

SHAWN MODAR

EXECUTIVE VICE PRESIDENT – CONSTRUCTION CONSULTING

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EDUCATION

BS in Geo-Environmental Engineering
Pennsylvania State University

MSc in Major Program Management

ACCREDITATIONS

Professional Engineer LICENSED IN PENNSYLVANIA

MEMBERSHIPS

Dispute Resolution Board Foundation

EXPERTISE

Schedule Delay Analysis
Productivity Analysis
Analysis and Preparation of Claims
Negotiation
Mediation, Arbitration, and Trial Support

Shawn Modar has more than 25 years of experience in the engineering and construction industry, with the majority of that time focused on construction claim analysis and dispute resolution. His primary focus is assisting clients in their efforts to substantiate or defend against claims for the recovery of time and additional costs, to avoid formal disputes, and to make informed decisions that result in equitable resolutions. Mr. Modar has provided consulting services to a variety of owners, sureties, contractors, subcontractors, regulatory agencies and attorneys, located throughout the United States and the world.

Mr. Modar oversees detailed schedule and damage analyses related to the evaluation and quantification of construction claims. He consults on various construction projects in multiple industries, including power generation facilities, liquefied natural gas plants, mining facilities, transportation and highway infrastructure projects, steel mills, resort and casinos, residential developments, wastewater treatment facilities, and schools and universities.

Mr. Modar's experience includes projects using both modular and stick-built construction methods. In addition to claims analysis, Mr. Modar works with domestic and international clients to help them manage project cost and schedule risk on active projects. Leveraging lessons learned from prior dispute matters, he assists clients in developing and managing a documented project history that is consistent and sufficient to facilitate the resolution of claims related to unanticipated construction issues, while minimizing the potential for additional schedule and cost risk.

Mr. Modar has also advised commercial management teams for both EPC contractors and owners to develop and execute strategies related to the management of contract and subcontract events in a consistent manner and in accordance with requirements for both. Mr. Modar has leveraged his experience to support community construction projects for non-profit organizations on a pro-bono basis, including the construction of a 10,000-square- foot animal shelter for an animal rescue organization and a renovation/addition at a public-access education center, art gallery and state-of-the-art glass studio operated by a non- profit organization.

Mr. Modar holds a B.S. in geo-environmental engineering from Pennsylvania State University and a Master of Science (MSc) in major program management from the University of Oxford Saïd Business School. Mr. Modar holds a Professional Engineer license active in the state of Pennsylvania.

WORK EXPERIENCE

Aperture, LLC (formerly The Sage Group), Denver, CO, October 2024 – Present, Executive Vice President

FTI Consulting, Inc., Pittsburgh, PA, 2021 - 2024, Senior Managing Director

The Rhodes Group, Inc., Pittsburgh, PA 2003 – 2021, Vice President

RJ Lee Group, Monroeville, PA, 2003– 2003, Consultant

Civil & Environmental Consultants, Inc., Pittsburgh, PA, 2000 – 2003, Consultant

Peterson-Navigant Consulting, Pittsburgh, PA 1999 – 2000, Consultant

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REPRESENTATIVE PROJECT EXPERIENCE – PARTIAL LISTING

- Directed the forensic schedule analysis for a 27km light rail extension in Canada. The forensic schedule analysis was focused on more than 3 km of cut-and-cover tunnels as well as station construction. The analysis was performed in support of the EPC contractor's efforts to resolve claims against the owner as well as claims from subcontractors.
- Directed and conducted the CPM delay analysis for an ICC arbitration related to the construction of a modular LNG facility in the United States Gulf Coast region. The delay analysis was conducted on behalf of the EPC contractor and included consideration for delayed owner-furnished equipment, force majeure events and mitigation/acceleration efforts.
- Directed and conducted the analysis of pipe fabrication related to the construction of a propane dehydrogenation plant located in the United States. The analysis included consideration for engineering, shop drawing development, material procurement, fabrication, delivery and installation as it relates to the overall project critical path.
- Provided ongoing support to the project management services consultant overseeing the USD$900-million development of a copper-gold mine in South Australia, including a mineral processing plant, underground materials handling infrastructure, and regional power supply. Provided schedule review and monitoring as well as commercial claim management assistance related to the USD$235 million EPC contract for the mineral processing plant and other non-process infrastructure.
- Directed and conducted the overall analysis of claims on multiple subcontract packages and at the head contract level related to the engineering, procurement and construction of two liquefied natural gas plants with total construction cost of up to USD$15 billion and individual claim values in excess of USD$200 million. Seconded to the EPC contractor to assist with the substantiation and submission of change order requests to the owner for additional time and costs. Provided support for the respective legal teams as a non-testifying expert for multiple packages which are subject to ICC Arbitration proceedings.
- Provided on-call construction consulting to assess critical delays to completion of a USD$4 billion liquefied natural gas facility in Northern Africa. Assisted the contractor with the submission and substantiation of a request for extension of time and evaluated numerous subcontractor requests for extension of time and alleged cost increases related to delays, acceleration, and force majeure events.
- Assisted the instrumentation subcontractor for a USD$2.2 billion expansion of a heavy oil refinery in the United States. Analyzed impacts to the mechanical contractor's progression of work, including late completion of predecessor activities and numerous changes in scope. Quantified additional indirect costs to be included in the mechanical contractor's request for additional compensation.
- Engaged prior to the start of construction of a USD$9.5 billion pipeline expansion project in Western Canada to assist a contractor responsible for a portion of the pipeline expansion to review project status and contract conditions to identify key commercial risk areas and to advise on methods to minimize the related risk.
- Conducted a preliminary assessment for an EPC contractor for a USD$479 million sulfur granulation plant and associated pipeline, handling and storage facilities located in the United Arab Emirates while the project was still in the engineering and procurement phase. Provided an assessment of the EPC contractor's potential opportunity to recover additional time and costs resulting from owner-directed changes.
- Engaged during construction by a subcontractor responsible for module fabrication and installation related to several open-pit mining, bitumen extraction, and synthetic crude oil processing facilities. Evaluated delays and disruptions in both the fabrication

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and installation components. Assisted the subcontractor in managing potential risks and the related recovery of additional time and costs associated with unforeseen events through the maintenance of sufficient and consistent project records.

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