



## **STEVEN J. BIENIEWICZ**



Steven J. Bieniewicz, a Senior Principal with Long International, has over 35 years experience in engineering, project management, project planning and scheduling, cost engineering, construction claims/dispute resolution, project performance audits, and corporate management. He has nearly 25 years of construction claims and contract dispute resolution experience including issue entitlement evaluation, schedule delay analysis, damages analysis, attorney support, and expert witness testimony on a large number of complex construction projects. Mr. Bieniewicz is recognized as an expert in the development of schedule delay and cost overrun analyses for construction projects. He has worked on over 100 claims ranging in size from US\$50,000 to over US\$2 billion. Before joining Long International, Mr. Bieniewicz had been a Principal in four consulting companies that focused on construction claims and project management.

Prior to entering the consulting field, Mr. Bieniewicz had direct experience on a number of construction projects including nuclear and fossil power plants, wastewater treatment plants, hospitals, and commercial buildings. As a Senior Project Manager for a contractor, he had complete management responsibility for several projects including hospitals and commercial buildings. As a Planning and Scheduling Engineer, he developed and maintained project schedules on a wide variety of projects.

### **EDUCATION**

B.S., Electrical Engineering, Northeastern University, 1974  
M.B.A., Finance, Virginia Commonwealth University, 1978

### **PROFESSIONAL AFFILIATIONS**

American Bar Association – Associate  
American Council of Engineering Companies – Associate

### **TEACHING AND SEMINARS**

Faculty, “Change Orders In Colorado” – Lorman Seminars 2004-2005  
Faculty, “How Contract Documents Can Cause or Prevent Claims” – Lorman Seminars 2005-2006

### **TECHNICAL EXPERIENCE**

Representative U.S. and international technical experience includes:

- Construction claims preparation, analysis, and defense of settlements.
- Development of project management plans and procedures.
- Development of corporate policies and procedures.
- Management of the mechanical and electrical installation contracts on four institutional and US Corps of Engineers projects.
- Project management and project management oversight on nuclear, fossil fuel and hydroelectric power projects, light and heavy rail transportation projects, wastewater treatment plants, and major highway construction projects.
- Management performance assessments.



- Deposition and expert witness testimony.
- Speaker on the subjects of construction claims, planning and scheduling, and change order preparation and negotiation.
- CPM schedule analyses including determination of cause/effect, assessment, quantification, and responsibility allocation of delays and disruptions.
- Direct and indirect damages quantifications.
- Contract/entitlement analysis.
- Development of copyrighted construction management/document control database software and other applications using C++ programming language.

### **PROJECT EXPERIENCE**

As a recognized expert in the analysis and resolution of complex construction disputes, Mr. Bieniewicz has prepared, presented, negotiated, and testified on disputes and claims for owners, engineers, and contractors on a wide variety of projects. Representative projects include the following:

- Assessment of management performance and the analysis of cost overruns on the South Texas Nuclear Project. Presented testimony in the prudency hearings conducted by the Texas Utility Commission.
- Assessment of management performance and analysis of cost overruns on the Palo Verde Nuclear Project used in the prudency hearings conducted by the Arizona Corporation Commission.
- Schedule delay analysis, preparation of a preliminary written expert's report and participation in mediation on behalf of the owner in defense of a claim submitted by the general contractor on a geothermal power project in Indonesia.
- Evaluation of the prime contractor's schedules, preparation of an integrated project Level 3 schedule, schedule delay analysis, and preparation of written reports for the owner in defense of a claim submitted by the prime contractor on an offshore FPSO vessel to be installed in Brazil.
- Schedule delay analysis, preparation of a written expert's report, and preparation of a counterclaim on behalf of the owner in defense of a \$40 million claim submitted by the prime contractor on a cost reimbursable contract for the management of the design and construction of a gravity-based LNG Terminal Project that was delayed over 18 months. Analyzed deficiencies in the EPC contractor's schedules, and performed an analysis of concurrent delays.
- On behalf of the owner, performed a detailed windows schedule analysis in defense of a contractor's \$87 million delay and disruption/loss of productivity claim resulting from alleged design changes to a semi-submersible hull and mooring system project which was fabricated in Norway and installed in the Gulf of Mexico.
- Schedule delay analysis, preparation of a written expert's report and presentation of expert testimony in deposition and trial for the general contractor in defense of a claim submitted by a subcontractor on a major highway construction project in Colorado.
- On behalf of the owner, analyzed a Russian and Turkish contractor's claim for change orders, delay, and loss of productivity, and the owner's counterclaims for default due to inadequate project management performance and substandard installations of a residential community project in eastern Russia. Developed a document database, inspected the site, reviewed contractual entitlements, and provided the owner with a basis for negotiating a settlement with the contractor.
- Analysis of a delay claim and preparation of an expert report associated with the placement of undersea oil & gas pipelines in the Gulf of Mexico. Testified in deposition.



- Review of a Swedish subcontractor's claim for delay and loss of productivity associated with the fabrication and assembly of living quarters for an offshore oil production facility in the Gulf of Mexico.
- Schedule delay analysis, preparation of written expert's report and presentation of expert testimony in deposition and arbitration for the general contractor in a claim against the owner on a commercial construction project at Truman State University in Missouri.
- Schedule delay analyses and preparation of expert's reports and rebuttal reports for the general contractor in claims against the owner on the Amtrak Northend Electrification Project from Boston to New Haven.
- Schedule delay analysis and damages quantification for the mechanical subcontractor in a claim to the general contractor on a new high school construction project in Dodge City, Kansas.
- Damages analysis performed for the owner in defense of a claim submitted by the general contractor on the construction of a wastewater treatment plant in Aspen, Colorado.
- Schedule delay analysis, preparation of an expert's report and presentation of testimony at a DRB hearing on behalf of the general contractor in a claim for a compensable time extension and related damages against the owner on a tunneling project in California.
- Schedule delay, damages analysis, and preparation of the claim document for the electrical subcontractor on the glycol recovery project at Denver International Airport. The claim was prepared as a pass-through claim to be submitted through the general contractor's surety to the project owner.
- Schedule delay analysis and negotiation for the Denver Housing Authority in defense of claims submitted by the general contractor for the renovation of the old YMCA building into low-income housing.
- Schedule delay analysis, damages analysis, preparation of an expert's report, and presentation of testimony in deposition for the electrical subcontractor on the Detroit VA Hospital project. The claim was prepared as part of the overall omnibus claim submitted by the general contractor to the VA.
- Schedule delay analysis, damages analysis, and preparation of an expert's report for the electrical and mechanical subcontractors on the Dallas VA Hospital project. The two claim documents were submitted as part of the general contractor's overall omnibus claim to the VA.
- Schedule delay analysis, damages analysis, and preparation of an expert's report on behalf of the electrical subcontractor on claims against the general contractor on two Corps of Engineers lock and dam projects on the Red River in Louisiana.
- Schedule delay and damages analyses for the GSA in defense of a claim submitted by the general contractor on the construction of a new federal court house in Omaha, Nebraska. Prepared the GSA's presentation in mediation regarding the findings of the analyses and assisted the GSA in the negotiation of a settlement.
- Schedule delay analysis, preparation of expert's report and presentation of testimony in deposition for the electrical subcontractor in a claim against the general contractor on the construction of a new Intel chip facility in Colorado Springs, Colorado.
- Schedule delay analysis, damages analysis, preparation of expert's report, and presentation of testimony in deposition for the general contractor's surety in defense of a claim submitted by the electrical subcontractor on the construction of a correctional facility in Arapahoe County, Colorado.
- Schedule delay analysis, damages analysis, and preparation of expert reports for the mechanical subcontractor on claims against the general contractors and owners on two condominium projects in Winter Park, Colorado and Avon, Colorado.
- Schedule delay analysis, damages analysis, and preparation of an expert's report for the subcontractor performing the cooling tower design and construction on a combined cycle power plant project in New Jersey.



- Schedule delay analysis, damages analysis, preparation of an expert's report and a rebuttal report for the general contractor in a claim against the owner on the construction of a new wastewater treatment facility in Cortez, Colorado.
- Schedule delay analysis, damages analysis, preparation of expert's reports, and presentation of testimony in deposition for the design/build turnkey contractor in claims against the owner on two geothermal power plant projects in the Salton Sea area of California.
- Schedule delay analysis, preparation of expert's report, and presentation of testimony in deposition and arbitration for the general contractor in defense of claims submitted by the glass/glazing subcontractor on the Kansas City Airport Renovation Project.
- Schedule delay analysis, damages analysis, and preparation of an expert's report for the general contractor in a claim against the owner on a highway improvement project in Jefferson County, Colorado.
- Provided project management services including document control, planning and scheduling, and dispute resolution for the owner of a major toll highway project in Colorado.
- Provided project management oversight, and planning and scheduling services on a Y2K remediation project for a major midwestern utility.
- Presented expert witness testimony for the electrical subcontractor regarding reasonableness of their estimating methodology and construction means and methods used on an apartment building project in San Diego, California.
- Performed damages and schedule delay analyses and presented expert witness testimony in arbitration for a design/build contractor against the owner on an oil refinery expansion project in California.
- Provided contract administration, schedule development, schedule delay and damages analysis, and claim preparation services for several contractors on the construction of buildings and facilities at the new Denver International Airport.
- Schedule delay analysis, preparation of expert's report, and presentation of testimony for the architect/engineer on a high-rise commercial building in Westwood, California.
- Schedule delay analysis and preparation of an expert's report for the general contractor in a claim against the owner on the construction of the new terminal at John Wayne Airport in Orange County, California.
- Document data base development, entitlement analysis, damages analysis, and litigation support for the mechanical contractor in a claim against the general contractor on a hospital renovation and expansion project in California.
- As a member of Project Oversight Engineering team, performed construction management performance audits of a light/heavy rail transit system in Los Angeles, California.
- Prepared cost and schedule delay analyses in support of the owner's defense against a claim submitted by the prime contractor on the construction of a wastewater treatment facility in Ohio.
- Prepared project schedule for the general contractor on a highway construction project, analyzed delays, and prepared written reports for time extension requests to project owner.



**PROFESSIONAL EXPERIENCE**

**Long International, Inc.**

*Littleton, Colorado (December 2006 to Present)*

As a Senior Principal with Long International, Mr. Bieniewicz provides engineering and construction contract dispute and resolution consulting services including CPM schedule delay and acceleration analysis, damages quantification, issue identification and entitlement evaluation, claims preparation and negotiation, and expert testimony.

**Demand Construction Services, Inc.**

*Centennial, Colorado (March 2001 to December 2006)*

As a Principal specializing in the resolution of construction contract disputes, Mr. Bieniewicz provided claims analysis and preparation on a wide variety of projects including commercial buildings, hospitals, prisons/detention facilities, highways, power plants, and wastewater treatment plants for general contractors, subcontractors, project owners, and architect/engineers. He presented expert witness testimony in deposition, arbitration, and trial on several different types of projects in the areas of CPM schedule delay analysis and damages quantification.

**83 South Constructive Solutions, LLC**

*Parker, Colorado (March 1996 to February 2001)*

Mr. Bieniewicz founded this company to provide consulting services specializing in construction contract dispute analysis and resolution, litigation/arbitration/mediation support, and expert testimony. Responsibilities as Principal included client interface and providing CPM delay analysis, damages quantification, and claim preparation and negotiation services to the engineering and construction industry on a variety of projects. He also provided project management oversight services on a \$400 million toll highway project in Colorado and developed the construction management/document control software used by the project owner and project oversight engineer.

**Advanced Analytical Solutions**

*Englewood, Colorado (December 1991 to February 1996)*

As a founding Partner and Principal, responsibilities included the position of Chief Financial Officer, client interface, management of projects, and overall project coordination for projects providing claims preparation and dispute resolution services to general contractors, subcontractors, owners, and architect/engineers in the construction industry. He also had responsibility for business development, personnel supervision and management, and corporate operations.

**Kellogg Corporation**

*Littleton, Colorado (June 1987 to November 1991)*

Responsibilities as Principal included management of projects providing dispute resolution, claims management, litigation support, and data base management services to clients in the power, industrial, commercial, and institutional construction industry segments.



## **Commonwealth Companies**

*Lincoln, Nebraska (June 1984 to May 1987)*

As a senior Project Manager for the merit shop division, Harrison International had overall profit/loss responsibilities for the mechanical and electrical installation contracts on several commercial and institutional projects. Specific responsibilities included the direct supervision and management of all on-site personnel, procurement, submittal processing, change order preparation/negotiation, and resolution of major technical problems. In earlier assignment as the Director of Cost Engineering, primary responsibility was for the control of financial and cost reporting systems on all projects over \$50,000 in size, which numbered approximately 100. Provided scheduling and cost expertise on projects as required, and prepared and submitted claims on several commercial, industrial, power, and institutional projects. Project management experience included Corps of Engineers construction projects in South Carolina and Georgia, and hospital projects in Alabama and Florida. Claim preparation and negotiation experience included two commercial buildings, three wastewater treatment facility construction projects in Texas, and a hospital renovation and expansion project in Florida.

## **Commonwealth Companies**

*New Washington, Indiana (January 1983 to May 1984)*

As Manager of Project Management Systems for Commonwealth Electric, a subsidiary of Commonwealth Companies, supervised and controlled a department of 28 personnel responsible for all estimating, planning/scheduling, cost engineering and data processing functions for the \$300 million electrical contract on the Marble Hill Nuclear Power Station. Prepared the specifications for and coordinated the implementation of an in-house cost control system to track all construction-related activities. Prepared and submitted a detailed termination claim to the owner after cancellation of the project.

## **Cost Associates, Inc.**

*Wellesley, Massachusetts (January 1980 to December 1982)*

As Senior Planning Engineer, responsibilities included the development and maintenance of the overall project schedule encompassing engineering, procurement, construction, and start-up on the Marble Hill Nuclear Power Plant. This activity included the coordination of all schedule components and computerization of the project schedule. Key participant in the development and implementation of the project restart schedule in 1980. Subsequently assigned to the electrical construction management group to develop detailed plans and schedules for electrical work on the project.

## **Virginia Electric and Power Company**

*Richmond, Virginia (June 1974 to December 1979)*

As Planning Engineer in the construction management department, responsibilities included the development and implementation of planning and scheduling systems on all major construction projects including North Anna Nuclear Power Station, Bath County Pumped Storage Project, and Surry Nuclear Power Station Steam Generator Replacement Project. Duties included the coordination and supervision of software procurement, in-house software development and use of software packages on projects. Assigned as the lead planner on the schedule development for a four-unit, coal burning, fossil power station covering all disciplines and encompassing engineering, construction and start-up activities. Prior assignments as an Electrical Engineer within the power station engineering and construction group included responsibilities as the lead electrical project engineer and field engineer on the North Anna Nuclear Power Station. As a Project Engineer, primary responsibilities were to review the AE's design for conformance with company design policy and compliance with codes. Developed company standard specifications for electrical cable and electrical installation criteria. As a Field Engineer, primary responsibilities were to resolve field-related engineering problems and to



conduct testing of electrical equipment. Also served as an Electrical Construction Supervisor at the North Anna Nuclear Power Station in support of punchlist completion and start-up.

**PUBLICATIONS AND SPEAKING ENGAGEMENTS**

Faculty, “Change Orders In Colorado” – Lorman Seminars, 2004-2005.

Faculty, “How Contract Documents Can Cause or Prevent Claims” – Lorman Seminars, 2005-2006.