

Brian J. Larkin, PE
Principal
San Francisco, CA
(415) 810 – 7840
e-mail: brian@brianjlarkin.com



Larkin & Associates
Construction Dispute Resolution
and Avoidance Services

EDUCATION

B.S., Mechanical Engineering, State University of New York at Buffalo, 1973
M.S., Mechanical Engineering, University of California-Berkeley, 1978
Certificate, HVAC Engineering, University of California Extension, 1990
Certificate – Storm Water Pollution Prevention Planning, 2009
Caltrans Certified Dispute Resolution Board Candidate

REGISTRATIONS

Mechanical Engineer - California, M20007
Mechanical Engineer – Hawaii, PE6271
Control Systems Engineer - California, CS1962

CAREER HIGHLIGHTS

Over 35 years of experience as a mechanical, systems and construction project engineer, including ten years with BART and seven years with Chevron. Projects include design and construction of transportation systems, buildings, power plants, oil and gas pipelines, water desalination plants and the space shuttle main engine.

Recent experience has centered on construction dispute resolution, especially as either a **Dispute Resolution Adviser (DRA)** or a member of a **Dispute Resolution Boards (DRB)**. Other experience include analysis of potential claims for issues such as defective specifications, constructive acceleration, loss of productivity, critical path delay impacts and expert witness testimony in deposition and at trial. Other experience includes the negotiation and settlement of disputed change orders and facilitation of Owner/Contractor partnering sessions.

DISPUTE RESOLUTION BOARD / DISPUTE RESOLUTION ADVISOR

Green Energy Team – Bodell Construction Company – Kauai, HI

Dispute Resolution Advisor – Biomass power plant (7.2MW) design-build project. Decided entitlement and amount of damages for construction dispute issues ranging from general conditions costs to delay and scope of work requirements

San Francisco Public Utilities Commission – Water Department

Dispute Review Board for the installation of approximately four thousand feet of eleven-foot interior-diameter concrete sewer tunnel.

Dispute Resolution Advisor – South East Water Pollution Control Plant Dewatering Facility Corrosion Repair

Dispute Resolution Advisor – Waste Water Enterprise (WWE) Facility Security Improvement Contract 1

Dispute Resolution Board Foundation

Co-chair – DRBF Region 1 Transportation Committee

Administration & Practice Workshop– San Francisco, April 2004

Introduction to International Dispute Board Practice Workshop – NYC, September 2012

Advanced/Chairing Workshop - NYC, September 2012

International Training Workshop, Experienced Track – Paris, May 2013

EXPERT TESTIMONY

St Louis Metro versus Cross County Collaborative (CCC) – St Louis Metro contracted with a Joint Venture Design partnership to design and manage the construction of an extension to its existing light rail system. Contract breaches by CCC resulted in construction cost overruns and project delays. Testified on standard of care for construction management services.

Geocon versus City of Los Angeles - Geocon subcontracted to provide a water-tight jet grouted excavation for a below ground pumping plant. Owner specifications were defective. Testified on design build requirements and contractor's reliance on information provided on contract drawings.

General Switchgear, Inc. versus United States Navy - General Switch Gear provided electrical power equipment to the Navy at the San Diego Naval Base. Lack of Navy response to General Switchgear's requests for information caused delays that required overtime to overcome. Testified on the quantification of the loss of productivity due to that overtime.

RELEVANT EXPERIENCE

Transportation

BART Warm Springs Extension Line, Track, Station and Systems Contract

Deputy Contract Management Oversight Officer - Design-build contract for 5.5 mile extension to existing BART system.

Ombudsperson – Investigated and mediated disputes between general contractor and several of its subcontractors.

St. Louis Metro Rail Cross County Extension, St. Louis, Missouri, Errors and Omissions Analysis – Analyzed design/construction management team performance to determine whether it had met standard of care.

San Francisco Municipal Transit Agency, LRV Doors & Step Reconditioning & System Rehabilitation – Partnering Facilitator for contract between SF MTA and AnsaldoBreda.

Taiwan High Speed Rail Project, Taiwan, ROC, Delay Claim Analysis – Analyzed owner-caused delay to contractor joint venture led by Samsung of Korea. Participated in settlement negotiations.

Hiawatha Light Rail Project, Minneapolis, Project Management Oversight – Federal Transportation Administration oversight of local agency spending of grant money. Monitored right of way acquisition spending.

VTA Tasman West Extension, Santa Clara Valley Transit Authority, Senior Supervising Engineer – Analyzed contractor potential claim for extra time and compensation due to defective specification.

BART Concord and Hayward Yard Control System Upgrades, Bay Area Rapid Transit District, Supervising Project Manager/Senior Resident Engineer – At BART's Concord and Hayward yards, negotiated settlement of access delay claim related to the installation of a new yard control system.

BART East Bay Extensions, Bay Area Rapid Transit District, Supervising Project Manager/Senior Resident Engineer

Transaction Power Installation Contracts – On Pittsburg-Antioch Extension, developed time extension change order for traction power installation contractor on first phase of contract and negotiated extended overhead payment, extra equipment and field supervision costs on the second phase. On Dublin-Pleasanton Extension analyzed contractor liquidated damages versus owner-caused delays and negotiated settlement.

Train Control Installation Contracts – On Pittsburg-Antioch Extension, analyzed and negotiated field installation portion of claim, including constructive acceleration, loss of productivity and excess supervision costs on the first phase of the contract. On the second phase of the contract, analyzed and negotiated design related extra costs.

Traction Power Equipment Installation, BART East Bay Substations, Bay Area Rapid Transit District, Senior Resident Engineer – BART's Resident Engineer for installation of new East Bay substations. Negotiated \$270,000 in change orders. Developed as-built (collapsed) schedule as the basis for time extension and compensation for owner-caused delay.

Water/Power/Petrochemical

Cogeneration Plant, City of Stockton, California – Technical review of contractor claim against City claiming delay and defective specification for the installation of new turbine generators.

Geothermal Power Plant, Brawley, California, San Diego Gas & Electric, Assistant Construction Manager – Represented San Diego Gas & Electric during the construction of a ten megawatt geothermal power plant. Developed and maintained project critical path schedule.

Point Arguello Oil and Gas Pipeline, Chevron Corporation, Mechanical Engineer – Headed the design effort to the pipeline systems. Project Manager for Pipeflow-2 multi-phase piping network model.

Athabasca Oil Sands Project – Project manager for the investigation of design defect issues regarding valve seal rings and block valves for the Scotford Upgrader Facility of the Athabasca Oil Sands Downstream Project (AOSDP).

Selenium Removal Plant, Tosco Refinery, Martinez, California - Supported Tosco's claim defense against design-build contractor that provided the plant. Scope included document review and settlement recommendation.

Buildings

Kaiser Hospital, San Diego – Quantified loss of productivity costs for Mowery-Thompson Drywall in support of request for equitable adjustment.

LA City Hall Renovation – Developed labor inefficiency costs by “measured mile” method for Western Waterproofing, tile installation subcontractor.

543 Howard Street, San Francisco – Reviewed building progress versus contractor billings for construction lender. Developed list of recommendations and a report on project status.

215 Fremont Street Office Building Renovation and Upgrade, San Francisco – Analyzed Contractor delay claim and represented developer in successful mediation.

Buck Center of Age Research, Petaluma, California – Supported Owner in mediation with contractor on delay and disruption claim.

City of Grass Valley City Hall, California – Developed Contractor time extension request for City Hall renovation project.

Chevron Office Building, Denver, Colorado, Chevron Corporation, Controls Engineer – Directed the satisfactory completion of automated building security systems for this new office building. Negotiated the contract close-out without claims.

COMMUNITY INVOLVEMENT

Member – San Francisco County Transportation Authority Citizens Advisory Committee – Chairperson 2006 to 2009

Member – Citizens General Obligation Bond Oversight Committee – City of San Francisco

Member – San Francisco Transportation Effectiveness Program Citizens Advisory Committee

Staff Officer – San Francisco Squadron 86, Civil Air Patrol, the United States Air Force Auxiliary – Commander 2007 to 2010 and January 2013 to January 2014

Board Member – South East Asian Community Center, San Francisco

Board Member – San Francisco Ho Chi Minh City Sister City Committee