



Roger J. Peters ,Esq.
Belleair,Florida



Profession

Construction Attorney, Arbitrator, Mediator and DRB Member

Work History

FCI Arb Construction Neutral, Roger J. Peters Esq., 2011 – Present;
Executive Vice President & General Manager of Pacific Operations, Dick Corporation/dck worldwide LLC, 2008 – 2011; Executive Vice President/General Counsel & Secretary, Dick Corporation, 1976 – 2008
Staff Assistant/General Counsel, Martin & Nettrour Contracting Company, 1972 – 1976.

Experience

Formerly, Executive VP & GM of major contractor's Pacific Operations (Hawaii and Guam) with profit/loss responsibility for \$400m per year in construction revenue and 200 plus employees. Previously, in-house general counsel to a top 50 ENR general contractor/design/build and construction manager for more than 30 years. Expertise in the development, documentation and resolution of construction claims, including claims for delays, disruption, acceleration and added scope. He also negotiated hundreds of construction contracts with both public and private owners, construction managers and subcontractors and has been involved with more than 25 power plant projects over the last 40 years, including, nuclear, gas and coal fired, co-generation, combined cycle, solar and wind.

Significant construction projects and activities within the last five years include: Chair of an \$100M arbitration in Taiwan on a defense facility; arbitrator on a \$145M dispute on two high rises in San Francisco; arbitrator on a \$100M dispute on an Indian Casino in California; current arbitrator on \$250M dispute on a tunnel project; arbitrator in a \$31M AAA arbitration on a gas gather plant in Oklahoma; arbitrator in a \$100M AAA shipbuilding dispute in Alabama; ICC arbitrator in a \$85M dispute

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Neutral ID: 154884

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

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on a LNG facility; arbitrator in a \$60M dispute on a biomass power plant in Hawaii; sole arbitrator on a \$16M dispute on cable stay bridge project; and sole arbitrator in a \$20M dispute on a high speed rail project in California. Mediated hundreds of disputes, one in excess of \$600M.

Has contract negotiation and claim resolution experience on a nationwide basis with particular expertise in Pennsylvania, Puerto Rico, Florida, Hawaii and Guam. Pennsylvania experience includes negotiation of the largest Construction Management agreement in the history of Allegheny County (Greater Pittsburgh International Airport - \$850m mega project) with multiple millions of dollars of claim resolution. Worked in Puerto Rico for over 12 years and negotiated a \$350m EPC contract with a governmental agency along with numerous other private and public contracts and claim resolutions. In Florida, has more than 25 years of experience on such projects as Crystal River Nuclear Power Plant, Jacksonville Electric Authority St. Johns River Power Park, new Ft. Myers International Airport, new Miami Federal Courthouse, Orlando Utility Commission New Stanton Energy Center, Pensacola Naval Air Station and a luxury condominium in Ft. Lauderdale.

Alternative Dispute Resolution Experience

ARBITRATION: Served as Chairperson for a \$100M International Centre for Dispute Resolution arbitration for a mega project in Taiwan and for a \$60M dispute between the owner and its contractor on a biomass powered electric generating facility in Hawaii and as the contractor appointed arbitrator for a \$90M dispute over two ship building contracts in the southeast; served as Chair on a \$40M wind farm project and as Chair on 2 other wind farm projects involving disputes of \$35M and \$10M; \$31M dispute on a natural gas gathering and processing facility in the southwest; a \$90M dispute on a LNG facility in Louisiana; a \$70M dispute on a steel mill in Texas; a \$55M dispute on a Power plant in California; and, as the engineer's party appointed arbitrator on a wastewater treatment plant dispute in the Midwest. Serving as the Contractor party appointed arbitrator on a \$85M dispute in an ICC arbitration on a LNG facility; as the Owner's appointed arbitrator for \$35M dispute on a power plant in Hawaii; and on a \$20M power plant dispute in the Midwest and served as an arbitrator in a \$75 million dispute involving a \$550 million design/build bridge mega project and highway project with hearings lasting 42 days; a \$115M dispute on a steel pipe mill in Texas; Chairperson on a \$50M dispute on a windfarm project and a \$15M+ dispute on solar project.

DISPUTE REVIEW BOARDS: Recently served on a Board for two \$15B nuclear power plants in the US and was the Dispute Review Advisor as the sole hearing officer for the \$6B Transbay Transit Center Project in San Francisco. Recently served on the Dispute Board for the \$6B Renovation and Expansion of LaGuardia Airport. Previously selected to serve on a Dispute Review Board for the New York Giants/Jets \$1 billion new stadium project and has served on more than 20 Dispute Boards for the Florida Department of Transportation projects, 3 NYC

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DDC dispute boards including a \$2.6B prison, and served on the \$1B Salem Power Plant in Massachusetts as well as 3 \$1B highway projects Texas.

MEDIATION: Mediated a \$150M dispute over the largest modular housing project in the US in the northeast between the developer and the contractor; mediated a \$600M dispute on a P3 highway project in Texas mediated two construction defect disputes on the corporate headquarters of two Fortune 500 companies, one at \$60M and the other at \$20M with multiple parties and insurers; a \$230M dispute between the contractor and its subcontractor on a \$1.5B industrial facility in the mid-west; \$250M delay and disruption claims on a transit project in California; a \$75M dispute on a highway project in the southeast between the design/build and its engineer; a \$50M dispute on a fertilizer plant in South America between the contractor and its subcontractor; a \$40M dispute between a German tank supplier and its erection subcontractor on a brewery; a \$10M dispute over a wharf in Central America between the owner and its designer and contractor; a \$15M dispute between the developer and its contractor on a high-end apartment project in the DC area and an \$15M design defect dispute in Alaska; an \$11M dispute between a municipality in Virginia and its contractor on a highway project; a gas fired power plant in the northeast with claims and counterclaims in excess of \$45M, construction defect dispute on a luxury resort in Arizona with claims in excess of \$30M and a dispute involving a bio-chemical plant with claim and counterclaims in excess of \$25M in the southeast; \$7M dispute between the contractor and its subs on a Federal Bureau of Prisons project; a \$7M dispute between the Owner and its engineer over a reverse osmosis water treatment plant; a \$6M dispute on a light rail project between the contractor and its design team.

Education

Duquesne University (JD-1975); Pennsylvania State University (BA-1971).

Professional Licenses

Admitted to the Bar: Pennsylvania, 1975

Professional Associations

Fellow--American College of Construction Lawyers; Construction Neutrals Mega Panel of AAA; American Bar Association (Construction Forum and ADR Committees); Dispute Review Board Foundation, VP of Florida Chapter; Chartered Institute of Arbitrators; International Centre for Dispute Resolution.

Recent Publications & Speaking Engagements

"The Effective Use of Dispute Boards with Partnering on Major Construction Projects" at the Construction Superconference, December 2019; "The Effective Use of Dispute Boards--Real Time" before the Atlanta Construction Bar, March 28, 2018; "The Effective Use of Dispute Boards on Major Projects", The American Journal of Construction Arbitration & ADR, 2017; "The Delicate Balance between Managing the Project vs. Managing the Claim", ABA Construction Forum Annual Meeting, April 11, 2014; "Effective Advocacy in Construction Mediation to Settle Your Case: What Works and Does Not Work", Georgia

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Construction Law Conference, March 5, 2014; "Solutions to International Construction Controversies", Catholic University of Peru, Dispute Resolution Society for Peru's Construction Bar Association, May, 2013; "Use of Dispute Boards on Large Projects", Brazilian Institute of Construction Law International Construction Conference in August 2011 and again in October 2014; "Government Construction Contracts and Compliance," Marcus Evans Conference in March of 2011; "Right Process; Wrong Arbitrator," AAA Construction Conference, November 2009; AAA Webinar on same subject November 2010; "Managing Expectations of the Parties: Best Practices in Construction Arbitration," AAA and ICDR Neutrals Conference, February 2009; "Products Liability in the Construction Industry," ALFA International Construction Conference, 2008; "To Mediate or Not to Mediate (How to Answer the Question)," AAA's Mediation Conference, March and November 2007; "Navigating Alternative Dispute Resolution," Corporate Counsel Construction Conference, October 2007; published in May-July 2007 issue of Dispute Resolution Journal; "Winning at Mediation", Kilpatrick Stockton Client Conference May 2007; "Documenting Construction Claims," Construction Financial Management Association, 1995; "Negotiation of Contract Claims," Engineering News Record, 1984; various other in-house seminars through the Dick Corporation over the last 30 years.

Citizenship

United States of America

Languages

English

Compensation:

Hearing: \$700.00 per hour

Study: \$700.00 per hour

Cancellation: \$7,000.00 per day

Cancellation Period: 60 days

Comment: For international travel, \$700 Per Hour will be charged. For domestic travel, there will not be a charge as long as the arbitration locale is within 100 miles of Tampa, FL. Outside of those limitations, \$700 Per Hour will be charged. First class travel will be charged for all flights. Cancellation charges will apply if a matter is cancelled and/or postponed within 60 days of a hearing and will be recovered for half of the total number of scheduled hearing days.

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