

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 [Dennis.Largent@dot.state.co.us](mailto:Dennis.Largent@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: <b>James D. Phillips</b>	Employer: <b>The University of Richmond School of Law</b>		
Address: <b>1006 Normandy Drive</b>	City: <b>Richmond</b>	State: <b>VA</b>	Zip Code <b>23229</b>
Phone Number: <b>804 921-5855</b>	Email Address (required): <b>jphillip@richmond.edu</b>		

**2. Education**

University/College	Degree	Year Graduated
1. <b>University of Colorado</b>	<b>Ph.D. Public Administration</b>	<b>1997</b>
2. <b>University of Richmond School of Law</b>	<b>J.D.</b>	<b>1979</b>
3. <b>Hampden-Sydney College</b>	<b>B.A.</b>	<b>1974</b>

**3. Professional Licenses/Certifications and Professional Organizations**

1. <b>Colorado State Bar</b>	2. <b>DRB Foundation</b>
3. <b>Virginia State Bar</b>	4. <b>Association for Conflict Resolution</b>

**3. Major Employment History**

Employer	Number of Years Employed	Your Job Title(s)
1. <b>University of Richmond</b>	<b>10</b>	<b>Associate Professor</b>
2. <b>Shuford, Rubin &amp; Gibney P.C.</b>	<b>3</b>	<b>Associate</b>
3. <b>Office of the Attorney General</b>	<b>7</b>	<b>Assistant Attorney General</b>
4. <b>Western Management Services</b>	<b>4</b>	<b>Associate</b>

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

1. Describe your major areas of work experience/expertise:  
**I provide a wide wide range of strategic communications, conflict management and consulting services to federal, state and local government agencies. I also provide services that include conflict assessment and management, strategic planning, and designing and implementing collaborative decision-making processes. I have also served on and chaired several DRBs for the Virginia Department of Transportation. I served on the project team that assisted with the resolution of the baggage system claims at the DIA Airport.**

2. Describe your experience with construction claims:  
**During my service as an Assistant Attorney General, I handled over 25 complex construction claims through the administrative process and the litigation process to final judgment on appeal. This included analysis of critical path, delays, differing site conditions, second and third tier subcontractors claims and constructive acceleration disputes. I prepared witnesses to testify, reviewed documents and prepared written briefs and delivered oral advocacy at the administrative process level and in court proceedings.**

3. Describe your knowledge of construction contract law:  
**During my service as described above and as a DRB member, I have had the opportunity to research the law on various construction contract law issues. As a legal advocate, I have briefed clients and courts on those issues and provided legal analysis to factual issues and events. As a DRB member, I have interpreted the contract language according to the arguments made by the parties and made recommendations to resolve contract disputes.**

4. Describe your experience with construction contract administration:

**As an Assistant Attorney General, I have provided legal advice to project engineers, project managers and other project personnel regarding issues arising under construction contracts, including work safety measures, coordination of subcontractors' work, availability of materials and equipment, and for multi phase projects, coordination of the prosecution of the work of the critical path of the entire project by several contractors. I also have worked with planners, designers and schedulers in making adjustments to the prosecution of the work as site conditions and availability of materials changed during the course of the project.**

5. Describe your construction field experience:

**As a DRB chair and member, I regularly visit the job site for project tours and observations of the sequence and prosecution of the work, paying particular attention to the work areas pointed out by the parties. As an Assistant Attorney General, I regularly was asked to visit the job site to view ongoing events developing in the field.**

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

**I am a trained and certified DRB member and trained and certified DRB Chaiperson by the DRB Foundation. I am a trained and certified arbitrator by the Better Buisness Bureau of America, and a trained and certified mediator by the United Postal Service and the Supreme Court of Virginia.**

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

**I am a law school professor and claims consultant and am available to serve on a DRB in Colorado.**

DRB members are compensated as per Section 105.22 of the CDOT Specifications.

#### 6. List Two References For Your Experience With Construction Claims

Name	Title	Organization	Phone Number	Email Address
Harold V. McKittrick	President	McKittrick & Associates	703 620-2871	hmckittr@cox.net
David R. Gehr	Vice President	Parsons Brinckerhoff	703 742-5881	gehr@pbword.com

**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)”.**