

JOHN A. SMITH

Mr. Smith has dedicated the last fourteen years to dispute resolution in the construction industry. Since 1998 he has served as a Principal of and Senior Consultant for **RESOLVE DISPUTES, INC.** in charge of all dispute resolution services for the Firm. Mr. Smith's prior employment was with PinnacleOne's (formerly High-Point Rendel), a nationally renowned claims consulting firm, as Assistant General Manager in Fort Lauderdale, Florida (1995-1998) and Los Angeles (1990-1995) following a Senior Consultant and Project Manager position (1987 to 1990).

His career in the construction industry provides a sound foundation in the basic business and contracting practices for government in transportation, education, infrastructure systems and buildings as well as the private sector for a number of industries

Since 1987 Mr. Smith has concentrated on dispute resolution leading or individually handling over 60 dispute assignments for over 40 clients with Mr Smith managing forty of the cases. Work has included preventive dispute management, claims preparation, claims defense, errors and omissions and surety. He has prepared claims and defenses for multi-million dollar disputes including Expert Witness analysis, demonstrative materials and testimony for DRB's, mediations and arbitrations. Claims have ranged up to \$30 million. Dispute teams managed by Mr. Smith have numbered up to six experts including the consultants and clients staff, from as many as five firms.

Construction dispute resolution work has included prevention and mitigation program development; auditing and oversight during the course of the construction; discovery and document management; issue and entitlement identification; time line analysis and applicable schedule analysis including all forms of CPM analysis; proving of delay, disruption and lost productivity; proving of direct, job site and home offices damages; analysis and proving of defense issues, defense analysis of claimed damages; deposition support and appearance; interrogatories; preparation of trial briefs and demonstrative materials

Claims avoidance cases include managing and being the lead claims consultant for fifteen claims disputes occurring and resolved during the course of construction for claims consulting contracts for Broward County and for Metro-Dade County Airport Department.

Mr. Smith has prepared thirteen claims contractors in the public sector for submittal to the Federal Government, States, Counties and School Boards.

He has prepared defenses for seventeen cases for Public Agencies including the Federal Government; Los Angeles County, California; California Department of Highways; California Department of Correction; Florida Department of Transportation; Broward County, Florida and Metro-Dade County, Florida.

Many dispute situations resulted in negotiated settlements which Mr. Smith participated in, leading a number to resolution. Mr. Smith, for those cases moving on to an adjudication conclusion, has been the Expert Witness candidate designate and has appeared as an Expert Witness nine times in depositions, mediations, arbitrations and trials.

Mr. Smith's professional associations include the: the American Bar Association as an Associate, the Dispute Review Board Foundation, American Society of Civil Engineers, Construction Management Association of America, the Project Management Institute, and AACE International.

Additionally Mr. Smith is a panelist with the American Arbitration Association, the California Office of Administrative Hearings and the Dispute Review Board List of the Florida Department of Transportation. Mr. Smith has received training in Partnering, Arbitration, Mediation and Dispute Review Board practices. Mr. Smith has been selected as an Arbitrator a number of times.

He has prepared and presented papers on a number of construction management and dispute resolution topics at national and international symposiums. *Proactive Defense Against Total Cost Claim*; 1992, AACE and INTERNET; *Analyzing Total Cost Claims*; NCMA, Workshop Publications, 1993; *How to Use Dispute Review Boards for Claims Settlement*; PMI, 1992; CMAA, 1992; DART News, December, 1992, AACE Cost Engineering Magazine, August, 1993; *The Contemporaneous Defense Against Construction Claim*; High-Point Breakfast Briefing, Los Angeles, California, Twice in 1993; *Do's and Don'ts Presentation Techniques for Various ADR Forms*; WCCC, ADR Seminar, Los Angeles, California, 1993; *Medialysis*; DART News, December, 1993; *Using Quantum in Negotiations*; INTERNET, 1994; *The Emerging Total Cost Claim Environment*; International Cost Engineering Congress, 1994; *What You Have to Put to Get Something Out of ADR*; CMAA, 1994, ASCE, Florida, 1996, AAA Dispute Resolution Journal Publication, 1995; *As-Built As-You-Go Schedule Analysis*; SOVNET, INTERNET, Russia, 1995; *Profiles of Alternate Dispute Resolution Techniques for Project Managers*; SOVNET, INTERNET, Russia, 1995; *Dispute Resolution Lessons Learned from Case Studies*; PMI 1995; *Mr. Contractor, Claim And Get What Is Due To You*; 1997 Professional Education Systems, Inc., *Effective Use of Expert Claims Consultants*; 1997 Palm Beach County Bar Association; *Preparing, Pursuing and Wining Claims*; 1997 Broward County Bar Association; *Avoiding Adversarial Relationships On The Job and Alternate Dispute Resolution*; 1998 Construction Association of South Florida.

Mr. Smith holds a Bachelor of Science in Civil Engineering from Northwestern University and a Master in Business Administration from Harvard University.

Earlier employment, concentrated in the construction industry, included: John A. Smith & Company - Management Consultants, Fort Lauderdale, Florida, and prestigious domestic and international firms including Starrett Construction Services; Booz, Allen & Hamilton; Lester B. Knight & Associates; Fruin-Colnon Contracting Company and Bechtel Corporation. Work has been throughout the United states and in a number of foreign countries.

His corporate and consulting career has been dedicated to improve organization, management and controls in business and government. He has covered a broad spectrum of successful consulting assignments including organization and re-organization; corporate diagnostic audits; strategic planning; manpower planning and development; materials management; capital financial, project & construction management and their management information systems; work force management; He has participated in over two hundred assignments, leading and managing many of them, for over one hundred clients. He has successfully and profitably managed consulting firms' assignments.