

PHILIP S. COPPOLA, ASSOC. AIA, CCI, CHI
President, *Philip S. Coppola & Associates, L.L.C*

www.PSCA-experts.com

Overview

As a recognized expert in the construction claims industry, Mr. Coppola assists owners, contractors, design professionals and their attorneys in the assertion or defense of construction related lawsuits. Mr. Coppola has extensive experience in general construction claims, the evaluation of defective construction, and forensic analysis. He investigates the causes of water intrusion and is involved in numerous mold-related cases. He provides delay analyses utilizing Primavera software and risk management plans. Mr. Coppola has represented both contractors and architects on standard of care issues and contract related matters, the evaluation of change orders, changed conditions, value of work in place and project enrichment issues.

Mr. Coppola has testified in deposition, arbitration, Registrar of Contractors' hearings and Superior Court on such issues as delay claims, evaluation of work in fast track projects, stucco, roofing, framing, soils, mold, standard of care for contractors and architects. He was the independent neutral for the Tempe Town Lake and has been the arbitrator on numerous cases over the past 20 years.

Education

- Bachelor of Science Degree in Architecture, City College of New York, School of Architecture, NY
- Bachelor of Architecture Degree, City College of New York, School of Architecture, NY
- Computerized Energy Management Systems - MCC Powers, Chicago, IL
- Construction Estimating and Bidding - Southern Methodist University School of Business
- Real Estate Law - Alief Independent School District, Houston, TX
- Advanced Construction Law in Arizona, Phoenix, AZ
- Arbitration Panelist Training, American Arbitration Association, Phoenix, AZ
- Expert Witness Procedures, Phoenix, AZ
- Mold Litigation: Beyond the Basics, San Antonio, TX
- Protecting the Government From Contractor Delay Claims, Phoenix, AZ
- Comparative Construction Defect Law, Las Vegas, NV

Professional Affiliations

- Licensed Contractor – Dual Residential Commercial KB-2 (ROC257844)
- Former Member of the AAA National Roster of Neutrals
- American Institute of Architects
- Association of Construction Inspectors, Certified Construction Inspector
- Housing Inspection Foundation, Certified Housing Inspector

Project Experience (Limited Examples)

COMMERCIAL CONSTRUCTION

- **Hoover Dam Visitors Center**, NV
Prepared delay, interruption and changed conditions claim for this \$32 million project.
- **Los Alamos Labs**, Los Alamos, NM
Prepared acceleration claim on behalf of subcontractor.
- **Arizona State University**, Phoenix, AZ
Ascertained defective conditions on roofs of 13 buildings.
- **City of Nogales**, Nogales, AZ
Ascertained the causes and remediation of a failed floor slab on the Public Works Building.
- **Hard Rock Hotel and Casino**, Las Vegas, NV
Performed a constructability review, evaluated the cost and acted as representative of the lending institution during the construction process.
- **City of Phoenix Water Reclamation Project**, Cave Creek, AZ
Evaluated and prepared a multi-million dollar delay and disruption claim on behalf of a grading subcontractor against the general contractor.
- **Lincoln Town Center**, Scottsdale, AZ
Evaluated a multi-million dollar delay claim presented by the contractor including, extended general conditions, home office overhead and other delay damages. The claim included delay due to changed conditions and equitable adjustment.
- **USF&G**, Phoenix, AZ
Risk assessment of three projects regarding value of work in place, cost to complete and quality of work.
- **Inca v APC T&K**, Joint Venture, Cave Creek, AZ
Prepared a delay and disruption claim against the general contractor on a municipal project. The claim included delay, disruption and lost productivity.
- **Super 8 Motel**, Grand Canyon, AZ
Evaluated the facts surrounding the failure of a fire suppression system.
- **Hawaii Convention Center**, Honolulu, HI
Forensic evaluation of distress in a roof top concrete slab used for outdoor functions.

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- **Comfort Suites Hotel**, Richmond, VA
Provided ongoing claims management services for the owner of a 300-room hotel constructed of concrete block bearing walls and pre-cast plank.
- **Ritz Carlton Hotel**, Maui, HI
Risk assessment for insurance company due to failure of grout.
- **Owens & Minor Executive Headquarters**, Richmond, VA
Provided ongoing claims management for this 60,000 square foot office building and garage consisting of steel frame and glass curtain wall. The pre-cast, pre-stressed garage was partially underground.
- **Del Lago Resort and Conference Center**, Lake Conroe, TX
Provided ongoing claims analysis, contract negotiation and settlement negotiations.
- **Sheraton Hotel**, Tanzania, Africa
Risk assessment involved review of design/build proposal, contract assessment and technical specifications.
- **Ramada Royal Reef Hotel**, Belize City, Belize, Central America
Services included merit and entitlement analysis, evaluation of termination and delay claims.
- **Combined Arms Staff Trainer Facility, Marine Corps Air Station**, Keneohe Bay, HI
Assisted NAVFAC in the settlement of equitable adjustment claim.
- **Missouri Falls Building**, Phoenix, AZ
Provided a forensic investigation of the causes of water intrusion and concrete distress

RESIDENTIAL CONSTRUCTION

Mr. Coppola's contractor clients have included both custom homebuilders and nationally recognized track homebuilders such as Hancock Communities, Meritage Homes, Beazer Homes, Brown Family Communities and Elliott Homes.

- **Promenade at the Meadows**, Las Vegas, NV
Prepared \$5.2 million defective construction claim on behalf of Homeowners Association.
- **Del Camino**, Phoenix, AZ
Evaluated a multi-million dollar defective construction claim brought against a concrete subcontractor.
- **Private Residence**, Gilbert, AZ
Represented the owners in evaluating the defective construction on their home. Defects included stucco, shear panels, framing, windows and code compliance.

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- **North Timbers Apartments**, Raleigh, NC
Provided ongoing support to legal counsel and lending institutions in claims analysis, contract negotiations and settlement agreements.
- **Bellagio**, Phoenix, AZ
Evaluated a multi-million dollar defective construction claim brought against a concrete subcontractor.
- **Private Residence**, Phoenix, AZ
Represented the owners in the evaluation of defective construction in their home. Defects included stucco, roofing, water intrusion, mold, and framing.
- **Private Residence**, Paradise Valley, AZ
Evaluated the work of a home designer and architect in the proposed remodel of this million-dollar home.
- **La Mirage**, Las Vegas, NV
Prepared and successfully asserted a \$2.2 million defective construction claim on behalf of Homeowners Association.
- **Shalimar Condominiums**, Myrtle Beach, SC
Services included contract assessment, change order analysis, settlement negotiations and supervision of work completion.
- **Numerous residential pools**, Las Vegas, NV
Inspected and analyzed the cause of continuous cracking in gunite pools.
- **Private Residence**, Phoenix, AZ
Risk assessment for an insurance company regarding the framing of a million dollar home.
- **Private Residence**, Phoenix, AZ
Reviewed the construction drawings of a million dollar home for defects.
- **Private Residence**, Sedona, AZ
Evaluated the in-place construction of this partially completed home destroyed by fire for the purposes of determining insurance coverage amounts.
- **Arbors Condominiums**, Las Vegas, NV
Defended a developer against a defective construction claim asserted by the Homeowners Association. Allegations included lack of shear walls, poor stucco application, incorrect cement types and poor roofing.

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- **Cioffi Class Action Suit**, Glendale, AZ
Representing the masonry contractors and the framer on this multi-million dollar defective construction lawsuit involving a major homebuilder. Allegations include improper masonry wall installation and improper framing techniques.
- **Private Residence**, Scottsdale, AZ
Provided a forensic evaluation of the cause of stucco distress, water intrusion and mold infestation in this custom home.
- **Private Residence**, Chandler, AZ
Analyzed construction defects in a residence built by Jackson Properties. The law suit/allegations included framing defects, concrete slab defects and standard of care issues.

EDUCATIONAL FACILITIES

- **Briggs Chaney Middle School**, Burtonsville, MD
Provided ongoing claim and change order analysis.
- **Cummings Elementary School**, Houston, TX
Merit and entitlement analysis for equitable adjustment claims.
- **Albright Middle School**, Houston, TX
Merit and entitlement analysis for delay claims and equitable adjustment claims.
- **Spellman Elementary School**, Prince George's County, MD
Provided services that included merit and entitlement analysis of delay claims for this 120,000 square foot structure.
- **Alexander Elementary School**, Houston, TX
\$4.5 million.
- **Reese Elementary School**, Houston, TX
\$4.5 million.
- **Individualized Study Center**, Alief, TX
\$4.0 million.
- **Dale City Middle School**, Fairfax County, VA
Schedule and delay analysis.

WATER AND WASTEWATER TREATMENT AND SUPPLY SYSTEMS

- **City of Quartzite, Quartzite, AZ**
Reviewed the facts surrounding an unjust termination on a privatized wastewater reclamation project.
- **91st Avenue Waste Water Treatment Plant, Phoenix, AZ**
Prepared a delay claim against an electrical subcontractor on behalf of Mingus Constructors
- **City of Tolleson Waste Water Treatment Plan, Tolleson, AZ**
Prepared a delay claim against the City of Tolleson on behalf of SDB, Inc.
- **Jomax Waste Water Treatment Plant, Peoria, AZ**
Prepared a delay claim against the City of Peoria as well as a claim for wrongful termination on behalf of SDB, Inc
- **Potomac River Water Supply Stage II Development, Fairfax County Water Authority, Fairfax, VA**
Provided risk management services for this \$650 million, 5-year capital improvement program comprising 13 construction contracts for the upgrade and expansion of water treatment facilities. Services included management planning, risk management plan development, value engineering, training, constructability reviews, master and individual construction schedule development and monthly updates, and change order and claim evaluations. Project included:
 - 84" High Pressure Transmission Pipeline \$5.2M
 - Fox Mill Pump Station (Fairfax, VA) \$11.3M
 - 42" Transmission Main \$10.0M
 - 36" Transmission Main \$9.2M
 - Tyson's Corner (VA) Pumping Station \$11.0M
 - Corbalis Plant Expansion (Herndon, VA) \$60.0M
 - Corbalis Pump Station and Reservoir (Herndon, VA) \$8.7M
 - Backlick Pump Station (Merrifield, VA) \$1.5M
- **Havre de Grace Water Treatment Plant, Harford County, MD**
Provided claims analysis of time extensions, changed subsurface conditions, and change order analysis of a prefabricated steel building for a \$4 million project.
- **Arlington County, Department of Public Works, Arlington, VA**
Provided training in claims avoidance, mitigation of claims and contract analysis.
- **WASUA, Blue Plains, Washington, D.C.**
Provided ongoing claims and litigation support services on this \$1.24 million claim, which included equitable adjustment, impact and delay claims.

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- **Craig Road**, Las Vegas, NV
Analyzed a \$1.8 million lost productivity claim asserted by a contractor against the City.

HEALTH CARE FACILITIES

- **Scottsdale Memorial Hospital, North Campus**, Scottsdale, AZ
Assisted legal counsel in the analysis of several claims asserted by the contractor on the Piper Outpatient Surgical Center. The claims included equitable adjustment, loss productivity, acceleration and defective design. Total amount of the claim exceeded \$1 million.
- **American Medical Laboratories**, Vienna, VA
Provided claims support services regarding alleged defective design, delay impacts and equitable adjustment.
- **Methodist Hospital Renovation**, Houston, TX
Served as program and construction manager for the renovation of a 400,000 square foot health care facility. Facility included a 16-story addition consisting of 200 patient beds, surgery suites and intensive care units in 270,000 square feet and \$54 million; 350,000 square feet, \$78 million Neurosensory Center; and construction of a one-story radiology annex consisting of 5,000 square feet.

Presentations

CLAIMS MANAGEMENT

- Arlington County Department of Public Works, Arlington, VA
- Fairfax County Water Authority, Fairfax, VA
- County Engineers Association of Maryland, MD

CONSTRUCTION MANAGEMENT

- Virginia Subcontractors Association
- Virginia Tech University, Blacksburg, VA
- Council of Educational Facilities Planners, Atlanta, GA

PROJECT MANAGEMENT

- "Engineering News/Record" - CEMC-sponsored Lecture Series
- "Navajo Basics" - series of seminars to Navajo Nation on Project Management, Gallup, NM

INHERENT PROBLEMS OF SCHEDULING SOFTWARE IN EVALUATING DELAY CLAIMS

- Public Seminar, San Francisco, CA
- Public Seminar, Los Angeles, CA
- American Institute of Architects, Las Vegas, NV
- Public Seminar, Honolulu, HI

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MOLD: WHAT IS IT AND HOW DOES IT HAPPEN

- Fennimore Craig, Phoenix, AZ
- Wall and Ceiling Plasterers Association, Tempe, AZ
- Community Association Institute, Phoenix, AZ

OTHER TOPICS

- Council of Educational Facilities Planners, Scottsdale, AZ - Risk Management: Defective Construction
- Jennings, Straus, Salmon Seminar, Phoenix, AZ - Delay Claims
- Council of Educational Facility Planners International, Dallas, TX - Dispute Prevention and Resolution
- Honolulu, HI – The Random Sampling Process in Defective Construction
- AACE International, San Francisco Section's speaker program
- Dell Web School of Construction, ASU, Tempe, AZ – Change Orders
- State Bar of Arizona, Construction Law Section – Use of Experts in Multi-discipline Defect Cases

TEACHING

- Houston Community College, Houston, TX - **Adjunct Faculty**
- John Tyler Community College, Richmond, VA - **Adjunct Faculty**
- Houston Community College, Houston, TX – **Architectural Advisory Committee**
- Virginia Tech University, Roanoke, VA - **Guest Lecturer**
- Arizona State University, Tempe, AZ - **Guest Lecturer**

PUBLICATIONS

The following three publications were provided to attendees at trade sponsored training programs.

Sponsor: Engineering News Record and Construction Education Management Corporation
Title: *"Project Management: How to Successfully organize, Plan & Control Your Project"* (1990)
Coauthor with seven other authors

Sponsor: Arlington County, Virginia
Title: *"Claims Avoidance, A Practical View"*
Coauthored with Michael Loulakis of Wickwire Gavin, P.C., Washington, DC

Sponsor: County Engineers Association of Maryland
Title: *"Risk Management and Construction Claims"*
Coauthored with Charles Robson of Patton, Boggs & Blow, Washington D.C