

Colorado Department of Transportation
Dispute Review Board (DRB) Candidate Solicitation

This form is to be filled out electronically. Type your answers in the grey areas in the space allowed by the boxes. You can use the Tab key to go from one field to the next. When you have completed this form, save it to your computer, then attach your form in an email to Dennis.Largent@dot.state.co.us with the Subject line as "(Your name)'s DRB-CS Form". Do not include any other attachments to this form.

1. Candidate Information

Name: Nicholas Pijoan	Employer: Retired - under contract wth DIA part time		
Address: 19208 50th Drive	City: Denver	State: Colo	Zip Code 80249
Phone Number: 303-758-9010	Email Address (required): brnichpatrick@msn.com		

2. Education

University/College	Degree	Year Graduated
1. New Mexico State University	B.S.	1965
2. University of Colorado	J.D.	1968
3.		

3. Professional Licenses/Certifications and Professional Organizations

1. Licensed to practice law - Colorado	2. Colorado Bar Association
3.	4.

3. Major Employment History

Employer	Number of Years Employed	Your Job Title(s)
1. Governors Council on Crime Control - Colorado	5	Executive Director
2. University of Colorado	6	Ass't Professor/Assoc. Professor
3. Park County	6	County attorney
4. DIA/City & County of Denver	16	Assistant City Attorney

5. Experience and General Information: (continued on page 2)

<p>1. Describe your major areas of work experience/expertise:</p> <p>My primary work experience has been local government law except for the period of time with the Colorado State Government where I was in a executive managerial position and at Univ of Colo where I taught in the Graduate School of Public Affairs. Otherwise my primary experience has been in either construction transactional or litigation related to local government projects for the Dept. of Public Works and Dept. of Aviation, Denver.</p>
<p>2. Describe your experience with construction claims:</p> <p>I have handled large complex construction claims for DIA including termination of construction contracts due to poor performance by the contractor, claims against sureties re performance bonds, delay claims, liquidated damages, critical path issues, mobilization issues, and design errors and omissions and related to those claims the issue of enhancement. I have handled a more limited number of claims for the Denver Dept. of Public Works .</p>
<p>3. Describe your knowledge of construction contract law:</p>

My knowledge of construction contract law is primarily through drafting construction contracts for DIA including design build and Construction Management/General Contractor contracts. I also have attended CLE seminars on construction law on an annual basis. I continue to review current changes in construction law and environmental law as it relates to construction law.

4. Describe your experience with construction contract administration:

For a period of approximately 5 years I was the only attorney physically located at DIA and therefore handled what I call triage for the DIA Engineering and Construction staff. This included on a regular basis issues of contract management, in particular program management for construction projects at DIA. I worked with project managers to assist them in drafting change orders and determination of change or design issues. I handled subcontractor issues in projects where the subcontractors presented unique problem to our project managers. This also involved coordinating issues with the project designer or design engineers. In addition, this work involved assuring that insurance coverage was appropriate for the project, that bonding was in compliance with the project requirements, processing of subcontractor claims.

5. Describe your construction field experience:

Field experience is limited to the construction engineers and project managers taking me to the construction site to see whatever field conditions that may relate to the issues they have brought to me to review from a legal standpoint re compliance with specs, warranty issues, substantial completion and final completion issues, or just enlighten me on what is going on in the field re this particular project and contractor.

6. Describe your DRB (or arbitration) training, certification, and experience:

I have not had any DRB or arbitration training other than trying to facilitate the settlement of cases on behalf of the City. I am not certified in this area.

7. Describe your employment/retirement status and availability to serve on a DRB and geographical area:

I am under contract with DIA as special counsel to primarily handle construction contract issues and construction litigation, plus provide the benefit of my institutional memory. I work approximately 10 to 15 hours per week. I am generally available to CDOT for DRB work on the East Slope counties of Colorado.

DRB members are compensated as per Section 105.22 of the CDOT Specifications.

6. List Two References For Your Experience With Construction Claims

Name	Title	Organization	Phone Number	Email Address
Arlene Dykstra	Director	Den. City Atty	720-913-3275	

Mike Steffens	Head Construction Engineer	DIA	303-342-4481	mike.steffens@flydenver .com
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Important Notice - All information provided on this form will be open to the public on the CDOT – DBR web page: “List of Candidate Members for the Dispute Review Board (DRB)”.