

## PROFILE

Mr. Kadlec is the Director of Specialty Practices located in Denver, Colorado. In this role, Mr. Kadlec practices as a forensic engineer and expert witness, provides mentorship and technical oversight to colleagues, regularly collaborates with industry professionals, and leads Envista's Construction, Digital Forensics, Energy, and Marine practices. As a design professional, he performed civil and structural engineering design of residential, commercial, marine, and industrial structures, which included supervisory roles in design and technical oversight. Mr. Kadlec's forensic expertise includes investigations following fires, explosions, vehicular impacts, weather/catastrophe events, structural failures, civil/earthwork failures, and construction deficiencies. His experience with construction and design defects includes evaluations in civil and structural engineering matters, specifically related to residential, commercial, industrial, marine, and mixed-use properties. Mr. Kadlec is a frequent presenter at industry seminars across the United States on the topics of forensic engineering, expert witness testimony, and construction defect claims. As a licensed Professional Engineer in 18 states, and credentialed by NCEES as a Model Law Engineer, Mr. Kadlec has provided expert witness testimony through sworn affidavits, deposition, and trial.

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### WEBSITE

[www.envistaforensics.com](http://www.envistaforensics.com)

Key construction and construction-defect related strengths include the following:

- ▶ Cause and Origin
- ▶ Standard of Care
- ▶ Code Compliance
- ▶ Contract Review
- ▶ Building Envelope Analyses
- ▶ Extent of Damage / Repairability
- ▶ Design Deficiencies (Errors and Omissions)
- ▶ Oversight / Direction of Destructive Testing
- ▶ Construction Scheduling / Delays
- ▶ Construction Vibrations

Mr. Kadlec is experienced in design, inspection, and evaluation of the following:

- ▶ Concrete Structures
  - ▶ Wood Structures
  - ▶ Structural Steel
  - ▶ Concrete Masonry
  - ▶ Conventional Stucco
  - ▶ Windows
  - ▶ Underground Utilities
  - ▶ Fire and Explosion Damage
  - ▶ Roofing (Low-Pitched and Steep-Pitched)
  - ▶ Marine Loading / Offloading Facilities
  - ▶ Water Intrusion and Water Loss Assessments
  - ▶ EIFS (Exterior Insulation and Finishing Systems)
  - ▶ Tilt Wall Panel Buildings
  - ▶ Blast Type Explosions
  - ▶ Site Drainage/Site Preparation
  - ▶ Earthwork and Grading
- ▶ *Industries:* Forensics, construction defects, design defects, construction accidents, subrogation, energy and power, petroleum (structural-related design/construction), marine structures, commercial and industrial buildings, water and wastewater (civil/structural-related design/construction, and residential structures)
- ▶ *Computer Skills:* Windows and MS Office (Word, Excel, PowerPoint)

## EDUCATION

### **Bachelor of Science, Civil Engineering, 2004 (Emphasis in Structural Engineering)**

*Florida Institute of Technology – Melbourne, Florida*

## LICENSES

### **Professional Engineer (PE):**

- ▶ Alabama
- ▶ Colorado
- ▶ Florida
- ▶ Georgia
- ▶ Kansas
- ▶ Louisiana
- ▶ Mississippi
- ▶ Missouri
- ▶ Montana
- ▶ Nebraska
- ▶ New Jersey
- ▶ New York
- ▶ North Carolina
- ▶ North Dakota
- ▶ South Carolina
- ▶ South Dakota
- ▶ Texas
- ▶ Wyoming

## CERTIFICATIONS

### **NCEES:**

- ▶ Model Law Engineer (MLE), Record No. 42281

## PROFESSIONAL AFFILIATIONS

- ▶ National Society of Professional Engineers
- ▶ American Society of Civil Engineers
- ▶ Structural Engineering Institute

## PROFESSIONAL BACKGROUND

### **July 2015 – Present: Envista Forensics – Denver, Colorado**

*Director, Specialty Practices (November 2021 – Present)*

*Practice Leader, Construction (August 2016 – October 2021)*

*Senior Project Engineer (July 2015 – August 2016)*

### **February 2010 – July 2015: Rimkus Consulting Group, Inc. – Houston, Texas & Denver, Colorado**

*Senior Consultant – Property Group*

### **July 2006 – November 2009: Halcrow, Inc. – Houston, Texas**

*Project Manager and Lead Structural Engineer – Maritime Business Group*

### **June 2004 – June 2006: Earth Tech, Inc. – New York, New York**

*Civil / Structural Engineer – Facilities Group*

### **May 2003 – June 2004: David Bogenrief Engineering, Inc. – Melbourne, Florida**

*Civil / Structural Engineer Intern – Civil / Structural Group*

## FORENSIC EXPERIENCE

### Civil Engineering Assessments

*Commercial, Residential, Industrial Buildings – Nationwide (United States)*

- ▶ Forensic engineer responsible for evaluating civil earthwork, sitework, grading, drainage, flatwork, soils/geotechnical considerations, and foundations due to reported failures, damage, design deficiencies and/or allegations of construction defects. Named as expert witness in numerous litigated cases, including providing expert opinion report, deposition testimony and/or affidavit.

### Structural Engineering Assessments

*Commercial, Residential, Industrial Buildings – Nationwide (United States)*

- ▶ Forensic engineer responsible for evaluating structural foundations, framing, cladding, roofing, and weatherproofing due to reported failures, damage, design deficiencies and/or allegations of construction defects. Named as expert witness in numerous litigated cases, including providing expert opinion report, deposition testimony and/or affidavit.

### Building Envelope Assessments

*Commercial, Residential, Industrial Buildings – Nationwide (United States)*

- ▶ Forensic engineer responsible for evaluating different types of exterior claddings and appurtenances including but not limited to stucco, EIFS, weatherproofing, and windows due to varying cause(s) of damage including weather/storm activity, water intrusion, and defects. Named as expert witness in numerous litigated cases, including providing expert opinion report, deposition testimony and/or affidavit.

### Roofing Assessments

*Commercial, Residential, Industrial Buildings – Nationwide (United States)*

- ▶ Forensic engineer responsible for evaluating different types roofing installations due to varying cause(s) of damage including weather/storm activity, water intrusion and defects. Named as expert witness in numerous litigated cases, including providing expert opinion report, deposition testimony and/or affidavit.

### Hurricane Damage Assessment (Private Client)

*Apartment Building – Staten Island, New York*

- ▶ Forensic engineer responsible for evaluating roof, exterior claddings, and interior for allegations of damage from Hurricane Irene. Provided expert witness testimony in live trial in conjunction with opinions.

### Structural Engineering Assessment (Private Client)

*Commercial Warehouse Building – Denver, Colorado*

- ▶ Forensic engineer responsible for evaluating steel- and masonry-framed building, including steel girders, open-web steel joists, and metal roof decking. Provided multiple engineering reports opining on structural stability, alleged life-safety issues, extent of damage, and reparability. Provided expert witness testimony in virtual trial in conjunction with opinions.

### New York City Department of Transportation

*Retaining Wall Inspections – New York, New York*

- ▶ Field engineer responsible for inspecting the geotechnical and structural integrity of over 120 retaining walls for signs of failure in the Borough of Manhattan.

## REPRESENTATIVE DESIGN EXPERIENCE

### Port of Houston Authority

*Bayport Terminal Complex, Phase 1 Program Management – Pasadena, Texas*

- ▶ Program Management member supplying support through planning, design, and construction to Phase 1; consisting of a 1,300-ft wharf (PM-role), 100-acre container yard, cruise terminal, ship channel dredging, and two administration and facility buildings.

### Qatar Petroleum

*Ras Laffan Liquid Product Berths 30, 31, 32 & 33 Detailed Design – Ras Laffan Industrial City, State of Qatar*

- ▶ Lead design engineer for cast-in-place and precast concrete superstructure (upstream LPG terminal).

### Conoco Phillips

*Conoco Phillips Marine Terminal – Dock No. 3 Mooring Dolphin Repairs – Westlake, Louisiana*

- ▶ Structural engineer for terminal repair following vessel impact damage; included structural-related evaluation, repair, and design roles.

### Exxon Mobil

*Golden Pass LNG Marine Terminal Detailed Design – Sabine Pass, Texas*

- ▶ Structural design engineer for the mooring and breasting dolphins, concrete piles and decking, and steel-framed mezzanine superstructure.

### New York City School Construction Authority

*P.S. / I.S. 366: Hebrew Academy – Brooklyn, New York*

- ▶ Design team member for construction of new six-story intermediate school constructed with structural steel, masonry, and concrete.

### New York City Department of Environmental Protection

*Tallman Island Wastewater Treatment Plant – Queens, New York*

- ▶ Design engineer of multiple above-ground wastewater, electrical and industrial buildings and storage tanks, including design of subterranean structures and storage vaults.

### Waste Management of New York City

*Code Compliance for Review Avenue, BQE, Varick and Harlem River Yard Transfer Facilities – New York, New York*

- ▶ Design engineer responsible for complete design and retrofit of existing steel structures including field assessment and design analyses of structures.

### Private Client(s)

*Commercial Properties and Custom Single-Family Homes – Brevard County, Florida*

- ▶ Engineering intern assisted engineer-of-record with design calculations and drafting of miscellaneous structural components at multiple commercial properties and custom single-family homes.

## PRESENTATIONS

Courses presented/co-presented 2017 to present, previous list of presentations available upon request.

- ▶ Strategies for Effective Handling of Hurricane Claims; Colorado Springs, CO (2016) and online webinar (2020)
- ▶ Identifying & Understanding Construction Defects in Building Envelopes; Schaumburg, IL (2017)
- ▶ The ABC's of Construction Defect Claims; online webinar (2017)
- ▶ The Future of Infrastructure: Walls, Bridges, Tunnels, Airports and Roads; San Diego, CA (2017)
- ▶ Damage Assessment of Marine Structures; online webinar (2017)
- ▶ Construction Defect Litigation and Expert Witnesses; Philadelphia, PA (2017)
- ▶ Discovering Construction Defects in Property Damage Claims; online webinar (2018)
- ▶ The Path to Construction Defects & Fundamental Best Practices in Response; Englewood, CO, Anaheim, CA, and Suwanee, GA (2018), Broomfield, CO, Dallas, TX, and Boston, MA (2019), and online webinar (2021)
- ▶ Ethics in Claims Handling; Broomfield, CO and Greenwood Village, CO (2018)
- ▶ Closing the Gap with the Inexperienced and Unqualified Workforce; Chicago, IL (2018)
- ▶ Waterproofing Systems – Installation, Defects & Litigation; Alpharetta, GA (2019)
- ▶ Construction Experts – Hidden Assets in the Investigation, Evaluation and Resolution of CD and GL Claims and Litigated Matters; Anaheim, CA (2019)
- ▶ Hurdles & High Jumps: Hot Button Topics in Construction Defect Claims & Litigation; Englewood, CO (2019) and online webinar (2019, 2020)
- ▶ Building Codes: Overview, Fundamentals & Best Practices; Dallas, TX (2019)
- ▶ 51 Shades of Gray: Ethics in Claims Handling; online webinar and Greenwood Village, CO (2019)
- ▶ Litigation Impact from Changes During Course of Construction: Future of Defect Litigation; San Diego, CA (2019)
- ▶ Construction Defects: The Path to Defects, The CD Landscape, Hot List of Defects; Highlands Ranch, CO (2019)
- ▶ Keeping up with the Techies: How Construction Technology is Raising the Bar for Risk Reduction and Assignment of Liability; New York, NY (2019)
- ▶ The Innovation of Technology in Construction: Raising the Bar in Risk and Liability; online webinar (2020)
- ▶ Underground Utility Strikes: Exploring Cause, Damage, Repairs & Liability; Alpharetta, GA (2020)
- ▶ Claim Handling and Ethics in the time of COVID-19; online webinar (2020)
- ▶ Penny-Wise & Dollar-Foolish: Unintended Consequences in Value Engineering; virtual roundtable (2020)
- ▶ Seven Habits that Define a Highly Effective Claims Team; virtual roundtable (2020)

- ▶ Ethical Considerations for Evaluating Property Claims in the Post-COVID Era; online webinar (2020)
- ▶ Exploring Contractor Liability and Construction Defects; online webinar (2020)
- ▶ Construction Defect from the Ground Up, Parts I and II; interactive webinar (2020)
- ▶ TIMBER! Wood Building Construction – Its Pros, Cons, and Claims; virtual roundtable (2020)
- ▶ Best Practices in Navigating and Responding to Construction Defect Allegations; online webinar (2020, 2022)
- ▶ Lessons Learned from COVID-19 on the Insurance Industry and Property Claims; virtual roundtable (2020)
- ▶ Innovation of Technology: How Construction Technology is Raising the Bar for Risk and Reduction and Assignment of Liability; virtual roundtable (2020)
- ▶ The Engineers Road to the Courthouse; online webinar (2020)
- ▶ Diving into the Nuances of Builders Risk vs. Course of Construction Claims; online webinar (2021)
- ▶ The Fine Line Between Icky and Ethical: 9 Steps in Ethical Decision Making; online webinar (2021, 2022) and Atlanta, GA (2021)
- ▶ Exploiting Artificial Intelligence and Technology in Construction Claims of Tomorrow; Key Largo, FL (2021)
- ▶ The Top 10 Things Design Professionals Need to Know About Forensics; online webinar (2021)
- ▶ The Gavel Claims Symposium II: Construction Defect Claims; online webinar (2021)
- ▶ Unanswered Questions Throughout the Life of a Construction Defect Case—Part 2 The Bolts; Santa Fe, NM (2021)
- ▶ Beyond the Pandemic: Anticipating the Next Industry Disruptors in Property and Construction; Atlanta, GA (2021)
- ▶ Poking the Bear: Championing Diversity, Equity, and Inclusion (in Construction); San Diego, CA (2021)
- ▶ Innovation and Technology: How Construction Technology is Raising the Bar for Risk Reduction and Assignment of Liability; Fort Lauderdale, FL (2021)
- ▶ Leveraging Technology of Tomorrow into Claims Teams of Today; virtual roundtable (2021)
- ▶ Choose Foresight Not Hindsight: What Every Contractor Needs to Know in 2022; Denver, CO (2022)
- ▶ Successful Strategies for Preparing Witnesses for Cross-Examination; Las Vegas, NV (2022)
- ▶ Avoiding the Subrogation Blindside; Palm Desert, CA (2022)
- ▶ WRAP Policies: When You Need an Expert; online webinar (2022)

## PUBLICATIONS

The following publications were authored or co-authored:

- ▶ “Why Do Daubert and Frye Standards Matter to Experts?” published by Envista Forensics (2019) and The Gavel, The Gavel Strikes III (2019).
- ▶ “Challenges, Variables and Misinterpretations in Navigating Building Codes for Structural Repairs,” published by Envista Forensics, 2020.
- ▶ “Playing With Fire...And More: A Look at Potential Risks and Claims as Wood Structure Buildings Gain in Popularity,” published by CLM Construction Claims Magazine, Fall 2020.
- ▶ “A Tale of Two Experts: Qualifications and Biases,” self-published (2020) and by RISE Professionals (blog), March 9, 2021.
- ▶ “Down the Rabbit Hole: Developing Professional Opinions,” published by Envista Forensics, 2020.
- ▶ “The Seven Habits of a Highly Effective Claims Team: Tips for Self-Improvement and Team Success,” published by CLM Construction Claims Magazine, Winter 2020.
- ▶ “Emerging Technologies & Data in Claims & Litigation,” published by Envista Forensics, 2020, and DRI’s “The Critical Path” magazine, Volume 25, Issue 1 (April 2021).
- ▶ “Stuck on Stucco Claims: Why is Florida Outpacing the Nation?” published by CLM Construction Claims Magazine, Spring 2021.
- ▶ “Frozen Texas: Anticipating Construction Defects and Code Revisions After the State’s Major Winter Storm,” published by CLM Magazine, March 2021.
- ▶ “The Use of Emerging Technologies in Structural Collapse Investigations,” published by Themis Advocates Group, May 2021.
- ▶ “Product Defect, Construction Defect, or Act of God? The Interplay with Evaluating Asphalt Shingles,” published by DRI’s “The Voice” newsletter, Volume 20, Issue 7 (May 19, 2021)
- ▶ “After the Pandemic: Positive Takeaways and a Look at the Claims of Tomorrow,” published by CLM Construction Claims Magazine, Summer 2021.
- ▶ “Poking the Bear: Championing Diversity, Equity, and Inclusion in Construction,” published by CLM Construction Claims Magazine, Fall 2021.
- ▶ “Anatomy of a Defect Claim: A Side-by-Side Comparison of the Millennium Tower and Typical Defect Claims,” published by CLM Construction Claims Magazine, Winter 2021.
- ▶ “Construction Costs on the Rise – But Why?” blog published by DRI on December 15, 2021.
- ▶ “Exploring Next-Gen Construction Using Modular, Mass Timber, and 3-D Printed Construction,” published by DRI’s “The Voice” newsletter, Volume 21, Issue 1 (January 2022).

- ▶ “Vision is Nothing Without Execution: Tips to be a Visionary,” published in RISE Awards 2022, by RISE Professionals (June 1, 2022).
- ▶ “Wanted: 650,000 Workers and a Crystal Ball – In Construction, a Continuing Skilled Labor Shortage Meets Rising Materials Costs, a Pandemic, and a Supply-Chain Crisis,” published by CLM Construction Claims Magazine, Summer 2022.

### **INDUSTRY RECOGNITION**

- ▶ 2018 Award Recipient, Top 10 Rising Young Professionals to watch in the Insurance Industry, by Rising Insurance Star Executives (RISE Professionals)
- ▶ RISE Professionals, Education Committee; Member 2018 - present, & Co-Chair, 2020 – 2021.
- ▶ Faculty Member, School of Construction, Claims and Litigation Management (CLM) Claims College, 2020 – Present

### **TESTIMONY EXPERIENCE**

- ▶ Under separate cover