

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

**A. Contact Information**

Name: <b>FRANCIS A. MCDONOUGH</b>	Date: <b>8/23/12</b>
City: <b>FAIRFAX</b>	State: <b>VA</b> Zip Code: <b>22030</b>
Phone #: <b>571-218-8572 or.</b>	Email Address: <b>fmcdonough@mbpca.com</b>

**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
<b>Professional Engr.</b>	<b>VA 6802</b>	<b>current</b>
		<b>2013</b>

**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
<b>University of Liverpool</b>	<b>B. Eng (Hons)</b>	<b>1962</b>

**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 checked="" type="checkbox"/> Designer/Planner
<input type="checkbox"/> Geologist	<input 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 type="checkbox"/> Owner Representative	<input type="checkbox"/> Landscape Architect
<input type="checkbox"/> Other (Describe) →	<b>DRB Member/Chair; Expert Witness</b>	

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 type="checkbox"/> Landscaping
<input checked="" type="checkbox"/> Marine	<input type="checkbox"/> Mechanical	<input checked="" 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:

*See attached Statement of DRB  
Qualifications dated 23 Aug 2012.*

**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:

*professional engineer with more than 30 yrs.  
experience in construction for contractors/  
owners on highway/heavy and building work.  
24 years DRB experience.*

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

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

Experience	MDOT	Other Public Agencies	Private Construction	Total
# of Jobs as DRB Member	0	23		
# of Jobs as DRB Chair	0	6		

**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:
Charles Bolyard	[REDACTED]	703-641-9088
Steven Kmiecik	[REDACTED]	202-463-2400

**Michigan Department of Transportation (MDOT)  
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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)

## **Submittal to MDOT**

**23 August 2012**

### **Statement of DRB Qualifications of Francis A. McDonough, PE (see resume for additional detail)**

**Background:** I have been continuously involved as a Disputes Review Board (DRB) member and/or chairman in the highway and heavy construction industry for over 20 years.

I have substantial experience in transportation having worked on highway projects for many State DOTs and in cities with major capital developments including Washington DC, Baltimore MD, Boston MA, Seattle WA, Atlanta GA, Los Angeles CA, and Dallas TX.

In 1989, after working for contractors for 17 years, I co-founded, McDonough Bolyard Peck (MBP), a consulting firm providing construction performance services ---supervision, estimating, scheduling, and resolution of disputes--- to owners, contractors and other clients on many projects including DOT transportation work.

Since my corporate retirement as CEO I have operated as an independent consultant, specializing in the resolution of disputes in the heavy construction industry. My major focus areas are DRBs, arbitration, mediation.

**Education/licenses:** I received a Bachelor's Degree with Honors in Civil Engineering from the University of Liverpool, UK. I am a registered professional engineer.

My experience includes underground projects that required on-site design of temporary works structures and systems. I was responsible for the design as registered professional engineer which background brings a good understanding of design issues which are often the subject of construction disputes.

**Membership in Professional Associations:** Throughout my career I have taken an active part in professional associations.

**Honors:** I was appointed to the membership grade of Fellow by both the ASCE and the ICE, and was elected as a Member of The Moles, the eminent association of professionals engaged in underground and heavy construction.

### **Highway Experience**

I have been personally involved in many projects such as:

- Seattle WA Interstate Highway projects: DRB member.
- Boston MA: five Interstate Highway projects: DRB Member, Chairman.
- Dallas TX: Central Business District: DRB member.
- Los Angeles CA: North Hollywood Station: DRB Chairman.

- Highway projects in many states including Virginia, Maryland, Georgia, Pennsylvania, New Jersey, and Nevada.

**ADR experience:** I am pleased to have participated, since 1988, in the resolution of construction disputes as a DRB/neutral in Alternative Dispute Resolution (ADR) proceedings. I have served on many DRBs, have arbitrated many multi-million dollar disputes and have mediated a variety of heavy construction disputes.

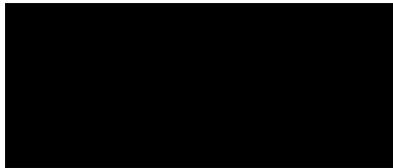
**Availability:** I enjoy excellent health, work at staying in good physical shape and from my Mid Atlantic location have ready access to Michigan within a few hours. I can therefore assure the parties of my availability and cost-effectiveness for this project.

**In summary,** I believe I am a candidate well suited to MDOT's DRB needs based on:

- Highway construction experience as engineer/superintendent/manager on actual projects,
- dispute management skills demonstrated on more than 20 years of DRBs,
- leadership in the industry and in professional associations,
- impartiality and commitment to the DRB process.

Please contact me if you have questions on this expression of interest or require additional information.

Sincerely,



**Francis Anthony McDonough, PE**