



## **SOL KUTNER, President** Professional Experience

Sol Kutner is a management consultant actively involved in dispute resolution in various forums in all disciplines and phases of engineering and construction work. Mr. Kutner has effectively managed a wide variety of construction-related claims activities. His techniques have proven especially effective in producing solutions that meet the unique requirements of the organizations involved. The successful resolution of these claims requires a thorough understanding of the components of each problem: the technical, the construction, the contractual and the economic issues.

Mr. Kutner's education and career in engineering and construction have provided him with the knowledge and experience required to be particularly successful in claims management. Although his primary discipline is engineered construction, including a degree in civil engineering, Mr. Kutner has performed every major function in construction operations, including:

- material take-offs
- purchasing
- scheduling
- working with owners, architects, engineers, general contractors, subcontractors and attorneys
- estimating
- cost control
- bidding strategies
- field engineering
- site management
- project management

After a number of years working for several construction companies in New York City, he formed his own construction company which engaged in varied heavy construction, buildings and public works projects for a period of eight years. Mr. Kutner moved to California to join the Bechtel Group of Companies as a senior supervising field engineer. Over the following 14 years, he worked in all areas of Bechtel's operations. As Manager of Contracts for Bechtel Power Corporation, he developed and implemented programs in contract management, contract administration and claims management. He assisted projects in tailoring these programs to suit specific requirements and provided on-site training, where needed, to implement programs. As an Executive Consultant at Bechtel, Mr. Kutner's functions included handling claims in all operating divisions, domestic and international.

In 1981 Sol Kutner founded Sol Kutner Associates, Inc. (SKA) which provides consulting services and seminars in construction management, contracts and claims to owners, contractors, sureties and attorneys. Drawing upon his vast engineering and construction experience, Mr. Kutner has frequently been called upon to provide expert witness testimony on construction industry practices.

Mr. Kutner's project experience covers a wide range of construction efforts: public sector and privately owned works, fully designed and fast-track projects, lump-sum work and cost-reimbursable work. Especially noteworthy is the global experience he has in the international sphere of engineering/construction. Many of these projects were in remote areas and several required new and novel techniques. He has worked on numerous international assignments in Europe, the Far East, Middle East and North America.

While much of Mr. Kutner's international experience has been oriented toward the energy field, his domestic experience has been in a broad area of engineering/construction in major public and private projects including: bridges, tunnels, subways, highways, office buildings, hotels, airports, hospitals, and apartment buildings.

Sol Kutner has been successful in handling major claims in a broad range of construction environments. His leadership in claims analysis and resolution calls upon his many years of successful negotiating experiences. Mr. Kutner's special insight into complex problems has enabled him to work effectively with owners, contractors, subcontractors, sureties and attorneys in litigation and various forums of dispute resolution including: negotiation, arbitration, mediation and mini-trials.



**PROFESSIONAL EXPERIENCE of  
SOL KUTNER**

**MEMBERSHIPS**

Project Management Institute	American Arbitration Association
American Society of Civil Engineers	Arbitration and Mediation International
American Institute of Architects/AAF	International Conference of Building Officials
Associated General Contractors of America	Society of American Military Engineers
International Bar Association	American Arbitration Association's (LCCP)
Dispute Review Board Foundation	Construction Large Complex Case Program

**EDUCATION**

College: CCNY Degree: BSCE

**EXPERIENCE**

1981 - Present *Principal Consultant*  
**Sol Kutner Associates, Inc.**  
San Carlos, California 94070

Provide construction consulting services to Owners, Architect/Engineers, Contractors, Subcontractors and Attorneys for the resolution of engineering/construction disputes; analysis of construction planning, scheduling, management and operations, contract changes, delays, acceleration and impact claims in the assertion or defense of claims; provide **expert witness** testimony relative to construction industry practices, construction management, construction operations, contract administration and interpretation. Provide support services to counsel and participate in negotiation, mediation and arbitration processes, as well as litigation of engineering/construction disputes.

Assignments have included working with project personnel and counsel on building and civil projects, in both the private and public sectors. These projects include: hotels, apartments/condos, single-family/multi-family residences, hospitals, convention centers, airports, jails, public works projects, water supply, mining, nuclear and fossil fuel industrial/process plants, pipelines and geothermal projects.

Additional assignments in related activities include development and implementation of a field contracts management programs, management audits of construction operations, expert review of claims prepared by project personnel, conceptual development of estimates for incompletely engineered fast-tracked projects and major dispute resolution programs, presentation of numerous seminars and workshops on contract administration, claims management and the management of risk on lump sum projects. Active participation in various Alternative Dispute Resolution (ADR) Programs including arbitration, mediation, mini-trials, partnering and Dispute Review Boards (DRB).



1967 - 1981

*Executive Consultant*  
**Bechtel Group of Companies**  
San Francisco, California 94105

Provided services to all operating divisions, domestic and international, in the analysis and resolution of engineering/construction disputes. Detailed analysis of contract changes, delays, acceleration and impact claims. Analyzed construction management, operations and contract administration. Provided support services to project management and counsel. Provided expert witness testimony and participated on various litigation teams. In responsible authority as chief negotiator or as part of negotiating team in the resolution of disputes ranging in value from several thousand dollars to more than \$100 million.

Developed and implemented corporate-wide program for the management of construction contracts. Developed, staffed and managed an organization for the administration of 7,000 contracts/subcontracts. Developed and implemented corporate, division and project policies and procedures relating to construction management, operations and contract administration, purchasing, personnel and commercial transactions. Provided services on extremely wide range of projects on world-wide basis including commercial and public projects, nuclear and fossil power plants, refineries, pipelines, subways, mining, hydro-electric, hospitals, tunnels and many various specialties such as manufacturing, industrial coating, heavy-lift rigging, civil, mechanical, electrical, chemical and nuclear disciplines.

Provided extensive services to counsel for development of pre-litigation position, discovery, deposition and trial work. Extensive coordination efforts between counsel, technical consultants, engineers, construction management and project support personnel including planning, scheduling, purchasing and accounting.

Resident Engineer in charge of construction of several San Francisco/Oakland BART subway contracts, contracts valued at \$70,000,000.

1959 - 1967

*Principal Owner*  
**Jemko Construction Co., Inc.**  
Queens, New York

Heavy construction and commercial construction contractor. Competitively bid and contracted on lump sum basis for public works subway projects, sea walls, underground utilities and private commercial work. Primarily responsible for estimating, bidding and managing contract work.

1952 - 1959

*Construction Superintendent, Field Engineer, Estimator*  
Various Construction companies, New York City metropolitan area

Performed in all positions of site construction field engineering, office engineering, field supervision of crafts and construction operations including management, planning, scheduling, estimating, contracting, purchasing, accounting, design and coordination with various agencies and entities. Projects included subways, viaducts, sewers, pipelines, underground utilities, bridges, buildings and underpinning work.

1949 - 1952

*Craftsman* on commercial and residential construction projects.

PROFESSIONAL CREDITS

Sol Kutner Associates, Inc.

*Field Contracts Management Procedures Manual*

Engineering Foundation Research Conference - Asilomar, California

Planning, Engineering and constructing the Superprojects

*"The Impact of Regulatory Agencies on Superprojects"*

American Bar Association's Forum Committee on the Construction Industry and its Fidelity and Surety Law Committee of the Section of Tort and Insurance Practice - New York, New York

Time in Construction *"Methods of Scheduling"*

Lecturer - Stanford University Graduate Construction Management Program

University of California, Berkeley Graduate Construction Management Program

California Polytechnic State University Construction Program at San Louis Obispo

Contract Administration Seminars presented to various electric utilities including:

Consumers Power Company

Philadelphia Electric Company

Detroit Edison Company

Pennsylvania Power and Light Company

Bechtel Group

Subcontract Administration Manual and Procedures

Subcontract Administration Training Manual

Subcontract Administration Monitoring/Audit Program

Project Procurement Managers Operations Manual

Project Procurement Managers Training Manual

Corporate Communications Study

Analysis of Procurement Operations in Decentralized Mode

Analysis of National Labor Pool Availability for Nuclear and Fossil Power Plants

Construction Management/Contract Administration Task Force

Leader on several Super Projects including:

Alaskan Pipeline

Washington, DC Subway

Canadian Synthetic Fuels Project

Kuwait Gas/Oil Refinery

Presentation to SMACNA (Sheet Metal Contractors Association of North America) - Chicago, Ill

*"Construction of Nuclear Power Plant HVAC systems"*

International Bar Association's Committee "T" on International Construction Contracts

*"Delay and Time-Related Claims"*

Contributing Author to "Project Management: A Reference Manual for Professionals"

Chapter entitled *"Claims Management"*

Northwest Center for Professional Education's Construction Auditing Seminar - *"Claim Elements"*

Construction Financial Management Association's Workshop

*"How to Win & Improve Profits (In an Industry with Disastrous Trends)"*

Construction Education Management Corporation Engineers News Record Seminar

*"Risk Control Through Effective Project Administration"*

Project Management Institute Seminar/Symposium - *"Claims Preparation and Defense"*

Conducted numerous Construction/Contract/Management Claims Seminars for various Owner/Contractor organizations.