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ROBERT G. JAMES, PE, CFLC

SUMMARY

Mr. James directs Accumyn's construction and capital project management practice. His more than thirty-five years of technical, managerial and executive experience in engineering, procurement and construction of global capital ventures has provided him with exceptional prerequisites to address any facet of industrial and commercial project development and execution. Since 2003 he has been providing litigation support services to counsel in areas of engineering and construction related claims and disputes, concentrating primarily on contract administration, project management and controls, and practical applications of the engineering, procurement and construction ("EPC") process.



Beginning as a field engineer in the construction division of Stone & Webster Engineering Corporation, Mr. James was assigned increasingly more responsible positions building power, refining and petrochemical facilities and municipal projects on domestic and international jobsites. His career path advanced through project and construction management assignments and headquarters operations positions to senior vice president, president and corporate director appointments at Stone & Webster companies. Finally, he assisted The Shaw Group with its purchase and merger of the operations of Stone & Webster.

Since 2003 Mr. James has focused on serving clients and counsel in support of litigation, arbitration and mediation of matters involving construction disputes in power, petrochemical and commercial business sectors. Engagements have involved independent and objective advisory services, expert reports, and testimony in deposition and court on a wide range of matters involving contract disputes, construction health and safety issues, procurement of industrial equipment, proprietary engineering information, engineering errors and omissions, contractor selection procedures and management of the EPC process for mega-industrial projects.

Mr. James holds a bachelor's degree in engineering and professional registration in three states. He is a certified general contractor and a member of several professional associations and societies. As adjunct professor at the University of Houston Mr. James developed and conducted a 40-hour undergraduate course in construction management.



EMPLOYMENT HISTORY

- 2007 to Present **Accumyn Consulting**, Director
- 2005 to 2007 **LECG, LLC**, Director
- 2003 to Present **Robert James Consulting**, Principal and Owner
- 2000 to 2003 **Shaw/Stone & Webster, Inc.**, Vice President, Stone & Webster International, Inc; Engineering Director and Manager of Projects, Houston
- 1999 to 2000 **Shaw Construction, Inc.**, Vice President of Projects, Baton Rouge, LA
- 1981 to 1999 **Stone & Webster, Inc.**

Senior Vice President Stone & Webster Process Technology & Project Services; Vice President, Stone & Webster International, Inc; Construction Operations Manager, Director of Procurement, Senior Project Manager, Stone & Webster Engineering Corporation, Houston, 1994 to 1999.

- Deputy Manager, SAW Constructors, Inc, 1993 to 1994.
- Vice President and Manager of Projects, Stone & Webster Engineering Corporation, Houston, 1990 to 1993.
- Corporate Director, President and General Manager, DSS Engineers, Inc. (a S&W Subsidiary), Senior Vice President, Stone & Webster Environmental Services, Inc., Fort Lauderdale, 1985 to 1990.
- Project Manager; General Superintendent of Construction, Stone & Webster Engineering Corporation, Houston, 1981 to 1985.

1979 to 1981 **The Litwin Corporation**, Site Manager, Nederland, TX

1968 to 1979 **Stone & Webster Inc.**

- Assistant Superintendent of Construction, Stone & Webster Engineering Corporation, Port Arthur, TX, 1977 to 1980.
- Senior Resident Engineer; Assistant Superintendent of Construction, Stone & Webster Construction, Ltd., Iran, 1975 to 1977.
- Field Engineer; Senior Field Engineer; Resident Engineer, Stone & Webster Engineering Corporation, Indianapolis, IN, and Beaumont, TX, 1968 to 1975.



SELECTED ENGAGEMENTS – CONSULTING AND LITIGATION SUPPORT SERVICES (2003 TO PRESENT)

- Provision of project management advisory services in support of litigation involving a global engineering and construction contractor's delay and cost overruns experienced during construction of four nuclear power generation units in Georgia and South Carolina, (2018).
- Conducted an independent claim validity review of engineering errors and omissions attributed to a national engineering contractor during the construction of an 800 MW combined cycle power plant near Ashkelon, Israel, (2017).
- Retained to prepare an expert report and testify at deposition and court on management of the engineering and construction process for a gas processing plant at Big Piney, Wyoming, (2016-2018).
- Retained to testify regarding engineering and construction management defects during construction of a thirty-three-story condominium in South Padre Island, TX, (2015-2017).
- Retained to prepare an expert report and testify at arbitration of alleged design and construction defects in a pre-engineered steel building in Alice, TX, (2016).
- Consulting services addressing engineering and process safety management requirements for disputed process equipment installations at a gas processing and fertilizer terminal facility in Corpus Christi, TX, (2015).
- Expert consulting services in a shareholder class action lawsuit on unit-price contracting practices by a major EPC contractor fabricating modules for petrochemical facilities in northern Alberta, (2015).
- Purchase due diligence consulting for a national field services provider to the energy industry, involving site inspection of plant and equipment, safety and quality operations, and project execution at three modular fabrication facilities in the Pacific NW, (2014).
- Consulting services in support of arbitration of a dispute between partners in a Houston chemical plant regarding the fair market value of a partnership interest in a Propylene Oxide/Styrene Monomer plant, (2014).
- Letter report to counsel regarding a design and construction error and omission dispute with an estimate of structural repairs to a 234 unit condominium resort complex in Galveston, TX, (2012).
- Expert report, written testimony and hearing testimony to the Indiana Utility Regulatory Commission for the Indiana Office of Utility Consumer Counselor on project and construction management of a first of a kind of its size integrated gasification combined cycle generating facility under construction by a major regulated utility in Edwardsport, IN, (2011-2012).
- Expert witness report and deposition and court testimony in a bankruptcy matter regarding damage or injury to removed improvements constructed at a high purity isobutylene unit in Pasadena, TX, (2011).



- Litigation support, witness statement and deposition testimony in a matter involving alleged errors and omissions by the engineer of record for a roadway project in Brazoria County, TX, (2010-2011).
- Expert witness services and affidavit report in a contract dispute involving alleged errors and omissions by an architect firm designing a parking garage for a hotel/condominium complex in Corpus Christi, TX, (2010).
- Analysis, expert report, and testimony in a shareholder class action on customer satisfaction, quality, and on-time delivery performance of a leading supplier of pumps, valves, and seals to refining, petrochemical, power, industrial, and utility contractors and users during a period of integration of acquired competitor operations, (2006-2010).
- Expert witness report providing independent opinion on industry practice for compliance with sales contract terms in supply of marine fuel alleged to have contaminated machinery aboard an ocean-going vessel, (2009).
- Litigation support services for analysis of project and business interruption expenses related to demobilization and remobilization of field operations during construction of a hospital's suburban outpatient clinic in Fort Bend County, TX, (2009).
- Consultation to Goldman Sachs on the contractor selection process for world scale refining and petrochemical projects planned in the Middle East, (2008).
- Consulting services in support of arbitration of a dispute between partners in a Houston chemical plant regarding the fair market value of a partnership interest in a Propylene Oxide/Styrene Monomer plant, (2008).
- Consulting services in support of litigation of a dispute between operators of offshore production equipment regarding damages caused by Hurricane Ivan events in the Gulf of Mexico, (2007-2008).
- Expert witness statements and mediation testimony related to disputed engineering errors and omissions by the engineer of record claimed by the owner of a 630 MW cogeneration facility in South Carolina, (2007).
- Expert witness statement and hearing testimony in a United Nations Commission on International Trade Law (UNCITRAL) international arbitration to resolve disputed design changes and worksite access issues between a European marine contractor and a US general contractor installing a deepwater platform offshore West Africa, (2006).
- Expert reports, deposition testimony, and consultation with counsel on procurement management, change order management, management of confidential information, and subcontracting practices related to a dispute between a prime contractor and its equipment supplier for a tension leg platform project offshore Angola, (2003-2006).
- Expert witness consulting services for a major US refinery operator in an occupational illness case involving asbestos contamination leading to mesothelioma, (2006).



- Consulting services in support of litigation on OSHA regulation compliance related to a falling object matter at a high-rise commercial construction project in Shreveport, Louisiana, (2005).
- Deposition and court testimony related to a contract management and payment dispute between a prime contractor and the owner and its engineer of record for a 730 MW gas turbine generator power plant project near Dallas, TX, (2003-2004).

REPRESENTATIVE PAST PROJECTS – ENGINEERING AND CONSTRUCTION OPERATIONS

- Manager of projects; front end process development and economic feasibility study for a crude refinery proposed by Refineria Sebastopol, Colombia; engineering and procurement of a 760 MW combined cycle gas turbine power plant for Entergy Power Group, Marshall, TX; program management services for a gas processing plant upgrade contract for ADGAS, Das Island, UAE; and engineering completion for the 730 MW Wolf Hollow Power Project for AES, Granbury, TX, (2001 to 2002).
- Vice president of projects and project manager; construction of the 1100 MW Midlothian combined cycle gas turbine power plant for American National Power, Midlothian, TX, and project director; engineering and procurement of the 1000 MW Freestone combined cycle gas turbine power plant for Entergy Power, Freestone, TX, (1999 to 2000).
- Vice president of projects, construction of the Orion Refinery expansion project for Orion Refining Corporation, New Orleans, LA, (1999).
- Construction operations manager; engineering, procurement and construction of three ethylene cracking furnaces for Phillips Chemical Corporation, Sweeney, TX, and an Aromatics Complex for Tirtamus, Tuban, Indonesia, (1997 to 1999).
- Project director; engineering, procurement and construction of the Ras Tanura Refinery utilities upgrade project for Saudi Aramco, Saudi Arabia, (1996 to 1999).
- Project sponsor; owner's engineer and program management contract, Mina Abdullah and Mina Ahmadi Refinery upgrades for KNPC, Kuwait, (1996 to 1998).
- Headquarters procurement department manager and manager of construction; (1995 to 1996).
- Project director; engineering procurement and construction management of an oilfield enhancement and power project for ADCO, Abu Dhabi, UAE, (1993 to 1994).
- Construction manager; engineering, procurement and construction of three olefins unit upgrade projects, Mobil Chemical Corporation, Pasadena, TX, (1992 to 1993).
- Vice president and manager of projects; engineering, procurement and construction management of a 600,000 TPY olefins plant for Thai Olefins, Reyong, Thailand; two gas



processing plants (GPP 3&4) for Petronas, Malaysia; and a five-year pipeline program management project for Saudi Aramco, (1990 to 1992).

- Project director; emergency generator inspection services at the Turkey Point Nuclear Station for Florida Power & Light, Homestead, FL, (1989).
- Principal in charge; environmental clean-up and remediation of turnpike fuel tanks for the Florida Department of Transportation, Fort Lauderdale, FL, (1988 to 1989).
- Principal in charge; design of Dade County solid waste fleet maintenance facility for Dade County Solid Waste Department, Miami, FL, (1987 to 1988).
- Project Director; owner's engineer services for engineering and construction management services for seven remote area desalination plant projects, Water & Electricity Department, Abu Dhabi, UAE, (1986 to 1988).
- Principal in charge; Flamingo Road widening and bridge construction for the Florida Department of Transportation, Cooper City, FL, (1986 to 1988).
- Project manager; engineering, procurement and construction management of the Marjan gas/oil separation plant for Aramco, Saudi Arabia, (1983 to 1985).
- Site manager; construction of refinery wide energy conservation modifications for Texaco, Port Arthur, TX, (1981 to 1983).
- Site manager; construction of an upgrade of three crude processing units for Union Oil Corporation, Nederland, TX, (1979 to 1981).
- Senior resident engineer; construction of a light olefins unit (LOU-1) for Texaco Petrochemicals, Port Arthur, TX, (1977 to 1979).
- Resident engineer and assistant superintendent; construction of the Bandar Shahpur fertilizer complex for Shahpur Chemicals Company, Bandar Mashar, Iran, (1975 to 1977).
- Resident engineer; construction of an ethylene unit expansion project for Mobil Chemicals, Beaumont, TX, (1973 to 1975).
- Senior field engineer; construction of a 420 MW coal fired power plant for Indianapolis Power & Light, Indianapolis, IN, (1970 to 1973).
- Field engineer; headquarters constructability for Millstone, Maine Yankee, and Shoreham nuclear power plants, Boston, MA, (1970).
- Field engineer; construction of a 240 MW coal fired power plant for Wisconsin Electric Power Company, Milwaukee, WI, (1968 to 1970).



EDUCATION, CERTIFICATIONS AND APPOINTMENTS

- Bachelor of Civil Engineering, McGill University
- Registered Professional Engineer, Texas, Florida and Indiana
- Certified General Contractor, Florida
- Certified Threshold Inspector, Florida
- TRCC Residential Construction Inspector, Texas
- FEWA Certified Forensic Litigation Consultant
- National Vice President, Forensic Expert Witness Association, 2014 – 2015
- National Board Member, Forensic Expert Witness Association, 2010 – 2018
- President, Forensic Expert Witness Association, Houston Chapter, 2013 - 2016
- Adjunct professor, Construction Management, University of Houston, 2011

MEMBERSHIPS

- American Society of Civil Engineers (ASCE)
- Project Management Institute (PMI)
- Forensic Expert Witness Association (FEWA)
- Dispute Review Board Foundation (DRBF)

INDUSTRY PUBLICATIONS AND CONFERENCE PARTICIPATION

- Panel Member, Construction Industry Institute Dispute Prevention & Resolution Webinar, November 2014.
- “*Direct Testimony, Q&A Style – an Alternate Process*”, Robert James, PE, Forensic Expert Witness Association Quarterly, September 2012.
- “*In-House Testimony vs. Retained Expert Witness Services*”, presented at the Forensic Expert Witness Association (FEWA) seminar July 2009, The Woodlands, Texas.
- Panel Member, Construction Industry Institute Dispute Resolution Panel, Product Implementation Workshop, September 2006, Chicago.
- Introductory Presentation, Stone & Webster 12th Refining Seminar and NPRA Q&A 2000 Conference, October 2000, San Francisco.
- Introductory Presentation, Stone & Webster 10th Ethylene Forum, The Hague, Holland, October 2000.