



Clay Ryals

Senior Vice President

Mr. Ryals is Senior Vice President at David Pattillo and Associates in Duluth, Georgia. He has over thirty years of project management and dispute resolution experience relative to a wide range of large scale engineering and construction projects, including: power generation and transmission, manufacturing, petro-chemical, steel production, transportation, commercial, and residential. In addition to construction, Mr. Ryals provides dispute resolution and advisory services in the government contracting, aerospace, and information technology sectors.

Mr. Ryals' experience includes the preparation and analysis of delay, acceleration, disruption, and loss of productivity claims. He has been instrumental in the negotiation and settlement of numerous disputes and testified in legal proceedings as an expert on scheduling, delay analyses, labor efficiency, quantification of damages, and a variety of other topics relating to project management custom and usage.

His ability to simplify and effectively communicate complex issues, have proven invaluable to legal counsel for major owners, contractors, engineers, and sureties around the world. From discovery and deposition through trial and testimony, long-term clients rely on his experience and his fundamental understanding of the various dispute processes and venues.

In addition to dispute resolution and expert testimony, Mr. Ryals actively provides project advisory and risk management services for large-scale complex projects prior to and during execution. These services include: independent assessments, customized project controls, critical path method (CPM) scheduling, training programs, periodic progress analysis, claims mitigation, contract review, evaluation of project delay and impact, analysis of resources and productivity, construction cost analysis, and the facilitation of negotiated settlements.

Education / Certifications

Georgia Institute of Technology
1981 BS Industrial Management

Georgia Institute of Technology
1984 BS Building Construction

PMP – PMI Project Management Professional

Professional Experience

Navigant Consulting, Inc. (2005-2013) Director. Responsible for engagement team management and profitability while providing dispute resolution and advisory services to owners, contractors and government agencies. Dispute services included schedule delay analyses, quantum calculations and expert testimony relative to construction projects, defense contracts, software implementation projects, and IT integration programs. Advisory service included project risk management, independent oversight and reporting, distressed project assistance, and training.

A.W. Hutchison & Associates, LLC (1992-2005) Vice President. Provided dispute resolution and advisory services relative to complex construction projects. In addition to the provision of expert testimony, services included the performance of critical path analyses, delay causation studies, and quantification of damages associated with delay, disruption, scope changes and loss of productivity.

The Ryals Company (1989-1991) Founder and President. Designed, developed, and marketed information management software for the construction industry. The firm also provided dispute resolution services and expert testimony relative to software development and integration issues, as well as a variety of engineering and construction matters.

The Hutchison Group (1983-1989) President. In charge of operations of consulting firm providing data management and information technology services to the engineering and construction industries. Services included control system integration, custom programming and reporting, CPM scheduling, document and data management, and training.

Trammell Crow Affiliated Companies (1981-1983) Project Engineer and Field Office Manager. Involved in all aspects of the formation and operation of national multi-family and high-rise construction company. Responsibilities included sub-contract and vendor management, cost control and reporting, shop drawing review, estimating and scheduling.

R & R Construction Company (1975 - 1980) Performed a variety of activities in support of highway bridge construction, including rebar, formwork and concrete placement and finishing. Managed pre-cast yard operations and assisted with cost estimates, bid preparation and procurement activities.

Representative Projects

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- **Military Aircraft Ground Support Facility and Systems – Kimhae, Korea**

A major U.S. defense contractor retained Mr. Ryals as testifying expert relative to a foreign military sales contract in anticipation of ICC Arbitration. The program involved the supply of Airborne Early Warning and Control aircraft and ground support segments. The role included a complete analysis of the design and construction of the ground support facilities, equipment supply and installation, integration with mission system software, and system testing. Mr. Ryals was instrumental in the development of a Request for Equitable Adjustment followed by fact finding and extensive negotiations with the Republic of Korea Air Force. The matter was successfully settled prior to arbitration.

- **Combined Cycle Power Plant - Veazie, Maine**

Mr. Ryals provided expert testimony on behalf of the mechanical contractor in an arbitration proceeding relative to the construction of a new 520MW natural gas fired combined cycle power plant. Issues addressed at the hearing included critical path schedule analysis to determine factors giving rise to delay, causes of delay including resource and productivity analyses, and linkage of delay (critical and non-critical) to discrete cost variances. Mr. Ryals prepared a detailed expert report setting forth his findings and opinions, provided deposition testimony, and offered expert testimony as part of the arbitration proceedings.

- **Statewide IT Outsourcing Program – Richmond, Virginia**

Relative to a \$2.3B IT outsourcing project, Mr. Ryals performed a detailed schedule delay and impact analysis on behalf of the prime contractor. The project involved the development of a statewide network infrastructure and the outsourcing of all aspects of Information Technology for every state agency. The role included the preparation of a detailed settlement document and provision of planning and scheduling advice. Issues addressed included adequacy of contractor's planning and project management, the identification and quantification of discrete issues impacting resource productivity and delaying program completion. The impact and delay analysis was integrated with the quantum expert's cost analysis to develop a \$700M REA that was ultimately resolved through negotiations.

- **Chemical Demilitarization Facility – Anniston, Alabama**

Mr. Ryals provided advisory services, as well as dispute services, on a project consisting of design and construction of an automated facility to dismantle and incinerate live munitions armed with chemical agents. The high-security plant included reactor-style blast containment structures, extensive stainless steel piping with rigorous quality control and testing requirements, as well as state of the art safety and control systems. The initial role included participation in on-site "tiger team" working groups to evaluate and revise the overall program schedule in light of delays and productivity issues experienced during the initial phases of construction. Subsequently, Mr. Ryals performed an in-depth schedule and productivity analysis identifying critical delay issues including design changes, labor availability and inefficiency. He provided findings and opinions in formal negotiation proceedings with the U.S. Army Corps of Engineers to settle the matter prior to litigation.

- **Communication Data Link System – San Diego, California**

In preparation for ASBCA hearing, Mr. Ryals was retained by a U.S. defense contractor relative to a contract with The Department of the Navy at the Space and Naval Warfare Systems Command. The program involved software and hardware development, testing and integration with U.S. military assets. The role included participation in negotiations with the U.S. Navy. Issues addressed included identification of engineering labor inefficiency caused by government actions and other factors giving rise to delay and their effect on program completion. The matter was successfully settled in negotiations prior to trial.

- **Greenfield Steel Processing Plant – Mobile, Alabama**

Mr. Ryals provided independent oversight and reporting to the Board of Directors of a multinational steel manufacturer relative to its \$4 Billion greenfield carbon steel processing plant near Calvert, Alabama. The Project scope included the design, construction, start-up and integration of 15 separate major projects on a 3000 acre site. Each project included earthwork, foundations, mechanical equipment and vessel erection, as well as extensive piping, pipe rack, cable tray, conduit and cable installation. As part of the advisory role, Mr. Ryals provided recommendations and assisted with the implementation of revised processes and procedures. Following the initial assignment, Mr. Ryals worked with counsel to evaluate contractor claims, prepare responses and counterclaims, and assist with on-going dispute resolution proceedings.

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- **737 AEW&C – Peace Eagle Program – Ankara, Turkey**

A major U.S. defense contractor retained Mr. Ryals to provide planning, scheduling and quantum advice relative to an international supply contract. The program involved the supply of Airborne Early Warning and Control aircraft and ground support segments. The role included the analysis of government furnished equipment deliveries, development and testing of mission system software, as well as system-wide integration and testing. Issues addressed included the identification of factors impacting software development progress and productivity and their effect on program completion, identification of actual delay periods (critical and non-critical) and preparation of a preliminary cost analysis in support of on-going settlement negotiations.

- **Light Rail Transit System – Camden to Trenton, New Jersey**

Mr. Ryals was retained by the design-build joint venture on a project consisting of thirty-five miles of a new light rail transportation system from Camden to Trenton, New Jersey. The new system included rail, vehicles, stations, train control, and traffic control systems constructed within an existing freight corridor utilizing both dedicated rail and shared rail. Mr. Ryals worked on-site, during construction, assisting with detailed planning and schedule development. Subsequently, he performed a comprehensive schedule analysis and prepared an expert report quantifying impacts and delays resulting from site access, design changes, traffic and train signal design delays, and a variety of other issues. He participated extensively in the negotiations on these matters, which were successfully resolved prior to trial.

- **Project Management Process and Procedure Review - Calgary, Canada**

A Canadian energy company retained Mr. Ryals to review its existing project management and controls practices and procedures relative to major projects. Specifically, the client desired to utilize fixed price contracting and requested an independent readiness review of existing processes and procedures. Mr. Ryals evaluated the current procedures for estimating, change control, sub-contract management, scheduling and other processes. He recommended modifications and assisted with the implementation and training of the revised procedures.

- **Nodal Electricity Market Implementation Project – Austin, Texas**

Mr. Ryals was part of an interdisciplinary team retained by the Texas Public Utility Commission to conduct an independent evaluation and assessment of the underlying causes of the delayed launch and significant cost overruns associated with the design, development and implementation of a new wholesale electricity market system in Texas. The new system ultimately cost over \$500 million and involved significant changes to over a dozen software and control systems. Mr. Ryals performed detailed analyses of the design and development of each major system, identified and quantified critical path delays relative to each system, and quantified the financial impacts to the overall program. Further analysis was performed to determine the causes of the critical delays such as untimely design changes, vendor performance relative to software development and testing, and program management deficiencies.

- **Telecommunications Center –Baghdad, Iraq**

Counsel for a Belgian defense contractor retained Mr. Ryals to provided project management and scheduling advice to a relative to a U.S. Army Corps of Engineers (USACE) contract in Iraq. The program involved the re-construction of a telecommunication center for the Iraqi Ministry of Communication, the procurement and installation of critical equipment, and integration with local telecommunication systems. The role included a detailed schedule delay analysis and the development of an expert report in preparation for trial. Issues addressed included procurement delays, security issues, contractor performance issues and their effect on program completion. Mr. Ryals participated in negotiations with the USACE and the matter was successfully settled in negotiations prior to trial.

- **911 Emergency System Upgrade – Sacramento, California**

Mr. Ryals offered expert opinion in Superior Court on behalf of the State of California. The project involved the upgrade of emergency system hardware and software and integration with other statewide and national emergency systems. The role included the submission of an Expert Report, provision of deposition and testimony at trial. Issues addressed included adequacy of contactor’s planning and project management, quantification of software development delays and resource productivity losses and the identification of other factors giving rise to delay and their effect on program completion. The State of California received a favorable verdict at trial.

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- **Criminal Investigation Division Laboratory – Ft. Gillem, Georgia**

Mr. Ryals provided planning and scheduling advice to a U.S. contractor relative to a U.S. Army Corps of Engineers (USACE) contract. The project involved the construction and commissioning of a new criminal investigation and forensic laboratory. The role included provision of planning and scheduling services during construction, as well as a detailed forensic schedule analysis and development of an expert report in preparation for trial. Issues addressed included design changes relative to lab area ductwork and pressurization, equipment procurement issues, commissioning delays, and their effect on program completion. The matter was successfully settled in mediation prior to trial.

- **737 AEW&C – Wedgetail Program – Canberra, Australia**

A U.S. defense contractor retained Mr. Ryals for assistance relative to a foreign military sales contract. The program involved the supply of Airborne Early Warning and Control aircraft and ground support segments. The role included the analysis of the planned vs. actual progress of various equipment suppliers and sub-contractors, development and testing of mission system software and overall airborne system testing. Additionally, the Contractor requested periodic Monte Carlo risk assessment of its program master schedules. Issues addressed included analysis and identification of factors giving rise to delay, their effect on program completion and preparation of a preliminary cost analysis.

- **U.S. Courthouse Renovation – San Francisco, California**

Mr. Ryals represented a group of six sub-contractors in a dispute with the general contractor. Following an in-depth schedule analysis, he quantified critical delays and other damages associated with each individual sub-contract. Issues included the adequacy of the general contractor's scheduling, coordination and on-site supervision. Mr. Ryals presented his findings during mediation that ultimately resulted in the settlement of all claims.

- **I-595 Expansion Project – Broward County, Florida**

On behalf of an international general contractor, Mr. Ryals performed a detailed schedule analysis to determine the cause of delays on the construction progress of I-595 Expansion Project in south Florida. The project included the construction of three reversible toll lanes, three braided ramp systems, roadway construction, drainage, canal dredging and concrete wall assembly through seven major traffic phases. Mr. Ryals prepared a report setting forth the findings of the analysis and assisted the contractor and its counsel resolve disputes with a major subcontractor through the Dispute Resolution Board process.

- **Coal to Gas Conversion Project – Newnan, Georgia**

Mr. Ryals helped resolve a dispute between a major utility company and the general contractor relative to the conversion of a coal-fired power plant to a natural gas-fired plant. Mr. Ryals analyzed the impact of late and incomplete design on the contractor's performance and prepared a detailed allocation of responsibility for schedule delays and cost increases. Along with the contractor's counsel, Mr. Ryals presented a summary of findings during a facilitated negotiation and the matter was settled prior to litigation.