

**Michigan Department of Transportation (MDOT)  
Candidate Application for Dispute Review Board (DRB)**

**A. Contact Information**

|  |   |                        |                 |
|--|---|------------------------|-----------------|
| Name: Steven J. Earl   |   | Date: October 19, 2012 |                 |
| <span style="background-color: black; color: black;">[REDACTED]</span> | City: Lyons                                   | State: MI              | Zip Code: 48851 |
| Phone #: 517 526-4215  | Email Address: earl_engineering@sbcglobal.net |                        |                 |

**B. Professional Licenses/Registrations** (Please provide name/type of license, state, expiration date and number.)

| <i>Name/Type of License/Registration</i> | <i>State and Number</i> | <i>Expiration Year</i> |
|--|-------------------------|------------------------|
| Professional Engineer                    | Michigan 6201033576     | 2013                   |
|  |                         |                        |
|  |                         |                        |

**C. Education/Related Training** (Please list degree, college/other school and dates. Please indicate the location and date of your training.)

| <i>University/College/Organization/Trade School</i> | <i>Degree/Certificate</i> | <i>Date/Year</i> |
|---|---------------------------|------------------|
| Lansing Community College                           | Associate Degree Forestry | 1974             |
| Michigan State University                           | B. S. Civil Engineering   | 1983             |
|   |                           |                  |

**D. Construction Experience Summary**

I have construction experience working in the following capacities:

|                                     |                          |                                     |                       |                          |                        |
|-------------------------------------|--------------------------|-------------------------------------|-----------------------|--------------------------|------------------------|
| <input checked="" type="checkbox"/> | Civil Engineer           | <input type="checkbox"/>            | Architect             | <input type="checkbox"/> | Builder/Developer      |
| <input checked="" type="checkbox"/> | Structural Engineer      | <input type="checkbox"/>            | Electrical Engineer   | <input type="checkbox"/> | Designer/Planner       |
| <input type="checkbox"/>            | Geologist                | <input checked="" type="checkbox"/> | Land Surveyor         | <input type="checkbox"/> | Mechanical Engineer    |
| <input type="checkbox"/>            | General Contractor       | <input type="checkbox"/>            | Accountant            | <input type="checkbox"/> | Chemical Engineer      |
| <input checked="" type="checkbox"/> | Construction Manager     | <input type="checkbox"/>            | Supplier/Manufacturer | <input type="checkbox"/> | Environmental Engineer |
| <input type="checkbox"/>            | Sub/Specialty Contractor | <input checked="" type="checkbox"/> | Owner Representative  | <input type="checkbox"/> | Landscape Architect    |
| <input type="checkbox"/>            | Other (Describe) →       |                                     |                       |                          |                        |

I have substantial experience in the following types of construction:

|                                     |                         |                                     |                    |                                     |               |
|-------------------------------------|-------------------------|-------------------------------------|--------------------|-------------------------------------|---------------|
| <input checked="" type="checkbox"/> | Bridge (Concrete)       | <input checked="" type="checkbox"/> | Bridge (Steel)     | <input checked="" type="checkbox"/> | Buildings     |
| <input checked="" type="checkbox"/> | Earth Retaining Systems | <input type="checkbox"/>            | Electrical Systems | <input checked="" type="checkbox"/> | Environmental |
| <input checked="" type="checkbox"/> | Foundation              | <input checked="" type="checkbox"/> | Highway            | <input checked="" type="checkbox"/> | Landscaping   |
| <input type="checkbox"/>            | Marine                  | <input type="checkbox"/>            | Mechanical         | <input type="checkbox"/>            | Tunnel        |
| <input type="checkbox"/>            | Other (Describe) →      |                                     |                    |                                     |               |

**E. Qualification Statement**

Candidates shall have substantial experience in or directly related to public agency highway and bridge construction projects with or on behalf of federal, state, or local government agencies, particularly MDOT. Experience shall be a minimum of 10 years in active involvement, supervision, or management of public agency highway and bridge construction contracts preferably with an emphasis in resolution of disputes arising out of said contracts. Lawyers, attorneys, and/or legal counsel are not permitted to be DRB candidates nor are they permitted to serve on a DRB panel in any capacity.

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Provide a 500 word or less statement of your qualifications that explain how you meet the aforementioned criteria:

During my 29 year career with MDOT and 10 years in consulting with MDOT through Wade-Trim and Earl Engineering Services, PLC, the majority of that time has been directly involved with transportation construction contracting. This experience has included virtually all aspects of contract administration, partnering and dispute resolution on behalf of MDOT. My background includes working as a designer in road and bridge squads, as field technician for inspection and testing of contractors work and materials, and as project engineer. As a district field engineer, I managed the construction and soils & materials operations for the Kalamazoo District at MDOT (7 years). The responsibilities included serving on district and central office claim review panels. During my years as District/Region Engineer in Grand Rapids, I worked as the Construction liaison for the regions with the central office (5 years) as well as chair person for numerous region and central office reviews.

I have extensive knowledge and experience with many aspects of the contract development construction administration processes, and dispute resolution issues. This experience includes the following:

- I have worked as a draftsman and designer in the bridge area of design.
- I was a squad leader in the road area of design.
- I participated in the revision and updating of the MDOT Standard Specification for Construction, Division One for the 1996 and 2012 editions.
- I worked as an assistant and project engineer in the field.
- I worked on the development and implementation of the “partner” process for contractors and MDOT personnel.
- I was involved in the claims and dispute resolution process as the chair person on many contractor claim reviews at the central office level.

After retiring from MDOT, I was involved in contract administration and dispute resolution as a consultant to MDOT and the Office of Attorney General. This experience includes:

- I have developed and composed numerous guidance documents, Construction Instructional Memorandums, Construction Advisories, Special Provisions, and operating instructions for MDOT staff and contracts.
- I have reviewed the construction contract documentation for over 70 MDOT and local agency construction projects for compliance with documentation and process requirements.
- I have performed several special investigations of contract administrative actions for compliance for MDOT and FHWA.
- I have conducted analysis and research with respect to contractor claims. I have researched contract and administrative documentation to help formulate a response position based on the contract language and practices under contract law and developed recommendations for MDOT and Attorney General staff based on the research and analysis.
- I have served as a consultant to the MDOT COR panel to assist in the development of claim review responses. The work included reviewing and researching the claim information as needed, attending the claim reviews, acting as an advisor to the panel, and drafting the panel response letters.
- I have conducted research and analysis for MDOT regions and central office, and Office of Attorney General for settlements of contractor claims. This work included

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reviewing project records to determine an appropriate settlement amount for the claim when the COR panel found the contractor claim for entitlement was merited.

**F. General Experience Summary**

Please provide a brief description of your experience in 25 words or less. If you are approved to be a DRB candidate, this information will be included next to your name on the Dispute Review Board Candidates List posted on MDOT's website.

Description:

39 years experience in MDOT construction contracting (29 with MDOT and 10 as consultant), including 20 years involvement with the dispute resolution/claim review process.

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**G. DRB Experience** (include past and current experience if applicable)

| Experience              | MDOT | Other Public Agencies | Private Construction | Total |
|-------------------------|------|-----------------------|----------------------|-------|
| # of Jobs as DRB Member |      |                       |                      |       |
| # of Jobs as DRB Chair  |      |                       |                      |       |

**H. Conflict of Interest and Ethics Statement**

I will provide a conflict of interest statement and a disclosure statement describing past, present, anticipated, and planned relationships, including indirect relationships through my present employer, to other parties involved in a construction project, including but not limited to, relevant construction engineering and inspection (CEI) firms, contractors, or suppliers to the parties, parties' principals, or parties' counsel. Furthermore, I will disclose any close professional or personal relationships with all key members in the project. This will be completed prior to accepting a nomination to serve on a DRB panel for any construction project.

|   |   |
|---|---|
| <input checked="" type="checkbox"/> I agree | <input type="checkbox"/> I do not agree |
|---|---|

**I. Compensation**

I agree that I will be fully compensated in accordance with the terms and conditions of the contract and Dispute Review Board Agreement. This will be full compensation for on site time, review time, travel expenses, transportation, lodging, time for travel and incidentals for each day, or portion thereof that I am at an authorized DRB hearing. In addition, I will be paid the appropriate rate specified in the Dispute Review Board Agreement for additional days necessary to conduct a hearing that has been authorized.

|   |   |
|---|---|
| <input checked="" type="checkbox"/> I agree | <input type="checkbox"/> I do not agree |
|---|---|

**J. Professional References**

Provide the following information for at least two references to attest to your professional experience as depicted in this application. In addition, these references should be able to attest to your suitability to perform as a DRB member and provide additional information about you.

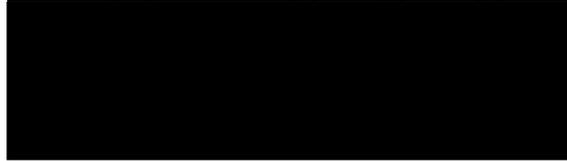
| Name:                      | Phone:              |
|----------------------------|---------------------|
| <b>Randy Van Portfliet</b> | <b>906 630-9605</b> |
| <b>Robert Ranck Jr.</b>    | <b>989 280-2142</b> |
| <b>Brenda O'Brien</b>      | <b>517 322-1085</b> |

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**Certification and Acknowledgement**

The information in this application is true and accurate to the best of my knowledge, information, and belief. Moreover, I acknowledge that submittal of this application is not a guarantee of work as a DRB panel member. I further acknowledge that there is a selection and approval process that must occur in order to be a part of a project specific DRB panel. (Must be checked to submit form).

Signature of Applicant:



Send Completed Form to: R. Jason Clark, P.E.  
Construction Contracts Engineer  
8885 Ricks Rd  
PO Box 30049  
Lansing, MI 48909  
[ClarkJ25@michigan.gov](mailto:ClarkJ25@michigan.gov)

### Staff Education and Experience Report

|                      |              |                                 |
|----------------------|--------------|---------------------------------|
| <b>Employee Name</b> | <b>Title</b> | <b>Role on this Project</b>     |
| Steven J. Earl, PE   | President    | Project Manager/Senior Engineer |

|                                   |  |
|-----------------------------------|--|
| <b>Company Name</b>               | <b>Years of Experience</b>                       |
| Earl Engineering Services, P.L.C. | <u>8</u> with company <u>31</u> with other firms |

**Education:** degree, year, school (inc. City and State of school)  
 BSCE Michigan State University, 1983 w/ High Honor

**Licenses and Registrations**  
 Michigan PE License #6201033476

**General Experience and Qualifications** (relevant to classification group):  
 In January of 2005 Mr. Earl started Earl Engineering Services, P.L.C. to provide engineering and technical consulting assistance. Previously Mr. Earl worked at Wade-Trim Group, Inc. at their Grand Rapids office as Construction Technical Lead responsible for coordinating construction engineering projects for 2 years. With over 29 years of experience with the Michigan Department of Transportation, Steven most recently served as the Region Engineer for the Grant Region. He was responsible for design, construction and maintenance of all state highways in central west Michigan. Duties included oversight of a \$300+ million annual construction program, serving as liaison between Regions and central office on all construction related issues. While at MDOT Mr. Earl worked in the construction arena for over 20 years.

#### Specific Experience

|                           |  |  |
|---------------------------|--|--|
| <b>Project Name:</b>      | <b>Engineering Assistance for the Construction &amp; Technology Division</b> |  |
| <b>Location:</b>          | <b>MDOT Lansing Office</b>   |  |
| <b>Service I.D.:</b>      | General  | Perform numerous engineering support functions for Ms. O'Brien including Drafting current procedures for prevailing wage oversight, perform investigations for prevailing wage compliance issues, perform research for the update of the 2004 MDOT Standard Specifications for Construction, and other services as assigned. |
| <b>Start Date:</b>        | May 2006   |  |
| <b>End Date:</b>          | December 2009  |  |
| <b>Earl Eng's Role:</b>   | Prime  |  |
| <b>Staff Role:</b>        | Staff Engineer   |  |
| <b>Service Budget:</b>    | \$151,050  |  |
| <b>Construct. Budget:</b> | NA   |  |
| <b>Client:</b>            | MDOT C&T Division  |  |
| <b>Client Contact:</b>    | Ms. Brenda O'Brien, P.E.   |  |
| <b>Client Phone:</b>      | 517 322-1085   |  |

|                           |   |   |
|---------------------------|---|---|
| <b>Project Name:</b>      | <b>Technical Editing for the Work Zone Safety and Mobility Manual</b> |   |
| <b>Location:</b>          | <b>Lansing TSC</b>  |   |
| <b>Service I.D.:</b>      |   | Provided technical editing and professional consultation for the current edition of the Work Zone Safety and Mobility Manual. Worked with team leader Paul Steinman and other committee members to compile, edit and coordinate language into a unified document for guidance for MDOT staff. |
| <b>Start Date:</b>        | December 2007   |   |
| <b>End Date:</b>          | May 2008  |   |
| <b>Earl Eng's Role:</b>   | Prime   |   |
| <b>Staff Role:</b>        | Technical Editing   |   |
| <b>Service Budget:</b>    | \$25,000  |   |
| <b>Construct. Budget:</b> | NA  |   |
| <b>Client:</b>            | MDOT  |   |
| <b>Client Contact:</b>    | Paul Steinman   |   |
| <b>Client Phone:</b>      | 517 324-2268  |   |

|                           |  |  |
|---------------------------|--|--|
| <b>Project Name:</b>      | <b>C A Hull COR Claim Resolution</b>             |  |
| <b>Location:</b>          | <b>I-69 &amp; I-475 Bridge Painting in Flint</b> |  |
| <b>Service I.D.:</b>      | BHI 25132 - 51608A                               | Assisted the COR panel with review and analysis of claim documentation, draft response letter. Assist the region staff with settlement negotiations, cost analysis and documenting the claim settlement determination. Prepare final report for A. G. records. |
| <b>Start Date:</b>        | April 8, 2006                                    |  |
| <b>End Date:</b>          | May 19, 2006                                     |  |
| <b>Earl Eng's Role:</b>   | Prime  |  |
| <b>Staff Role:</b>        | Professional Services                            |  |
| <b>Service Budget:</b>    | \$6,300  |  |
| <b>Construct. Budget:</b> |  |  |
| <b>Client:</b>            | Atty. Gen.- MDOT                                 |  |
| <b>Client Contact:</b>    | Joshua Gubkin                                    |  |
| <b>Client Phone:</b>      | 313 456-0030                                     |  |

|                           |  |   |
|---------------------------|--|---|
| <b>Project Name:</b>      | <b>Construction Technical Assistance</b> |   |
| <b>Location:</b>          | <b>Grand Region</b>                      |   |
| <b>Service I.D.:</b>      | As Needed                                | Provide construction administration assistance including final estimate documentation reviews, claim analysis, OEC plan reviews, ghost writing services and other miscellaneous services as needed. |
| <b>Start Date:</b>        | April 6, 2006                            |   |
| <b>End Date:</b>          | December 31, 2010                        |   |
| <b>Earl Eng's Role:</b>   | Prime                                    |   |
| <b>Staff Role:</b>        | Professional Services                    |   |
| <b>Service Budget:</b>    | \$112,500                                |   |
| <b>Construct. Budget:</b> | NA                                       |   |
| <b>Client:</b>            | MDOT                                     |   |
| <b>Client Contact:</b>    | Tim Little                               |   |
| <b>Client Phone:</b>      | 616 451-6116                             |   |

|                           |                                    |   |
|---------------------------|------------------------------------|---|
| <b>Project Name:</b>      | <b>MDOT Payment Process Review</b> |   |
| <b>Location:</b>          | <b>Statewide</b>                   |   |
| <b>Service I.D.:</b>      |                                    | Reviewed 75 projects for prompt payment issues involving each TSC and prepared report of findings with recommendations for improvement, prepared a spreadsheet of data gathered from FieldManager and prepared a PowerPoint slide presentation. |
| <b>Start Date:</b>        | 2004                               |   |
| <b>End Date:</b>          | 2005                               |   |
| <b>Wade-Trim's Role:</b>  | Prime                              |   |
| <b>Staff Role:</b>        | Reviewer                           |   |
| <b>Service Budget:</b>    | \$25,000                           |   |
| <b>Construct. Budget:</b> |                                    |   |
| <b>Client:</b>            | MDOT                               |   |
| <b>Client Contact:</b>    | Randy VanPortfliet                 |   |
| <b>Client Phone:</b>      | 888.414.6368                       |   |

|                           |                             |  |
|---------------------------|-----------------------------|--|
| <b>Project Name:</b>      | <b>Region Claim on I-69</b> |  |
| <b>Location:</b>          | <b>Davison, Michigan</b>    |  |
| <b>Service I.D.:</b>      |                             | Assisted the Region claim panel with development of the claim response on issues with diamond grinding concrete pavement. The work included meeting with MDOT, Attorney General, and Commission Audit staff to develop a response to the Contractor claim, documenting the decision and drafting an amended claim decision letter. |
| <b>Start Date:</b>        | 2004                        |  |
| <b>End Date:</b>          | 2004                        |  |
| <b>Wade-Trim's Role:</b>  | Prime                       |  |
| <b>Staff Role:</b>        | Professional Services       |  |
| <b>Service Budget:</b>    | \$15,000                    |  |
| <b>Construct. Budget:</b> |                             |  |
| <b>Client:</b>            | MDOT                        |  |
| <b>Client Contact:</b>    | Stephen Palmer              |  |
| <b>Client Phone:</b>      | 989.754.0878 Ext. 259       |  |

|                           |                                  |   |
|---------------------------|----------------------------------|---|
| <b>Project Name:</b>      | <b>M-11 at M-45 Intersection</b> |   |
| <b>Location:</b>          | <b>Walker</b>                    |   |
| <b>Service I.D.:</b>      |                                  | Provided Constructability Review of plans, specifications, and progress schedule for \$3.5 million intersection improvement on M-11 at M-45. Coordinated all proposal material including review of all Special Provisions, Notices to Bidders, utility coordination provisions, and prepared the Progress Clause for the project. |
| <b>Start Date:</b>        | 2003                             |   |
| <b>End Date:</b>          | 2004                             |   |
| <b>Wade-Trim's Role:</b>  | Prime                            |   |
| <b>Staff Role:</b>        | Construction Reviewer            |   |
| <b>Service Budget:</b>    |                                  |   |
| <b>Construct. Budget:</b> | \$4,300,000                      |   |
| <b>Client:</b>            | Meijer, Inc.                     |   |
| <b>Client Contact:</b>    | Bob Bernock                      |   |
| <b>Client Phone:</b>      | 616.791.3178                     |   |

|                           |                                 |   |
|---------------------------|---------------------------------|---|
| <b>Project Name:</b>      | <b>M-59 C.O.R. Claim Writer</b> |   |
| <b>Location:</b>          | <b>Lansing</b>                  |   |
| <b>Service I.D.:</b>      |                                 | Assisted the Central Office Review Panel in drafting the panel decision letter. Included attending the claim meeting, discussing the claim issues and developing the claim response with the panel and drafting the response letter for a \$10,000,000 claim. |
| <b>Start Date:</b>        | 2003                            |   |
| <b>End Date:</b>          | 2003                            |   |
| <b>Wade-Trim's Role:</b>  | Prime                           |   |
| <b>Staff Role:</b>        | Ghost Writer                    |   |
| <b>Service Budget:</b>    | \$20,000                        |   |
| <b>Construct. Budget:</b> |                                 |   |
| <b>Client:</b>            | MDOT                            |   |
| <b>Client Contact:</b>    | Randy VanPortfliet              |   |
| <b>Client Phone:</b>      | 888.414.6368                    |   |

|                           |  |  |                                 |
|---------------------------|--|--|---------------------------------|
| <b>Project Name:</b>      | <b>I-96 (Jefferies Freeway) from w/US-24 (Telegraph Road) to E/M-39 (Southfield Freeway)</b>   |  |                                 |
| <b>Location:</b>          | <b>Detroit</b>   |  |                                 |
| <b>Service I.D.:</b>      | <p>QA/QC and Constructability Reviewer for design package for complete reconstruction of 3.0 miles of urban freeway (I-96) including pavement, shoulder and drainage removal and replacement along with partial replacement and repair of 15 urban freeway bridges. The project also included major rehabilitation of 1.7 miles of boulevard rehabilitation including cold milling, pavement repairs, and HMA resurfacing.</p> |  |                                 |
| <b>Start Date:</b>        |  |  | 2003                            |
| <b>End Date:</b>          |  |  |                                 |
| <b>Wade-Trim's Role:</b>  |  |  | Prime                           |
| <b>Staff Role:</b>        |  |  | QA/QC and Construction Reviewer |
| <b>Service Budget:</b>    |  |  |                                 |
| <b>Construct. Budget:</b> |  |  | \$25,000,000                    |
| <b>Client:</b>            |  |  | MDOT                            |
| <b>Client Contact:</b>    |  |  | Larry Felsing                   |
| <b>Client Phone:</b>      | 517.335.1895   |  |                                 |