

Colorado Department of Transportation
Dispute Review Board (DRB) Candidate Solicitation

This form is to be filled out electronically. Type your answers in the grey areas in the space allowed by the boxes. You can use the Tab key to go from one field to the next. When you have completed this form, save it to your computer, then attach your form in an email to Mark.Straub@dot.state.co.us with the Subject line as “(Your name)’s DRB-CS Form”. Do not include any other attachments to this form.

1. Candidate Information

Name: Joseph P. McMahon Jr.		Employer: Joseph P. McMahon Jr., LLC	
Address: 617 Steele St		City: Denver	State: CO
		Zip Code 80206	
Phone Number: 303-333-1960		Email Address (required): joe@jpmcmahon.com	

2. Education

University/College	Degree	Year Graduated
1. USAF Academy	BS in Engineering	1966
2. University of Denver	MS in Civil Engineering	1973
3. University of Denver	Juris Doctor	1978

3. Professional Licenses/Certifications and Professional Organizations

1. Registered Professional Engineer, CO	2. Member, Colorado Bar Assoc.
3. College of Commercial Arbitrators	4. Construction Panel, American Arbitration Assn.; Panel of the CPR Institute for Dispute Resolution.

3. Major Employment History

Employer	Number of Years Employed	Your Job Title(s)
1. US Air Force	6	Pilot, Aircraft Commander
2. Wright McLaughlin/Wright Water Consulting Engineers	4	Engineer, Project Manager
3. Davis Graham & Stubbs	24	Attorney, Partner
4. Joseph P McMahon Jr LLC	11	Arbitrator, Mediator

5. Experience and General Information: (continued on page 2)

<p>1. Describe your major areas of work experience/expertise:</p> <p>Pilot – USAF; then worked as a consulting engineer in Denver (1973-1977); worked as a commercial litigator (construction, natural resources, mining, water, commercial) (1978-2001); now working as an arbitrator and mediator (construction, lands, natural resources, environmental and commercial). Full CV at http://jpmcmahon.com/PDFfiles/jpmcmahonCV.pdf</p>
<p>2. Describe your experience with construction claims:</p> <p>Negotiated construction claims/disputes as a project/consulting engineer (costs, time delay, overruns). Arbitrated and mediated construction claims for the American Arbitration Assn., Panel Chair on multimillion dollar disputes (examples cases: commercial and residential construction, site demolition, cable laying, multifamily construction, land use and development, and similar.) Worked for contractors as “settlement counsel” on construction matters.</p>
<p>3. Describe your knowledge of construction contract law:</p>

Practicing lawyer since 1978; frequently called upon to determine construction contract matters as an arbitrator – example subjects include: delay claims, survey and site preparation, quantum meruit, negligence, QA and QC, constructability, role and function of architect, water intrusion, design build agreements, validity of change orders, effects of weather, compliance with contract or specs. soils. substitute materials).

4. Describe your experience with construction contract administration:

Served as project manager/owner’s rep on construction sites including dams, drainage, earth embankments, borrow areas. Was responsible for enforcing specs and contract, managing change orders, making payments to contractors and attempting to resolve construction claims (such as delay, change in materials, varying site conditions).

Arbitrated cases in which contract administration and planning was a disputed issue.

5. Describe your construction field experience:

Project manager in the field as a civil engineer (examples: S. Platte River Redevelopment; Long Draw and Fall River Reservoirs); contracting agent; issued on site change orders, oversaw contractor payment and on site estimates for payment.

As a construction arbitrator, visited the site of the dispute numerous times (for example, residential, commercial, multi family, industrial or mine site).

More info is at <http://www.jpmmahon.com/business-conflict/construction/>

6. Describe your DRB (or arbitration) training, certification, and experience:

Arbitrating since approximately 1985; appointed as arbitrator in approximately 75 cases. Chair of construction and commercial panels in multimillion-dollar disputes.

Panel member for American Arbitration Association on the Construction panel, large complex panel, energy panel, oil and gas panel and commercial panel.

Panel member for the CPR Institute for Dispute Resolution.

A new inductee to the College of Commercial Arbitrators.

7. Describe your employment/retirement status and availability to serve on a DRB and geographical area:

Self-employed and readily available to serve throughout the State of Colorado. Many time slots open dependent on prior case assignments.

DRB members are compensated as per Section 105.23 of the CDOT Specifications.

6. List Two References For Your Experience With Construction Claims

Name	Title	Organization	Phone Number	Email Address
Michael A Williams	Arbitrator	Michael A Williams LLC	303 785 7999	mwilliams@wyk.com

Robert E Benson	Arbitrator	Holland & Hart	303-295-8234	rbenson@hollandhart.com
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Important Notice - All information provided on this form will be open to the public on the CDOT – DBR web page: “List of Candidate Members for the Dispute Review Board (DRB)”.