

Resume of Michael J. Vallez, P.E., M.B.A.
Salt Lake City, Utah

40 years of diversified engineering and construction experience, followed by seven years as a board member and construction claims / litigation consultant. Author of several construction management books.

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Michael Vallez is a Utah based structural engineer, construction project management and claims consultant serving clients locally and worldwide. He has over forty years of hands-on and leadership experience in executive management, project management, engineering/construction management, cost and schedule control, change management, followed by seven years of construction claims / expert witness work. He has served in site management, project management and executive management roles for both owners and contractors working on world-class oil and gas, power, commercial building, technology, and international mining projects. Mr. Vallez has a proven ability to organize, integrate and manage the work of multidisciplinary technical specialists and project construction teams to achieve corporate financial goals and objectives of return on investment, safety, operational performance, cost, and time. He has been involved in leading top teams toward achieving compliance with project requirements as defined in project documents. For the

third largest contractor in the U.S., Mr. Vallez developed a zero-defect program to improve project quality and completion. In all, he has provided leadership on several billion dollars' worth of projects in the chemical, heavy civil, mining, power, oil and gas, industrial, commercial, and scientific sectors. Mr. Vallez specializes in the preparation, analysis, and execution of projects, evaluation of cost and schedule overruns, safety incidents, project team performance issues, and technical and economic project feasibility. In addition to his engineering and construction expertise, he provides expert witness testimony on the root causes of delays and cost overruns, cumulative impacts, technical failures, forensic accounting, and best practices for meeting schedule, budget, and operating results. He has written several books about construction management, safety, and effective project leadership.

EDUCATION

M.B.A., University of Utah, 1983

B.S., Civil Engineering, Michigan Technological University, 1975

PROFESSIONAL REGISTRATIONS

Registered Professional Engineer, Utah (No. 160927-2202)

CERTIFICATIONS

Lean Six Sigma, 2014

PAST AND CURRENT PROFESSIONAL AFFILIATIONS

American Welding Society

Construction Specifications Institute

American Concrete Institute

American Society of Civil Engineers

Project Management Institute

Construction Management Association of America
International Society of Explosive Engineers

PROJECT AND TECHNICAL EXPERIENCE

As an internationally recognized expert in the analysis and resolution of complex construction disputes, Mr. Vallez has evaluated claims and assessed the performance of owners, engineers, and contractors on numerous types of projects both in the U.S. and internationally. His expertise is backed up by over forty years of successful hands on and leadership experience that is described in this resume.

Key Heavy Civil/Mining Project Experience

- Estimated and engineered construction systems and plans for dams, earthwork, bridges and falsework, cofferdams, wellpoint dewatering systems, and excavations to build these structures. On large-scale construction projects, designed and managed construction of sheeting and shoring systems to support deep excavations both in urban areas and in remote sites. Specialized training and experience in the design and construction of rubber-lined mine tailings impoundments and tailings dams.
- Project Engineer and Cost Estimator for a leading national heavy civil contractor for construction of dams, river bridges, and tunnels. Estimated costs for two power generating stations in British Columbia, Canada.
- Engaged with a mining company to develop and construct a mine, which involved a 10,000-ton-per-day underground copper mine and concentrator located in Utah's Bingham Mining District.
- Involved in the underground development of a metallurgical coal mine in Brookwood, Alabama. Work involved the sinking of six concrete-lined mine shafts, 20 feet in diameter, and 2,000 feet deep.
- Project Engineer at a Utah-based copper company. Involved in the initial construction of a mine development in Bingham Canyon, Utah.
- Chief Engineer for an engineering and construction company in its Salt Lake City office. Managed the design phases of EPC projects in the mining and industrial sectors, taking many projects from the piping and instrumentation diagram stage through final design and completion.
- Engineering Manager of a resource development project team. Assisted in the commencement of the expansion of a mine to an underground operation. This project was shelved in late 2008 after two years of progress.
- Project Director for an EPC contract for a combined heat and power (CHP) plant located at Mountain Pass, California.
- Area Manager for a mining services company. Oversaw multiple mine development projects including an EPC contract for an underground crusher and overland conveyor system, a mine ventilation shaft, and a shaft rehabilitation.

Key Chemical, Power, General Industrial, and Oil and Gas Project Experience

- Expert witness during dispute resolution proceedings involving a \$4 billion resource development project in Australia. Evaluated and provided opinions on 3,276 alleged defects and punch list items in Scott schedules utilizing the project contract, plans, specifications, photographs, and defect descriptions.
- On-site Project Manager for construction of a brownfield ammonia fertilizer plant. This major plant expansion was designed to produce 600 tons of ammonia per day making it one of the largest investments in the history of the company.
- On-site Project Manager for expansion of a geothermal power plant located on Hawaii's Big Island.

- On-site Project Manager for an ENR 400 building contractor. Managed construction of the power company's systems operation center (SOC) and corporate headquarters in Charlotte, North Carolina. The SOC in Charlotte served as the integrated control and operating hub for the company regional power generation and transmission system.
- Project Director of a US\$250 million EPC contract to replace two electrostatic precipitators with pulse jet filter fabric baghouses at two power plants in Utah. Secured additional EPC work with the owner for flue gas desulfurization scrubber upgrades at two plants.
- Project Executive for a generation and transmission cooperative in Craig, Colorado. Oversaw a major shut down for maintenance, repairs, and modernization of the project.
- Project Director of the EPC contract for a 25 MW gas-fired CHP plant at a rare earth mine located at Mountain Pass, California. Oversaw site construction of a compressor station.

Key Commercial Project Experience

- Extensive experience with construction and commercial development covering a wide variety of building types including post-tensioned high-rise parking and office projects, schools, retail centers, wood frame custom senior condominiums and apartments, and office, warehouse, and manufacturing buildings.
- On-site Project Manager for the construction of a US\$100 million corporate office high rise and SOC for a power company in Charlotte, North Carolina.
- Group Manager for a multinational construction company in the Richmond, Virginia office. Oversaw construction of a US\$300 million mixed-use project in downtown Richmond with approximately 1.3 million labor hours and over 500 workers. Upon the closing of the company office, served as Executive Vice President and COO of Richmond-based Woolfolk Companies. Managed the work of 13 project superintendents and 6 project managers for construction of a variety of company-owned commercial projects and mixed-use parks, and third-party contracts for industrial and commercial construction.
- Established a construction management group for a large regional contractor. Managed construction of the Ted Mann Concert Hall at the University of Utah. Completed school district modernizations and expansions. Designed and built a K-12 school. Led the retail and condominium construction and development group for a major Minnesota developer. Held an executive position as COO for a national minority-owned contracting firm involved in the construction of the Xcel Energy Sports Center, and an expansion to the Minneapolis Convention Center.

PROFESSIONAL EXPERIENCE

GFP International (Founder, Volunteer Board Chairman)

(December 2019 to Present)

GFP International is a non-profit organization with a mission to upgrade the trade skills in Africa to world class standards. Its current focus is on capacity building in the areas of welding, electrical, and instrumentation. Currently, GFP has agreements with a growing list of African countries and institutions to develop state of the art welding schools. Working with the American Welding Society and Don Bosco Africa to host the first annual African Welding Summit in Nairobi in November 2024.

Long International, Inc.

Denver, Colorado (May 2017 to January 2023)

As a Senior Principal and member of the Board of Directors, Mr. Vallez specialized in the analysis of project execution plans, cost and schedule overruns, safety incidents, project team performance issues, and technical and economic project feasibility studies. He is skilled in the analysis of Engineering, Procurement, and Construction Management (EPCM) contracts, engineering deficiencies, defective work, and the effect of such problems on project cost and schedule performance. Mr. Vallez provides expert witness testimony on the root causes of delays and cost overruns, cumulative impacts, forensic accounting, best practices for achieving scheduled deadlines, and budget and operating results.

Expert Report Preparation and Construction Dispute Testimony at Long International

- 2022 - 2023 Lead Expert on behalf of a project developer of a 52-story concrete high rise case that was constructed during the COVID pandemic and experienced a cost overrun in the high five figures.

- 2017 - 2022 Lead Standard of Care Expert on behalf of an international EPCM engineer/contractor defending against a multifaceted CAD\$750 million claim on a major mining process plant.

- 2020 - 2022 Lead Expert on behalf of a major U.S. city involving a claim regarding contractor workmanship on a civil infrastructure project.

- 2021 Expert on behalf of a major turnkey component engineering and equipment supplier regarding a \$380 million claim by the owner and insurer for an alleged structural failure and resulting damages for delay, and consequential damages.

- 2020 Quantum Expert on a major \$35 billion international LNG project.

- 2020 Expert on behalf of a major turnkey component engineering and equipment supplier regarding a \$380 million claim by the owner and insurer for an alleged structural failure and resulting damages for delay, and consequential damages.

- 2019 Lead Expert on behalf of a major Canadian Crown corporation involving construction of a mega CAD\$1.5 billion substation project.

- 2019 Lead Expert on behalf of a major Canadian Crown corporation regarding a CAD\$200 million contractor claim for alleged changed conditions, weather delays, and contract interference regarding a 1,500-kilometer transmission line project.

- 2019 Lead Expert for a heavy civil contractor to support a CAD\$15 million claim for changed conditions, engineering delays, and contract interference.

- 2018 Lead Civil Expert on behalf of a contractor involved in a multibillion-dollar LNG terminal project in Australia.

- 2018 Expert representing a major component equipment supplier/contractor regarding a US\$50 million construction claim related to a multibillion-dollar mine development in Australia.

- 2018 Lead Expert representing a major Canadian Crown corporation in defense of a CAD\$55 million contractor claim for alleged changed conditions, interference, and contract administration pertaining to a large hydroelectric dam.

- 2016 Fact witness including testimony on behalf of a contractor seeking US\$14 million for changed conditions, owner delays, and acceleration on a US\$350 million ammonia fertilizer plant.

Big-D Construction

Salt Lake City, Utah (June 2015 to March 2017)

Mr. Vallez served as a Senior Project Manager overseeing controls, contracts, changes, and claims to help turn around a troubled ammonia production plant project. This assignment required the implementation of a project recovery plan and organization of the project team with detailed job descriptions, tasks and actions. He quickly completed a forensic analysis of the project accounting records and implemented a change management process and tracking system, which laid the groundwork for successful documentation of a major multimillion-dollar (US\$) delay and cost claim. Mr. Vallez also provided technical supervision of work performed by self-performing concrete trades and multiple subcontractors executing earthwork, utilities, and site infrastructure tasks. He handled all client billing and subcontractor invoicing. Throughout his involvement in the project, Mr. Vallez identified and documented all discrete change orders and claims, including those related to implied obligations and productivity impacts, and prepared quantitative and graphic presentations. He successfully brought the project through to completion and closeout.

Vivint Solar Company

Lehi, Utah (October 2014 to May 2015)

As Senior Director of National Installation Operations, Mr. Vallez advised and deployed Business Process Improvement and Operational Excellence Practices for the solar system installation function across 39 locations nationwide. He further advised the CEO and the Executive Leadership Team on methods to create a data-driven, team-oriented culture that embraced continuous improvement, and modeled the implementation of such across the company. In addition, Mr. Vallez visited and worked directly with site managers and installation teams at all 38 local offices across the U.S. to develop leadership skills and set goals related to quality and elimination of non-value-added activities. To increase operational effectiveness, he debottlenecked processes and created flow charts to integrate sales, design, warehousing, construction permitting, and installation functions. Mr. Vallez was also responsible for assembling solar energy sales packages to present to Wall Street investors.

Aurcana Silver

Shafter, Texas (October 2013 to January 2014)

Mr. Vallez served as Director of Engineering and Construction. His responsibilities included engineering and managing the construction project to expand and commission the 500-tons-per-day (TPD) Merrill-Crowe Plant, and dewater, recover, and redevelop the Cyprus shaft. He also managed the associated underground infrastructure to support increased mine production of up to 500 TPD. This task included scoping and bidding the drilling of large-diameter drill holes to lower turbine pumps into the mine, final pump systems and electrics, rehabilitation of a vintage mine hoist, pricing, estimating, and scheduling the shaft rehabilitation and recovery, and redevelopment of the mine production level. However, after developing the operating plan and budget for the property, executive management decided to abandon the operation and sell all assets.

DMC Mining Services

Salt Lake City, (October 2012 to November 2013)

As Area Operations Manager, Mr. Vallez was responsible for several EPC contracts in the mining sector. At Graymont's Pleasant Gap Pennsylvania Limestone Mine, he oversaw the design and installation of an underground primary crusher, 7,000-foot conveyor, stacker and reclaim with 1,000 TPH peak capacity. The crushing plant included MMD sizers underground as the primary and secondary crushers, along with associated conveying systems to the surface, which eliminated the need for haul trucks to make the extensive round trips to the surface and return. This installation reduced the haul truck cycle time from the face to approximately five minutes instead of what once could take 20 minutes or more. As a result, the 773 CAT haulers increased productivity with reduced cost. The work included rock excavation and ground stabilization for the underground crusher station and conveyor system. Mr. Vallez' work for Rio Tinto included the dewatering and recovery of the North Ore Shoot Shaft at the Bingham Mine in Utah. The client shelved this project based on a realignment of Rio Tinto corporate capital priorities. For Tata Chemicals, Mr. Vallez oversaw the design development and construction commencement of a mine ventilation shaft at Tata's Trona Mine in Green River, Wyoming.

Casa Grande Mining Company

Phoenix, Arizona (December 2011 to October 2012)

As Managing Director, Mr. Vallez spearheaded a startup planned program to reopen the old Asarco 12,000 TPD Open Pit Sacaton Copper Mine in Casa Grande, Arizona. Work included the conception, planning, estimating, and scheduling of exploration, and a US\$524 million capital program to rehabilitate and modernize the old mill. Tasks also included the development of an untapped underground resource estimated at the time to be approximately eight billion pounds of copper with an average ore grade per ton of over 0.6 percent, making it the highest-grade near surface ore body in Arizona. The unproven deposits consisted of a shallow deposit between 600 and 1,600 feet deep. A second, higher-grade unproven deposit of over 50 million tons at a grade one percent lies between 1,500 and 2,400 feet deep. The project was abandoned when the legacy environmental issues could not be partitioned from the new venture.

Bodell Construction Company

Salt Lake City, Utah (March 2010 to November 2011)

Mr. Vallez held roles as Project Director and Business Development Director. His first assignment was as the site-based Project Manager for the expansion of the Puna Geothermal Plant on the Big Island, Hawaii. Puna Geothermal Ventures is comprised of two air-cooled power plants, a combined cycle system and a binary system, with a total generating capacity of 38 MW. The facility includes several features that make it environmentally friendly,

including noise reduction enclosures, a low-profile small-footprint design, near-zero emissions, 100 percent geothermal fluid reinjection, and continual monitoring measures. The expansion project was constructed during the economic recovery cycle at the end of the 2007–2009 recession and was eligible for a tax incentive if completed by December 31, 2010. Mr. Vallez accelerated the completion ahead of time according to a schedule that had been compressed by two months. During execution of this project, Mr. Vallez implemented an innovative behavior-based safety program, which was created with the involvement of every craft worker on the project. It resulted in a zero-accident outcome. After completion of that project, he identified the top ten prospects in the marketplace and gained company access to short bid lists in Nevada with Newmont Mining, Barrick Gold, Molycorp Minerals, and others. This led to a new first-time project with Barrick Gold in Nevada and Molycorp Minerals at its Mountain Pass rare earth mine. The project involving Newmont Mining, Barrick Gold, Molycorp Minerals and others was the largest project in the history of Bodell Construction Company. After winning the work through a successful business development effort, he was assigned as the on-site Project Director for the EPC contract for construction of mechanical, electrical, and plumbing for Molycorp’s Gas-Fired CHP Plant leading to a net profit of reportedly US\$10 million.

Casey Industrial

Denver, Colorado and Price, Utah (February 2009 to January 2010)

Mr. Vallez served as Project Executive/Project Director. He managed a US\$250 million lump sum EPC contract to replace two electrostatic precipitators with pulse jet filter fabric baghouses for Pacificorp at the Hunter and Huntington Power Plants in central Utah. With baghouses supplied to Casey by Hamon-Research Cottrell, these projects were designed to reduce sulfur dioxide, and particulate and nitrogen oxide emissions from the 1,320 MW Hunter and 895 MW Huntington Plants. He also served as interim Project Executive for a major shut down for maintenance, repairs, and modernization of the Tri States Generation and Transmission Cooperative in Craig, Colorado.

Rio Tinto/Kennecott Utah Copper

Salt Lake City, Utah (February 2007 to January 2009)

Based on his prior experience with underground development in the Bingham Mining District, Mr. Vallez was initially brought on as Project Engineer to join the new project team that was assembled to recommence efforts to develop the massive underground mineral assets at the Bingham Mine as part of the Rio Tinto Copper Projects Group. In this role, he coordinated and supervised the work of the 24-hour shift inspectors and provided technical supervision and QA/QC for the contractor’s work and the owner’s engineering firm. He was promoted to Engineering Manager for the mine redevelopment as part of the planned US\$4 billion Keystone Project Block Cave North Ore Shoot Shaft Recovery Project. In this capacity, he managed the work of engineering consultants assigned to the project and integrated the design into the overall long-range plan. This project was shelved and the project team disbanded in December 2008 due to the mining recession and realignment of Rio Tinto corporate capital investments.

Wensmann Homes

Minneapolis, Minnesota (October 2002 to September 2004)

Mr. Vallez held the role of Condominium Construction and Development Director. Wensmann Homes was among the top three Minnesota-owned builders in the Twin Cities marketplace. Mr. Vallez managed the Condominium Development Group, overseeing the design, development, and construction of multiple custom condominium

projects in the Twin Cities metropolitan area. Projects included Wachter Lake Senior Condominiums, Lakefront Plaza, Steiger Lake, and Bard's Crossing.

Thor Construction

Minneapolis, Minnesota (March 1998 to April 2000)

Mr. Vallez served as Executive Vice President and COO during a period of rapid growth for this minority-owned business. During his tenure, the company was involved as a joint venture partner with M.A. Mortensen for the construction of the Xcel Energy Center Sports Arena. He was also involved with the expansion of the Minneapolis Convention Center among other government and private corporate construction projects.

MJV Associates, LLC

Minneapolis, Minnesota (February 1993 to February 1998)

Mr. Vallez was owner of MJV Associates. He provided program management, project management and construction management services to develop and build a high school for the Yankton Sioux Tribe under a federal grant administered by the Bureau of Indian Affairs, Department of Interior. He oversaw the architect/engineer selection process, programming, site selection, submittals, design project management, trade contractor bidding, construction administration, and compliance with the NEPA process and all Department of Interior requirements for this project located in Marty, South Dakota on the Yankton Sioux Reservation.

SCI Services

Minneapolis, Minnesota (September 1991 to February 1993)

Mr. Vallez served as President of SCI Services, Inc., a subsidiary of the real estate firm The Shelard Group, Inc. SCI performed about 200 tenant improvement projects per year in a large portfolio of properties being managed for institutional real estate owners. During his tenure at the firm, Mr. Vallez improved profit margins on average by three percent. The company subsequently reorganized to become CBRE.

Bor-Son Construction

Minneapolis, Minnesota (August 1990 to September 1991)

As Senior Project Manager, Mr. Vallez managed the construction of the Tedd Mann Concert Hall at the University of Minnesota.

Woolfolk Construction & Development

Richmond, Virginia (March 1988 to June 1990)

As Executive Vice President/COO for Woolfolk Construction, Mr. Vallez built and led an operations staff of six project managers and 13 superintendents to execute a portfolio of in-house development and third-party projects for health care, retail, office, and industrial projects. All projects were completed on time and under budget.

McDevitt & Street (Acquired by Lend Lease)

Charlotte, North Carolina and Richmond, Virginia (June 1985 to March 1988)

Mr. Vallez was the on-site Project Manager for the US\$100 million Duke Power Company Electric Center in downtown Charlotte. He became one of the top project managers for McDevitt and Street Company as it advanced to the number four spot on the ENR 400 Contractors with annual revenues of US\$880 million. He served as the

Group Manager/Project Director on the James Center Development in Richmond, Virginia, overseeing a project staff of 30 professionals, including four project managers and superintendents, and a craft of 500 workers. The project included over 986,000 square feet of Class A office space in three office towers, a state-of-the-art fitness facility, five restaurants, a 1,600-car parking garage and a 50,000-square-foot retail atrium that connected to the 365-room Omni Hotel. With extensive value engineering and tough negotiations on all sides, he guided the GMP team project from a US\$300 million GMP (2017 dollars) based on five drawings while holding the change order cost creep to within three percent of the original contract amount all the while meeting tough deadlines.

Dravo Corporation

Salt Lake City, Utah and Atlanta, Georgia (July 1982 to June 1985)

Mr. Vallez joined Dravo Corporation as Chief Engineer in its Salt Lake City office. He coordinated EPC projects in the mining and industrial sectors. After two years in that role, he was assigned to the Atlanta office as Manager of Sales, where he logged over 100,000 miles while selling engineering and construction services at the boardroom level for large capital projects to Fortune 500 companies.

Kennecott Utah Copper Company

Salt Lake City, Utah (June 1981 to July 1982)

Mr. Vallez served as Senior Design Project Manager for the North Ore Shoot Project in Bingham Canyon. The North Ore Shoot Extension is a prospect skarn copper deposit in the Intermontane Plateaus in Bingham Canyon, Utah, and is considered to be of world-class significance. Copper and gold deposits are documented at North Ore Shoot Extension. Access to the orebody was developed through a deep shaft that required extensive dewatering during sinking and development. Mr. Vallez conducted detailed design and development studies for the project and reviewed innovative shaft sinking, mine dewatering, ventilation, and ore handling procedures. After less than a year on this project, the capital plans were largely curtailed by Standard Oil of Ohio who became the new owner of Kennecott Utah Copper.

Anaconda Mining Company

Tooele, Utah (April 1977 to June 1981)

Mr. Vallez was recruited by Anaconda Mining Company to join the development team for the 10,000 TPD underground copper mine near Tooele, Utah after Atlantic Richfield Company acquired the company and infused it with the capital needed for development. This was a deep underground copper mine in the central part of the Oquirrh Mountains, Utah, and one of the top ten U.S. underground metal mines. Development included four concrete-lined mine shafts, 4,000 feet deep, 7,000-foot-long underground haulage from the orebody to the production shaft, an underground primary crusher, a copper concentrator, a concentrate loadout facility, and a tailings impoundment. Initial ore production started in September 1979, and the mine was put on care and maintenance in November 1981 while the company waited for metal prices to increase. Mr. Vallez started as a Shaft Engineer, providing technical supervision, quality control, and logistics of the shaft sinking work. He later was promoted to Dewatering Engineer and Construction Manager/Contract Administrator and placed in charge of the construction of the mine office building and dry, underground crusher plant, underground pump stations, equipping of the production hoisting plant, ropes, loading pockets, and other underground and surface facilities.

Al Johnson Construction Company

Minneapolis, Minnesota and Tuscaloosa, Alabama (June 1975 to April 1977)

Mr. Vallez worked in the Minneapolis home office estimating department where he gained experience in detailed estimating methods for bridges, dams, and other heavy civil projects. He also gained experience in the design of cofferdams, retaining structures, and other falsework for heavy civil projects. Subsequently, he was assigned as Field Engineer on the underground development of the Walter Resources Metallurgical Coal Mine in Brookwood, Alabama. This project involved the sinking of six concrete-lined mine shafts, 20 feet in diameter, and 2,000 feet deep.

PUBLICATIONS

“Achieving Capital Asset Reliability, Availability and Maintainability,” *Long International, Inc.*, May 2018.

“Project Team Motivators and Demotivators,” *Long International, Inc.*, November 2017.

“People Business – Inside the Most Successful Contractor of the 20th Century,” Michael J. Vallez, 2016.

“On Time and Under Budget – The Ultimate Power of Team Leadership,” Michael J. Vallez, 2014.

“Mining 2030 – Current Trends in Rapid and Sustainable Mine Development,” Michael J. Vallez, 2013.

“Work Smart, Work Safe – Leadership Principles of Operational Excellence,” Michael J. Vallez, 2011.