



## **Roy & Associates**

**Construction Consultants**

**Richard J. Roy, P.E., J.D.**

*Certified Mediator and Arbitrator*

### **Company Info**

Richard Roy is a specialist in resolving construction claims and disputes. He is an Expert Witness, Mediator, Arbitrator and Forensic Engineering Consultant. Mr. Roy is a Registered Professional Engineer with a degree from Tulane University earned in 1966. He has 45 years experience in the public and private sectors of the construction industry. As an Engineer in construction management, he has worked as the owner's representative, as a general contractor and as a subcontractor. As a Contractor, he has been an estimator, a purchasing agent, a cost engineer, a scheduling engineer, a safety engineer, a field engineer, an office manager, a superintendent, an office engineer, a project manager, a manager of construction and a construction company owner on numerous construction projects.

The types of projects Mr. Roy has managed include Heavy and Light Industrial Plants; Chemical and Petrochemical Plants; Water and Sewage Treatment Plants; Underground Piping, Utilities and Structures; Foundations; Heavy Commercial and Institutional Buildings and Structures; Nuclear and Fossil Fueled Power Plants; Bridges; Highways; and, Marine Facilities.

Mr. Roy is also an attorney with a degree from Tulane Law School earned in 1981. He specializes in the area of construction dispute resolution. As a member of the American Arbitration Association he has arbitrated and mediated over 150 disputes, resolving hundreds of millions of dollars in claims. He has both chaired and served on Disputes Review Board panels. He has been an Expert Witness in dozens of construction litigation cases. He has testified on behalf of both plaintiffs and defendants. His clients have included Public and Private Owners, Sureties, Designers, General Contractors, Subcontractors, Fabricators and Suppliers. The disputes have ranged in value from several hundred thousand to billions of dollars.

Mr. Roy is a certified mediator, arbitrator, project neutral, third party facilitator and sometimes serves as an advisor to parties who are involved in the resolution of a construction dispute through negotiation, but whose process has become stagnant due to the unrealistic expectations of one or more of the parties. In such cases, Mr. Roy can bring a fresh and unbiased approach to the situation resulting in a more productive and realistic continuation of the resolution process. This kind of intervention has broken stalemates in the past which have resulted in acceptable settlements.

Mr. Roy can assist attorneys and their clients in the evaluation of liability issues and their associated damages. He can determine the cause and financial impact of cost and schedule overruns, productivity loss, project interference and project disruption. He can

help with all phases of discovery, witness identification and preparation, document organization and control, exhibit preparation, trial assistance and testimony.

Mr. Roy's professional affiliations include membership in the National Society of Professional Engineers, he is a fellow of the National Academy of Forensic Engineers and he is a member of the Texas Society of Professional Engineers. He belongs to the Construction Law Sections and the Alternative Dispute Resolution Sections of the American Bar Association, the Texas Bar Association, the Louisiana Bar Association and the Houston Bar Association. He belongs to the American Arbitration Association. He is licensed to practice engineering in Texas and Louisiana. He is licensed to practice law in Texas and Louisiana.

Mr. Roy has only one rate for consulting, claim analysis, testimony, arbitration or mediation. He charges \$325.00 per hour. All expenses are billed at cost. There is no charge for consulting with a potential client until such time as it is decided that there is an agreement to retain Mr. Roy's services. Payment for such services is due within 30 days of billing. Any disputes in connection with Mr. Roy's services are resolved through binding arbitration, unless otherwise agreed.

## **Background Info**

Today, Mr. Roy is a specialist in the negotiation and resolution of construction claims and disputes. He is also an expert witness, mediator, arbitrator and forensic engineering consultant. However, he started out working as a Construction Engineer back in 1965. He soon began advancing through the various levels of management in virtually every construction discipline between 1965 and 1973. He started to specialize in the area of contract dispute resolution in 1973, working primarily with attorneys in all phases of construction contract disputes, on both public and private projects. Finally, he entered law school in 1977 and graduated in 1981. During law school, he continued to work in dispute resolution. He has specialized in the area of contract disputes for over 35 years. He presently works as a consultant to both industry and the Bar on all matters involving construction contract dispute resolution and serves as an expert witness in construction litigation. He is a mediator and a commercial arbitrator for the American Arbitration Association. His projects have included heavy and light industrial plants; chemical and petrochemical plants; water and sewage treatment plants; underground piping, utilities and structures; foundations; heavy commercial and institutional buildings and structures; power plants (nuclear and fossil fuel); bridges; highways; and, marine facilities.



## **EDUCATION**

Graduate Juris Doctor: Tulane Law School, New Orleans, Louisiana - January 9, 1981.

Bachelor of Science, Mechanical Engineering: Tulane Engineering School, New Orleans, Louisiana - May 30, 1966.

## Work History

### **11/92 – Pres. Owner - Roy & Associates, Houston, Texas**

Consultant and specialist in the recognition, evaluation, causation, liability, damages, management, avoidance, litigation and resolution of construction disputes. Assists parties involved in the construction process to reduce conflict and maximize benefits. Assignments have included North and South America, the Caribbean, Africa and the Middle East.

### **05/85 – 11/92 President - Gleason, Peacock & Roy, Houston, Texas**

Consultant, providing expert witness testimony and litigation support to the construction industry and the Bar, throughout the United States and abroad.

### **09/81 – 05/85 Attorney - Raymond International Builders, Inc., Houston, Texas**

Corporate counsel, chief negotiator, responsible for in-house corporate duties, outside litigation evaluation, negotiation of settlements and trial, in-house contract review and negotiation, in-house arbitration and working with management, construction engineers and attorneys to resolve complex construction disputes.

### **02/79 – 09/81 Senior Contract Administrator - Ebasco Services, Inc., New Orleans, La.**

Responsible for evaluating and negotiating the settlement of all claims arising on the \$1.6 billion Waterford III nuclear power plant being built for Louisiana Power & Light.

### **07/77 – 02/79 Full Time Law Student - Tulane Law School, New Orleans, La.**

Engaged in freelance consulting work involving construction claims and litigation.

### **10/76 – 07/77 President - Fogel & Associates Caribe, Inc., San Juan, Puerto Rico**

Responsible for operating a branch consulting office specializing in the handling of construction claims and litigation, working with client's attorneys.

### **02/73 – 10/76 Vice President - Construcciones Werl, Inc., San Juan, Puerto Rico**

Responsible for managing and operating a construction joint venture and establishing a claims department to pursue recovery of profits on public works projects through claims.

### **06/72 – 02/73 Project Manager - Bellamy Brothers, Inc. Atlanta, Georgia**

Project responsibility for heavy highway, bridge and foundation projects.

### **11/71 – 06/72 Division Manager - Crown Builders, Div. of Lurgi-Knost, Inc., Baton Rouge, La.**

Set up and operated a new division to do the mechanical construction on large sewage treatment and water treatment projects.

### **03/70 – 11/71 President - R. J. Roy Const. and Engineering, Inc., New Orleans, La.**

Engaged in heavy industrial piping and equipment erection construction.

### **05/65 – 03/70 Division Manager - Industrial Division, Mechanical Construction Company of New Orleans, Inc.**

Responsible for all aspects of the procurement, estimating, contracting, management, purchasing, field engineering, execution, billing and collection on heavy industrial plant construction.

## **Professional Affiliations**

- American Bar Association (Bar No. 00963351)
- Texas Bar Association (Bar No. 17351600)
- Louisiana Bar Association
- Houston Bar Association (Bar No. 054093)
- Dispute Review Board Foundation
- National Society of Professional Engineers Mem. No. 102909720)
- American Society of Mechanical Engineers (Mem. No. 1048487)
- Texas Society of Professional Engineers
- National Academy of Forensic Engineers (Fellow - No. 377)
- American Arbitration Association
- Licensed to Practice Law in Texas
- Licensed to Practice Law in Louisiana
- Licensed to Practice Engineering in Texas (No. 95494)
- Licensed to Practice Engineering in Louisiana (No. 12427))