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**Earle S. Cooper** 1697 Midnight Pass Way

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Current Employer-Title Earle S. Cooper, ADR Construction Neutral

Profession Alternative Dispute Resolution of construction claims and disputes using Dispute Boards, Mediation, and Arbitration.

Expert Witness concentrating on the business of construction.

Construction Consultant for private companies, organizations, and individuals.

Professional License Florida Certified General Contractor, 1977 to present ( Inactive) # CGC011851

Supreme Court of Florida Certified Circuit Court Mediator, 2021 to present. ID: 38263R

AAA Roster of Arbitrators, March 2022 to present. AAA Neutral ID: 5576347

Professional Associations Dispute Resolution Board Foundation, past Treasurer, Region 1, USA and Canada

American Bar Association, Member Dispute Resolution Section.

Dispute Resolution Board Foundation, Florida Chapter, Member

American Arbitration Association, Member.

Work History Principal, Earle S Cooper, ADR Construction Neutral, 2016 to present

Retired Partner, Executive Vice President, Hawkins Construction, Inc., Positions held included Vice President of Estimating and Marketing, Project Manager, 1979-2019.

Estimator, Enterprise Builders, 1979.

Assistant Vice President, Great Southwest Corporation, Inc.1977-1979. Open shop affiliate of Frank J. Rooney Corporation.

University of Florida Campus Representative for Anheuser Bush Corporation, Maris Distributing. 1975-1977.

Experience Forty five years' experience in commercial and institutional construction while at Hawkins Construction, Inc. The company rose from a small father/son company to the largest privately held construction business in the Tampa Bay area, known for quality work and on time project delivery.

Realized at an early age that resolving disputes and claims with owners and subcontractors using Alternative Dispute Resolution processes far outweighed litigations risk, negative impact on cash flow, and wear and tear on the company’s management team and employees.

During this period, worked on over 2,500 projects totaling millions of square feet of construction worth billions of dollars in Florida, Georgia, South Carolina, Alabama, Texas, and Oklahoma. projects included major retail malls, single tenant retail, schools, medical offices, class “A” office buildings, high rise condominiums, senior housing, large box industrial and storage facilities, parking structures, jails, sitework, industrial plants, airports, low, mid, and high-rise construction, churches, hospital renovations and healthcare facilities. Uniquely experienced as both an owners representative and contractor for country clubs, golf courses, and yacht clubs.

One of the primary leaders of a company that managed thousands of projects. Well known for possessing a deep knowledge of design and construction issues, critical path scheduling, construction means and methods, and interpretation of owner contracts, subcontracts, bid and field construction documents, as well as tenant leases. This knowledge provided effective project management that streamlined and supported overall project continuity prior to and during construction. The projects were delivered by competitive hard bid/lump sum, negotiated guaranteed maximum price, unit price, design build and construction management platforms. Clients included some of the world’s largest mall developers, national “A” list big box, small box, and in line retailers. Possesses the skills to deeply assess multiple detailed plans and specifications of large multi-tenant projects. Recognized for the ability to successfully take over difficult projects with scope, time, and budget constraints.

Alternative Dispute

Resolution Experience During forty-five years as a contractor, became skilled in resolving claims between the contractor/owner, subcontractor, architect, engineer, and subcontractor/sub-subcontractor. Effectively dealt with critical path schedule issues, unwarranted change orders, contract scope disputes, insurance requirements, preconstruction design timelines, value engineering, code issues, and document management during preconstruction, construction, and project close out.

Effectively researched and resolved construction defect claims from owners and architects against the contractor. Claims included roof leaks, mold, mildew, and condensation. Improper installation of storefront, curtain wall, stucco, and dryvit resulting in poor performance of the building envelope. Solved complicated problems associated with electrical, plumbing, and HVAC systems.

Instrumental in settling developer/tenant contract scope issues concerning what the developer was required to provide to the tenant. Provided developers with guidance resolving subcontractor disputes. Advised developers how to solve jurisdictional issues dealing with permits, design board approvals, fire marshals, and inspectors.

After retirement in 2016, became involved with Dispute Resolution Boards, as both Chairman and Member status, for the State of Florida Department of Transportation. Board member for the design build mega projects I-275 Howard Franklin Bridge replacement ($864,929,000), Brooks Bridge Replacement ($171,025,550.00), and the Reconstruction of the I-4 and I-95 intersection ($204,975,000). Board Chairman for 7 other FDOT boards with values in the $4 million to $38 million range.

FDOT project claims were settled at the lowest level of authority. Claims included public utility companies’ failure to perform, address contractor claims, interferences and conflicts with existing underground utilities. Claims that were caused by delays including differing site conditions, permitting, Covid 19 effecting labor and material shortages, drainage, signalization, public utility subcontractors not adhering to agreed to work schedules, earth surcharges, sound wall design, roadway base failures, maintenance of traffic responsibilities with multiple third parties, design changes due to unavailability of materials, and construction defects.

Accepted as a Certified Court Appointed Mediator in the State of Florida in all judicial circuits by the Supreme Court of Florida in fall of 2021. Two years of mentorship and shadow mediator for a well-known AAA mega construction claims arbitrator/mediator. Attended mediations for construction claims that where in the millions of dollars. Cases included delays caused by a nonperforming subcontractor on a nuclear submarine base, airport contractors claim against a minority subcontractors poor concrete workmanship and completion time overrun. Hotel owners claim against a design/build mechanical contractor for unauthorized changes to the specified equipment resulting in unapproved savings to the design/builder. Dewatering subcontractors counter claim against a contractors claim for construction defects for a public utility project.

Elected Board Chairman in 2018 of the City of Clearwater Florida’s Building/Flood Board of Adjustments and Appeals. Member since 2016. Examples of cases adjudicated are false intent in obtaining a construction permit, FEMA flood zone building restrictions violations, whether a treehouse is a structure and requires zoning approval and a building permit, removal of residents of a condemned structure, failure to have final inspection for permits, police and fire personnel refusing to enter an abandoned mid rise structure due to endangerment caused by homeless occupants actions, unpermitted activities, and improvements.

Alternative Dispute

Resolution Training Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2022; AAA Award Writing, 2022.

University of Central Florida Graduate Certificate in Conflict Resolution and Analysis, 2021. One year graduate program including classes in: Understanding Human Behavior and Conflict; Conflict Resolution Theory; Advanced Mediation Practicum; Administrative Law, and Leadership in Public Service.

Florida Circuit Civil Mediation Certification Training, 40 hour classroom course, 2020.

Dispute Resolution Board Foundation DRB Administration & Practice and Chairing Workshop, 16 hour classroom course, 2016.

Education University of Central Florida Graduate Certificate in Conflict Resolution and Analysis, 2021.

University of Florida Bachelor of Building Construction (now titled “Bachelor of Construction Management”), 1977.

Continuing education for Florida General Contractors license (inactive), 1977 to 2019.

Continuing education for Florida Mediators license, 2021 to present.

Continuing education for American Arbitration Association Panelist designation, 2022 to present.

Community Contributions

Chairman of the City of Clearwater Florida’s Building/Flood Board of Adjustments and Appeals, 2018 to present. Member since 2016.

Immediate Past President of Belleair Country Club. Established in 1897 as the Belleview Biltmore Hotel, the waterfront club has 1,400 members. Club includes two 18 hole golf courses designed by Donald Ross, 55,000 square foot clubhouse, tennis facility, pickle ball courts, croquet courts, fitness center, and marina.

Current Board member of the Ruth Eckerd Hall. A 2,500 seat, world renown entertainment facility and theater arts school, Clearwater, Florida.

Past Board Chair of the Morton Plant Mease Health Care Foundation. 18 years of volunteer work with a large, multi-campus, non-profit hospital corporation. Positions include chairing many committees and culminated with being elected Board Chairman of the Foundation.

Past Board member of the Morton Plant Mease Hospital, Clearwater Florida.

Past Board member of the Carlouel Yacht and Beach Club, Clearwater Beach Florida.

Past Board member and fund raiser for Big Brothers, Pinellas County.

List of Dispute Boards

DRB Member for FPN: 422904-2-52-01, I-275 Howard Frankland Bridge, Contract Amount $864,929,000. Design Build Contract.

DRB Member for FPN: 415474-2-52-01, US-98 Brooks Bridge Replacement Project, Contract Amount $171,025,550.00. Design Build Contract.

DRB Chairman for FIN 436958-1-52-01 & 02, I-95 & Sample Road Interchange. $31,058,595.00.

DRB Chairman for FIN 438562-1-52-01, I-75 Marion County Northbound Rest Area Renovation, $30,905,946.53.

DRB Chairman for FIN 23914-1-52-01, SR 600 Widening and Reconstruction, Contract Amount $23,467,500.98. Board closed.

DRB Chairman for FIN 424213-3(4&6)-52-01, Traffic Control Devices, Contract Amount $38,345,345.00. Design Build Contract.

DRB Chairman for FPN 444329-1, 4433958-1, I-4 Auxiliary Lanes and Resurfacing, Contract Amount $34,499,999.99. Board closed

DRB member for FPN 242715-2-52-01, Reconstruction of the Interchange with I-4, I-95 and US-92, Contract Amount $204,975,000. Board closed.

DRB member for FPN 437973-1-52-01, I-275 Sunshine Skyway Rest Area Replacement and Seawall Repairs, Contract Amount $18,051,494. Design Build Contract. Board closed.

DRB Chairman for FIN 405575-6-52-01, Campbell Drive Grouping, Contract Amount $16,353,016.96. Board closed.

DRB Chairman for FIN 443684-1-52-01, I 275/SR93, Bus on Shoulder, Contract Amount $4,637,000.00. Board closed. Design Build.

DRB Regional Member: District 1, Southwest Florida for 2021-2023.

DRB Regional Member: District 5 and Turnpike, Indian River County North Regional Board for 2021-2023.

List of Expert Witness

Trenam Law, Tampa, FL., Gregg E. Hutt representing C & N Renovation, Inc., Engaged to review finishes of a project for quality. Case settled pretrial.

Fishback Dominick, Winter Park, FL., Richard Geller representing The Storm Companies. Engaged to review damages. Case dropped.

Construction Consultant

Belleair Country Club, Belleair, FL. Consultant on the historical renovations to a Donald Ross course originally built in 1897. Work was pro bono.

South Garden 6 Condominium, Belleair, FL. Renovations to the common areas. Work was pro bono.

Ruth Eckerd Hall and The Sound. Consult on reroofing bids. Consult on entry renovations. Consult on portable and non-portable outdoor food stations. Work was pro bono.