



Nicole Kelly, PE

Associate Director

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Nicole Kelly's experience includes analyzing damages and delay claims, primarily related to the construction, oil & gas, and utilities industries. Nicole works on behalf of Owners, Contractors, Subcontractors, and Designers to quantify schedule and cost claims associated with project delays, differing site conditions, design changes, Contract terminations, force majeure, and productivity loss. In particular, her experience includes performing critical path method schedule analyses for projects whose completion dates were significantly extended to determine root causes of schedule delay. Nicole also performs cost analyses to determine incremental costs resulting from project delays or disruptions, including extended general conditions.

Nicole also has experience performing schedule monitoring services for on-going projects. Nicole works with a variety of scheduled software platforms including Primavera, Microsoft Project, Acumen Fuse, and Phoenix.

Selected Project Experience

► Analyzed delays and damages on behalf of general contractor for large bore drilling Project in Louisiana delayed by subcontractor's poor performance, equipment breakdowns, safety standdowns, and severe weather.

► Performed analyses to rebut a mechanical contractor's submitted claims for acceleration, disruption, Force Majeure, late design, and changes in scope of work claims during the construction of a manufacturing facility. Analyzed project schedules to determine project delay and assessed Owner economic damages.

► Assisted with claim preparation on behalf of Subcontractor for \$70M in economic damages incurred during the construction of a stadium project due to late design and substantial change of work/quantities damages. Damages resulted from acceleration, lost productivity, subcontractor claims and unit price cost reconciliations.

► Assisted an ENR Top 100 Construction Management firm in creating and maintaining project schedules on multiple projects on as-needed basis. Nicole reviewed baseline and periodic schedule updates for compliance with contractual specifications and industry best practices.

► Performed analyses to rebut contractor's claims for change order work, COVID-19,

abnormal precipitation and lightning, and freeze event. Analyzed project schedules to determine cause of delay was contractor's late performance of piping work on the VCM-3 plant.

► Analyzed delay and calculated liquidated damages associated with late delivery of ducts for an EPC contractor in a dispute with a subcontractor hired to fabricate combustion air and flue gas steel ducts for two hydrogen plants.

► Assisted contractor with schedule review and analysis on statewide fiber optic cable network project experiencing delays due to permitting. Assisted with creation of impacted schedule and related analyses for negotiation purposes.

► Performed schedule analysis for contractor on 250 MW wind farm. Developed claims for excessive precipitation, lightning strikes, differing site conditions, equipment failure and damage, changed safety conditions, and 3rd party impacts.

► Assessed contractor's claims on behalf of LNG plant Owner in Louisiana allegedly caused by weather, force majeure, unforeseen site conditions, and acceleration. Performed analyses to quantify known and potential future delays and damages related to Tropical Storms and Hurricanes experienced on the project.



Education

- **Texas A&M University**
B.S. in Civil Engineering, Emphasis in Construction Management

Certifications & Licenses

- Professional Engineer (PE), Texas

Affiliations

- American Society of Civil Engineers (ASCE)
- National Association of Women In Construction (NAWIC)