

**Steven M. Murow**  
Summary of Expert Qualifications

Mr. Murow has been a professional in the general engineering contracting industry for nearly forty years. During that time he has served as a principal in two leading contracting firms; consultant to major land developers; specifier and bid administrator; senior project manager and as an expert witness. He has expertise in public and private engineering and building contracting, creating land development pro formas, claims mitigation, scheduling and cost estimating.

Mr. Murow began his professional career in 1978 as a quantity takeoff estimator for Southern California's premiere grading contractor – Sukut Construction, Inc. After attending the University of Illinois and Cal State Long Beach, studying Civil Engineering; Mr. Murow utilized his knowledge of soils mechanics, hydraulics and general business courses and teamed up with former employees of Sukut in 1981. Their goal was to create a new, diversified general engineering contracting firm; Gillespie Construction and a construction management firm, CME Corporation. As a principal in both companies, Mr. Murow was responsible for estimating and bidding of public works projects, project management and dispatching of field personnel and equipment.

In May 1987, Mr. Murow joined Greg Clayton as a principal and formed Clayton Engineering, Inc. to offer general engineering contracting services. In 1999, the company amassed sales of \$46 million, had 160 employees, over 30 pieces of heavy equipment and was a major force in public contracting in Southern California. Mr. Murow held the position of Executive Vice President; performed the sales and marketing for the company; estimated and/or supervised the estimating of over 1,500 bids and personally managed and/or was responsible for the project management of over 250 projects in excess of \$125,000,000.00 including heavy engineering and building construction; developed computer spreadsheets and formats for job costing, estimating and scheduling; oversaw the financial/accounting/bonding requirements of the company; and performed numerous consulting projects and constructability analysis.

In October, 2000 Mr. Murow joined The Moote Group to offer his expertise in developing pro forma's associated with mass grading and infrastructure development, perform mass grading analysis and budgets, develop mass grading bid packages and act as a project manager on grading and infrastructure related projects. He also developed the forensic estimating and litigation support division of The Moote Group.

Mr. Murow has provided assistance to Owners, Municipalities, Developers and Contractors on construction claim analysis and mitigation and provided litigation support on projects involving general engineering and building construction in the public and private industry. He has assisted in case development, claim preparation, damage assessment and quantification, cost estimating, and performed expert witness testimony, rebuttal witness services and has facilitated equitable settlement agreements among Contractors and Owners.

A brief description of projects Mr. Murow has been directly involved in includes:

- City of Laguna Beach, Treasure Island Development: Perform cost estimating, bid analysis, contract negotiations, budget analysis and allocation, and contract

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Summary of Qualifications, Continued

- completion verification as an expert to assist in a settlement between the City Council and the Developer.
- City of West Hollywood, Santa Monica Blvd. Reconstruction: Review and analyze \$27,000,000 contract billing with 70+ change orders; investigate, review and comment on pending claims; project review and analysis; serve as an expert and project mutual witness in the mediation process which led to a successful mediation settlement between the City and the Contractor. He also served as an expert on Standard of Care for Construction Managers and Civil Engineers in related litigation with the Project Design Engineer.
  - South Coast Construction vs. Ashbrook Communities: Serve as an expert to develop grading quantities and logistics, evaluate quantity of “removals,” analyze percent complete and amount due, review billing and change orders. Participate at Arbitration as an expert and rebuttal witness on grading issues and differing site conditions.
  - DR Horton v Verco, Orangecrest, Riverside: Serve as an expert in applying forensic investigation into billing practices including reconstructing contract billing, T&M billing and multiple change orders. Contractor demand for \$2.2MM was reduced to zero over 12 months of negotiations with the opposing accounting expert and contractor.
  - Playa Capital Company, LLC, Playa Vista, Los Angeles: Serve as the Senior Project Coordinator interfacing with engineering, design and construction in order to pre-plan, schedule, budget and prepare bid documents for CFD reimbursed public works projects totaling in excess of \$40,000,000. Once awarded, acted as Senior Project Manager through project completion including negotiating extra work and change orders, verifying completion percentages, coordinating with City, Soils Engineer, Civil Engineer and other Governmental Agencies. Manage and supervise construction team throughout all phases of construction. Initiate and avoid claims through documentation and document control.
  - BMR Golf vs. Lee, Fontana: Serve as an expert to support litigation and analyze the allegation of breach of contract. Research job records, perform forensic estimating and discovery, analyze field work and warrant an opinion on status of project. Present analysis and review during a successful mediation process.
  - Hunsaker vs. Hales, et al, Laguna Hills: Serve as an expert to support litigation and estimate construction cost for reconstructing property damage caused by lateral fill extension. Attend destructive testing, map reconstruction limits, analyze field work and prepare cost estimate for settlement purposes. Presented analysis at deposition.
  - Starfield Investors, LLC, Sycamore Creek, Riverside: Serve as Project Manager for Bid Administration, Contract Administration and Technical Support services to Owner on a new 1,300-lot residential development in Riverside County. Prepared initial cost estimates and budgets, bid documents and specifications for CFD reimbursement program, moderated the bid process, administered contracts, provided construction management services in support of the field operations and negotiated contract change orders and extra work. Developed project documentation processes and techniques.
  - Colonies Partners v Yeager-Skanska: Serve as the lead expert in a five week arbitration pertaining to a diverse mass grading project with numerous change

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Summary of Qualifications, Continued

- orders whereas the contractor claimed they were due \$1.9MM and the arbitrator awarded the developer in excess of \$2.4MM. Forensic work included generating pay quantities, establishing cost overruns, recreating payment schedules, determining overbillings and excessive contractor charges; and presenting testimony, exhibits and rebuttal during the arbitration.
- TriPacific v KB Coastal: Serve as lead expert in a jury trial in Vista Superior Court. Presented PowerPoint in courtroom on cost to complete of a partially completed residential (condo and townhomes) site in El Cajon. Provide direct testimony on \$9.8MM cost to complete and provided rebuttal testimony of opposing experts.
  - Litigation matters in McKinney Texas involving general engineering contracting bidding trade secrets, earthwork pay quantity dispute in Conway Arkansas, construction defects on a new hotel in La Cruces New Mexico, grading “cost to complete” in Las Vegas Nevada and numerous matters throughout the State of California.

In addition, as a general engineering contractor, Mr. Murow was directly and personally involved as the Estimator/Project Manager on several mass grading, street improvements, channel improvements, storm drain and turn-key site development projects for public works and private development. From 1989 to 1995 Mr. Murow also served as Estimator and Operations Manager on several Public and Private building projects including four community centers for local municipalities.

With his education, experience and specialized knowledge, Mr. Murow is considered an expert in “**forensic general engineering contracting and cost estimating**” specializing in DIRT – mass grading and excavation, street improvements, underground construction and land development cost analysis. Mr. Murow’s diverse expertise includes cost estimating and budgeting; project/construction management and contractor standard-of-care reviews; developing grading logistics, phasing analysis and sequencing of major earthwork projects; reviewing grading plans and geotechnical reports to develop earthwork quantity analysis charts; review and analysis of all phases of general engineering construction; public works contracting; job costing, change order review and billing procedures: cost-to-complete and percentage complete; and, project development and coordination. Mr. Murow’s overall experience and technical background allows him to successfully analyze claims and job related problems as a “*project neutral*” and mutual witness. He has been retained as an expert witness over one hundred fifty times, been deposed on 45 occasions and has testified in court and/or during arbitration on twenty four occasions. In April 2012, Mr. Murow sat on an Expert’s Panel as the contractor standard-of-care expert alongside two other experts in opining on the cause of 44,000LF of 42”VCP sewer line failure in Coachella Valley, California and recommending a cure of action.

On July 11, 2012, Mr. Murow began providing expert witness and litigation support services through his new entity *DIRTONU, Inc.* In addition, his dba **MUROW|CM** is serving as the construction oversight consultant for the 20-year build-out of Rancho Mission Viejo, providing bid administration and construction management services on various projects for NBCUniversal, Lennar Homes, Foremost Communities, Brookfield

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Homes, Santa Margarita Water District, Lewis Homes, Beazer Homes, KB Homes, Meritage Homes, Toll Brothers, K. Hovnanian Homes, Clearwater Communities, Dove Canyon HOA and numerous others; and, provides public works contract administration and claims mitigation for several general engineering contractors. MUROW|CM recently completed the grading work at Talavera in Menifee California consisting of 112 residential lots and the 83-Lot Arbor Vista development in Temecula California. MUROW|CM is currently providing CM-at-Risk Street Improvements at Menifee Town Center for Regent Properties, Chabad Street Improvements for Speiker Development at Scripps Ranch in San Diego; and, site improvements in South Gate for Clearwater Communities. In 2015, MUROW|CM completed their Resident Engineering service contract on a 20-month, \$21.3mm bridge project in Rancho Mission Viejo. In addition to focusing his expertise towards expert witness and litigation support services for construction claims, mass grading and site development matters, Murow provides pro forma development, bid administration and construction oversight to numerous developers, builders, engineering firms and municipalities. The firm incorporates the expertise of 65+ individuals averaging over 30 years in the construction industry. The company is heavily involved with dry utility consulting, CFD reimbursements; and, due diligence and entitlement services for many land developers and builders in California.

Mr. Murow is the past President (2011-2015) of the Orange County Forensic Expert Witness Association (FEWA), National Board Member and 2013 National President of the FEWA National Board of Directors, 2015/16 Past President of the American Society of Professional Estimators – Chapter 3, current Chairman and Executive Board Member of the Goals for Life Foundation, current Building Industry Association (BIAOC) Board of Director's member, current Board Member of HomeAid OC, past Board Member of the ECA (Engineering Contractors Association), member of the Construction Management Association of America (CMAA), the Southern California Contractors Association (SCCA), the Engineering Contractors Association (ECA), the Construction Specifications Institute (CSI), the Common Ground Alliance (CGA) and the Association for the Advancement of Cost Engineering (AACE). He continues his service on the Board of Directors at the Arizona State University Parents Association (13 years) and serves on the Board of the PLUMS, Parents of Alumni. Murow is an Advisory Council Member for the Construction and Technology Department at Orange Coast College in Costa Mesa. He also serves on the advisory council of the Construction Engineering Management Program at California State University at Long Beach. He has been a guest lecturer and presenter at Orange Coast College, at ASPE seminars and at seminars held by Pardee Homes. He has authored articles on bidding, contracting and prevailing wage (non) compliance. Mr. Murow holds a California General Engineering Contractors License (A-659969). In April, 2016 Murow completed his studies and Capstone Project at the University of Redlands and earned his BA in Business Management. In 2016, Murow earned the CFLC (Certified Forensic Litigation Consultant) credential from the Forensic Expert Witness Association. Recently, Murow was selected as an ACE Mentor at Godinez High School in Santa Ana and will mentor kids interested in a construction career. Murow was named the "Volunteer of the Year" for 2017 by the Building Industry Association (BIAOC).

April, 2018