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EDWIN J. MACKIEWICZ III, P.E.

PROFESSIONAL SUMMARY

Twenty eight years of experience in Construction Engineering and Management of major transportation infrastructure projects throughout the U.S. Projects include multi-million dollar road and bridge construction and rehabilitation projects in Florida, Connecticut, New York and Illinois. This includes both conventional bid and alternative bid type projects such as Design Build.

Prior to starting his own consulting firm, his previous experience includes working as both a Senior Project Manager for a major road building contractor as well as CEI Resident Engineer for a multi-disciplined engineering firm. As Sr. Project Manager for major road builder his experience included oversight of project management staff, managing construction crews, including subcontractors, budgets, schedules, pricing extra work and claim preparation on multi-million dollar projects. As Resident Engineer for CEI he was the owner's representative responsible for all contract oversight for numerous road and bridge projects including fixed and moveable bridges, major roadway construction as well as building construction. This encompassed managing all construction engineering, claims analysis and avoidance, CPM schedule reviews and analysis, contract administration, final estimates, negotiations and Dispute Resolution. In addition he has written numerous DRB and State Arbitration position papers and have been very successful in the presentation of disputed issues. He is knowledgeable in scheduling software such as Primavera and all Microsoft based programs.

EDUCATION

Associate of Science in Civil Engineering, Hartford State Tech. College, Conn., 1983
Bachelor of Science in Civil Engineering, University of Hartford, Connecticut, 1989
Juris Doctor, W.H. Taft University, Santa Ana, California, 2010

CERTIFICATIONS/LICENSES

Florida Professional Engineer – 48208
Dispute Resolution Board Foundation Member
FTBA Member
American Society of Civil Engineers, Associate Member
ATSSA Work Zone Safety Supervisor
DEP Erosion and Sediment Control Inspector
Florida FDOT Final Estimates Certification
Primavera Certified Training

CAREER HISTORY

Forcon International – Providing consulting and expert witness services regarding all aspects of transportation construction projects.

EJM Consulting Services, LLC - Owner/President; private, independent consultant to contractors, engineers, owners and attorneys providing construction management, claims management and preparation, project assessments, litigation support, expert witness, alternate dispute resolution hearings and specialty design engineering. Proficient in all aspects of transportation construction projects including subsurface, earthwork, erosion, drainage, roadway, bridge (both fixed and movable), steel, concrete, asphalt, utilities and contract administration. Provide specialty engineering and alternative designs for contractors to increase productivity and efficiency.

Ranger Construction Industries, Inc. - Senior Project Manager providing oversight and project management for the construction of multiple on-going major road and bridge transportation projects. Responsibilities included budget and production monitoring, subcontractor coordination, schedule development and progression, working closely with superintendents to ensure proper resource loading, contract administration including RFI's, claims, delays and

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unforeseen impacts. Also responsible for profit/loss reports. Prepared and presented several DRB Position Papers and board hearings. A list of such is below. Served as company representative to industry organizations such as FTBA and FICE who drive policy changes within the transportation industry in Florida.

Keith & Schnars P.A. - Senior Project/Area Engineer for full service consulting engineering company providing Construction Engineering and Inspection for major road and bridge construction projects. In my tenure I served as Senior Project Engineer on numerous FDOT transportation projects throughout Florida. Responsible for oversight of all Construction Engineering and Inspection on multi-million dollar transportation projects including high profile interstate construction, fixed and moveable bridges, complex utility involvement and highly sensitive environmental areas. Analyzed and defended several construction claims on behalf of FDOT. Successfully defended FDOT in DRB hearings and State Arbitration.

A.G. Lichtenstein & Associates - Senior Structural Engineer performing, analyzing and reporting on condition and safety inspection of bridge structures for the Connecticut DOT Bridge Safety Inspection Program. Served as team leader of a staff of bridge engineers responsible for bridge evaluations and rehabilitation design for steel, concrete, fixed and moveable bridges. Responsible for safety, productivity, traffic maintenance and bridge access through climbing and belaying. Engineering of bridge rehabilitation by analyzing existing condition and developing designs to increase bridge's safety rating to current standards.

Parsons Corporation (formerly Steinman Engineers) - Construction and Design Engineer for major bridge projects in New York, Connecticut, Florida and Chicago Illinois. Served as Bridge Construction Engineer on moveable lift span bridge, 3800 ft. steel plate girder bridge, AASHTO concrete beam bridges and segmental bridges. Responsible for construction inspection of all aspects including pile driving, concrete placement, steel erection, contract administration and payment quantification. Also served as design engineer in Connecticut for bridge projects along I 95 corridor.

HISTORY OF CLAIM CONSULTING, DISPUTE RESOLUTION AND LITIGATION SUPPORT

2016/2017 – Claim Consulting – representing general contractor against owner on four independent contract claims on single project and developed DRB Position Papers and presented issues to Alternative Dispute Resolution Board.

2016 – Claim Consulting – claim consulting and preparation of DRB Position Paper and presentation related to contract payment dispute. Attny – Weinberg Wheeler Hudgins Gunn & Dial.

2016 – Defense of Claim/Litigation Support – claim defense and litigation support of prime contractor vs. subcontractor on landfill remediation design build project. Served as expert witness in preparation of binding arbitration. Attny. Marshall Dennehey Warner Coleman & Goggin.

2016 – Claim Consulting – review and advise attorney client regarding construction defect claim related to site work at Citrus Bowl. Attny. Shumaker Loop & Kendrick.

2015 – Claim Preparation/Litigation Support – multi-million dollar claim and counterclaim between subcontractor and prime contractor on half billion dollar infrastructure project. Settlement of all issues in mediation. Attny. Vezina, Lawrence & Piscitelli.

2015 – Claim Preparation/Litigation Support – prepare extra work claim related to major airport project as result of numerous plan issues, revisions and scope changes, delays, acceleration and differing site conditions. Attny. - Gardner Brewer Martinez-Monfort.

2015 – Contract Default Defense/Litigation Support – performed field investigation and prepared engineering reports/opinion in defense of contract default action by owner against client contractor's surety. Attny. - Etcheverry Harrison; Surety – Hanover.

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2014 - 2015 – Litigation Support – working with attorneys and surety on multi-million dollar law suit related to alleged design/construction defects on design build for roadway/bridge construction project. Attny - Marshall Dennehey Warner Coleman & Goggin; Surety – CAN.

2013 - Representing Ranger Construction v FDOT – DRB Hearing – developed Position Paper for presentation of claim to Board for out-of-scope work. FDOT settled issue in full 5 days prior to hearing.

2013 - Representing Gemstone (as subcontractor) v FDOT – DRB Hearing – developed Position Paper and presented three issues to the Board related to plan errors and third party damage. Received entitlement on 2 of 3 issues. Non-entitlement issue is pending State Arbitration.

2012 – Representing Quinn Construction v FDOT – DRB Hearing – developed Position Paper and presented four issues to the Board related to differing site conditions and interpretation of contract language. Received entitlement on 3 of 4 issues.

2012 – Representing Ranger Construction v FDOT – DRB Hearing – developed Position Paper and presented issue to the Board related to differing site condition as a result of endangered species. Received entitlement for the issue.

2009 – Representing Ranger Construction v FDOT – DRB Hearing – developed Position Paper and presented issue to the Board related to differing site condition for excavating and disposing 40,000 cu. yd. excess embankment. Received entitlement and full pay on claim.

2007 – Representing Ranger Construction v FDOT – DRB Hearing – developed Position Paper and presented eight issues to the Board related to unforeseen conditions, delays, and contract language interpretation. Received entitlement on 7 of the 8. All issues ultimately settled to satisfaction of client.

2004 – Representing FDOT v Russell Engineering – DRB Hearing – developed Position Paper and presented issue to the Board related to alleged contract ambiguity pertaining to liability insurance requirements. Board ruled in favor of FDOT and no entitlement for contractor.