

CURRICULUM VITAE

JAMES W. FOLEY, P.E.
P.O. BOX 2153
SARATOGA, CALIFORNIA 95070
(408) 777-9917
jim@jimfoley.com

SUMMARY OF EXPERIENCE:

Over forty-six years of practical experience in engineering, construction, and related management. This experience has encompassed managing the design and construction of bridges, highways, streets, roads, landscaping and irrigation, rail systems, traffic signal systems, streetlight systems, sanitary sewers, storm drains, utilities, pipelines, tunnels, dams, airports, oil refineries, nuclear facilities, deep excavations, heavy foundations, office buildings, schools, high-rise buildings; the preparation of working drawings and specifications; acquisition of property by eminent domain, and the management of activities during the construction phase of projects.

Over thirty-five years of experience and more than two thousand hours spent in depositions, hearings, testimony, and related presentations as both an expert and a percipient witness. This experience has been gained “on the witness stand;” at arbitrations and mediations; with Dispute Resolution Boards; with commissions, boards, and councils; with the State of California Joint Legislative Committee on Sunset Review; and in closed Executive Sessions of legislative bodies. I have also acted as a negotiator, a mediator, a project neutral, and a member of Dispute Resolution Boards. I have participated in jury selection and as the owner’s lead in preparing for trial. My experience has been gained as an owner, as a designer, as a contractor, and as an independent expert for both plaintiffs and defendants encompassing in excess of fifty separate legal actions.

EDUCATION:

BACHELOR OF SCIENCE - Civil Engineering, Santa Clara University, 1968
MASTER OF SCIENCE - Civil Engineering, Santa Clara University, 1970
University of California Extension, Berkeley
Pepperdine University, School of Law, Straus Institute for Dispute Resolution

PROFESSIONAL LICENSES:

Civil Engineer, California and Nevada
Structural Engineer, California and Nevada
Geotechnical Engineer, California
General Contractor (A & B), California
California Community College Instructor Credential in Engineering

PROFESSIONAL SOCIETIES:

Fellow, American Society of Civil Engineers
Member, Structural Engineers Association of California
Member, California Geotechnical Engineering Association
Member, American Public Works Association
Member, Dispute Resolution Board Foundation

BOARDS AND COMMISSIONS:

California Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) (Member Emeritus) (Member CE TAC)
Santa Clara University Ambassador
San Jose City Employees Foundation Board of Directors
Mercatus, Inc. – Advisory Board
The Vineyards of Saratoga Board of Directors – President

JAMES W. FOLEY, P.E.
DETAILED SUMMARY OF EXPERIENCE

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2002 TO PRESENT: James W. Foley, P.E. - Engineering and Construction Consultant

Currently providing consulting services to the engineering and construction industry. These services include negotiation, arbitration, mediation, participation on Dispute Resolution Boards, Dispute Resolution Advisor, project re-alignment intervention, forensic investigation, constructability review, specification review, and expert witness testimony. Due to my familiarity with the Public Contract Code and Government Code as they apply to public works contracting in California, I provide classes and seminars related to project management, and the preparation and coordination of plans and specifications.

2000 TO 2003: Public Works Department, City of San Jose

As Deputy Director of Public Works (City Engineer), I provided oversight and coordination of four Public Works operating Divisions: Airport, Development Services, Engineering Services, and Real Estate. Primary responsibility was the implementation of the San Jose International Airport Master Plan – a two billion dollar series of capital improvement projects. Other duties included long-range department planning and project scheduling, management of operating and capital budget preparation, training and development of department personnel, and setting the highest standards achievable for the four reporting divisions.

1995 TO 2000: Public Works Department, City of San Jose

Assigned as the Division Manager of the Design and Construction Division. I was responsible for managing the implementation of major portions of the City's multi-billion dollar Capital Improvement Program. This included the Traffic and Redevelopment Agency Programs, the Storm Drain Program, the Sanitary Sewer Program, and the South Bay Water Recycling Project. The total dollar value of projects designed and constructed exceeded 50 million dollars per year.

FALL 1994: City Engineer, City of Campbell

Provided contract services to the City of Campbell as City Engineer. I was responsible for managing the engineering section of the Public Works Department on an interim basis during Campbell's recruiting process. My duties included capital project implementation and construction management, private development review, and coordination with other public agencies.

1992 TO 1995: Public Works Department, City of San Jose

Assigned as the Division Manager of the Engineering Services Division. I was responsible for managing the City's Materials Testing Laboratory, the City Survey Section, and the reorganization and computerization of the central filing system for Public Works related documents. I also advocated and managed a pilot program to provide materials testing services and land surveying to other organizations and agencies including the Santa Clara County Transportation Agency, Santa Clara Valley Water District, and Caltrans as a "private" enterprise providing revenue for the City.

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DETAILED SUMMARY OF EXPERIENCE

1987 TO 1992: Public Works Department, City of San Jose

Assigned as the Division Manager of the Design and Construction Division. I was responsible for managing the implementation of major portions of the City's Capital Improvement Program. This included the Traffic and Redevelopment Agency Programs, the Storm Drain Program, and the Sanitary Sewer Program.

1980 TO 1987: Public Works Department, City of San Jose

Assigned as the Section Manager of the Design Section of the Design and Construction Division. Duties included managing the final engineering design and construction of Public Works Capital Improvement Projects including bridges, streets, light-rail transit, traffic signals, storm drains, sanitary sewers, pipelines, pump stations, water systems, and airport related facilities.

1973 TO 1980: Bechtel Incorporated, San Francisco

Primarily responsible for managing the structural design and project coordination for the Terminal Complex for the New Riyadh International Airport, Saudi Arabia. This encompassed managing a team of design engineers and construction related personnel. Other projects and associated responsibilities included the design and construction of nuclear facilities, pipelines, and oil refineries.

1972 TO 1973: H. J. Degenkolb Associates, Consulting Engineers, San Francisco

Responsibilities included the analysis and design of low-rise and high-rise commercial buildings and industrial structures, investigation of existing buildings for structural adequacy, the preparation of seismic studies and research for public agencies, the preparation of working drawings and specifications, and the coordination of activities during the construction phase of projects.

1969 TO 1972: Public Works Department, City of San Jose

Responsibilities included the design of street improvement projects, the design of several low-rise municipal buildings, the preparation of working drawings and specifications, and the coordination of activities during the construction phase of projects.

JAMES W. FOLEY, P.E.
DETAILED SUMMARY OF EXPERIENCE

Guest Lecturer: Santa Clara University
Stanford University
San Jose State University

Past Memberships California Board for Professional Engineers, Land Surveyors, and Geologists
On Boards and Santa Clara Valley Water District Flood Control Zone Advisory Committees
Commissions: San Jose/Santa Clara Treatment Plant Advisory Commission
American Public Works Association South Bay Area Chapter Board of Directors
NCEES Fire Protection/Design Build Task Force
NCEES Examination Administration Task Force
NCEES Committee on Finances
NCEES Advisory Committee on Council Activities
Caltrans Local Bridge Seismic Retrofit Advisory Committee
Caltrans Highway Bridge Replacement and Rehabilitation Steering Committee

Miscellaneous: Santa Clara County Superior Court – Mediator
California Department of Transportation (Caltrans) – Designated Expert Witness
NCEES Distinguished Service Award 2010

Clients:

- APC, International
- ArbitrationWorks
- Team Technologies
- East Side Union High School District
- Pajaro Valley Unified School District
- Caltrans
- Santa Clara Valley Water District
- City of San Jose
- City of Campbell
- City and County of San Francisco
- San Bernardino County
- Verizon
- Bechtel
- HNTB Corporation
- CH2M Hill
- Carollo Engineers
- CDM
- CSG Consultants, Inc
- WWCOT
- URS Corp.
- WSDOT
- S. J Amoroso Construction, Inc.
- RGW Construction, Inc.
- Pavex Construction, Inc.
- Dilbeck and Sons, General Contractors, Inc.
- Ranger Pipelines, Inc.
- Shimmick Construction, Inc.
- Turner
- Granite Construction, Inc
- FCI Constructors, Inc.
- Shaw Pipeline, Inc.
- Las Vegas Paving Corp.
- Southland/Tutor Perini Corp.
- Oscar Renda Contracting
- Disney Construction, Inc.
- JMB Construction
- Picone and DeFilippis, Attorneys at Law
- Brian K. Berman, Attorney at Law
- William R. Seligmann, Attorney at Law
- Judy Tsai, Attorney at Law
- Watt, Tieder, Hoffar & Fitzgerald, L.L.P.
- Hayes Davis Bonino Ellingson McLay & Scott, L.L.P.
- Sullivan Taketa LLP
- Theodora Oringer Miller & Richman PC
- Duane Morris LLP
- Long & Levitt LLP
- James W. Duffy, Attorney at Law

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

PROJECT	OWNER	CONTRACTOR	\$	DATE	ROLE			DESCRIPTION
					O	C	Ch	
<i>I 880/US 101 Interchange & Widening</i>	<i>Santa Clara Valley Traffic Authority</i>	<i>Nolte Associates, Inc.</i>	<i>50M</i>	<i>1986</i>	X			<i>Dispute Resolution Board for determining consultant responsibility and compensation.</i>
<i>SR 85/Saratoga Ave. Interchange</i>	<i>Santa Clara Valley Traffic Authority</i>	<i>BKF Engineers</i>	<i>25M</i>	<i>1986</i>	X			<i>Dispute Resolution Board for determining consultant responsibility and compensation.</i>
<i>Fuel Truck Access Road</i>	<i>City of San Jose (Airport)</i>	<i>Serrano & Cone</i>	<i>1M</i>	<i>1999</i>	X			<i>Dispute Resolution Board to resolve claim. San Jose Airport Roadway.</i>
<i>Taxiway Z from Taxiway C to G</i>	<i>City of San Jose (Airport)</i>	<i>Serrano & Cone</i>	<i>6M</i>	<i>1999</i>	X			<i>Dispute Resolution Board to resolve claim. Taxiway widening and drainage.</i>
<i>Evergreen Valley High School</i>	<i>Eastside Union High School District</i>	<i>S.J. Amoroso</i>	<i>80M</i>	<i>2002 - 2004</i>	X	X	X	<i>Full Project Re-alignment involving arbitration, mediation, neutral advocacy and Dispute Resolution Boards.</i>
<i>Lower Silver Creek Project Reach 3, Phase 1</i>	<i>Santa Clara Valley Water District</i>	<i>RGW Construction</i>	<i>12M</i>	<i>2003 - 2006</i>	X			<i>Dispute Resolution Board. Creek channel modifications and re-vegetation.</i>
<i>Pajaro Valley High School</i>	<i>Pajaro Valley Unified School District</i>	<i>Dilbeck & Sons</i>	<i>25M</i>	<i>2003 - 2004</i>	X	X	X	<i>Full Project Re-alignment</i>
<i>SR 87 - Brokaw Road to De La Cruz Boulevard</i>	<i>Caltrans</i>	<i>Pavex Construction</i>	<i>16M</i>	<i>2004 - 2005</i>			X	<i>Dispute Resolution Board. Freeway widening and bridges.</i>
<i>I 280 – SR 87 to Cypress Overcrossing</i>	<i>Caltrans</i>	<i>RGW Construction</i>	<i>17M</i>	<i>2006 - 2007</i>		X		<i>Dispute Resolution Board. Freeway widening and overlay.</i>
<i>Laguna Honda Hospital Replacement Program</i>	<i>City and County of San Francisco</i>	<i>Turner</i>	<i>400M</i>	<i>2006 – 2011</i>	X			<i>Dispute Resolution Board. Construction of a new Laguna Honda Hospital.</i>
<i>Crossover and Isolation Valves at Hayward Fault</i>	<i>City and County of San Francisco</i>	<i>Ranger Pipelines, Inc</i>	<i>16M</i>	<i>2006 – 2007</i>			X	<i>Dispute Resolution Board. Construction of seismic isolation valves at the Hayward Fault for SFPUC.</i>

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

PROJECT	OWNER	CONTRACTOR	\$	DATE	ROLE			DESCRIPTION
					O	C	Ch	
<i>Sunset Reservoir Phase B</i>	<i>City and County of San Francisco</i>	<i>Shimmick Construction Company, Inc.</i>	<i>40M</i>	<i>2006 – 2008</i>	X			<i>Dispute Resolution Board. Seismic Upgrade and rehabilitation of Sunset Reservoir for SFPUC.</i>
<i>East West Transmission Main SR 152 Truck Lane</i>	<i>City and County of San Francisco</i>	<i>Ranger Pipelines, Inc..</i>	<i>20M</i>	<i>2007 - 2008</i>	X			<i>Dispute Resolution Board. Construction of a Water Transmission Main for SFPUC.</i>
	<i>Caltrans</i>	<i>RGW Construction</i>	<i>15M</i>	<i>2007 - 2008</i>		X		<i>Dispute Resolution Board. Construction of a Truck Climbing Lane on SR 152 (Pacheco Pass)</i>
<i>Lenihan Dam Outlet Modifications Project</i>	<i>Santa Clara Valley Water District</i>	<i>FCI Construction, Inc</i>	<i>45M</i>	<i>2007 - 2010</i>	X	X		<i>Dispute Resolution Board. Construction of a tunnel for valves, piping, and other appurtanences for a new outlet system.</i>
<i>Aleman Pump Station Upgrade</i>	<i>City and County of San Francisco</i>	<i>Monterey Mechanical</i>	<i>25M</i>	<i>2008 - 2010</i>	X			<i>Dispute Resolution Board. Construction of a new pump station.</i>
<i>Warlow Roadside Rest Ares</i>	<i>Caltrans</i>	<i>Granite Construction, Inc.</i>	<i>6M</i>	<i>2008 - 2009</i>	X	X	X	<i>Dispute Resolution Advisor. Construction of a Roadside Rest Area on SR 99 near Fresno.</i>
<i>North University Mound System Upgrade</i>	<i>City and County of San Francisco</i>	<i>Shaw Pipeline, Inc.</i>	<i>14M</i>	<i>2008 - 2010</i>	X	X	X	<i>Dispute Resolution Advisor. Water main installation, sewer replacement, and pavement restoration.</i>
<i>Terminal 3 Roadway Project</i>	<i>McCarran International Airport</i>	<i>Las Vegas Paving Corp.</i>	<i>126M</i>	<i>2009 - 2010</i>		X		<i>Dispute Resolution Board. Construction of airport roadways including 21 bridges in Las Vegas NV.</i>
<i>Isabel Project #3</i>	<i>Caltrans</i>	<i>RGW Comstruction</i>	<i>27M</i>	<i>2009 - 2011</i>			X	<i>Dispute Resolution Board. Construction of a new freeway interchange in Livermore, CA</i>
<i>Scada System – Phase II and Security Upgrades</i>	<i>City and County of San Francisco</i>	<i>Ranger Pipelines, Inc.</i>	<i>4M</i>	<i>2010 - 2011</i>	X	X	X	<i>Dispute Resolution Advisor. Construction of a new Supervisory Control and Data Acquisition (SCADA) System.</i>
<i>New Irvington Tunnel</i>	<i>City and County of San Francisco</i>	<i>Southland Contracting Inc./Tutor Perini Corporation</i>	<i>227M</i>	<i>2010 - Present</i>			X	<i>Dispute Resolution Board. Construction of a 3.5 mile tunnel, 8.5 ft. – 10.5 ft in diameter for the San Francisco water system.</i>
<i>Medina River Sewer Outfall Segment 1</i>	<i>San Antonio Water System</i>	<i>Oscar Renda Contracting</i>	<i>15M</i>	<i>2010 - 2014</i>	X		X	<i>Dispute Resolution Board. Construction of a major sanitary sewer outfall pipeline in San Antonio, TX.</i>

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

PROJECT	OWNER	CONTRACTOR	\$	DATE	ROLE			DESCRIPTION
					O	C	Ch	
<i>Medina River Sewer Outfall Segment 2</i>	<i>San Antonio Water System</i>	<i>Pipelayers, Inc.</i>	<i>15M</i>	<i>2010 - 2014</i>	X		X	<i>Dispute Resolution Board. Construction of a major sanitary sewer outfall pipeline in San Antonio, TX.</i>
<i>Medina River Sewer Outfall Segment 6</i>	<i>San Antonio Water System</i>	<i>BRH-Garver ConstructionLP</i>	<i>5M</i>	<i>2010 - 2012</i>	X	X	X	<i>Dispute Resolution Advisor. Construction of a major sanitary sewer outfall pipeline in San Antonio, TX.</i>
<i>Philip S. Raine Roadside Rest Area</i>	<i>Caltrans</i>	<i>Granite Construction, Inc.</i>	<i>8M</i>	<i>2011 - 2012</i>	X	X	X	<i>Dispute Resolution Advisor. Construction of a Roadside Rest Area on SR 99 near Fresno, CA.</i>
<i>Route 280/92 Seismic Retrofit</i>	<i>Caltrans</i>	<i>Disney Construction, Inc</i>	<i>6M</i>	<i>2011 - 2012</i>	X	X	X	<i>Dispute Resolution Advisor. Seismic Retrofit of a freeway interchange in San Mateo, CA.</i>
<i>Cesar Chavez Street Sewer & System Improvement Phase I</i>	<i>City and County of San Francisco</i>	<i>JMB Construction</i>	<i>15M</i>	<i>2011 - 2012</i>	X	X	X	<i>Dispute Resolution Advisor. Construction of a major sewer and street improvement project in San Francisco.</i>
SR 180 Landscaping	Caltrans	Clean Cut Landscape	5M	2013 - Present	X	X	X	Dispute Resolution Advisor. Land scaping and irrigation of SR 180 in Clovis, CA
San Antonio Backup Pipeline	City and County of San Francisco	Ranger Pipelines, Inc	32M	2013 - Present	X	X	X	Dispute Resolution Advisor. Construction of a backup water pipeline for San Francisco.
SR 198 Bridge Rehabilitatio	Caltrans	Granite Construction, Inc.	5M	2013 - Present	X	X	X	Dispute Resolution Advisor. Bridge Rehabilitation on SR 198 near Hanford, CA
AWSS – New Cisterns B	City and County of San Francisco	Azul Works, Inc.	4M	2013 - Present	X	X	X	Dispute Resolution Advisor. Construction of cisterns for auxiliary water supply for San Francisco,
SR 9 Roadway Widening	Caltrans	RGW Comstruction	5M	2014 - Present	X	X	X	Dispute Resolution Advisor. Construction of a widened roadway including soil nail/soldier pile retaining walls near Saratoga, CA
Peninsula Pipelines Seismic Upgrade	City and County of San Francisco	Ranger Pipelines, Inc	21M	2014 - Present	X	X	X	Dispute Resolution Advisor. Construction of a seismic upgrde pipeline for Francisco.

ALTERNATIVE DISPUTE RESOLUTION EDUCATION AND TRAINING

INSTITUTION	COURSE SUBJECT	DATE
Lorman Education Services	Public Contract Code and Competitive Bidding in California	August 2002
La Jolla Center for Dispute Resolution	Start to Finish Services for Dispute Resolution	March 2003
Saddle Island Institute	Construction Claims: How to Manage Construction Projects So Disputes Are Completely Eliminated or Resolved Quickly	April 2003
Pepperdine University, School of Law, Straus Institute for Dispute Resolution	Mediating Complex Construction Disputes	June 2003
Team Technologies/The ReAlignment Group	Project Alignment	January 2004
Dispute Resolution Board Foundation/Caltrans	The Dispute Resolution Board Administration and Practice Workshop	March 2004
Dispute Resolution Board Foundation/Caltrans	The Dispute Resolution Board Chairing Workshop	March 2004
Team Technologies/The ReAlignment Group	Project Alignment/Re-alignment	May 2004
Pepperdine University, School of Law, Straus Institute for Dispute Resolution	Mediating: The Art of Facilitating Settlement	June 2004
Dispute Resolution Board Foundation/Caltrans	The Dispute Resolution Board Administration and Practice Workshop	March 2005
Dispute Resolution Board Foundation/Caltrans	The Dispute Resolution Board Advanced/Chairing Chairing Workshop	March 2005
Pepperdine University, School of Law, Straus Institute for Dispute Resolution	Strategic Negotiation and Settlement Skills	June 2005
Dispute Resolution Board Foundation/Caltrans	The Dispute Resolution Board Administration and Practice Workshop	March 2006
Dispute Resolution Board Foundation/Caltrans	2007 Caltrans DRB Workshop	December 2007
Dispute Resolution Board Foundation/Caltrans	2007 Caltrans DRA & Procedures Workshop	December 2007
Dispute Resolution Board Foundation/Caltrans	2009 Caltrans DRB Workshop	December 2009
Dispute Resolution Board Foundation/Caltrans	2009 Caltrans DRA & Procedures Workshop	December 2009
Dispute Resolution Board Foundation/Caltrans	2010 Caltrans DRB Workshop	October 2010
Dispute Resolution Board Foundation/Caltrans	2010 Caltrans DRA & Procedures Workshop	October 2010
Dispute Resolution Board Foundation/Caltrans	2013 Caltrans DRA/DRB & Procedures Workshop	March 2013
Dispute Resolution Board Foundation/Caltrans/AGC	2014 Northern California Regional Conference	March 2014