

Experience Summary

Mr. Duke has 44 years experience in airport, surface transportation, and infrastructure construction throughout the Southeast, including projects in Orlando, Miami, Tampa, St. Petersburg, Ft. Myers, Sebring, Tallahassee, Ft. Lauderdale, Atlanta, Dallas, Boston and Shreveport. He has been responsible for overseeing job selection, estimating (especially recognition of risk and reward potential), scheduling, coordination, organizational hiring, forecasting, equipment selection, and reporting of all accounting functions. Special skills include the ability to manage people, judge character, handle subcontractors, and recognize and mitigate potential problems and claims. His experience is founded on years of direct hands-on knowledge derived from personal participation and observation in the field. He has extensive experience with Departments of Transportation. Based on their observations of his ability, good judgment, and integrity, he has won the confidence and trust of Contractors and Owners alike.

Before founding EMSI, he was President/Chief Operations Officer with Jasper Construction Company.

Related Projects

EMSI-Engineering Management Solutions, Inc. 1991-present. Risk management, scheduling services, claims avoidance, and dispute resolution for the transportation and construction industry.

Mr. Duke's reputation for an **unbiased honest opinion of contractual disputes** has led to his being appointed to 224 Dispute Review Boards. He has been the selection of **both** Owners and Contractors to serve as their selection to Boards as well as serving as Chairman on over one hundred-twenty-four (124) Boards. Owners of projects include:

Florida Department of Transportation
 Greater Orlando Aviation Authority
 Orlando-Orange County Expressway Authority,
 Tampa-Hillsborough County Expressway Authority
 Sarasota County
 Miami-Dade Expressway Authority
 South Carolina Department of Transportation
 Boston Central Artery/Tunnel ("CA/T") C17A6, C19E6 & C11A1
 Alamo Regional Mobility Authority

- **Boston Central Artery**

Location:	Boston, Massachustes
Client:	Contractor Perini/Kiewit/Cashman, A JOINT VENTURE and Mass Highway
Project Description:	CA/T Tunnel Project C11A1 "Big Dig Project" – I-93 NB, Atlantic Avenue (\$377,933,000) 2,040 Cal days. Major construction of I-93 Tunnel including Utility Relocation, Slurry Walls, Mainline Tunnel, South Station Construction, underpinning and Transitway.
Scope of Services:	The "Contractor's" selection to the Disputes Review Board . The Board was established to assist in and facilitate the timely and equitable resolution of disputes, claims, and controversies between the Owner and the Contractor(s), in an effort to avoid construction delay and future claims. The board is to be used when normal Owner-Contractor dispute resolution is unsuccessful, and prior to enacting other formal dispute resolution procedures. The Board fairly and impartially considers disputes referred to it and provides

written recommendations, to the Owner and Contractor, to assist in the resolution of these disputes.

- **Florida Department of Transportation**

Location: Tampa, Florida
Client: Contractor FLATIRON-TIDEWATER SKANSKA, A JOINT VENTURE and the Florida Department of Transportation District VII
Project Description:: “Links Project” - SR 60 (MEMORIAL HWY) FROM A PT W OF BR NO 100674 TO A PT N OF SR 93 (\$201,037,397) 1,518 Cal days. Major construction of SR 60 including bridges, utility, drainage, signalization and lighting.
Scope of Services: The **“Contractor’s” selection to the Disputes Review Board.**

- **South Carolina Department of Transportation**

Location: Greenville, South Carolina
Client: Contractor Blythe Construction Company and the South Carolina Department of Transportation
Project Description:: **I-385 from I-85 to 5.8 Miles North in Greenville** (\$72,000,000)
Scope of Services: The **Chairman** of the Disputes Review Board **selected jointly by the Department’s and the Contractor’s selections**

- **Florida Department of Transportation**

Location: Clearwater, Florida
Client: PCL Civil Constructors, Inc. and the Florida Department of Transportation District VII
Project Description:: **SR 60 Memorial Causeway (Clearwater Harbor Bridge No. 150224)** (\$47,687,400) 1040 Cal days
Scope of Services: The **“Department’s” selection to the Disputes Review Board.**



- **Tampa-Hillsborough County Expressway Authority**

Location: Tampa Florida
Client: Contractor (Multiple) and the THCEA
Project Description: X-Town - Reversible Lanes from E of Gornto Lk Rd to W. of I-75 & E of 78th to Twiggs & Meriden. . \$200,000,000/
Scope of Services: Selection to Corridor Board **by the THCEA and the Florida Transportation Builders Association.**



- **Florida Department of Transportation**

Location: Palm Beach, Florida
Client: Contractor (Modern Continental South) and the Florida Department of Transportation District IV
Project Description:: **SR-9 (I-95) Palm Beach International Airport Interchange** (\$108,837,000) 1,030 Cal days. 14 Bridges. Eight (8) Concrete Segmental (Cantilever Erection) 4.5 Km. Six (6) Steel Plate Girder 0.5 Km
Scope of Services: The **Chairman** of the Disputes Review Board **selected jointly by the Department's and the Contractor's selections**



- **Florida Department of Transportation**

Location: Tampa, Florida
 Client: Contractor (David Nelson Construction Company) and the Florida Department of Transportation District VII
 Project Description: **SR-93 (I-275) from South of Busch Blvd. to South of Fletcher Ave.** (\$20,907,655.99) 910 Cal days
 Scope of Services: The **“Department’s” selection to the Disputes Review Board.**



- **Florida Department of Transportation**

Location: Tampa Florida
 Client: Contractor (Walsh Group) and the Florida Department of Transportation District VII
 Project Description: **SR-93 (I-275) at SR 56 Interchange.** (\$29,773,000) 680 Cal days
 Scope of Services: The **“Department’s” selection to the Disputes Review Board.**

- **Granite Construction Co., Inc. & Orlando-Orange County Expressway Authority**

Location: Orlando, Florida
 Client: The Orlando-Orange County Expressway Authority & Granite Construction Company, Inc.
 Project Description: \$15,955,162.21 630 cal day Project, State Route 429, Part A - **Western Expressway Section 3**, Orange County. Project No: 75320-3460-604/605. Contractor – Granite Construction Company, Inc.
 Scope of Services: The **“Contractor’s” selection to the Disputes Review Board** selected by Granite Construction Co.

- **Florida Department of Transportation - Turnpike**

Location: Brooksville, Florida
 Client: The Florida Department of Transportation - Turnpike District
 Project Description: **Multiple assignments**, on three (3) Turnpike “Suncoast Parkway” projects - Section 4 DAB Constructors, Inc. (\$27,864,282.39) 670 cal days, Section 5 Prince Contracting Co., Inc.(22,425,152.54) 634 cal days, & Section 6 Smith & Company, Inc. (\$29,646,874.01) 856 cal days.
 Scope of Services: The **“Owner’s” selection to the Disputes Review Board** selected by the FDOT Turnpike Division.

- **Granite Construction Co., Inc. & Orlando-Orange County Expressway Authority**

Location: Orlando, Florida
Client: The Orlando-Orange County Expressway Authority & Granite Construction Company, Inc.
Project Description: \$13,012,970.13, 730 Cal. day Project, State Route 429, Part A - **Western Expressway Section 4**, Orange County. Project No: 75320-3460-607. Contractor – Granite Construction Company, Inc. The project consists of 0.4 miles of new limited access roadway (SR 429) from South of Marshall Lake Road to US 441. Approx. one mile of US 441 reconstructed from Citrus Avenue to Bradshaw Road in Apopka. 4 bridges – 2 over Marshall Lake Road, 2 over FCRR Railroad. Approx. 1.5 million cy of embankment.
Scope of Services: The **“Contractor’s” selection to the Disputes Review Board** selected by Granite Construction Co.

- **PCL Civil Constructors, Inc. & Florida Department of Transportation**

Location: Stuart, Florida
Client: The Florida Department of Transportation & PCL Civil Constructors, Inc.
Project Description: **\$30,787,058**, 975 Cal. day Project, **Evans Crary, Bridge Replacement**, Martin County.
Scope of Services: The **Chairman** of the Disputes Review Board **selected jointly by the Department’s and the Contractor’s selections.**



- **Smith & Company, Inc. & Florida Department of Transportation**

Location: Lakeland, Florida
Client: The Florida Department of Transportation & Smith & Company, Inc.
Project Description: \$40,978,078.00. 493 Cal. day Project, **I-4 Segment 1**, Polk County. State Project Nos.: 16320-3423, 6423, 6424. FIN # 20120815201. Contractor - Smith & Company, Inc.
Scope of Services: The **Chairman** of the Disputes Review Board **selected jointly by the Department’s and the Contractor’s selections.**

- **Traylor Bros., Inc. & Florida Department of Transportation**

Location: Ft. Lauderdale, Florida
 Client: The Florida Department of Transportation & Traylor Bros., Inc.
 Project Description: **\$61,348,262.72**, 1,044 Cal. day Project, **17th Street Causeway, Bridge Replacement**, Broward County. State Project Nos.: 86180-3522, 3523, 3622. W.P.I. No. 4110739. Contractor - Traylor Bros., Inc.
 Scope of Services: The **“Contractor’s” selection to the Disputes Review Board** selected by Traylor Bros., Inc.

- **Recchi America, Inc. & Florida Department of Transportation**

Location: Miami, Florida
 Client: The Florida Department of Transportation & Recchi America, Inc.
 Project Description: **\$26,835,389.82**, 1,369 Cal. day Project, **Bird Road Toll Plaza Replacement**, Dade County. State Project Nos.: 97870-3313. W.P.I. No. 6151882. Contractor - Recchi America, Inc.
 Scope of Services: The **“Department’s” selection to the Disputes Review Board**.

- **Florida Department of Transportation & Traylor Bros., Inc.**

Location: Pensacola, Florida
 Client: The Florida Department of Transportation & Traylor Bros., Inc.
 Project Description: Disputes between the Department and the Contractor on **\$30,435,010**, 627 Cal. day **Emergency “Design - Build” Project** across **Blackwater River** on I-10 in Santa Rosa County. State Project Nos.: 58002-3449. W.P.I. No. 3148543. Contractor - Traylor Bros., Inc..
 Scope of Services: The **Chairman** of the Disputes Review Board **selected jointly by the Department’s and the Contractor’s selections**.

- **Seminole County**

Location: Sanford, Florida
 Client: Seminole County Attorney
 Project Description: Various Projects
 Situation: Claims by Contractors
 Scope of Services: Claims Recognition and Evaluation Services. Review and analysis of claims submitted by the contractor. Unbiased, independent evaluation of the validity of the contractor’s claims against the County. Review of plans, specifications, schedule and impacted activities. Audit of claim and owner’s records leading to compilation of findings for use by County Attorney in arriving at an equitable settlement in negotiations with the contractor.

- **Florida Department of Transportation - Turnpike**

Location: Lakeland Florida
 Client: The Florida Department of Transportation - Turnpike District
 Project Description: **Multiple assignments**, on Turnpike “Polk Parkway” projects first of which is the Turnpike Disputes Review Board Member on Polk Parkway - Section 5. State Project Nos.: 97160-3310, 3317, & 6317. W.P.I. No. 115870 (\$48,234,450.33). Contractor - Granite Construction Company.
 Scope of Services: The **“Owner’s” selection to the Disputes Review Board** selected by the FDOT Turnpike Division.

- **Orlando-Orange County Expressway Authority**

Location: Orlando, Florida
 Client: Akerman, Senterfitt & Eidson PA
 Project Description: Southern Connector - Multiple projects.
 Situation: Claims by Contractors
 Scope of Services: Claims Recognition and Evaluation Services. Review and analysis of claims submitted by contractors. **Independent evaluation** of the validity of contractors claims against the County. Review of plans, specifications, schedule and impacted activities. Full audit of claim and owner’s records leading to compilation of findings for use by County Attorney in arriving at an equitable settlement in negotiations with the contractors.

- **GLF Construction Corporation**

Location: Quincy Florida
 Client: GLF Construction Corporation
 Project Description: FDOT Project No. 50080-3511, Gadsden County. Reconstruction of existing 2 lane facility into a 4 lane facility, adding a new drainage system that includes retention ponds, safety and signalization upgrades, signing and pavement markings on S.R. 267 from north of I-10 and going north 3.231 miles to S.R. 10 (U.S. 90).
 Scope of Services: **Maintain master schedule** for use in constructing the project. Prepare monthly updates and revisions incorporating progress to date and documenting delays encountered. Present to the FDOT the impact of changes in the scope of work caused by multiple utility delays and changed site conditions. This resulted in significant upward revisions in the compensation received by the contractor, not only for changed work, but also recognition and payment by the FDOT for utility delays without having to resort to litigation.

- **American Bridge**

Location: Orlando Florida
 Client: American Bridge
 Project Description: **Initial Schedule for Disney’s Out Island Adventure**
 Scope of Services: Prepare master schedule for incorporation into negotiated design build contract between American Bridge and Disney for turnkey construction of resort island in the Caribbean.

Incorporated activities included initial Bahamian National Trust review, development of construction documents, fabrication and procurement, clearing, dredging, buildings, utilities, roadways and marine berth.

- **Florida Department of Transportation**

Location: Tampa Florida
 Client: Contractor (The Cone Corporation) and the Florida Department of Transportation District VII
 Project Description: I-4 Corridor projects: 10190-3409, 10190-3428 (\$38,630,478.34) 1,120 Cal days, 10190-3430, 10190-3431, and 10190-3432.
 Scope of Services: The **Chairman** of the Disputes Review Board **selected jointly by the FDOT Director of Construction and the Florida Transportation Builders Association.**

- **Osceola County**

Location: Kissimmee, Florida
 Client: Osceola County Commission
 Project Description: Osceola Parkway - Multiple projects.
 Situation: Claims by Contractors
 Scope of Services: Claims Recognition and Evaluation Services. Review and analysis of claims submitted by contractors. **Independent evaluation** of the validity of contractors claims against the County. Review of plans, specifications, schedule and impacted activities. Full audit of claim and owner's records leading to compilation of findings for use by County Attorney in arriving at an equitable settlement in negotiations with the contractors.
 Result: All issues settled without litigation.

- **Florida Department of Transportation**

Location: Tampa Florida
 Client: Florida Department of Transportation District VII
 Project Description: \$31,260,653.95 project - 2.626 miles of Westbound Gandy Bridge Reconstruction and 1.373 miles of roadway construction. The improvements under this contract consists of replacing the Westbound structure of the **Gandy Bridge** (OAL 13,866.6') over Tampa Bay. Misener Marine, Inc. - prime contractor.
 Scope of Services: The **Owner's selection** to the Disputes Review Board which was established to assist in the resolution of disputes and claims arising out of the work on this project.

- **T. L. James & Company, Inc.**

Location: Ruston, Louisiana
 Client: T. L. James & Company, Inc.
 Project Description: Louisiana Avenue-La 156, Route LA-US 167 Winn Parish
 Situation: Default of subcontractor.
 Scope of Services: **Damage review analysis.** Full audit of the contractor's records. Review and analysis of subcontractor's scope of

work. Detailed review of cost to complete defaulted subcontractor's contract. Prepare report as to cost incurred and compensability from subcontractor's Surety. Assist in mediating equitable settlement with Surety.

- **Florida Department of Transportation**

Location: Tampa Florida
 Client: Florida Department of Transportation District VII
 Project Description: District-wide Claims analysis
 Situation: Claims submitted by various contractors
 Scope of Services: **Review and evaluate claims** Perform full field audit of documentation, procedures and testing methodology. Full audit of the contractor's records. Review and analysis of plans and specifications. Review schedules. Load schedules with resources to analyze production and restraints due to resource availability. Prepare financial data base model including overhead and capital expenditures to demonstrate the total financial effect of occurrences. Evaluate construction means and methods, staffing, qualifications and techniques. Detailed estimate of costs. Prepare recommendations and/or assist in negotiations.

- **Louisiana Department of Transportation - I-49 Construction**

Location: Shreveport & Alexandria, Louisiana
 Client: St. Paul/Seaboard Bonding Company
 Budget: \$75,000,000
 Project Description: Completion of Multiple Construction Projects
 Situation: This project included 15 projects, in various stages of construction that required a "**cost to complete analysis**" in a minimum of time so as to ascertain the most cost effective means of completing this bonded work.
 Scope of Services: All jobs were analyzed and the status of the projects was determined. All job cost records were reviewed and project personnel interviewed, at which time line item by line item job cost to complete models along with cash flow models were constructed. Subsequently, four major projects were selected to be relet to a completion contractor. EMSI developed the scope of the remaining work, assembled relet documents, solicited potential bidders, received bids, negotiated the terms of the completion contract, established turnover quantities, measured stockpiled materials and acted as contract liaison for the life of the completion contracts. EMSI continued to monitor the progress of the projects that were completed by the original contractor.

Jasper Construction Company 1984-1991. Highway and heavy construction company operating throughout the Southeast. Positions and responsibilities while at Jasper included:

President/Chief Operating Officer - Full profit and loss charge and responsibility for the overall direction of the company. Mr. Duke built an organization that handled profitably all aspects of highway and heavy construction in the South. He down-sized the company while maximizing profit potential. He accomplished this in part by bidding a large volume of jobs both large and small, thereby skimming the cream from the volume of work "let". When a job was obtained, scheduling and preplanning were the key elements that enabled the company to be successful in a "tight" market-place. Without exception a profit was turned on all jobs. Mr. Duke was instrumental in assembling and negotiating the single largest claim settlement of its kind with the Georgia Department of Transportation.

Vice President/Operations Manager - Operations throughout the southeast with emphasis on the heavy and highway markets.

Projects while employed by Jasper Construction Company included:

- \$61.5 Million Downtown Connector, Atlanta, Georgia. Reconstruction of the common section (I-75 and I-85) from a 6-lane divided highway to a 12-lane system, reconstruction of old I-85, and construction of 10-lane replacement section. Included 9 bridges, 2 miles of retaining walls, and 30 miles of asphalt pavement.
- \$63.6 Million Brookwood Interchange, Atlanta, Georgia. Total reconstruction of original 4- and 6-lane intersection of I-75 and I-85 just north of the central business district of Atlanta to a new 10- and 12-lane divided highway interchange. Included staged construction of 14 bridges, 1400 LF of multi-cell 10 X 9 box culvert, 30 plus retaining walls, and placement of enough asphalt tonnage to overlay 350 miles of dual-line highways.



- \$36.6 Million Northwest Freeway, Atlanta, Georgia. Project consisted of 3 separate competitively bid contracts. The first contract consisted of the staged reconstruction of about 4 miles of I-75 northwest of downtown Atlanta, including construction of 8 new bridges and bridge widening.

- \$70.7 Million Doraville Interchange, Atlanta, Georgia. Project entailed the transformation of a standard cloverleaf interchange (I-85 and I-285) into a fully directional 4-level interchange utilizing collector distributor ramps. This included 6 major cast-in-place post-tensioned concrete box girder bridges, 2 minor bridges of similar design and 4 additional bridges on steel girders.



- \$21.4 Million University Avenue, Atlanta, Georgia. Project consisted of the widening and reconstruction of about 1/2 mile of I-75 and I-85. Major bridge construction was also completed at University Avenue and the railroad sites. Project included roadway, wall, and utility work on Pryor Street, University Avenue, and the interchange ramps to the mainline interstate.
- \$9.5 Million Manatee Reservoir, Bradenton, Florida. Construction project to provide additional drinking water capacity for the City. Located in one of the most environmentally sensitive areas of the country, it was basically an excavation project requiring 905,000 c.y. of dredging, 1,102,000 c.y. of scraper excavation, and 2,975,000 c.y. of backhoe/off-road truck excavation.
- \$30.9 Million I-85 widening project, Gwinnett County, Norcross, Georgia. Project consisted of 10 miles of road widening, bridge widening, retaining wall construction, excavation, sub-base, and asphalt paving.
- \$.29 Million Northlake Medical Center, Tucker, Georgia. This "rush" project was completed within the specified time constraints. Required clearing and grubbing 58,500 c.y. of excavation, drainage, and site grading including parking areas.

- \$30.5 Million I-95/19th Street, Ft. Lauderdale, Broward County, Florida. Project consisted of both inside and outside widening on heavily traveled I-95, increasing travel lanes from 6 to 10. This project included the widening of 8 sets of twin bridges.



The Hardaway Company, Columbus, Georgia, 1968-1984. Positions and responsibilities while at Hardaway included:

- Vice President-Texas Market - 1984. Responsible for probing, testing, assessing, and developing recommendations for entering the Texas market for The Hardaway Company.
- Vice President-Estimating - 1977-1983. Cone Brothers Construction Company. Responsible for preparation of all bids throughout the southeast involving heavy construction and highway road and bridge construction, including selection of jobs to be bid, directing a team of estimators, pre-bid jobsite inspections, obtaining borrow material as necessary, assessing cost effectiveness of asphalt mix designs, contacting subcontractors and suppliers, monitoring the jobs as construction progressed for claims, delays, construction techniques and proper sequence of operation. These projects ranged in size from \$500 thousand to \$75 million.
- Department Head - 1972-1977. Cone Brothers Construction Company. Managed all of the storm sewer, sanitary sewer, and water line work for the company. Also acted as project manager for Memorial Boulevard Interchange in Tampa, Florida, and multiple projects in Tampa and St. Petersburg, Florida.
- Superintendent - Tampa Headquarters - 1971-1972. Project Manager on several urban street improvements for the City of Tampa, various asphalt jobs in the city, county, and state. Managed two asphalt plants in the extended absence of the department head. Managed multiple projects at Tampa International Airport.
- Superintendent - 1970. Beeline Expressway in Cocoa Beach, Florida. Job consisted of multiple high-level marine bridges across the Intercoastal Waterway on the Beeline Expressway Extension.

- Assistant Superintendent - 1969. Two rural I-95 jobs in Volusia County, Florida. Jobs consisted of heavy clearing, earthwork, demucking, stabilization, limerock base and asphalt pavement.
- Engineer - 1968. Urban highway job on Tennessee Street in Tallahassee, Florida. Responsibilities consisted of clearing, storm drainage, light grading, stabilization, concrete structures, and asphalt base and paving.

Education B.E. Civil Engineering, Vanderbilt University, Nashville, Tennessee, 1967
Peabody Demonstration School, Nashville, Tennessee, 1963

Registration State Certified Licensed General Contractor: Florida CG C026770

Professional Affiliations Member, COVE (Construction Oversight and Value Engineering) Committee – Orange County Public Schools
Founding Member of The Georgia Roundtable
Commissioner on Governor Zell Miller's Commission to recommend methods of increasing Economy and Efficiency in Georgia State Government - 1991.
Suncoast Utility Contractors, **Director**
Florida Transportation Builders Association
Georgia Highway Contractors Association, **Director**
Georgians for Better Transportation
DeKalb County Chamber of Commerce
Tennessee Road Builders Association
Floridians for Better Transportation
Dispute Resolution Board Foundation:
Founding Chairman - Florida Chapter 2002-2003
Selected to DRBF President's List

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