

## Jason M. Jazayeri, P.E.

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### BACKGROUND

Mr. Jazayeri has more than 30 years experience in the construction industry as a general contractor and a construction consultant. In the last 20 years he has concentrated on claims review and analysis, dispute resolution, expert witness testimony, and partnering workshops. At the same time he has continued with construction of commercial projects as a builder. He has testified in court, arbitrations, and mediations. His experience spans various types of construction projects including multifamily residential buildings, water treatment facilities, street improvements, school modernizations, commercial buildings, university buildings, medical facilities, airports, and manufacturing plants. His duties include analyzing costs, establishing schedules, administering construction projects, and analyzing claims. Mr. Jazayeri holds a Master of Science Degree in Construction Engineering and Management from the University of California at Berkeley and a Bachelor of Science in Civil Engineering from the University of Illinois at Urbana-Champaign where he graduated with honors. He is also a licensed professional engineer, a licensed general contractor, and a LEED Accredited Professional.

### EXPERIENCE

**Claims & Litigation Support** - Mr. Jazayeri has participated in the resolution of many construction disputes including review and evaluation of multi-million dollar claims on projects such as office buildings, hotels, university structures, schools, hospitals, libraries, residential units, prisons, airports, water treatment facilities, fire stations, parks and other public works projects. A sample of typical projects is listed below.

*Alvarado Filtration Plant* - The prime contractor on this water treatment plant in San Diego had filed a \$1.4M claim alleging loss of efficiency and delay damages. Mr. Jazayeri performed a detailed delay analysis along with productivity and loss of efficiency evaluation of the claim, which he presented in mediation as the expert for the city. This matter was resolved in mediation.

*Santa Monica Airport* - The contractor had filed a multi-million dollar delay claim against the City on the expansion project for the Santa Monica Airport. The claim included issues of delay and disputed extra work. As the expert of the City, Mr. Jazayeri testified at the mediation. This case was resolved in mediation.

*Solana Beach Sewer Rehab* – The City of Solana Beach removed and replaced sewer lines and storm drains along Pacific Coast Highway using a public works contractor. The contractor filed a loss of efficiency and delay damage claim including disputed extra work in the amount of over one-half million dollars. Mr. Jazayeri reviewed the claim, analyzed its merits and assisted the City in resolving this matter in mediation.

*Lakeview Avenue and Bridge* – The contractor filed a delay claim against the City on this roadway expansion and bridge widening project. Mr. Jazayeri evaluated the merits of the claim and helped the client in negotiating the claim amount.

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*Crowne Hill Elementary School* – The grading subcontractor submitted a claim against the prime contractor alleging delay and disruption of work. Mr. Jazayeri evaluated issues of standards of care, delay, extra work, and testified in arbitration as the expert for the subcontractor.

*Anaheim Hills Tennis and Racquet Club* - Mr. Jazayeri evaluated and analyzed the costs of rebuilding this structure that was damaged due to fire. The assignment included evaluation and analysis of the insurance company's cost estimate and reports. This case was tried in court and Mr. Jazayeri testified as the expert for the owner of the club.

*University Center Phase III* - Mr. Jazayeri evaluated this \$16 million delay and disruption claim filed by the contractor on a facility at University California Irvine Campus. Issues included delay, disruption, differing site conditions and disputed extra work. The case was resolved in mediation. Mr. Jazayeri presented his findings in the mediation hearing as the expert for the University.

*Los Angeles Zoo*- Mr. Jazayeri assisted the electrical subcontractor in preparation and presentation of a multi-million delay and disruption claim to the general contractor on the Los Angeles Zoo expansion project. Mr. Jazayeri presented his findings in the mediation as the expert for the subcontractor. This matter was resolved in mediation.

**Defective Construction Investigations** - Mr. Jazayeri has coordinated on-site destructive testing, observation and research on various multi- and single-family residential properties. He has provided expert witness testimony at mediation and arbitrations. A sample of typical projects is listed below.

*Pacifica Building* – Pacifica Building is a 4-story commercial building in Irvine that was experiencing distress due to building movement. The investigation included determining the causes of the problem and providing repair methods. Mr. Jazayeri remained involved in the project through the completion of the corrective work, which included installation of a concrete apron around the foundation of the building to prevent water infiltration under the slab. This was to reduce the potential for swelling of the expansive soils under the building.

*Lantern Hill* – Lantern Hill was a 49-unit apartment complex in Orange County, which included several defective construction issues including sound transmission and water intrusion. Mr. Jazayeri conducted and supervised destructive tests on the decks and roofs, and observed the sound transmission test in several units.

*Briosa Condominiums* - Mr. Jazayeri conducted the defective construction investigation on this multi unit condominium project in Orange County. Defective construction issues included leaking decks, landscaping, electrical, plaster, grading and drainage. He testified in mediation as the expert for the home owner association.

**Partnering** – Partnering is an informal agreement between the key participants on a construction project to work together as a team and to resolve their disputes at the

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lowest possible level. This process starts with a one or two day workshop where the key participants discuss their goals, commitments, and agree on specific processes to implement their goals. Mr. Jazayeri has facilitated such workshops for owners and contractors. A sample of typical projects is listed below.

*Hesby Art Academy-* Mr. Jazayeri facilitated this partnering workshop between Emma Corporation and Los Angeles Unified School District and the architect, and helped resolve issues of dispute between the parties during the construction phase.

*I-5 Segment C -* Mr. Jazayeri facilitated the one-day partnering workshop between Caltrans District 12, CC Myers, Inc., OCTA, and several consulting and subcontractor entities on this multi-million dollar project.

*I-5 Segment A-2 –* Mr. Jazayeri facilitated the one-day partnering workshop between Caltrans District 12, Kajima Engineering & Construction, Inc., OCTA, and several consulting and subcontractor entities, on this multi-million dollar project.

*91 HOV lanes –* Mr. Jazayeri facilitated the one day partnering workshop between Caltrans District 12, E.L. Yeager Construction Company Inc., OCTA, and several consulting and subcontractor entities on this multi-million dollar project.

*“Lemon/ Harbor” Segment C - –* Mr. Jazayeri facilitated the one day partnering workshop between Caltrans District 12, E.L. Yeager Construction Company Inc., OCTA, and several consulting and subcontractor entities on this multi-million dollar project.

**Project Management -** Mr. Jazayeri has managed construction projects since 1979. His duties include preconstruction management, conceptual estimating, bidding, selecting subcontractors and writing subcontract agreements. In addition, he is involved in the day-to-day management of the projects including conducting progress meetings, scheduling, change order processing, shop drawing review and approvals, and site supervision. Furthermore, he has prepared close-out packages including warranties and as-built drawings, punchlist management and final transfer of the project to the owner. Project sizes range from five figure projects for retail and restaurant tenant improvements to \$150 million high rise and office buildings. A sample of typical projects is listed below.

*Hercules New Town Center-* Mr. Jazayeri was the construction manager on this mixed use high density development project located in Hercules, Ca. He was in charge of the design and construction of this three phase project. The estimated cost of construction of the first phase was approximately \$150,000,000. The project included a five story 200 unit apartment complex, an eight story office building, and a five story retail and residential condominium building. It also had extensive common area and landscaped plazas, along with two parking structures including over 1,000 parking spaces. This project was placed on hold during the design phase in early 2011.

*Spectrum Medical Plaza-* Mr. Jazayeri managed the design and construction of this 43,000 s.f. medical and surgical center in Irvine. The building has tilt-up concrete walls, structural steel frame with two elevators and class A office finishes. It is fully

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developed with two OSHPD 3 surgery centers and a number of Class B medical offices. The project was completed in November 2004.

*Gateway Medical Arts* – Gateway Medical Arts is a 7,500 s.f. medical office and outpatient surgery center in Lake Forest completed in 2003. It is a one-story structural steel framed building with state of the art surgical and operating room technology.

*Catalina Professional Center* – Catalina Professional Center is 22,000 s.f. tilt up medical office building in Santa Ana, California which includes a dialysis center. The project was valued at \$4 million and the scope of work included both design and construction. This project was completed in 2001.

*Procom Technology Inc.* - Mr. Jazayeri managed the design and construction of this 127,000 s.f., \$7,000,000 headquarter and manufacturing facility in 2000. The building is a combination of tilt-up concrete walls, structural steel frame, and a hybrid roof structure.

*Irvine Technology Center* – Irvine Technology Center was a combination of three 2-story tilt up buildings and two 3-story tilt up buildings valued at over \$8 million in Irvine Spectrum. Each building included a warehouse and a mezzanine office floor. This project was completed in 1986.

*Executive Park Project Phase III* – Executive Park project in Irvine consisted of five 2-story cast in place concrete buildings and an additional 3-story curtain wall building. It also included a design build two level cast in place parking structure. This project was valued at \$10 million and was completed in 1984.

*AVCO Corporate Facility* - The Avco Corporate Facility located in Irvine was a \$12 million five-story office building with structural steel frame and curtain wall windows. This facility included a 30,000 s.f. one-story computer facility wing. The building also included two tennis courts, sauna, gymnasium and a number of other amenities. This project was completed in 1982.

*Newport/Irvine Office Building* – This was a 300,000 s.f. 3-story structure with structural steel frame and curtain wall system valued at \$4 million. This project was completed in 1980.

*Peter's Landing* - Peter's Landing was a retail center in Seal Beach, California, which included a Red Onion Restaurant. The project was valued at several million dollars and included two additional restaurants, which were built as shell and a number of retail facilities and specialty shops. This project was completed in 1979.

In addition, Mr. Jazayeri has completed numerous tenant improvement projects such as office buildings, retail, medical suites, surgery centers and restaurants.

**Scheduling** - Mr. Jazayeri has created critical path method schedules for numerous clients for private, commercial, and public buildings. These projects include elementary schools, office buildings, hotels, apartments, prisons, and airports. Mr. Jazayeri has also conducted several scheduling claims and delay analyses for major

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university structures, airports, and office buildings. A sample of typical projects is listed below.

*Alga Road Elementary School* - Prepared the baseline CPM schedule for the construction of a five- building elementary school campus in San Diego.

*Arco Tower Office* - Prepared a CPM schedule for building the tenant improvements for a large suite at ARCO Tower Office in Los Angeles.

*Courtyard by Marriott* - Prepared the CPM schedule for a courtyard hotel in Fountain Valley.

*Fixed Guideway Transportation* - Prepared CPM schedule for design and construction of the fixed guideway transportation for the City of Irvine.

*Harbor Place Tower* - Prepared CPM scheduling for this multi-story cast in place concrete residential building in Long Beach.

*John Wayne Airport* - Prepared CPM schedule for completing the punchlist work on this major airport facility in Orange County, California.

*University Center Phase III* - Created the as-built schedule for this multi-million dollar facility on the campus of the University of California in Irvine.

*Dorchester Condominium* - Prepared CPM schedule analysis and as-built schedule for this multi-story condominium in Los Angeles.

*Imperial Valley Prison* - Prepared the original CPM schedule for this multi prime correctional facility in Imperial Valley, California.

**Facility Audits** - Mr. Jazayeri has directed and participated in facility audits on hundreds of structures for owners of multiple facilities such as cities and municipalities. A facility audit is an evaluation of facility structures and major components.

Facility audits typically result in a report that has an inventory of major facilities and their components, an assessment of their general conditions, a list of items requiring repair or maintenance, a schedule to perform those repairs and maintenance, and finally an estimated cost for these repair recommendations. Facility audits are intended to help the facility owners to create a maintenance program and to efficiently manage the repair and maintenance of their facility. A sample of typical projects is included below.

*Environmental Management Agency of Orange County* - Mr. Jazayeri managed a team of architects and engineers who inspected and evaluated the facilities owned by Orange County Environmental Agency. Facilities included structures on County parks, harbors, piers and other marine structures. The report for this audit included a list of all major facilities, an evaluation of their condition and a detailed budget for performing the repairs and replacement of major components for the next 30 years. The report was used by the Environmental Management Agency in

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programming and budgeting its long-term capital improvement program.

*Orange County Transportation Authority* - Mr. Jazayeri managed a team of engineers and architects to inspect facilities located on five major Orange County Transportation Authority sites and a number of Park and Ride facilities. The facility audit included an inventory of major components of individual buildings, their general conditions, and a list of repair recommendations for items requiring repair or maintenance. Also, each recommendation was ranked according to a predefined criteria provided by Orange County Transportation Authority. All repair recommendations were priced and were ranked as to their priority of implementation.

*City of Santa Monica* - Mr. Jazayeri managed a team of architects and engineers to conduct a general condition assessment on 75 city owned structures located on 54 different sites. Facilities included beach buildings, libraries, parking structures, city hall, civic auditorium, and a number of other structures such as maintenance buildings and city yards. The report included a general assessment of the condition of major components, a list of repair and maintenance recommendations, the associated costs, and a priority on when the repairs should be implemented. Safety items were individually identified and provided as a separate list.

**Due Diligence Investigations** – Mr. Jazayeri has conducted inspections of various property types including multi-family apartments, warehouse facilities, and office buildings for prospective property purchasers and potential refinancing by commercial lenders. Due Diligence Investigations include inspection and assessment of the condition of the major components of the building including, structural, architectural, mechanical, plumbing, electrical, and fire life safety systems. These investigations typically result in a report that describes the general condition of the facility by component and list those components that require repair or maintenance. A list of deferred maintenance items including estimated repair costs is also included. Photographs typically augment the report. A sample of typical projects is listed below:

*Regency Park Apartments* - Mr. Jazayeri inspected this nine building apartment complex in Denver Colorado and advised the client of the general condition of the property, cost of repair, and a list of deferred maintenance items.

*Newport Corporate Building* – Mr. Jazayeri conducted the due diligence investigation on this 200,000 s.f. facility which is comprised of 3 individual buildings. Investigation included assessment of the manufacturing area, office area, and the warehouse facility.

**Risk Assessments** - Mr. Jazayeri has evaluated and analyzed the risk associated with major projects such as toll roads in California and Mexico, airport terminals in Tel Aviv, Israel, major airplane maintenance facility for United Airlines, and a computer chip manufacturing plant on behalf of insurance companies and underwriters. A sample of typical projects is included below.

*Ben Gurion International Airport* - Mr. Jazayeri evaluated the technical and contractual risks involved in design and construction of the new airport terminal in

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Tel Aviv, Israel. The review included a detailed analysis of contractual terms between the airport authority and the design-build contractor and an overview evaluation of the potential technical difficulties involved on the project.

*Tepic Toll Road* - Mr. Jazayeri evaluated the force majeure risks associated in completing the 1 billion dollar four lane highway between Tepic and Guadalajara in Mexico. This was a hundred-mile toll road, which traverses a rough terrain including mountainous areas, marsh areas and farmland, and included numerous bridges, culverts and other structures. Mr. Jazayeri evaluated the likelihood of completing the project within the originally contemplated schedule. The project was completed on time as predicted in the report of findings.

*San Joaquin Toll Road* - Mr. Jazayeri participated as a team member in the evaluation of the risks associated on this seventeen-mile toll road in Orange County, California. This design/build project was valued at 1.2 billion dollars and was scheduled to take four years to complete. The risk components evaluated were design, estimating, earthquake, and force majeure.

*United Airlines Maintenance Facility* - Mr. Jazayeri evaluated the technical and contractual risks involved in underwriting this major airplane maintenance facility in Indianapolis for United Airlines. This 700 million-dollar project included airplane hangers, maintenance facilities, offices and other support structures. The evaluation concentrated on the scheduling, contractual and technical aspects of the project.

*Computer Chip Manufacturing Plant* – Mr. Jazayeri evaluated the contractual and technical risks associated with completing a design build computer chip facility in Portland Oregon. The evaluation concentrated on technical risks and schedule aspects of the projects.

*Chollas Heights Naval Housing Facility* - Mr. Jazayeri evaluated the contractual and technical risks involved in completing a design build Navy Housing facility in Chollas Heights, San Diego. The unique features of this project included removal and relocation of existing historical structures including a 2 and 3-story wood structures and the demolition of 600 ft. high radio antennas and towers. The evaluation concentrated on issues relating to defective construction, quality control, and scheduling.

## **EDUCATION**

**Bachelor of Science, Civil Engineering** – 1978 University of Illinois, at *Urbana - Champaign*, Graduated with honors  
**Master of Science, Construction Engineering and Management** - 1979 University of California at *Berkeley*

## **REGISTRATIONS**

General Contractor, *California* - License No. 449372 since 1983  
Registered Civil Engineer, *California* - Registration No. 36643 since 1983  
USGBC LEED Accredited Professional - Since 2009

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**AFFILIATIONS**

Forensic Expert Witness Association- *Member*  
American Society of Civil Engineers – *Past Chair of the Forensic Engineering Technical Group- Five years active member of the board*  
American Arbitration Association – *Past Member Panel of Arbitrators*  
USGBC- *Member Orange County Chapter*

**PUBLICATIONS**

Condo Management, April 1991, *Poor Site Grading: A Difficult Problem to Resolve.*  
Proceedings of the First Congress on Computing in the Civil Engineering, June 1994, *Using Computer Programs to Develop As-Built Schedules.*  
Proceedings of the First Congress on Computing in the Civil Engineering, June 1994, *Application of Pen Computing to Construction Inspection.*  
Construction Management Association of America, March 1995, *New Trends In Building Inspections.*