



Christopher Kane, P.E., J.D.  
Princeton, New Jersey



### Primary Areas of Expertise

alternative project delivery  
public private partnerships  
joint ventures, project co's  
design and engineering  
commercial construction  
environmental remediation

### Professional Summary

A registered professional engineer, attorney, trainer, arbitrator and mediator with proven leadership in project development, engineering, construction, operations, environmental, finance and collaborative conflict resolution. Has over 45 years of experience in the E&C industry with special expertise in transit project delivery. Is President of P3 Collaborative LLC, a Dispute Resolution and Advisory Firm established in 2009. Previously held executive positions in top tier engineering and construction companies, and practiced law for 13 years in government and construction law firms. Has taught in universities and law schools. Began career as an officer in the US Army Corps of Engineers.

### Current Employer-Title

P3 Collaborative LLC – President

### Profession

Engineer; Lawyer; Business Executive; Mediator, Arbitrator

### Work History

President and Managing Director, P3 Collaborative, 2009 - Present; Corporate Vice President/Sr. Vice President (Head of Integrated Project Delivery), AECOM 2012 - 2018; Vice President (Project Development), URS Corporation, Washington Division, 2001 - 2009; Vice President/Project Development and General Counsel (for subsidiary Raytheon Infrastructure, Inc.), Washington Group International Inc., 1999 - 2001; Partner, Bastianelli Brown & Kelley, 1997 - 1999; Partner, Lyon & McManus, 1987 - 1996; Legal Counsel/Manager of Contract Administration (Power Division), Howard P. Foley, 1981 - 1987; Principal Engineer, George Washington University Physical Plant, 1978 - 1981; Senior Staff Engineer, IBM Corporation, 1977 - 1978; Officer, U. S. Army Corps of Engineers, 1972 - 1977.

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## Experience

Over 45 years of experience including engineering and law and the development, design, construction and operation of over \$10 billion in projects and facilities. Extensive background in resolution of contract, financial and legal disputes from \$50,000 to \$40 million. Has worked as facility engineer, engineering manager, contract administrator, corporate legal counsel, corporate officer, Corps of Engineers Army officer, business executive, and a partner in law firms specializing in construction and government contracts.

Project experience includes design and construction of energy projects (nuclear, fossil, cogeneration, hydro, transmission lines, and coal-gasification), transportation projects (highways, HOT Lanes, commuter and light rail, airports), environmental (water and wastewater plants, environmental remediation), hospitals, hotels, residential and commercial buildings. Major projects include Pinon Pine Integrated Gasification and Combined Cycle Project (\$300 million), The Colonnade Mixed-Use Development, Dulles Metrorail Extension (\$5 billion), Carillion Health System Facilities, C.H. Stanton Energy Center Units #1 and #2, (\$900 million) and Hudson Bergen Light Rail (\$1.7 Billion). Managed interdisciplinary teams in preparation, negotiation and administration of design, build, and O&M agreements ranging up to \$1.7 billion. Expertise includes developing public-private partnerships with federal, state and local agencies including development of the Houston Metro Rail Project (\$2 billion).

Past working familiarity with: mechanical, electrical, facilities and civil engineering; environmental and regulatory issues including remediation and NEPA; development and construction contract drafting, negotiation, and administration; and arbitration, litigation, mediation and structured negotiations for dispute resolution. Has taken the following courses: Harvard Program on Negotiation, How to Deal With Difficult People and Negotiations For Senior Executives, 2008; ARTBA Young Executive Development Program, 1999; Community Audit Program, Princeton University courses in Public Finance, Corporate Finance and Risk Management, 2002-2004; Engineer Officers' Basic Course, 1972, Construction Management, 1972, and Advanced Course, 1976.

## Alternative Dispute Resolution Experience

Licensed engineer and lawyer, with over 30 years of training and experience in alternative dispute resolution, and more than 45 years of experience in contracts, labor, design, construction, finance and development in the construction and environmental industries. Extensive experience dealing with all methods of dispute resolution including mediation, arbitration, dispute review boards, advisory opinions, structured negotiations, joint fact finding, mini-trials, facilitations, and consensus building. Adjunct Professor of Mediation at William & Mary Law School and frequent author and lecturer at industry conferences. Active in alternative dispute resolution since 1982, with disputes ranging in value from \$25,000 to \$40 million. Special expertise in drafting, structuring and implementing ADR provisions including team building,

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mediation, dispute review boards, and structuring and negotiating complex, multi-party agreements. Active on AAA's National Construction Panel of Arbitrators and Mediators in Washington D.C. during the 1990's and since July 2017. Active in New Jersey 2005-2017, and active in New Jersey's Courts' Complimentary Mediation Program from 2001 to 2017.

Dispute resolution work includes numerous complicated, multi-million dollar, highly technical matters including: post- Superstorm Sandy claim mediations; subsurface conditions claim resolution on a 700 MW power plant; mediation of a food processing plant design-build dispute; mediation of defective pipe welding claim on gas pipeline; dispute resolution on a gasification - combined cycle project; resolution of nuclear power plant contract termination; mechanical and electrical construction claims; and the mediation of numerous other complex disputes.

Representative experience includes:

- DRB Member on technical DRB for a \$1+ Billion PPP Flood Resilience Project
- Single Arbitrator for multi-million dollar claims on 700 MW Coal Fire Power Plant Contract Dispute on construction of coal fired power plant project involving differing site conditions, subsurface unknown contamination, design defects, and scheduling delays.
- Arbitrator on panel for \$2 million dispute on public-private operating contract and performance requirements for municipal water authority.
- Arbitrator on panel for \$1 million dollar multi-family residential development involving a dispute including delays and decrease in value claims between developer and general contractor.
- Mediator in successful settlement of dispute between State government and general contractor involving claims on construction contract for a State water facility.
- Structured stepped dispute resolution process on a \$300 million integrated gasification combined cycle power project. \$40 million in disputes resolved without litigation.
- Mediator in successful settlement of a \$300,000 construction contract dispute for a new school construction between general contractor and school authority.

Served as arbitrator, mediator, fact finder and/or legal counsel through court mandated, public and private ADR programs in cases involving government contracts, surety bonds, financings, transportation, utilities, power plants, environmental remediation, health care, residential, developmental technologies, schools, churches, airports, hotels, mixed use developments, NASA facilities, signaling, telecom, collective bargaining and labor. Issues addressed include inefficiencies, defects, delay, loss of value, defaults, terminations for convenience, mold and contamination, differing site conditions, surety takeovers, chapter 11 and bankruptcy, mechanics lien, professional liability, insurance coverage, loss of use, lost profits, fraud, waivers of consequential damages.

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Has written and spoken extensively on the topic including “ Alternative Dispute Resolution,” Co-Author, Chapter 11, New York Construction Law, Aspen Publications, 2003.

**Technology Proficiency**

Competent in hosting and managing virtual meetings, and breakout room using current technologies such as Zoom. Competency in PowerPoint, excel, word, QuickBooks and related software systems.

**Education**

George Washington University (JD-1980); U.S. Military Academy (BS-1972).

**Professional Licenses**

Admitted to the Bar: Pennsylvania (2012), New Jersey (2002), District Columbia (1988), Virginia (1980). Registered Professional Engineer: Virginia #9595 (1977).

**Professional Associations**

American Bar Association (Section of Environment, Energy and Resources; Dispute Resolution Section, Construction Industry Forum); Virginia State Bar, (Environmental Law Section, Construction Law Section); DC Bar (various sections); Penn. Bar; Previously American Public Transportation Association; Previously American Road and Transportation Builders Association; International Centre for Conflict Prevention and Resolution (previously Co-Chair of Dispute Review Board Committee); Dispute Review Board Foundation.

**Recent Publications & Speaking Engagements**

- “Use of Mediation and Facilitation for The Speed of Need in Implementing Climate Change Resilience and Adaptation”, ACR Greater NY Region, Annual Conference 2023 June 1, 2023, by Chris Kane, P.E. J.D. , Lara Fowler, Esq., Joe Siegel, Esq., Liliana Pimentel, PhD candidate;
- Commercial Law Development Program, Public-Private Partnerships (PPP) and Infrastructure Contracting Webinar Series. Content developer and lecturer for the following programs:
  - African PPP Program, “Structuring and Drafting the Tender and Contract”, October 2022;
  - African PPP Program, “Project Identification and PPP Screening”, April 2022
  - Climate Risks Series, “Part 3 - Management of Climate Risks Using PPPs”, February 2022;
  - Bangladesh PPP Program, “Improving PPP Project Timelines - Overview of the PPP process life cycle and tools and techniques on how to avoid and navigate common bottlenecks and delays”, January 2022;
  - “Project Pre-Feasibility and Feasibility Studies, Section Consideration (Power Transmission, Water and Wastewater, Transportation, Transit)”, Sept 2020;
  - “Project Pre-Feasibility and Feasibility Studies”, July 2020;
  - Republic of Maldives, “Basic Negotiations Training” for the Attorney General’s Office, May 2021;
  - Republic of Maldives, Negotiations Exercise May 2021;
  - Mongolia Government, “Overview of the PPP Process Cycle Workshop August 2022;

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- Mongolian Government “Overview of Strategic Project Development Issues”, Two Day Workshop, January 2023;
- “Project Agreements for Public-Private Partnerships” February 2021;
- Provided Content and Scripts for Short PPP Video Series- Dispute Resolution, Climate PPPs, KPIs, Innovation, Procurement, and Value for Money;
- “Dispute Avoidance & Early Resolution for Mega-Projects” Planned a Developed Material for a Workshop with industry experts on improving project delivery and reducing disputes, Dec. 14, 2021;
- “Environmental Justice in the Commonwealth of Virginia”, Moderator and Panelist, Sponsored by Virginia State Bar, Environmental Law Section, Oct. 8, 2020;
- “Understanding P3 Project Delivery Approaches in Transit, Water, and Waste to Energy” Presented at Federal P3 Conf. 2018, What Does a Successful P3 Look Like? Wash. DC, Nov. 2018;
- “P3s and DRBs, The A/E’s Perspective”, presented at Dispute Review Board Foundation Annual Meeting, Charlotte NC, Oct. 2018;
- “P3s, Integrated Project Delivery and Innovative Finance” ARTBA Transportation Law Forum 2016, Washington DC, June 2016;
- “P3 Conflicts of Interest, Issues for vertically integrated companies”, presented at Transportation Research Board Annual Meeting, Washington DC;
- “The Future of the Engineering & Construction Industry: Greater Integration and Collaboration,” Presented at ABA Forum on Construction Fall Meeting, Wash. DC, September 2013;
- “Streamlining the Federal Environmental Review Process – The Pros and Cons of FAST-41”, by Nathan Eady, Christopher Kane, Christian Marsh, & Patrick Veasy, NR&E, V035N01, Summer 2020;
- “A New Approach to Water for Hampton Roads Cities”, by James T. Lang and Christopher Kane, Virginia Lawyer, April 2017, Vol. 65, Environmental Law Section, page 26;
- “Resolving Increased Climate Change Impacts—Mediating Storm Water Runoff Disputes” Author, ABA S.E.E.R. Alternative Dispute Resolution Committee Newsletter, December 2014;
- “Collaborative Use of Technical Experts for Environmental and Construction Dispute Resolution”, by Chris Kane, pg. 171, Alternatives, CPR/Jossey-Bass, December 2013.

<b>Locations Where Parties Will Not be Charged for Travel Expenses</b>	Within 75 miles Washington DC Within 75 miles Princeton NJ	
<b>Citizenship</b>	United States of America	
<b>Languages</b>	English	
<b>Compensation:</b>	Hearing:	\$550.00 per hour
	Study:	\$550.00 per hour

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Cancellation:	\$500.00 per day
Cancellation Period:	7 days
Comment:	Study time at hourly rate for time spent.

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