

CURRICULUM VITAE

Thomas N. Frisby

EDUCATION: L.L.B. Louisiana State University School of Law, 1954
Undergraduate, L.S.U.

Continuing Education: Construction Law
Principles of Negotiation (Harvard)
Government Contract Law
Contract Administration
Certified Mediation (SC Bar)
Principles of Scheduling
Physical Sciences
Surveying
Accounting
Financial Management
Construction Accounting
Biomass Power Plants
Partnering and Mediation Principles
Strategic Planning Principles
Principles of People Management
Marketing and Strategic Planning
Construction Productivity
Facilities Management

PUBLICATIONS: Government Contract Law (USAF Academy)
The Art of Negotiation (Texas A&M)
Risk Management for Construction Contractors (Federal Publications)
How to Survive and Prosper in the Construction Industry (R.S. Means)
Best Business Practices (R.S. Means)
Personal Estate Planning (USAF Academy)
A Survey Course on Law (USAF Academy)
Project Management Manual (Mechanical Contractors of South Carolina)
Superintendent's Handbook (Mechanical Contractors of South Carolina)
Principles of Construction Contracting (Self-Publication)
Best Practices Columns, Charleston Regional Business Journal
Various Articles

ACADEMIC POSTS: Associate Professor, USAF Academy
Lecturer, Clemson University
Visiting Professor, University of Denver School of Law
Guest Lecturer at other Universities (including Texas A&M Construction Executive Program, Stellenbosch Construction Executive Program)

LECTURES & SEMINARS: Mechanical Contractors Association of America National Convention (Puerto Rico)
National Electrical Constructors Association National Convention (Chicago)
National Project Management Institute National Convention (Vancouver)
National Construction Specification Institute National Convention (Minneapolis)
National Masonry Contractors Association Convention (New Orleans)
South Carolina Mechanical Association
Hawaii Association General Contractors Association
Corps of Engineers (Atlanta, Georgia)
Duke Energy and Services
Alfred Yee and Associates (Structural Engineers)
Federal Publications, Inc.
Guam Contractors Association
Toronto MCA
National Contract Managers Association (Seattle)
South Carolina Bar Association CLE
Minoru Yamosaki & Associates (Architects)
Other Contractors, Owners, Engineers

MEMBERSHIPS: Associate Member, South Carolina Bar
Texas Bar – Inactive
Louisiana Bar – Inactive
Mechanical Contractors Association of South Carolina (Honorary Lifetime Member)
ASCE
Red Cross Disaster Services Volunteer

CONSTRUCTION

COMPANY MANAGEMENT/

OWNERSHIP:

Centric Corporation, Denver, Colorado
Sturgeon (Harlan) Electric, Denver, Colorado
Advisor to Board of Directors, Hawaiian Dredging & Construction Company
Advisor to Executive Committee, Pennsylvania Power & Light, EMS Division

MILITARY SERVICE:

2nd Lieutenant Artillery
Captain, USAF Judge Advocate General (Commendation Medal)

SCOPE OF SERVICES:

Dispute Resolution
Partnering
Mediation
Strategic Planning and Organizational Consulting
Project Oversight
Scheduling
Education and Training

DISPUTE RESOLUTION

The following is a partial list of projects for which dispute resolution services were provided.

Corps of Engineers

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Boat Harbor	T'au, Samoa	Differing site conditions relating to the nature of Limestone Breccia.
Nerve Gas Destruction Center	Johnson Atoll, Pacific Islands	Acceleration dispute resulting from a change in U.S. Tax Laws.
Mechanical Building	Savannah River District	MEDIATOR in delay claim.
Recreational Dam	Broken Bow, Oklahoma	Damage to partially completed dam when Government released upstream flow of water. Government claimed Act of Sovereignty.
Barracks	Fort Gordon, Georgia	Issue of CMU installation being in compliance with the contract. Acceleration and delay damages.
Barracks	Fort Carson, Colorado	COE directed drilled pier foundation method, which was not compatible with subsurface conditions.
Barracks	Fairbanks, Alaska Anchorage, Alaska	Issue involved acceptable water and air infiltration in COE specified windows.
Mass Transit	Washington, D.C.	COE specified epoxy mortar pads to rails were anchored, improper specification.
C-5A Hangar	Altus AFB, Oklahoma	Scope of work disputes on design-build contract.

U.S. Air Force

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Titan II Activation	Arizona	Scope changes, delays
Titan III-C	Cape Kennedy	Dispute resolution involving in-flight failure of Titan III C-12.
Titan III-B	Vandenberg AFB	Dispute resolution-involving failure of Titan III-B.
USAF Academy	Colorado Springs, Colorado	Resolution of claims arising out of construction of the Academy.

Department of Interior

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Recreational Dam	Silver Jack, Colorado	Part of mountain slid into partially completed dam. Issue was force majeure or differing site condition.
Central Arizona Project	Phoenix, Arizona	For several projects, resolved changed condition claims with USBR.
De-Salinization Plant	Roswell, New Mexico	Constructive changes and delay damages resulting from defective specifications.

U.S. Navy

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Helicopter Hangar	Jacksonville, North Carolina	Conflict in drawings, delay and acceleration claim. Involved responsibility for design of metal building.
Fighter Hangar	Key West, Florida	Issue involved responsibility for painting walls previously coated with a lead based paint.
Fuel Storage Facilities	Honolulu, Hawaii	Quality of welds and scope of work issues.
Barracks	Meridian, MS	Issue involved assessment of \$3.3 in liquidated damages.

Water Treatment Facilities

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Waste Water Treatment	Clark County, Nevada	Provided project oversight; act as mediator in resolving disputes.
Water Treatment Plant	Mt. Pleasant, SC	Resolved dispute with contractor. Question of concurrency of delay.
Water Treatment Plant	Sand Island, Hawaii	Resolved delay damages, acceleration issues.
Sludge Incinerator	Contra Costa, California	Defective plans, acceleration, delay damages.

Department of Transportation

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Keehi Interchange	Honolulu, Hawaii	Question whether splicing of multi-segment piles failed due to design or workmanship problem.
Highway and Bridges	Maui, Hawaii	Combined issues or work area limitation and differing site conditions. Expert witness.
Overpass	Denver, Colorado	Determination of damages due to conflict in drawings and owner delays. Expert witness.

Power Plants

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Pump Storage Project	Bad Creek, SC	Termination of above ground contractor. Differing site condition issues by below ground contractor.
Small Energy Plant	Imperial County, California	Expert witness on reasons for and damages resulting from failures of Biomass plant to function properly. \$40,000,000 jury verdict.
Upgrade Fossil Power Plant	Solvay, NY	Representing Owner, resolved claims brought by E-P-C National Contractor.

Schools, Universities and Hospitals

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
High School	Charleston, SC	Expert Witness for School District relating to contractor's claim for delay damages.
Hospitals	Galveston, Texas	Expert Witness for University of Texas on claims brought by general and mechanical contractors regarding four separate hospital projects.
Hospital	Las Vegas, Nevada	Provided oversight on constructing Medical University Hospital.
University Hospital	Raleigh-Durham, North Carolina	Resolution of disputes regarding errors and omissions on electrical drawings.
Elementary School	Summerville, SC	Expert witness on behalf of school district in case involving termination for default of general contractor

Hi-Rise and Industrial Facilities

<u>Project</u>	<u>Location</u>	<u>Nature of Issue</u>
Hi-Rise Office Building	Chicago, Illinois	Expert Witness on behalf of terminated electrical contractor.
Electronic Facility (Siemens)	Chicago, Illinois	Acceleration claim due to multitudinous changes and changes to UPS.
Hi-Rise Hotel (Registry)	Dallas, Texas	Expert Witness for general contractor in defense of claim by owner and prosecution of delay damage and impact claims by contractor.

ORGANIZATION CONSULTING & STRATEGIC PLANNING

Client

Scope of Work

Martin-Marietta

Oversaw contract management on Titan III-M, including termination for convenience when the project was transferred to NASA.

Oversaw flight incentive programs for Titan III-C and Titan III-B.

Assisted in Dispute Resolution on Titan II Activation Program.

Assisted in developing management programs such as Planned Value of Work Accomplished (PVWA).

Boeing

Special consultant for one year assisting Boeing and NASA, reduce budget and schedule overruns. (**Moon Program**)

McClure Company

Provide strategic and organizational consulting. (Harrisburg, Pennsylvania)

Fortune 500 Company PP&L

Provide strategic and organization consulting.

Murphy Mechanical

Provide strategic and organization consulting. (St. Louis, Missouri)

Sletten Construction Company

Provide strategic and organization consulting. (Great Falls, Montana)

Wenninger Mechanical

Provide strategic and organization consulting. (Minneapolis, Minnesota)

Dillingham Corporation, Hawaii

Assisted in overall market strategy and organizational issues. Assisted in developing Southeast Asia operations.

Andros Corp

Provided strategic planning assistance to MEP company in Grand Cayman.

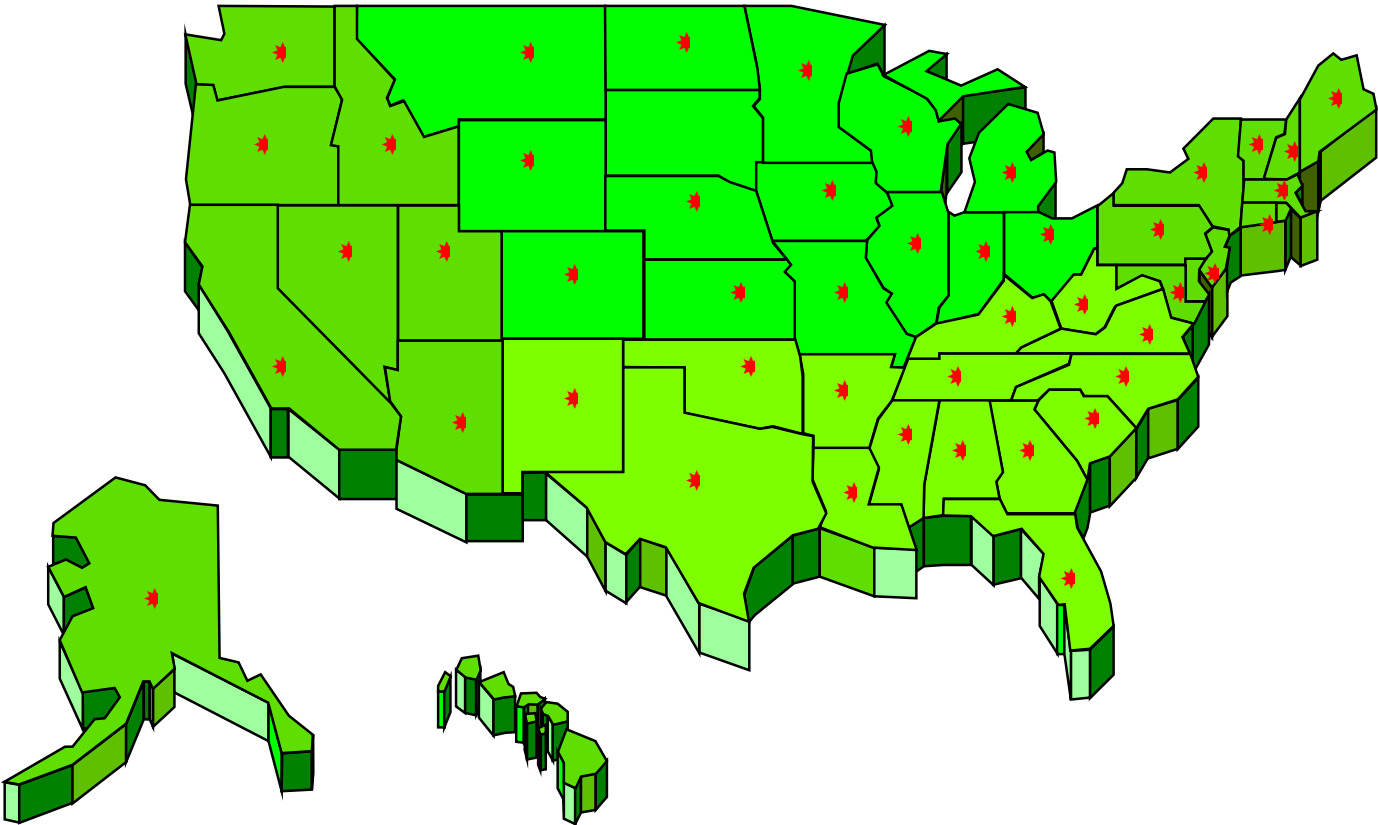
Numerous Construction
Companies

Provide strategic and organizational consulting. (Confidentiality Agreements)
Included are two of the top twelve general contractors, three of the top twenty-five mechanical contractors, two of the top twenty-five electrical contractors.

PARTNERING PROJECTS

<u>Client</u>	<u>Location</u>
DOE Headquarters	Las Vegas, Nevada
DAFT Facility (CCSD)	Las Vegas, Nevada
Bar Screen Project (CCSD)	Las Vegas, Nevada
Utility Project (County of Las Vegas)	Las Vegas, Nevada
Wastewater Treatment Plant (CCSD)	Las Vegas, Nevada
Filter Screen Project (CCSD)	Las Vegas, Nevada
Water Line (SNWD)	Las Vegas, Nevada
Academic Building (USC)	Columbia, South Carolina
Dormitory Building (USC)	Columbia, South Carolina
Medical Facility (MUSC)	Charleston, South Carolina
Dormitories (US Navy)	Shaw AFB, South Carolina
Duke Energy	Pump Storage, South Carolina
Hospital (USMC)	Quantico, Virginia

LOCATIONS WHERE WORK HAS BEEN PERFORMED



Offshore

Johnson Atoll
Guam (M.F.)
Philippines
Singapore
Taiwan
Hong Kong
Samoa

Grand Cayman
Puerto Rico
Russia
Israel
Canada
Bermuda