

RESUME OF MARTIN J. CUERDON, P.E.

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EDUCATION:

B.S. Mechanical Eng., University of Massachusetts-Lowell, Lowell, MA
Graduate Mechanical/Nuclear Eng. Courses, Northeastern University, Boston, MA
Master of Business Administration, University of Colorado, Denver, CO
Alternative Dispute Resolution Postgraduate Certificate, University of Denver
Solidworks Certificate, Red Rocks Community College, Lakewood, CO

PROFESSIONAL EXPERIENCE:

- (2014-Present) Holloway Consulting Group, Lakewood, Colorado. Provides construction dispute resolution services to the architecture/engineering/construction industry including the insurance, surety and financial services segments. Provides expert witness analysis related to construction defects, delays, damages and disputes. Provides expert witness testimony. Provided alternative dispute resolution services by serving as a Mediator, Arbitrator and Dispute Resolution Board Member.
- (2013-2014) National Steel Erection, Inc./Horn Industrial Services Co., Owensboro, Kentucky. Dry Cooling Program Manager. Responsible for Business Development, Estimating, Proposal Development, Field Engineering and Design of companies' Air Cooled Condenser (ACC) erection services business segment. Currently supporting the Yellowstone Electric Power station ACC fin tube heat exchanger re-bundling project in Boise ID and the Brunswick County Power Station ACC Erection contract in Virginia. Reports to the Corporate President and the Vice President of Operations.
- (2011-2013) McHale & Associates, Inc., Arvada, Colorado. Principal Engineer and Engineering Supervisor. Firm's primary service is Thermodynamic Performance Testing of electric power plants, heat exchangers and cooling towers. Reviewed P&ID's, one line diagrams, heat balance diagrams, contracts and specifications. Prepared performance test procedures, thermodynamic performance calculation models. Conducted specified tests. Analyzed and evaluated performance test data, and prepared test result reports. Supervised a team of 5 engineers. Reported to the Director of Engineering. On site ASME PTC 46 Performance Test experience at the El Centro Unit 3 Combined Cycle Plant the Imperial Irrigation District, and the Combined Cycle Unit 1 of the Southern Mississippi Electric Power Agency's Moselle Station. Qualified as a Lead CTI Cooling Tower Tester conducting both Thermal Performance Tests according the CTI ATC 105 and Drift Compliance Tests according to CTI ATC 140
- (2009-2011) GEA Power Cooling, Inc., Lakewood, Colorado. Contract Claims/Project Closeout Consultant (Long Term Contract Assignment). Provided technical and contract closeout and dispute resolution services associated with Power Plant Air Cooled Condenser (ACC) and Wet Cooling Tower OEM contracts. Assignments included projects at Xcel's

Comanche 3 power plant in Pueblo, Colorado, the Dry Fork Station in Gillette, Wyoming, Afam VI in Nigeria, Astoria 2 in Queens, New York, the Athens Generating Station in Athens, New York, the Caithness Long Island Energy Center in Yampak, New York, the Immingham Station, Immingham England, the San Lorenzo Station in Mexico, the Current Creek Station in Mona, Utah, the Otay Mesa Plant near San Diego, California, and the Keahole Station in Hawaii. Reported to the VP of Operations and consulted closely with the CEO/President, Corporate Counsel, the Controller, the Director of Projects and the various Project Managers. Oversaw Air Cooled Condenser completion, commissioning, initial operations, performance testing and evaluated test results. Analyzed customer warranty claims.

- (2004-2011) Advanced Analytical Solutions, LLC, Parker, Colorado. Provided construction dispute resolution services to the architecture/engineering/construction industry including the insurance, surety and financial services segments. Provided expert witness analysis related to construction defects, delays, damages and disputes. Provided expert witness testimony. Provided alternative dispute resolution services by serving as a Mediator, Arbitrator and Dispute Resolution Board Member.
- (2000-2004) Demand Construction Services, Inc., Englewood, Colorado. Provided construction dispute consulting services to General Contractors, Subcontractors, Private and Public Owners, Design Professionals, Insurers, and Legal Counsel and acted as an expert witness, mediator and arbitrator with particular emphasis on financial damages and schedule delay analysis. Representative engagements include: Stone & Webster's Cordova Litigation, an EPC contractor's \$38 million claim against the owner of a recently completed combined cycle power plant, assisted the U.S. General Services Administration defend against a \$5 million delay claim on the construction of the Warren B. Rudman Courthouse in Concord, NH, \$3 million electrical subcontractor delay and disruption claim on the Grand Summit Hotel in Steamboat Springs, CO, testified in a defective construction case on a combination commercial/residential condominium case. Conducted a financial audit of a cost plus general contract on the construction of a \$2.3 million custom home in Carbondale, Colorado and uncovered evidence of fraudulent contractor overcharges exceeding \$150,000.
- (1996-2000) Cuerdon & Associates, Inc., Denver, Colorado. Construction management consulting activities with an emphasis on construction contract dispute consulting and Alternative Dispute Resolution as an Arbitrator and Mediator. Representative Projects: Prepared a \$4.0 million Defective Contract Document Claim on the US Air Force Academy's Consolidated Educational and Training Facility construction project for Natkin & Company the mechanical subcontractor. Prepared a \$1.8 million Maladministration and Delay Damage Claim on the Slick Rock, Colorado, Uranium Mill Tailing Remediation Project for R.N. Robinson & Son, the excavation subcontractor. Prepared an environmental discharge investigative report for Zinchem, a paint and printing supply manufacturer. Assisted a water treatment contractor resolve a contract dispute with a major municipal facility owner.
- (1992 - 1996) Advanced Analytical Solutions, Inc., Englewood, Colorado. Co-Founder and Executive Vice President. Provided management consulting to the engineering, construction and environmental remediation industries. Practice concentrated on litigation support and

expert witness services in the areas of engineering, construction, and project management to a variety of clients involved in construction contract disputes. Services provided include technical issue cause and effect analysis, entitlement analysis, CPM schedule analysis, acceleration and delay impact analysis, productivity and efficiency analysis, direct and consequential damages calculations, right hand of counsel and expert witness testimony. Provided extensive contract dispute and litigation support services to the electric power industry. Practice included governmental, commercial, industrial, and insurance industry clients.

(1989-1991) Cuerdon & Associates, Inc., Castle Rock, Colorado. Founder and President. Initiated an engineering and management consulting firm providing consulting services on engineering and construction contract claims, nuclear prudency audits, nuclear power plant litigation. Specific major engagements have included:

Cajun Electric Power Cooperative, Inc. v. Gulf States Utilities Company. Retained by the minority owner of the River Bend Nuclear Power Plant to provide analytical services in the areas of Engineering, Construction and Project Management.

Shearon Harris Nuclear Power Plant minority owner contract litigation. Providing retrospective analytical services in the areas of Engineering, Procurement, Construction and Preoperational Testing to the minority owner. Expert Witness testimony prepared.

TU Cities intervention in the Inquiry of the Public Utility Commission of Texas into the Prudence of Texas Utilities Management of the Comanche Peak Steam Electric Station (Docket 9300). Prepared, submitted and cross examined on prefiled Expert Witness testimony in the areas of Engineering and Construction Management.

L.K. Comstock/San Francisco Bay Area Rapid Transit District contract dispute. Lead claims consultant on the development of a \$1.5 million contract claim for contractor damages associated with Engineering Errors & Omissions on the Fiber Optic Communications Contract for the Daly City Extension project. Prepared a presentation demonstrating a fatal flaw in the design philosophy. Helped negotiate a major change order while completing the contract within the original scheduled completion deadline.

City of Houston intervention in the Inquiry of the Public Utility Commission of Texas into the Prudence and Efficiency of the Planning and Management of the Construction of the South Texas Nuclear Project (Docket 6668). Prepared, submitted and cross examined on prefiled Expert Witness testimony in the area of Construction Management.

Financial evaluation of a minority ownership share of a nuclear power plant. Developed a present value mathematical model of the cost and revenue streams associated with a minority share of an existing nuclear power plant. Prepared a report to a confidential client of the model and results for presentation to financial institutions and regulatory agencies. Model results supported a negotiated buyout settlement of a dispute between minority and majority partners of a nuclear power plant.

(1987-1989) Kellogg Corporation, Littleton, Colorado. Executive Consultant. Provided consulting services on a variety of construction contract claims, major property damage/ business interruption insurance claims, nuclear prudency audits, nuclear power plant litigation. Specific major engagements included:

Comanche Peak Electric Power Station minority owner contract litigation expert witness. Provided retrospective analytical services for the Engineering and Design Management to the minority owners. Provided deposition briefing materials and right-hand-of-counsel services during depositions of majority owner technical and managerial witnesses. Prepared Engineering Management analysis and conclusions Expert Witness report. Settlement negotiations resulted in minority owners selling their shares back to the majority owner on favorable terms.

Support to Kemper Insurance Company for the Teepak Corporation Fire Restoration Project. Provided construction estimating and scheduling services to insurance adjusters in the property damage and business interruption insurance settlement negotiations. Negotiations successfully concluded for this \$60+ million packaging plant fire.

City of Columbus, Ohio, Sewerage Treatment Plant construction claim defense. Supported the municipal agency in their negotiations to settle multimillion dollar general contractor claims associated with the construction of a major new municipal sewerage treatment plant.

(1983-1987) Commonwealth Electric Company, Lincoln, Nebraska.

Contract Specialist, Security Operations Training Facility Project, Fort Bragg, North Carolina. Prepared Change Order Proposals and documentation for Disputed (Government Imposed) Unilateral Change Order Impact and Acceleration Claim for this national security related U.S. Department of Defense project. All Change Orders and Claims prepared in compliance with the Federal Acquisition Regulations. Original contract value \$9 Million. Change Orders and Claims in excess of \$3 Million.

Consulting Assignment, Northern States Power Co.'s Monticello Nuclear Generating Plant, Monticello, Minnesota. Assisted Utility Engineering and Construction Management Personnel prepare construction procedures and supervision of electrical construction crews in a variety of maintenance and modification projects during the 10th year refueling outage.

Project Manager, Dresden Nuclear Station, Morris, Illinois, Recirculation Pipe Replacement Project -Electrical Interference Removal/Reinstallation Project. In responsible charge of a \$3 Million Fixed Price Subcontract to Chicago Bridge & Iron Company. Responsible for Proposal Preparation, Contract Negotiations, direction field activities including client relations, engineering, construction, coordination of QA/QC, purchasing, contract administration, and home office coordination. Profit margin exceeded \$500,000.

Project Manager, Cooper Nuclear Station, Brownville, Nebraska, Recirculation Pipe Replacement Project - Electrical Interference Removal/Reinstallation and Plant Management Information System Installation. Successfully completed two simultaneous

Hard-Money contracts worth a combined total of \$1.8 Million. The job included a subcontract with Chicago Bridge & Iron Company and a prime contract with Nebraska Public Power District. Responsibilities similar to the Dresden effort mentioned above. Prepared and successfully defended a close-out claim in excess of \$250,000.

Materials Manager, Marble Hill Nuclear Power Plant, New Washington, Indiana. Directed materials functions in support of a \$300 million electrical installation contract including warehouse, steel fabrication shop, prefabricated and raw steel storage yards, material handling and delivery equipment. Managed a department of 30 professional and 130 craft employees.

(1974-1983) Stone & Webster Engineering Corporation.

Manager, Planning & Scheduling Division, Cherry Hill, NJ Operations Center. Responsible for a division of 120 professional and clerical personnel performing CPM scheduling and equipment expediting functions associated with the engineering and construction of electric power generating facilities. Supported new business development with technical presentations and proposal submittals. Served on the SWIMS Steering Committee, a committee responsible for corporate wide implementation of a computerized project controls system. Supported the following major projects:

Nine Mile Point - Unit 2 (1100 MW BWR) Niagara Mohawk Power Corp.

River Bend Station - Unit 1 (940 MW BWR) Gulf States Utilities Company.

Big Bend Station - Unit 4 (425 MW Coal) Tampa Electric Company.

Gannon Station - 1 through 4 (Oil to Coal Conversion) Tampa Electric Company.

Enrico Fermi - Unit 2 (1150 MW BWR) Detroit Edison Company.

Supervisor, Planning & Scheduling Division, Denver CO Operations Center. Responsible for a division of 12 professional and clerical personnel performing CPM scheduling and equipment expediting functions. Supported the following major new construction projects:

No. Valmy Power Station - (2-250 MW Coal), Sierra Pacific Pwr/Idaho Power Co.

Rock Island Dam - (8 Bulb Turbine Hydroelectric Units) PUD Chelan County, WA.

Wyodak Power Station - (330 MW Air Cooled Coal) Pacific Power & Light Co./Black Hills Power & Light Co.

Southeast Station - Units 1 & 2 (2-500 MW Coal) Public Service Co. of Colorado.

SMUDGE 1 (72 MW Geothermal) Sacramento Municipal Utility District.

OXYGEO 1 (80 MW Geothermal- PURPA Plant) Occidental Petroleum Company.

Modifications at the following operating nuclear power stations:

Cooper - Nebraska Public Power District,

Fort Calhoun - Omaha Public Power District

Prairie Island - Northern States Power Company,

Monticello - Northern States Power Company,

Duane Arnold - Iowa Electric Light & Power Company

Project Manager for the Puna Geothermal Plant preliminary engineering study. This proposed 25 MW geothermal power plant was to be built on the Island of Hawaii with the power sold to Hawaiian Electric Company under PURPA rules. The developer was Thermal-Dillingham, a joint venture of subsidiaries of Natomas Corporation of San Francisco and Dillingham Corporation of Honolulu.

Project Planning Engineer, North Valmy Project. Developed, analyzed and reported on engineering, procurement and construction schedules for this two unit - 500 MW Coal fired power plant.

Planning Engineer, North Anna and Montigue Nuclear Power Stations in the Boston headquarters office. Responsible for the nuclear engineering and containment building construction schedules of North Anna Station and the PSAR Fluid System Description preparation schedule of the Montigue Station.

(1971-1974) Brewer Engineering Laboratories, Inc., Marion, Massachusetts. Project Test Engineer. Performed engineering tests on mechanical and structural components for this Experimental Mechanics Consulting firm. Designed, built and installed test fixtures, electronic sensor (Strain Gages, Accelerometers, Thermocouples, RTD's, LVDT's Pressure Transducers, Load Cells, Optical and Survey Equipment) and data acquisition equipment. Conducted tests, collected and reduced data, and prepared test reports. Wrote data reduction computer programs. Responsible for contract administration of projects from proposal preparation and contract negotiations through final billing.

Test projects included ship propulsion, marine structures, rotating equipment, transit equipment, bridge structures, and power plant equipment and structures. Participated in Containment Building Structural Integrity and Leak Rate Tests at the following nuclear plants:

Maine Yankee, Maine Yankee Atomic Power Company
 Surry, Units 1&2, Virginia Electric & Power Company
 Robert F. Ginna, Rochester Gas & Electric Company
 Donald C. Cook, Units 1&2, Indiana & Michigan Electric
 Brunswick, Units 1&2, Carolina Power & Light Company
 Shoreham, Long Island Lighting Company

LICENSE Professional Engineer, State of Colorado, Registration Number 44879

PATENT Axial Fan Inlet Wind-Turning Vane Assembly, International Patent Application No. PCT/US2014/053353. Invention guides perpendicular flowing winds into the throat of an axial fan. Invention improves axisymmetric fan inlet air flow distribution, fan volumetric efficiency, equalizes fan blade aerodynamic loading, mitigates fan vibration and noise due to non-axisymmetric air flow. Patent claims relate to axial flow fans generally and Air Cooled Condenser axial flow fans specifically.

PERSONAL & CIVIC ACTIVITIES

Jefferson County Mediation Service - Volunteer Mediator, Small Claims Court Disputes, Civil Court Disputes, Homeowner-Contractor Disputes, Neighbor - Neighbor Disputes, Permanent Restraining Order terms and conditions.

ALTERNATIVE DISPUTE RESOLUTION

Colorado Bar Association approved 40 Hr Mediation Training Program,
AAA Construction Industry Arbitration Training,
Dispute Resolution Board Foundation A&P Training

Colorado Department of Transportation - Preapproved List of DRB Members