

# Kriston K. Pelz

## Senior Construction Claims Manager

### Professional History

2006-12-01 - current  
ALCOM Tech-LAN Engineering  
Senior Construction Claims Manager  
2004-07-01 - 2006-11-30  
Washington Group International  
Quality Control Manager - Structural  
2003-08-01 - 2004-07-31  
Thestate One  
Claims Review  
2002-01-01 - 2003-03-31  
LAN Engineering  
Construction Claims Manager  
2000-01-01 - 2002-01-31  
Caltrans  
Legal Division - Engineering Liaison  
1999-03-01 - 1999-13-31  
Caltrans  
Structure Construction - Structural  
Representative  
1996-11-01 - 1998-03-31  
LAN Engineering  
Structural Representative  
1990-09-01 - 1996-11-30  
Caltrans  
Structure Construction - Structural  
Representative  
1990-01-01 - 1990-08-31  
New York DOT  
Bridge Inspector - Assistant Team  
Leader  
1989-05-01 - 1989-12-31  
Baker Concrete Construction  
Field Engineer

### Education

JD, Law, Western State University  
College of Law, 2000  
BS, Civil Engineering, Purdue  
University, 1989

### Registrations

Professional Engineer, CA  
Licensed Attorney, CA  
CSD, CA

### Years of Experience

With AECOM: 13  
With Other Firms: 14

### Professional Affiliations

American Bar Association  
Forum Committee on the  
Construction Industry  
Section on Dispute Resolution  
American Society of Civil  
Engineers  
Construction Institute

I have worked in this industry for more than 28 years. In that time I have worked in a wide variety of capacities. I have held positions starting as a field engineer increasing in responsibility to Caltrans Structure Representative and Resident Engineer on a variety of highway construction projects, including structural steel, precast segmental, MSE walls, pumping stations and retrofits. In addition, I have provided scheduling support services, as well as claims analysis and dispute resolution services. My expertise includes all aspects of contract administration, scheduling review and analysis, claims analysis and dispute resolution. I have administered all phases of construction from start-up to closeout, and all aspects of construction both for civil and structural with extensive onsite experience. I have extensive knowledge and experience with the construction change order/claims process and have a very successful dispute resolution track record.

I am a member of the following professional organizations:

- American Bar Association.
  - Forum Committee on the Construction Industry
  - Section on Dispute Resolution
- Dispute Resolution Board Foundation
- American Society of Civil Engineers
  - Construction Institute

I am proficient with the following software applications:

- Microsoft Office
- Primavera (P3, P5 & P6)
- Microsoft Project
- Westlaw/Lexis-Nexis

### Experience

**Metrolink, Burbank, California: Empire Avenue and Buena Vista Street Grade Separations (Part of Caltrans Route-5 Widening Project in Burbank):** SCRRA Resident Engineer. I am responsible for contract administration and construction of the Metrolink Empire Avenue and Buena Vista Street Grade Separations project. (\$40million) This project requires SCRRA/Metrolink to work within the Caltrans contract to administer the construction of two(2) miles of shoofly rail line, construction of four(4) MSE walls, several retaining walls and two (2) structural steel railroad bridges. I am responsible for coordinating the shop plans and inspection of the structural steel girders. I am responsible for the training and oversight of various inspectors. I provide responses to RFIs, and provide contract change orders to resolve problems encountered with the design or unanticipated conditions in the field. I am responsible for the analysis, review and approval of trenching and shoring plans, and falsework plans submitted by the contractor. I insure that all environmental and Storm Water Pollution Prevention Program (SWPPP) concerns are properly addressed during construction. I generate quantity estimates in order to authorize payment to the contractor. I assure that the contractor complied with all contract documents. I review the contractor's project schedule updates as they relate to the railroad work. (2014-Current)

**District 7, Caltrans Los Angeles, California: Interstate 10 Widening in Baldwin Park/West Covina:** Scheduler. I am responsible for reviewing the

project schedule baseline and updates provided by the Contractor and recommending if it should be accepted. The construction work is to be performed in three stages and beginning in June 2014 with an anticipated completion in late 2017 (estimated construction cost \$98 mil). I also review the time impact analysis submitted by the Contractor in support of requests for additional project time. I generate time impact analysis to support Caltrans determinations for reduction of time. (2014 – current)

**District 7, Caltrans Los Angeles, California: State Route 47 Schuyler Heim Bridge Replacement:** Scheduler. I took over the responsibilities as scheduler after the baseline schedule was approved. I am responsible for reviewing the project schedule updates provided by the Contractor and recommending if it should be accepted. The construction work is to be performed in six stages and began in late 2011 with an anticipated completion in late 2017 (estimated construction cost \$351.3 mil). I also review the time impact analysis submitted by the Contractor in support of requests for additional project time. I generate time impact analysis to support Caltrans determinations for reduction of time. (2013 – current)

**City of Los Angeles, California: Structures Resident Engineer, Advisor.** I am providing her bridge construction and contract administration expert advice to the City of Los Angeles Bureau of Engineering and Bureau of Contract Administration regarding the construction of the new Riverside-Figueroa Bridge connecting Cypress Park and Elysian Valley (construction budget of \$43 million). I am assisting the City by providing analysis, review and approval of trenching and shoring plans and falsework plans submitted by the contractor. I am reviewing and recommending responses to RFIs and requests for change orders. I am responsible for assisting the City inspectors for the project in understanding the criteria for acceptance of the contractor's work. I advise the City representatives in attempt to resolve issues before they become claims; reviews Notice of Potential Claim (NOPC) submittals to determine merit; advises the City representatives of her findings and recommendations regarding NOPC determinations; prepares the City for negotiating settlement of claims, prepared for Dispute Review Board hearings; prepares position and rebuttal presentations for Dispute Review Board hearings; and prepares position and documentation for future actions (i.e. Arbitration or litigation). (2013 – 2014)

**City of Thousand Oaks, California: Structures Resident Engineer (Structure Representative)/Assistant Resident Engineer/Scheduler/Claims Analyst.** I am responsible for contract administration and construction of the US 101/Wendy Drive Widening project (estimated cost \$10.9mil). This project consists of the widening of the Wendy Drive structural steel bridge and modifications to several of the ramps in the interchange. I am responsible for coordinating the review of shop plans and inspection of the structural steel girders. I am responsible for the analysis, review and approval of trenching and shoring plans and falsework plans submitted by the contractor. I am responsible for the training and oversight of various inspectors. I provides responses to RFIs, and provide work change directives in advance of contract change orders to resolve problems encountered with the design or unanticipated conditions in the field. I am responsible for the analysis, review and approval of trenching and shoring plans, and falsework plans submitted by the contractor. I insures that all environmental and Storm Water Pollution Prevention Program (SWPPP) concerns are properly addressed during construction. I generates quantity estimates in order to authorize payment to the contractor. I assures that the contractor complied with all contract documents. I reviews the contractor's project schedule updates. I advises the City representatives in attempt to resolve issues before they become claims; reviews Notice of Potential Claim (NOPC) submittals to determine merit; advises the City representatives of her findings and recommendations regarding NOPC determinations; prepares the City for negotiating settlement of claims, prepared for Dispute Review Board hearings; prepares position and rebuttal presentations for Dispute Review Board hearings; and prepares position and documentation for future actions (i.e. Arbitration or litigation). (2012 - 2014)

**City of Oxnard, California: Structures Resident Engineer (Structure Representative)/Claims Analyst.** I am responsible for contract administration and construction of the US 101/Rice Ave Improvement project. This project

consists of the replacing the existing Rice Ave bridge with a prestressed cast in place box girder bridge and modifications to several of the ramps in the interchange. I replaced the previous Structures Resident Engineer (Structure Representative) and is responsible for the final punchlist and closeout of the project. I advises the City representatives in attempt to resolve issues before they become claims; reviews Notice of Potential Claim (NOPC) submittals to determine merit; advises the City representatives of her findings and recommendations regarding NOPC determinations; prepares the City for negotiating settlement of claims, prepared for Dispute Review Board hearings; prepares position and rebuttal presentations for Dispute Review Board hearings; and prepares position and documentation for future actions (i.e. Arbitration or litigation). (2012 - 2014)

**San Francisco Bay Area Rapid Transit District (BART), California:** Principle Assistant Resident Engineer/Scheduler/Claims Analyst. I worked with the Resident Engineer manage all aspects from startup to the closeout and claims for C-Line Aerial Earthquake Safety Program Project and the startup of A-Line North Aerial Earthquake Safety Program Project. She was responsible for training and assigning all inspectors for the C-Line project. I also oversaw the contractor's Quality Control Manager and reviewed all of the Quality Control documents, test results and the resolution of all non-conformance reports. She was responsible for the analysis, review and approval of trenching and shoring plans and falsework plans submitted by the contractor, as well as the review and approval of product and contract compliance submittals. I was also providing Contractor schedule review and approval to several of the BART Earthquake Safety Program projects, including A-Line North, A-Line South, C-Line and R-Line North. I advised the Agency representatives in attempt to resolve issues before they become claims; reviewed Notice of Potential Claim (NOPC) submittals to determine merit; advised the Agency representatives of her findings and recommendations regarding NOPC determinations; prepared the Agency for negotiating settlement of claims, prepared for Dispute Review Board hearings; prepared position and rebuttal presentations for Dispute Review Board hearings; and prepared position and documentation for future actions (i.e. Arbitration or litigation). (2010 - 2013)

**District 11, Caltrans San Diego, California:** Principle Assistant Structures Engineer. At the request of Caltrans, I reviewed the project records for the I-15 Managed Lanes Unit 1 Project. She was asked to provide an independent review of the project and determine what if any delays were the responsibility of the Department. She reviewed the correspondence, submittals, aerial photos and the project baseline schedule and updates. She prepared several reports of her findings and presented them to the Deputy District Director and his staff. All of her findings were handed over to Caltrans Legal for use during the preparation for arbitration. (2009)

**District 11, Caltrans, Santee, California:** Claims Analyst. Under the direction of the Caltrans Structure Representative, I was responsible for many aspects of the contract administration and construction of 11 bridges, 4 MSE wall and 2 retaining walls (structures value \$29 million), as well as coordinated the testing of all materials required to be installed in the various structures (i.e. prestressing - including grouting, coupled or welded reinforcing steel, large diameter CIDH Piles and rock sockets, etc). I initiated contract change orders to resolve problems encountered with the design or unanticipated conditions in the field. Furthermore, she was also responsible for the analysis, review and approval of trenching and shoring plans and falsework plans submitted by the contractor. She also insured that all environmental and Storm Water Pollution Prevention Program (SWPPP) concerns were properly addressed during construction. I also generated quantity estimates in order to authorize payment to the contractor, and assures that the contractor complied with all contract documents. [2007-2009]

**District 4, Caltrans, South/South Detour, Oakland, California:** I served as Construction Claims Manager for South-South Detour segment of the San Francisco Oakland Bay Bridge project (approx. \$330,000,000.00), Total Claimed Value of NOPCs filed: approx. \$10,000,000.00. I advised Department of Transportation representatives in attempt to resolve issues before they become

claims; reviewed Notice of Potential Claim (NOPC) submittals to determine merit; advised Department of Transportation representatives of her findings and recommendations regarding NOPC determinations; prepared the Department of Transportation for negotiating settlement of claims, prepared for Dispute Review Board hearings; prepared position and rebuttal presentations for Dispute Review Board hearings; and prepared position and documentation for future actions (i.e. Department Board of Review and Arbitration). (2006)

**District 4, Caltrans On-Call Toll Bridge Construction: New Carquinez Suspension Bridge (59A0269), Carquinez, CA:** Construction Claims Manager. I served as Construction Claims Manager for New Carquinez Bridge (Al Zampa Memorial Bridge) project (\$237,837,346.00), New Carquinez Interchange project (\$64,055,878), and Carquinez Bridge Retrofit project (\$62,253,191). Total Claimed Value of NOPCs filed: approx. \$20,000,000.00 for all three projects. I advised the Department of Transportation representatives in attempt to resolve issues before they become claims; reviewed Notice of Potential Claim (NOPC) submittals to determine merit; advised Department of Transportation representatives of my findings and recommendations regarding NOPC determinations; prepared position papers for Dispute Review Board hearings; prepared position and rebuttal presentations for Dispute Review Board hearings; and prepared position and documentation for future actions (i.e. Department Board of Review and Arbitration). (2002-2003)

The New Carquinez Bridge (Al Zampa Memorial Bridge) is an 1100-meter long, six-lane bridge, and is the first suspension bridge construction project in the United States in over 30 years. The new structure replaces an aging structural steel truss bridge over the Carquinez Strait, which was constructed in 1927. The New Carquinez Bridge (Al Zampa Memorial Bridge) received the AGC Award for Meeting the Challenge of the Difficult Job in Heavy Engineering

**District 8, Caltrans, I-10 and SR-38 in San Bernardino County, California:** Structures Representative. I was responsible for all aspects of contract administration and construction on four separate and concurrent seismic retrofit projects on I-10 and State Route 38 in San Bernardino County consisting of ten structures (\$1.03 million) including a structural steel bridge over the Santa Ana River and infill walls and bolsters on various concrete bridges. In addition, I was responsible for the training and oversight of a number of assistant Structure Representatives. She was responsible for initiating contract change orders to resolve problems encountered with the design or unanticipated conditions in the field. I also insured that all environmental and Storm Water Pollution Prevention Program (SWPPP) concerns were properly addressed during construction. She was furthermore responsible for the analysis, review and approval of trenching and shoring plans and falsework plans submitted by the contractor, and generating quantity estimates in order to authorize payment to the contractor assuring that the contractor complies with all contract documents. [1996-1998]

#### **EXPERIENCE PRIOR TO AECOM:**

**Otay River Constructors (Washington Group International) SR-125 Gap and Connector Project/Toll Road Project, Chula Vista, CA.** I was the Structures Quality Control Manager, for these projects which consisted of 28 prestressed box girder bridges on spread footings, driven piles, and large diameter CIDH Piles, 1 precast segmental bridge known as the Otay River Bridge and numerous retaining walls (soil nail, tieback and cast in place). She was responsible for the coordination of all structure inspection operations and the training and oversight of all the inspectors. She assured that the construction complied with the requirements of all contract documents. I was responsible for coordinating the testing of all materials, both on site and at the source, required to be installed in any structure (i.e. segment match casting, prestressing - including grouting, strand and metal castings, capped, coupled and welded reinforcing steel, etc).

This project received numerous awards, including the ASBI 2007 Bridge Award of Excellence, the PCA 2008 Concrete Bridge Award of Excellence, the PTI 2008 Merit Award, and PCI's special award -- The Harry H. Edwards Industry Advancement Award. (Otay River Constructors-Washington Group International)

& Fluor/2004-2006)

**Pinnacle One, California.** Claims Analyst. I analyzed contractor claims for inefficiencies, delay, disruption and acceleration on various projects, including road/highway construction and building construction to determine actual damages and entitlement in preparation for mediation, settlement, arbitration or court trial. She reviewed the owner's claims against the contractor for faulty work, coordinated owner's consultants, wrote owner's Statement of Claims. She investigated the issues claimed to have caused delay and additional cost to the delivery and assembly by analyzing the available documentation (daily reports, pictures, invoices and schedules) to assess responsibility and damages, and prepared the client and counsel for mediation. (2003)

**Caltrans, California.** Legal Division - Engineer Liaison. I worked as a liaison between the San Diego, Sacramento and Los Angeles Legal Offices and the various districts in the coordination of various construction contract claims filed for arbitration. She assisted the attorneys during discovery, depositions, during the preparation of court documents and during trial or arbitration. I acted as an expert witness in regard to project scheduling and standard Caltrans construction administration practices on various construction contract arbitrations. She assisted in the settlement or arbitration of more than \$30,000,000.00 in construction contract claims; Assisted various attorneys on construction contract claims totaling over \$66,900,00.00. (2000-2002)

**Caltrans District 12, California.** Structure Construction - Structure Representative. Responsible for contract administration and construction of two contracts on the I-5 widening through Santa Ana, CA (\$25 million); Responsible for coordinating the testing of all materials required to be installed in any structure (i.e. prestressing - including grouting, coupled or welded reinforcing steel, driven and CIDH Piles, etc); Responsible for the training and oversight of four assistant structure representatives; Initiate contract change orders to resolve problems encountered with the design or unanticipated conditions in the field; Responsible for the analysis, review and approval of trenching and shoring plans and falsework plans submitted by the contractor; Insured that all environmental and Storm Water Pollution Prevention Program (SWPPP) concerns are properly addressed during construction.; Generated quantity estimates in order to authorize payment to the contractor; Assured that the contractor complies with all contract documents. (1998-1999)

**Caltrans Districts 5, 7, and 12, California.** Structure Construction - Resident Engineer, Structure Representative & Assistant Structure Representative. Responsible for contract administration and construction of: A 2900 SQFT garage and office building for Caltrans Maintenance in the City of Orange (\$312,000) - July - Nov. 1996; Three bridges and a mechanically stabilized embankment wall in the reconstruction of the Storke Road Intersection with I-101 in Santa Barbara County (\$3.6 million) - July 1995 - July 1996; A seismic retrofit project at the 22, 405 & 605 interchanges in Orange County consisting of twelve structures (\$2.5 million) - Sept. 1994 - March 1995; A structural steel railroad bridge over I-5 in Santa Ana as part of the I-5 widening (\$4.1 million) - Oct. 1992 - July 1995; Various bridges, pumping plants, sound walls and retaining walls both on the 105/605 interchange (\$38 million) - Sept. 1990 - Oct. 1992 and on I-5 widening in Santa Ana (\$25 million) - Oct. 1992 - July 1995. Duties: Initiated contract change orders to resolve problems encountered with the design or unanticipated conditions in the field; Responsible for coordinating the testing of all materials required to be installed in any structure (i.e. prestressing - including grouting, welded reinforcing steel, etc); Insured that all environmental and Storm Water Pollution Prevention Program (SWPPP) concerns are properly addressed during construction.; Responsible for the analysis, review and approval of trenching and shoring plans and falsework plans submitted by the contractor; Generated quantity estimates in order to authorize payment to the contractor; Assured that the contractor complies with all contract documents. (1990-1996)