

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

**A. Contact Information**

Name: Frederick C. Kelly		Date: 4/16/15	
City: Fairview Park		State: OH	Zip Code: 44126
Phone #: (216) 252-9901	Email Address: kcmaone@aol.com		

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

Name/Type of License/Registration	State and Number	Expiration Year

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

University/College/Organization/Trade School	Degree/Certificate	Date/Year
Dublin Inst. of Technology	Bsc. Engineering	1772
Dublin Inst. of Technology	Construction Economics	1772
Dublin Inst. of Tech. Ireland	Quantity Surveyor	1772

**D. Construction Experience Summary**

I have construction experience working in the following capacities:

<input type="checkbox"/>	Civil Engineer	<input type="checkbox"/>	Architect	<input checked="" type="checkbox"/>	Builder/Developer
<input 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 checked="" 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 checked="" type="checkbox"/>	Other (Describe) →	Mortgage Bank Loan Inspector			

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 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 checked="" type="checkbox"/>	Tunnel
<input checked="" type="checkbox"/>	Other (Describe) →	Industrial Sewage Treatment Facilities			

**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:

Please see the attached CV of my experience.  
Over 34 years owning a Construction Management Firm in the Cleveland, Ohio market.  
Engaged in Managing and Construction Projects from \$1mm to \$25mm in the fields of Hospitals, Municipal Facilities, Recreation Centers, Nursing Homes, Schools, Libraries, Theatres, Gov.t Facilities, etc.  
Performed many services to DRB's in Heavy Highway, Bridge, Sewerage Treatment Facilities over the last 10 years.  
Also conducted Bank Mortgage Funding Inspections on all types of Construction Projects in the contiguous United States.

**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:

Conducted numerous DRB Projects both as Contractor and Owner selected Member and also served numerous times as Chair.

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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		13		13
# of Jobs as DRB Chair		9		9

**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
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**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
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**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.

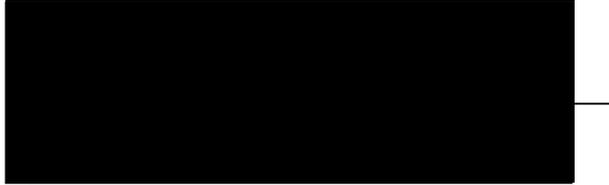
Name:	Address:	Phone:
Dan Compston	Kokosing Construction Co.	(614) 228-1029
Gary Angles	ODOT Construction Adm.	(614) 995-0758

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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)

## **Curriculum Vitae**

**FREDERICK CIARAN KELLY**

**President / Owner**

**KELLY CONSTRUCTION MANAGEMENT ASSOCIATES, INC.**

**Name:** Frederick Ciaran Kelly, CED

**Citizenship(s):** United States of America / Ireland

**Current Employer:** Kelly Construction Management Associates, Inc.

**Position:** President / Owner

**Profession:** Construction Manager / Owner Consultant /  
Engineer / Quantity Surveyor / Licensed  
General Contractor / Arbitrator / Mediator /  
Claims Manager / Bank Construction Inspector

**Education:**

1968 to 1972: Institute of Technology, Dublin, Ireland  
Construction Economics Diploma: 1972  
B.Sc. Engineering & Economics: 1972  
Quantity Surveyor: 1972

**Work History:** Emigrated to U.S.A. in 1973

1981 to Present: Kelly Construction Management Associates, Inc.,  
President / Owner

1979 to 1981: Applied Project Management Co., Cleveland,  
Ohio.  
Project Manager

1973 to 1979: Turner Construction Co., Cleveland, Ohio  
Various Office / Field Positions to Project  
Manager

1971 to 1973:

Mc Inerney Engineering Ltd. (Ireland)  
Quality Control Engineer / Asst. Contracts  
Manager

**Professional Experience:**

Over 40 years of experience in the United States Construction Industry.  
Over 30 years, Owner & President of Kelly Construction Management Associates, Inc., a Construction Management / Owner Consulting Firm, engaged in management of projects from \$1,000,000.00 to \$ 25,000,000.00 in total cost. Specialized in New & Rehabilitative Construction Projects, for Commercial, Institutional, Philanthropic & Government Clients.

Experienced in Hospital, Municipal, Recreation & Community Center Facilities, Police / Detention Facilities, Government Facilities, Nursing Homes, Schools, Theatres, Public Improvements & Manufacturing Facility Projects.

Also conducted a multitude of Bank Mortgage Funding Inspections, on all types of construction projects, in the contiguous United States.

Currently an active Arbitrator, Mediator, Partnering Facilitator & Dispute Resolution Board Member, for multiple Public & Private Clients.

**Professional Affiliations & Associations:**

Past Chair & Member of American Arbitration Association, Northern Ohio Regional Construction Advisory Committee. Current member of The Dispute Resolution Board Foundation.

Past Member of:      C.O.S.E.  
                                 The Builder's Exchange.  
                                 Ohio Assn. of Philanthropic Homes & Housing for the Aged.  
                                 The Greater Cleveland Growth Association.

Served as:              Referee for the Ohio Court of Claims.  
                                 Cuyahoga County Court Appointed Mediator.  
                                 Construction Expert in State & Common Pleas Courts.  
                                 Chair of O.D.O.T. Dispute Resolution Board (6).  
                                 Member of O.D.O.T. Dispute Resolution Board (11).  
                                 Partnering Facilitator on various Construction Projects.  
                                 Conducted Mini Trials in Construction Cases.  
                                 Chair of Dispute Resolution Boards for New York Thruway Authority (1) & Wisconsin DOT (2)

**Other Affiliations / Associations:**

**Member of Board of Trustees of Eliza Bryant Village (30 years), Cleveland, Ohio.**

**Past member (6 years) Board of Trustees of St. Francis Health Care Center, Green Springs, Ohio.**

**Past President & Member of Fireland's Soccer Referee Association.**

**Current Private Pilot with Instrument & Commercial ratings.**

**Member of Angel Flight, Inc., Mid Atlantic Region.**

**Certified Homeland Security First Responder Pilot.**

**Professional & Personal Accomplishments:**

**Served as Expert Witness on cases involving; Collapse, Delay Claims, Deleterious Soils, Structural Failure, Building Systems, Quality Control & Personal Injury cases, involving Construction matters.**

**Testified in both Court & Arbitration Proceedings on the above.**

**Successfully flew the North Atlantic Ocean, both ways, in his light Single Engine Cessna Aircraft, in 1999.**

**2010 Recipient of AAHSA's-Leading Age Hobart Jackson Cultural Diversity Award. (AAHSA-Leading Age 2010 awards)**

**Alternative Dispute Resolution Experience:**

**Active Arbitrator, Mediator, Dispute Resolution Board Member & Chair, & Partnering Facilitator, continuously since 1985.**

**Experienced in Commercial & Construction Cases.**

**Served as Fact Finder & Mini Trial Arbitrator on several cases.**

**Conducted several successful Mediations, and Partnering Workshops / Conferences for the Ohio Dept. of Transportation.**

**Arbitrated and Mediated multiple cases for Cuyahoga County Court of Common Pleas, The American Arbitration Association & Ohio Arbitration & Mediation Center, Inc.**

**Served as Referee for The Ohio Court of Claims.**

**Alternative Dispute Resolution Training:**

<b>Basic &amp; Advanced Arbitrator Training:</b>	<b>1992 American Arbitration Assn.</b>
<b>Basic &amp; Advanced Mediator Training:</b>	<b>1991 American Arbitration Assn.</b>
<b>Training Faculty:</b>	<b>American Arbitration Assn., Basic &amp; Advanced Mediator Training Programs, 1991 through 1994.</b>
<b>Advanced Arbitrator Training Courses:</b>	<b>American Arbitration Assn., June 1997</b>
<b>Partnering Training Course:</b>	<b>Toledo, Ohio, June 1997</b>
<b>Dispute Resolution Board Member &amp; Chair Training Courses:</b>	<b>Cleveland, Ohio, June 2006</b>
<b>ODOT Partnering Workshop</b>	<b>Columbus, Ohio March 2013</b>

**Publications:**

<b>“ How to keep your Project out of Trouble”</b>	<b>American Arbitration Seminar 1994</b>
<b>“How to Prepare &amp; Present for Arbitration / Mediation”</b>	<b>American Arbitration Seminar 1995</b>