structural concrete contractor on a building project.

USA – On behalf of Ohio State University in Columbus, Ohio, appointed as the Claims Consultant to prepare a delay/disruption analysis against a claim submitted by a structural concrete contractor on a building project.

USA – On behalf of Ohio State University in Columbus, Ohio, appointed as the Claims Consultant to review claims for material and labor increases and business interruption losses submitted by a roofing contractor alleging unforeseen conditions due to a rotted substrate and support members found during roof replacement work on a building.



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USA – On behalf of Kent State University in Kent, Ohio, appointed as the Claims Consultant to assess a delay/disruption/acceleration claims submitted by a contractor on a dormitory building project.

USA – On behalf of Ohio Schools Facilities Commission in Columbus, Ohio, appointed as the Claims Consultant to review claims delay, compression, lost productivity, overtime impact, defective design drawings and indirect cost damages brought by an electrical contractor on a school construction project. Contractor alleged that the school project was over crowded with multiple subcontractors.

USA – On behalf of Ohio State University in Columbus, Ohio, appointed as the Claims Consultant to review claims submitted by a design build contractor on the takeover of an abandoned power plant renovation project. The cause of the impacts were lack of as built drawings produced by the defaulted contractor who left incomplete and undocumented process piping in place resulting in redesign and additional procurement of process piping and power generation equipment.

USA – On behalf of Bowling Green State University in Bowling Green, Ohio, appointed as the Claims Consultant to support mediator during hearing. Designer of new Bureau of Criminal Investigation facility on the campus requested additional fees for the US\$10.5 million project.

Embassy

Mexico - On behalf of the U.S. State Department, Bureau of Overseas Building Operations (“OBO”) for the construction of a new embassy in Juarez, Mexico; appointed as Senior Scheduler. Responsibilities included review of contractor schedule updates and recovery schedules including analysis of procurement and productivity rates.

Federal Projects

USA – On behalf of the Contractor for the U.S. Department of the Navy’s new K-9 Training Facility at the Little Creek Amphibious Base in Virginia Beach, Virginia, Mr. Kelly is currently the Senior Project Controls consultant. Mr. Kelly prepares the monthly updates and provides maintenance on a cost loaded Primavera P6 schedule including identifying project performance risk and providing mitigation strategies.



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USA – On behalf of the Contractor for the U.S. National Science Administration Thomas Jefferson National Laboratory expansion project in Newport News, Virginia, Mr. Kelly is currently the Senior Cost and Schedule Consultant. Mr. Kelly prepares the monthly updates and provides maintenance on a cost loaded Primavera P6 schedule including identifying project performance risk and providing mitigation strategies. The project scope includes a new 70,000 square foot technology and engineering development building, a 30,000 square foot addition to an existing test lab building, and modernizing of an existing 96,000 square foot test lab.

USA – On behalf of the Contractor for the U.S. Department of Energy’s National Nuclear Security Administration Highly Enriched Uranium Maintenance Facility expansion project in Oak Ridge, Tennessee, appointed as the Claims Consultant for the analysis of a US\$83 million delay and disruption claim. The US\$130 million project consisted of new secure facility with nuclear concrete construction, vault door entry, containment and access security systems, and advanced mechanical and controls systems to store and maintain weapons grade uranium.

USA – On behalf of the Contractor for the U.S. Department of Energy’s National Nuclear Security Administration Highly Enriched Uranium Maintenance Facility project in Oak Ridge, Tennessee, appointed as the Claims Consultant to prepare an analysis of a delay and disruption events arising on a potable water pipe rehabilitation project.

USA – On behalf of a mechanical subcontractor in litigation on a US\$2.1 million project located at the U.S. Department of Navy Yorktown Naval Weapons Station in Newport News, Virginia, appointed as the Claims Consultant to prepare an independent schedule delay analysis and expert report.

USA – On behalf of a contractor in litigation over a project located at the U.S. Department of Army Fort Hood in Killeen, Texas, appointed as the Claims Consultant to prepare an independent schedule delay analysis and expert report for a \$10 million claim brought by a subcontractor.

USA – On behalf of the Contractor on a renovation project for the U.S. Department of Defense, Facilities Services Directorate, appointed as the Claims Consultant to prepare nine schedule delay analyses.

USA – On behalf of the Contractor for a US\$28 million, industrial facility project located at the U.S. Department of Navy Portsmouth Naval Yard in Portsmouth, Virginia, appointed as the Claims Consultant to prepare an independent schedule delay analysis and expert report for a claim.



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USA – On behalf of the concrete subcontractor for a project located at the U.S. Department of Defense Marine Corps Air Station located in Cherry Point, North Carolina; appointed as the Claims Consultant to prepare an independent schedule delay analysis and expert report. On the US\$2.1 million project, there was a \$0.5 million claim arising from impacts to the renovation of a jet engine test bed facility.

USA – On behalf of the Contractor for the U.S. Government Services Administration’s renovation of the International Broadcast Bureau’s network control center located in Washington D.C., appointed as the Claims Consultant to prepare an independent schedule delay analysis.

USA – On behalf of the Contractor for a US\$4.6 million U.S. Department of Defense project located in Arlington, Virginia, appointed as the Claims Consultant to prepare an independent schedule delay analysis of the impacts arising due to work on a mission critical power control system.

Land Development

UAE – On behalf of the Contractor alleging wrongful termination from a mega development project in Dubai, UAE, appointed as Claims Consultant to prepare a delay analysis to support a claim for equitable adjustment of US\$50 million. The contractor alleged wrongful termination arose from an economic downturn in the emirate economy.

USA – On behalf of the Virginia Department of Transportation (“VDOT”), Hampton Roads District, appointed as Claims Consultant to prepare a replacement cost estimate for a condemned building. Services provided under counsel instructions for litigation between VDOT and the property owner.

USA – On behalf of the Owner of a residential development project located in Stafford, Virginia, appointed as Claims Consultant to prepare a claim for completion costs and damages arising due to the default and termination of the site development contractor.

USA – On behalf of the Owner of a mixed use development project located in Ocean City, Maryland, appointed as Claims Consultant to review a claim submitted by the site development contractor. The claim was for increased costs of directional drilling and costs incurred when it broke a municipal force main sewer line over a holiday weekend.



Medical

USA – On behalf of the U.S. National Institute of Health located in Bethesda, Maryland, appointed as Schedule and Cost Consultant for a US\$150 million building project. Responsibilities included evaluation of contractor schedule updates, time extension claims, construction management practices, project cost analysis, evaluating value engineering proposals and change cost entitlements. The project was a high security containment facility including a new BSL 4 laboratory building.

USA – On behalf of the University of Toledo located in Toledo, Ohio, in litigation, appointed as Claims Consultant to review a US\$0.4 million claim submitted by an electrical contractor. Responsibilities included evaluation of the contractor's claim and preparation of an independent expert report and giving of testimony at trial.

Multi-Family Residential

USA – On behalf of the Contractor for a pair of 42 story high-rise condominium projects in Miami, Florida, appointed as Claims Consultant to prepare a claim for equitable adjustment and present at mediation.

USA – On behalf of the Contractor for a pair of 10 story high-rise condominium projects in Hammock Beach, Florida, appointed as Claims Consultant to prepare a claim for equitable adjustment.

USA – On behalf of a glazing subcontractor for a high-rise condominium project in Washington D.C., appointed as Claims Consultant to prepare a claim for equitable adjustment.

Municipal

USA – On behalf of the Contractor for the City of Virginia Beach City Hall project, Mr. Kelly is currently the Senior Project Controls consultant. Mr. Kelly prepared the baseline schedule, prepares the monthly updates and maintains the cost loaded Primavera P6 schedule including identifying project performance risks and providing mitigation strategies.

USA – On behalf of the City of Doral's US\$38 million City Hall Complex project, Mr. Kelly is currently the Senior Project Controls consultant. Mr. Kelly prepared the master project schedule and reviews the contractor's monthly schedule updates, and provides the City with strategic planning advice.



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USA – On behalf of the State of Ohio Facilities Construction Commission, Mr. Kelly provided construction claim evaluations under a two-year services agreement.

USA – On behalf of the steel erection subcontractor for a project located in Sioux City, Iowa, appointed as the Claims Consultant to prepare an independent schedule delay analysis of the impacts arising due to work performed by the steel fabricator for the event center/arena project.

USA – On behalf of the City of Fort Wayne, Indiana on a renovation project, appointed as the Claims Consultant to prepare an independent analysis of the work performed on the Allen County Library project by the contractor that caused the destruction of the computerized archives of the library.

Museum

USA – On behalf of the Contractor for the Miami Art Museum project in Miami, Florida, Mr. Kelly is currently the Senior Scheduler. The three-story building includes 120,000 square feet of interior space and approximately 80,000 square feet of exterior program space.