

# Case Studies in Rescuing Problem Projects

*A CMAA Three Rivers Lunchtime Webinar*

Presented by  
Patrick O'Brien, P.E., CCM, PMP, PhD  
Vice President, AECOM



# Continuing Education & Credentialing

<https://cmaathreerivers.org/education>



# Certified & Credentialed CMAA Three Rivers Chapter Members

As a CMAA Chapter, we like to highlight the importance of continuing education in construction management, and we support our members pursuing certifications and credentials like CCM, CACM, and CMIT. We also like to celebrate and honor local professionals who've earned certifications and credentials! Please [contact us](#) to add your name.

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Nima Javaheri Baboli, CMIT

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William Weyers, CCM

Warren Wheeler, CMIT

Bob Wurdock, CCM

Tanisha Yelaka, CMIT

Brad Zook, CCM

# Today's Speaker

## Dr. Patrick O'Brien

- ◆ AECOM's water-practice lead in Pittsburgh
- ◆ Over 30 years' experience in design, construction management & managing construction disputes as an arbitrator and neutral third-party facilitator for alternative dispute-resolution processes
- ◆ Experience in a variety of project types--from hotels & performing arts centers to substations & drinking water pump stations—plus a range of project delivery systems, from Design/Build & Construction Manager-at-Risk to Pennsylvania's antiquated multiple prime system
- ◆ Registered professional engineer in 4 states, including PA
- ◆ Authorized Project Management Professional Training Provider with PMI
- ◆ CMAA Certified Construction Manager





# Effective Construction Management

*What is Effective Construction Management in  
Challenging Situations?*

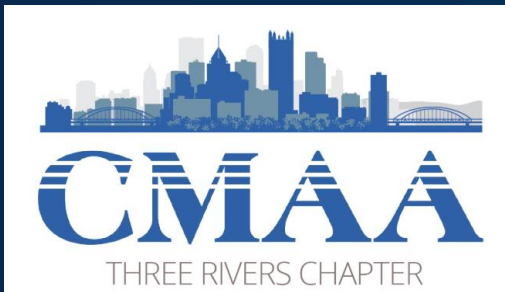
*Case Studies in Rescuing Problem Projects*

Dr. Patrick O'Brien, P.E., PMP, CCM  
V.P., AECOM

# Today's Learning Outcomes

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- How to intervene and “save” a project in trouble
- What Construction Management Metrics will help you wave the red flag?
- Effective communications tools



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# Problem Project

What is a recipe for problems?

- Conflicting stakeholders
- Unrealistic
  - Budget
  - Schedule
  - Sponsor



# Slide #3 Question

*Who do you work for?*

- Construction manager
- Designers/engineer
- Owner – public
- Owner – private
- Other



# How do we know how our project is doing?

What are required Key Performance Indicators(KPIs)?

- Who establishes?

baselines for

- a. Scope,
- b. Schedule,
- c. Budget,
- d. Quality



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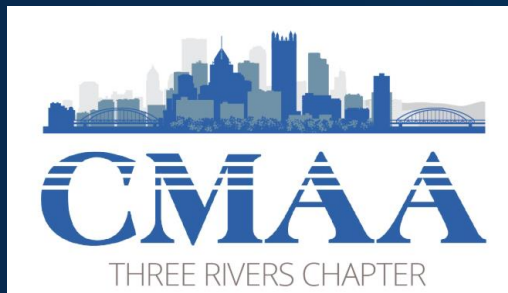
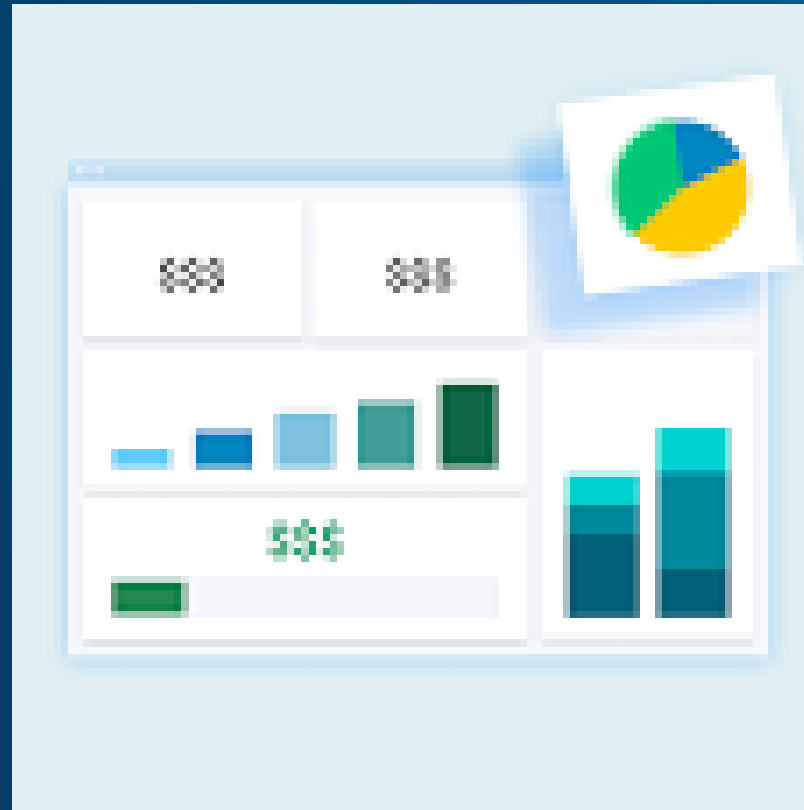
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Today's two examples:

1. Ronald McDonald House : Cleveland, occupied renovation
  - under construction
2. Cleveland Heights-University Heights Public Library: Renovation & Additions
  - during design

Establish key stakeholders

- who is driving the project goals & objectives?



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# Ronald McDonald House

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Project Scope: renovations & additions : primarily : addition of north wing

Successful factors: Complete by Oct 1<sup>st</sup> : secures \$6MM of \$15MM funding  
historic tax credits

Status:

March 1:

- Contractor refusing to move forward
  - RFIs
  - MEP conflicts
  - Schedule



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# Slide #6 Question

*Who is likely at fault here?*

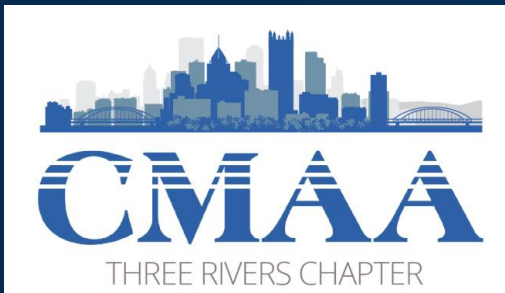
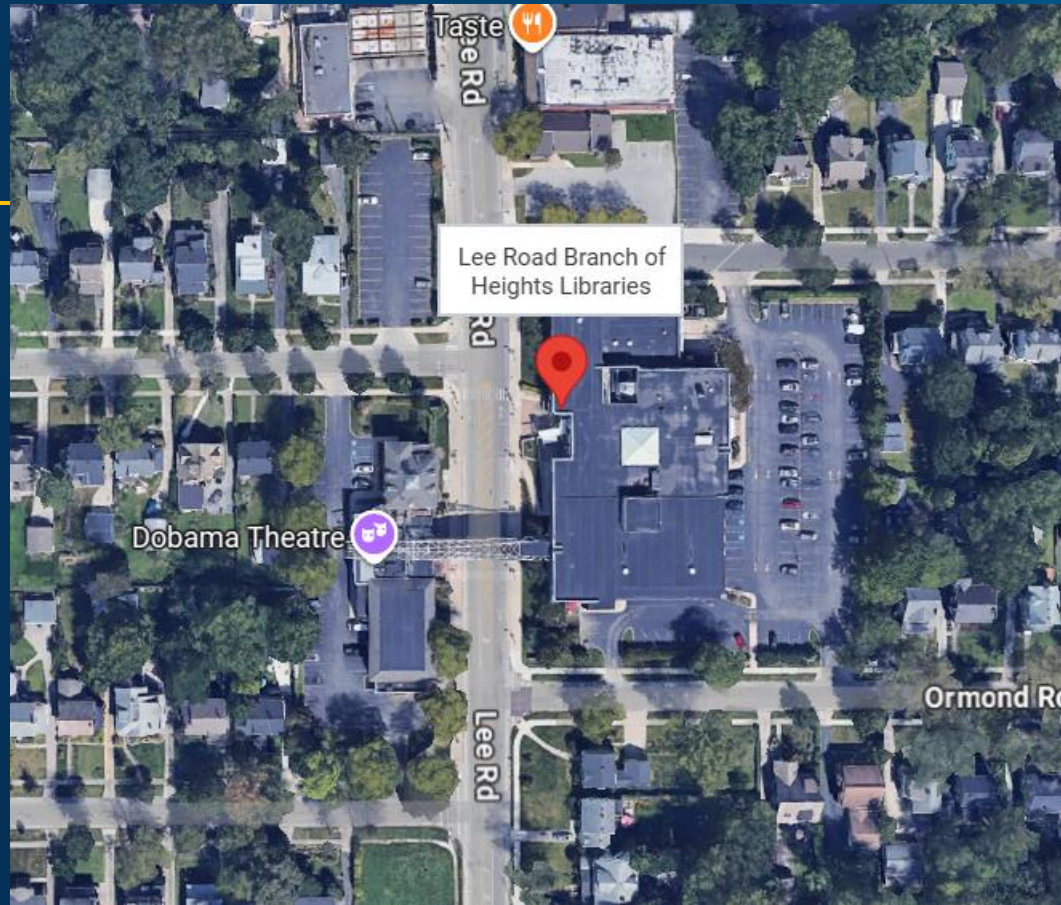
Owner – Ronald McDonald House  
General Contractor  
Architect/Engineer  
Nobody – stuff just happens



# Cleveland Heights University Heights Library

- Project Scope: new facility – connect across the street

Status: Stuck at 30% schematic design, over budget



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# Slide #7 Question

*Who is likely at fault here?*

*Owner – CHUH Library*

*CM at Risk*

*Architect/Engineer*

*Nobody – stuff just happens*



# Ronald McDonald House

Project Scope: renovations & additions : primarily : addition of north wing

Successful factors: Complete by Oct 1<sup>st</sup> : secures \$6MM of \$15MM funding  
historic tax credits

Status:

March 1:

- Contractor refusing to move forward
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# Most Important Issue

1. Resolve questions holding up the contractors/subcontractors
2. How do get contractor buy-in on schedule?

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#1

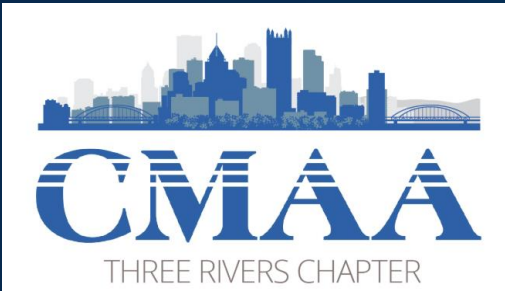
## Key Stakeholders

- Architect
- Executive Director
- Board chair
- Contractor's Executive Management

#2

## Key Stakeholders

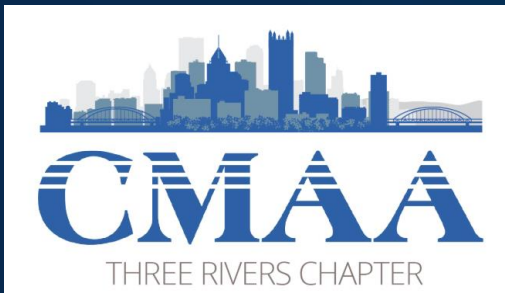
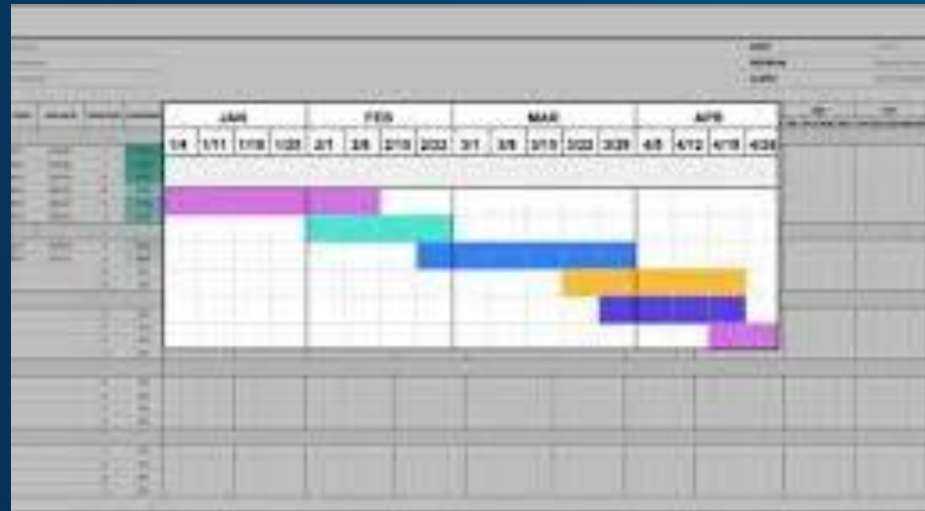
- Contractor's Executive Management
- Executive Director
- Board chair



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# RMH Key Measured Metrics

- Schedule : updates : Quarterly? Monthly? Weekly?
- Budget : updates : Quarterly? Monthly? Weekly?



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# What Happened?

Project = Substantially Complete (met finance terms/goals) : Sep 29<sup>th</sup>

: Who issues/makes this determination?

RMH: Exceeded budget by \$500K (\$15MM)

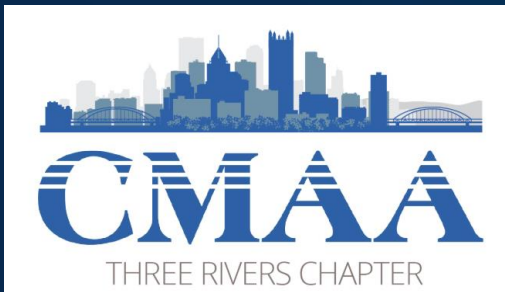
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## AAA

Architect : \$100K

MEP Subconsultants: \$100K

Key lesson learned for owner: listen to all stakeholders  
- With conflicts – engage a neutral 3<sup>rd</sup> party sooner...

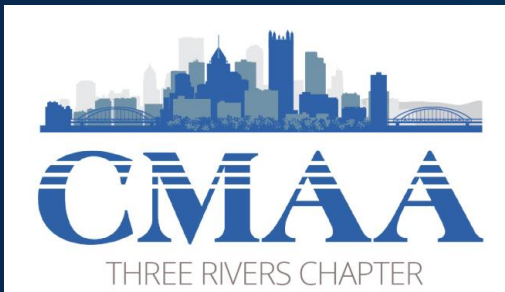
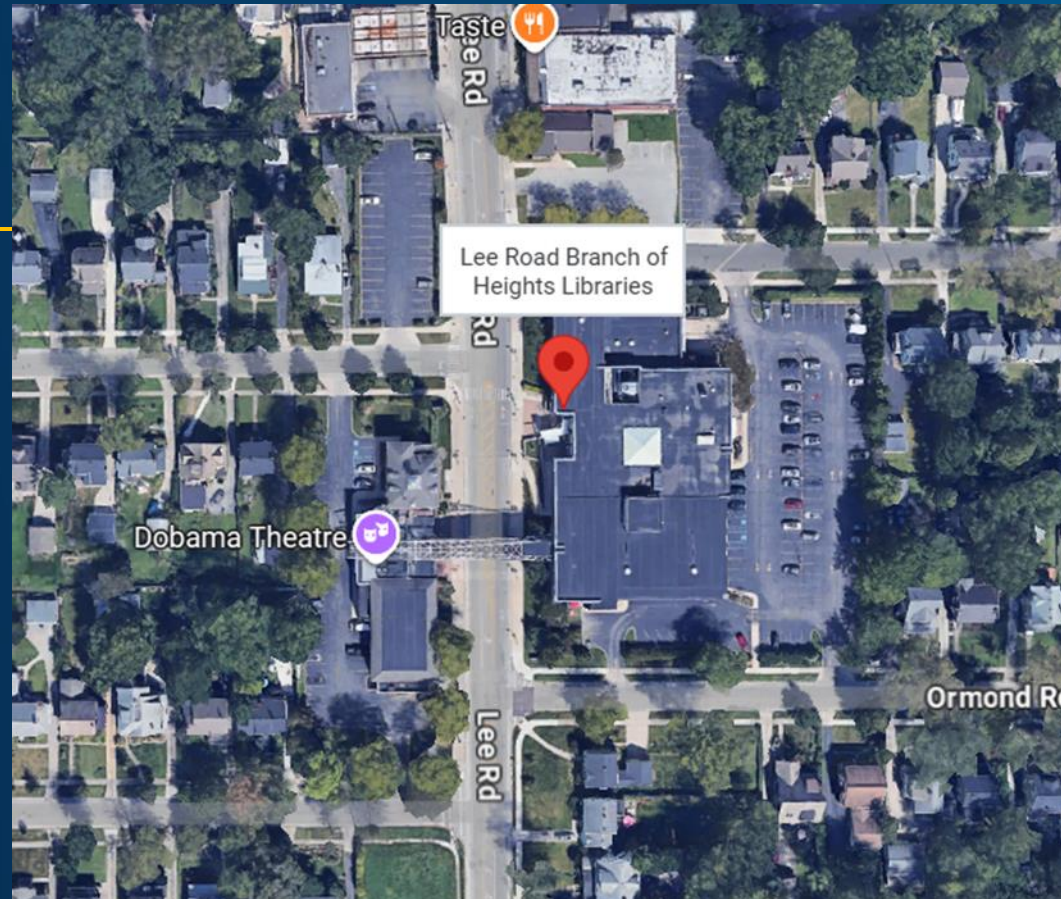


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# Cleveland Heights University Heights Library

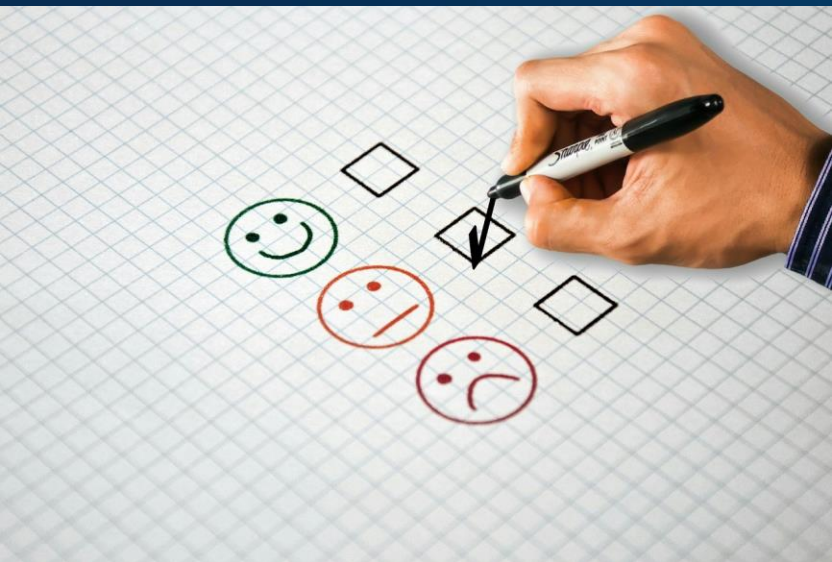
- Project Scope: new facility – connect across the street

Status: Stuck at 30% schematic design, over budget

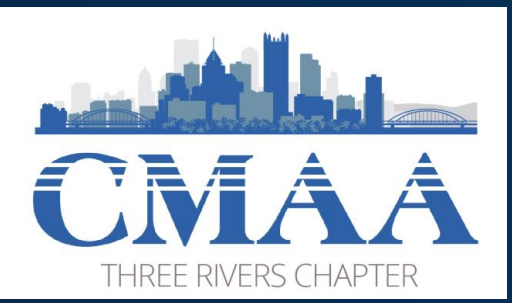


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# How do you MANAGE quality issues early in a project?



Neutral 3<sup>rd</sup> party?  
Notice provisions (contract)?  
Escalation w/ documentation



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# Neutral Third Party

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Review scope

Review design

Review cost estimate

**CONCLUSION: Project not on a good path...**



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# Slide #14 Question

*A project that has a cost estimate that is more than 10% over budget...*

*Will never get back to budget*

*Can be value engineered back to budget*

*Needs a new estimator*

*Needs a new CM at Risk*

*Needs a new design professional*



# Next Step

1. Review contract for existing architect
2. RFQ for new design professional

Vision

Cost

Schedule



OUTCOME: New design firm

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# Outcome

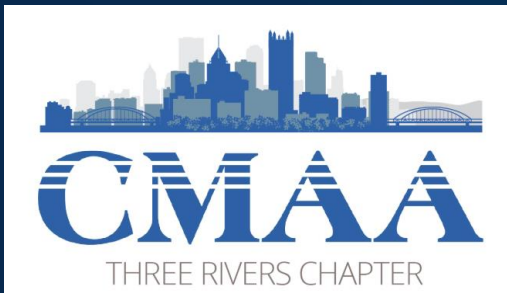
1. Termination for convenience : legal impact
2. New project completes on time. On budget.



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Location

# Summary

- WHEN conflicts arise, do not ignore - elevate
  - Engage leadership
  - Resolution often facilitated by taking it out of hands of existing team (3<sup>rd</sup> party)
- 
- Measure progress to milestones
    - Must have targeted goals at 10-20% increments
    - Must 'publish' the data on targets



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# Slide #18 Question

*"I have been involved in litigation."*

False

*True— deposition only*

*True— deposition and court testimony*

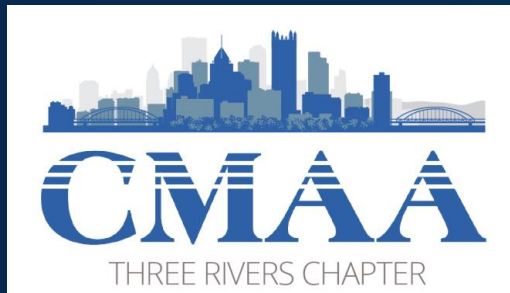


# QUESTIONS???

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Conflicts are inevitable

*- How you manage them is the key to your successes as a construction manager*



# Presenter Contact Information

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