



David S. Pattillo

President

Mr. Pattillo has over thirty years of experience in construction and project management, risk management and dispute resolution. He provides a wide range of services to public and private owners, contractors and engineers, design firms, and sureties. His experience includes the analysis of schedule delays and cost overruns on more than 300 projects in the energy, oil and gas, industrial, infrastructure, commercial and institutional sectors both domestically and internationally. Mr. Pattillo consults with clients in the areas of project risk management, including optimizing cost and schedule control systems and procedures, project monitoring, scheduling, and contemporaneous evaluations of schedule delay and productivity.

Mr. Pattillo has provided expert testimony on more than 30 occasions in Federal and State courts, State and County Boards, Board of Contract Appeals and numerous private, ICC and AAA arbitrations on such subjects as CPM schedule analysis, and delay and impact evaluations, delay and impact causation analysis, labor productivity, contract administration, project management, and quantification of damages.

Education

Penn State University
1985 BS Civil Engineering

Professional Associations

American Society of Civil Engineers (ASCE)

Professional Experience

David Pattillo & Associates, Inc. - (Present) Founder and President of David Pattillo & Associates, a firm dedicated to meeting the ever-changing needs of clients seeking the most comprehensive construction management and dispute resolution services.

Navigant Consulting, Inc. (2005-2010) Managing Director and Global Leader - Dispute Resolution Services. Responsible for consultant construction practice as member of executive team and for global disputes business. Led multiple project teams on dispute engagements and testified to schedule, loss of productivity and damage issues involving substantial claims on power, industrial, hospitality and government projects.

A. W. Hutchison & Associates, LLC (1988-2005) President and Chief Operating Officer. Oversaw firm-wide construction management and expert services that included CPM schedule analysis, cost estimating, project scheduling and monitoring, contract and design constructability review, cost-to-complete evaluations, time delay studies, impact analysis, productivity studies, damages quantification, project and risk management, training and seminars, and various litigation technical support services.

- Performed numerous critical path analyses and delay causation studies involving such issues as differing site conditions, adverse weather, design changes, extended procurement, equipment and craft labor resource usage and contractor means and methods.
- Quantified damages associated with delay, disruption, scope changes and loss of productivity on major construction projects.
- Provided various construction management services prior to and during construction, example projects include: \$300M Convention Center, \$200M hotel/resort, \$1B steel mill, \$500M chemical weapons facility, \$600M transit project, \$250M airport, \$500M institutional program, \$4B power plant program, \$1.5B gas-fired power plant, \$300M arena, \$500M stadium, \$150M prison and \$1B of high-rise condo projects in FL.

McCarthy Construction Company (1985-88) Project Engineer and Assistant Project Manager. Responsible for CPM project scheduling, cost and financial reporting, change order preparation and processing, as well as coordinating and supervising of self-performed concrete operations and all major subcontracted work including exterior enclosure, mechanical, electrical, and plumbing and finish trades.

Semmel Excavating, Inc. (1984) Supported utility installation, concrete foundation, slab preparation, drilling and blasting operations as well as field engineering.

Representative Projects

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- **Council Bluffs Energy Center-Unit 4**

Mr. Pattillo was retained by the prime contractor on this \$1.2 billion 790 MW coal fired power plant to analyze a multitude of issues surrounding schedule delays, acceleration, costs overruns and the default termination of a subcontractor on the project. The services provided include CPM analysis to determine the cause of equipment and piping delays and productivity losses and the quantification of specific cost impacts due to delay and disruption. In addition, the engineering and procurement activities for the turbine and boiler buildings was studied in order to ascertain the controlling activities to completion. Mr. Pattillo testified at the arbitration hearings on the CPM analysis, the labor productivity losses and the quantification of additional costs arising out of the impacts and delays. The prime contractor received a favorable award in the arbitration.

- **Rodemacher 3 Solid Fuel Power Station**

The Rodemacher facility is a \$1 billion solid fuel fired power station owned and operated by Cleco Corp near Lena, Louisiana. Mr. Pattillo was retained by the EPC contractor regarding a dispute with the boiler manufacturer. Issues of significance in the case related to the timing and quality of the fluidized bed boiler component deliveries and the impact, both in terms of costs and schedule, which arose out of these delivery issues. In addition to a discrete schedule and cost impact analysis concerning the boiler deliveries, a complete CPM schedule analysis was performed for the start-up and commissioning phases of the work in order to allocate responsibilities for delays due to equipment problems versus other balance of plant and turbine island events. Mr. Pattillo issued a detailed expert report of his findings and the case was eventually settled favorably prior to testimony at arbitration.

- **PT Kiani Kertas Pulp Mill**

The prime contractor for this \$1.5 billion greenfield pulp mill retained Mr. Pattillo to analyze the entire project's critical path(s) and to quantify cost overruns attributable to late engineering and material/equipment delivery delays. The remote location of the plant in northeast Kalimantan, Indonesia created major logistical challenges in order to receive the materials and plant process equipment necessary to construct the facility with more than 5,000 workers. Mr. Pattillo analyzed the unique events related to the impact of multiple strikes at the site and the coordination effort required with the 3 member design and supplier consortium to manage the change process. Mr. Pattillo prepared expert findings for ICC arbitration and testified at the hearings.

- **AK Steel-Rockport Works**

This \$1.2 billion facility is one of the most technologically advanced steel finishing facilities in the world. Production facilities are housed in more than 1.75 million square feet under roof and include the world's most powerful continuous carbon and stainless cold-rolling mill, a continuous galvanizing and galvanealing line which holds the world record for tons produced, continuous pickle line, anneal and pickle lines and a temper mill. DPA provided scheduling, schedule analysis, labor productivity and damages quantification services during the course of the project and disputes were favorably resolved.

- **Vogtle Units 3 and 4**

The engineering company building this \$21 billion two unit nuclear power plant retained Mr. Pattillo to perform a schedule analysis regarding the delays that occurred during the NRC combined licensing approval process and during the initial procurement and construction activities for the project. The analyses entailed a detailed study of the four year COL process in order to determine the driving causes of delay. Further analyses had to be conducted to assess the causes of delays to the procurement of the large structural modules being fabricated off site and to delays that were occurring to the concrete placements and off site fabrication of the shield building materials. Mr. Pattillo submitted two expert reports as a part of the litigation. Subsequently the parties were able to reach a global settlement that included a 36 month time extension and approximately \$750 million in compensation.

- **Kent State University Residence Halls**

The project involved the construction of four new residence halls on the main campus of Kent State University. The late summer completion date of the project was crucial as the University had made commitments to house students in the halls for the fall semester. Mr. Pattillo was retained by the general contractor to perform a detailed CPM schedule analysis. The findings showed that the contractor was due an excusable time extension which was not granted during construction leading to an acceleration of the work. Mr. Pattillo further quantified the additional acceleration costs including loss of labor efficiency incurred by the contractor and testified to both the schedule and damages analyses in Ohio State court. The contractor received an award for the full amount of its acceleration costs.

- **North American Stainless Mill**

This state-of-the-art production facility on 1400 acres near the Ohio River was a "greenfield" project that offers the full range of stainless flat and long products. DPA was retained to analyze contractors claims related to design changes, procurement delays and productivity problems during construction. In working with our client, we were able to develop a detailed response and analysis of the claims presented and the case was resolved during the dispute resolution process.

Representative Projects

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- **E.C. Gaston Unit 5 Precipitator Rebuild**

Mr. Pattillo was retained by a major southeast utility to evaluate claims made by the prime contractor concerning delays and loss of efficiency issues. The project's scope, workforce requirements and tight 12 week outage schedule were just some of the challenges facing the project team. Mr. Pattillo prepared a detailed schedule and labor analysis to demonstrate the causes of delays, disruptions and labor overruns. The dispute was equitably resolved at mediation.

- **Baha Mar Resort**

The disputes in this matter involve the design and construction of a \$3.5 billion resort in Nassau Bahamas with 2,200 rooms, 20 pools, 40 restaurants, golf course and the largest casino in the Caribbean. Mr. Pattillo was retained by the contractor to analyze ongoing delays in the completion of the project by the end of 2014. This required an evaluation of the project schedules and various other records such as constructive change directives, shop drawing submittals, procurement records for long lead items as well as manpower and equipment production records. The developer filed for bankruptcy protection and the project has yet to be completed.

- **Southeast Utilities New Cogeneration Program**

Mr. Pattillo was retained by a major southeast utility to provide advisory and evaluation services regarding a \$3 billion multi-project program to engineer, procure and construct gas fired combined cycle facilities. Services included developing a project controls group that integrated the estimating, scheduling and cost teams, benchmarking studies of reference plants across the southeast US, and evaluations of specific project schedule and cost issues as they arose. In addition, a termination for convenience on two of the projects required an analysis of cost expenditures in relation to the contracts, the preparation of cost to complete forecasts and the preparation of to-go schedules on both projects.

- **Amara 400kV Substation**

The disputes in this matter involve the design, procurement and construction of a 400kV substation in Amara, Iraq. The project was managed by the Corps of Engineers on behalf of the United States Joint Contracting Command-Iraq/Afghanistan and was an integral step towards reinforcing the Iraq transmission grid. Issues in the case revolved around security problems in the region as well as design issues which arose prior to and during construction. The US Army Legal Services Agency retained Mr. Pattillo to perform a CPM schedule analysis and determine the cause of the project delays. In addition, an analysis of claimed damages by the design-build contractor was prepared. Mr. Pattillo submitted an expert report and the case was eventually resolved in an equitable fashion in advance of the Armed Services Board of Contract Appeals hearings.

- **Ivanpah Solar Electric Generating System**

Mr. Pattillo was retained by the EPC contractor to provide schedule delay analysis services on the world's largest solar thermal power project. The project consists of three solar thermal power plants on 4,000 and included the removal of 36 miles of 115 kV lines and replacement with 220 kV lines for the Eldorado portion of the existing line and the installation of a new substation. The central issues concerned the quantification of delays during construction and start-up of the plants and the proper allocation of responsibility between parties. A settlement was reached between the parties before a formal dispute resolution process.

- **ThyssenKrupp Steel Mill**

This \$4 billion Green Field steel processing plant near Calvert, Alabama retained our professionals to provide independent project oversight. The Project scope included the design, construction, start-up and integration of 15 separate major projects on a 3000 acre site. DPA assisted the prime piping contractor in the preparation of an analysis of its schedule delays and impacts caused by changes in the design and prepared an independent quantification that was used by the client to resolve its disputes before litigation.

- **Vlore Combined Cycle Power Plant**

On behalf of an international contractor, Mr. Pattillo was retained to perform schedule and cost analyses regarding a combined cycle power plant located in Albania. The project is a nominal 100 Megawatt gas fired combined cycle power plant featuring marine-oil unloading facilities and including the construction of a new 220/110 kV substation and new 7 km 220 kV transmission line.

- **Los Bronces Copper Mine Expansion**

Mr. Pattillo was retained by the EPC contractor on the \$1.7 billion project involving the expansion of a copper concentrator, construction of a new concentrator, new crushing facility and conveying equipment and two 52-kilometer slurry and water pipelines connecting the grinding and flotation plants. The project's high altitude (3,200 meters up in the Andes) northeast of Santiago, Chile presented many challenges, as did the management of the engineering and procurement process and the construction utilizing upwards of 6,000 workers. Mr. Pattillo was asked to analyze the overall schedule and performance relative to the original baseline on the project in order to correlate differing site conditions issues (such as unexploded ordinance and rock slides) and an increase of 40% in overall project scope from inception. All outstanding cost, fee and time issues were equitably resolved during project close out.

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- **El Conquistador Resort and Casino**

Completed in 1993, the \$250 million 900-room hotel and casino renovation/expansion, conference center, 18-hole golf course and marina was developed by a joint Japanese/Puerto Rican team. Mr. Pattillo was retained by the developer during construction to prepare an overall revised integrated project schedule, to coordinate through resolution several restraints to accelerated performance of the work and to monitor the progress of the work through the grand opening of the facility. Project schedule and cost risks were mitigated significantly to allow a successful opening for a major Fortune 100 conference to take place.

Publications, Training, Seminars & Conferences

David S. Pattillo



- "Hitting a Moving Target-Challenges of Litigating During an Ongoing Mega-Project", Construction SuperConference, Las Vegas, NV, 2016.
- "Front-End Risk Management for Nuclear Construction," 7th Annual Nuclear Construction Summit, Atlanta, GA, April 15, 2016.
- "Surviving Turbulent Times with Project Risk Management Strategies," CURT Annual Meeting, Washington, DC, June 15, 2010.
- Civil Engineering Cost and Schedule Control Classes, Penn State University, University Park, PA.
- ABA Forum on the Construction Industry, Multiple Seminars, Atlanta, GA.
- "Trends in Project Risk Management for Capital Improvement Projects," 5th Annual International Construction SuperConference, London, England, May 2005.
- "New Ways to Build and Manage Projects," The Associated Owners and Developers Conference, 2004.
- Construction Law Seminar - Smith, Currie and Hancock, 2002.
- "Is Your Plant Heading in the Right Direction?" Forbes Energy/Power Conference, San Francisco, CA, 2002.
- "Mega Projects: How to Proactively Manage and Mitigate Claims," Construction SuperConference.
- "Project Monitoring and Claims Mitigation," (Co-authored with Steven A. Huyghe, CEO of A.W. Hutchison & Associates, LLC) Forbes Conference on Construction, New York, NY, 2000.