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Engineering & Scientific Consulting

Daniel Stewart, P.E., CCM, PSP

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Professional Profile

Mr. Stewart has over 30 years of experience in the construction industry that includes consulting on construction disputes, executive level construction advisory services, and hands on construction management. He has been involved with both domestic and international projects in various sectors of engineering and construction in a variety of responsible roles. His qualifications include licensure as a Professional Engineer and certifications as both a Certified Construction Manager and Planning and Scheduling Professional. Mr. Stewart has experience in engineering and construction contracting, litigation management, and dispute resolution at large engineering and construction companies.

Mr. Stewart provides expert witness testimony on matters including schedule delays, construction management, contract administration and changes, and damages. Mr. Stewart testified on behalf of the Smithsonian Institution at the Civilian Board of Contract Appeals involving the \$80 million renovation of the National Museum of American History. The project's issues in dispute included differing site conditions, design changes, schedule delay, and damages. Mr. Stewart provided expert testimony on construction management and contract administration related matters in Texas State Court, and has been similarly engaged in several matters in other jurisdictions. In addition to providing expert testimony, Mr. Stewart has managed teams of experts in litigation matters including technical, schedule, and cost related dispute issues. He has been involved in litigation matters in both international and domestic forums such as the ICC Court of Arbitration, London Court of International Arbitration, UNCITRAL Arbitration, Federal Contract Appeals Boards, Federal District Courts, Maryland Contract Appeals Board, State Courts, and the American Arbitration Association.

Mr. Stewart has provided services on engineering and construction projects such as energy (including fossil fuel, hydro, nuclear, solar, oil & gas, and energy-from-waste), government buildings (including embassies, courthouses, and historic renovations), locks and dams, hospitals, military facilities, highways and bridges, and transit. Mr. Stewart has served Government clients including the Department of State, General Services Administration, Department of Defense, Army Corps of Engineers, Department of Energy, Architect of the Capitol, Federal Reserve Board, Smithsonian Institution, Federal Bureau of Prisons, Federal Transit Administration, New Jersey Turnpike Authority, Southeastern Pennsylvania Transportation Authority, and Maryland Department of General Services.

Mr. Stewart has provided executive level advisory services on the engineering and construction of large capital projects, including contract risk, schedule, cost, change management, and dispute resolution. On behalf of the Department of State, Mr. Stewart evaluates requests for equitable adjustment (REA) on its embassy projects and diplomatic facilities worldwide. He supports the Government in negotiations with contractors for time and cost adjustments and has supervised scheduling, estimating, and REA evaluations on 13 projects in the \$25 to \$600 million range in Europe, Africa, Asia, the Middle East, and Latin America. Mr. Stewart provided and supervised construction advisory services on behalf of the Federal Reserve Board on its \$200 million Martin Building renovation and addition. He managed design

peer reviews, independent estimating, large change order evaluation and negotiations, schedule delay analysis, and contract disputes.

Academic Credentials & Professional Honors

J.D., Law, Rutgers University, 1990

B.S., Civil Engineering, Drexel University, 1986

Licenses and Certifications

Professional Engineer, Maryland, #41019

Professional Engineer, Pennsylvania, #PE048441E

Bar Association Member (NJ)

Bar Association Member (DC)

Bar Association Member (PA)

Certified Construction Manager (CCM)

Planning and Scheduling Professional (PSP)

Member of the U.S. Court of Federal Claims Bar

Prior Experience

Vice President, Hill International, Inc. 2002-2018

Contracts Manager, J.A. Jones Construction Company, Inc. 2001-2002

Assistant General Counsel, J.A. Jones, Inc. 2000-2001

Principal Contract Administrator, Parsons Energy & Chemicals Group, Inc. 1999-2000

Senior Consultant, Hill International, Inc. 1988-1999

Construction Inspector/Engineer, Management Engineering Corporation 1986-1988

Professional Affiliations

Construction Management Association of America (CMAA)

Association for the Advancement of Cost Engineering International (AACEI)

American Bar Association (ABA): Forum on Construction Law (Division 13 Government Construction);
Public Contracts Law Section (Contract Claims and Disputes Resolution Committee)

Court of Federal Claims Bar Association

Publications

Construction Checklists, Second Edition, ABA Book Publication, 2022, contributing author.

Documenting, Proving and Recovering COVID-19 Cost and Schedule Impacts, The Critical Path, Volume 24, Issue 2, April 9, 2020.

Review of Project Management Control Systems on Selected FTA Funded Projects, co-author and editor, Federal Transit Administration, 1994.

Presentations

The Calm before and after the Storm: Anticipating, Mitigating, and Responding to Natural Disasters, Construction Management Association of America, Annual Meeting, September 12, 2021.

Construction Continuing: An Essential Guide to Pursuing Claims in a COVID (and Post COVID) World, Cozen O'Connor and Exponent, Webinar, May 5, 2021.

COVID Impacts on Construction, Pillsbury Law Firm and Exponent, Webinar, August 27, 2020.

Accord and Satisfaction in Federal Construction Modifications, American Bar Association, Forum on Construction Law, Webinar, April 8, 2020.

Engineering Law, Masters in Engineering Management Curriculum, Part-Time Adjunct, 1997.

Deposition & Trial Testimony

Wicks v. Colliers International NY LLC, New York State Court (Index No.: 155164/2016) 2022 (Expert Affidavits in support of Motion for Summary Judgement)

InterServ, LLP vs. 101 El Paso LLP, Texas State Court (Cause No. 2018DCV3714) 2020 (Trial)

Turner Construction Company vs. Smithsonian Institution, Civilian Board of Contract Appeals (CBCA No. 2862, 4085) 2015 (Board Hearing)

Ranchpar, Ltd. vs. Armenia Hotel Complex Closed Joint Stock Company, International Court of Arbitration (ICC No. 14673/EBS) 2008 (Arbitration Hearing)

Wilmont Hotel, LLC vs. Acoustics and Specialties, Inc., American Arbitration Association, 2004 (Deposition)