



BUILD TRUST, INC.

**STATEMENT OF INTEREST AND QUALIFICATIONS
FOR COMMUNITY MARITIME PARK
CONSTRUCTION OWNER'S REPRESENTATIVE**

BTI

CLIENT FOCUSED.
RESULTS DRIVEN.

May 27, 2009

Statement of Interest and Qualifications
for the Position of Community Maritime Park
Construction Owner's Representative

Respectfully Submitted by Build Trust, Inc.
to Community Maritime Park Associates, Inc.
on May 27, 2009

Build Trust, Inc.



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Chief Executive Officer

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1 Executive Summary

Build Trust, Inc. (BTI) offers to provide Construction Owner's Representative (COR) services to Community Maritime Park Associations, Inc. (CMPA), as outlined by the Scope of Services in CMPA's RFQ No. 2009-01. BTI's qualifications to perform COR services are solely based on its founder and lone employee – Mr. Nick Pemberton. Mr. Pemberton has worked in the construction and engineering industry for ten years. He has eight years of international construction management and owner's representative experience with Fluor Corporation and Walt Disney Imagineering (WDI).

Currently, Mr. Pemberton is employed by Fluor Corporation in The Cayman Islands, where he is the Project Controls Manager on a \$250 million development called "Camana Bay" on Grand Cayman. Fluor is the largest publicly traded construction company in the world having annual revenues of \$22.3 billion in 2008. Over the past seven years, Mr. Pemberton has worked as Owner's Representative, Program Manager, Construction Manager, and General Contractor for Fluor projects in North Carolina, Arkansas, California, and the Caribbean. Projects ranged in size from \$14 million to \$250 million in contract value. All projects were considered highly complex by industry standards, and were successful ventures.

Prior to Fluor, Mr. Pemberton spent a year in 2001-2002 working for WDI – the owner's representative, construction management, and design arm of The Walt Disney Company. His projects with WDI ranged from \$1 million to \$30 million in contract value and were located in Orlando's four Walt Disney World theme parks. Mr. Pemberton left WDI to pursue international opportunities offered by Fluor. Prior to WDI, Mr. Pemberton worked for Koehnemann Construction, Scotty's Hardware, and The Department of Defense in 2000, 1999, and 1997 respectively while pursuing a B.S. in Building Construction. Mr. Pemberton now holds an M.B.A. and a B.S. in Building Construction from the University of Florida.

His current assignment ends on or before June 30, 2009. He is currently listed on a Fluor sales proposal to provide program management services to The Port Authority in New York for their LaGuardia Airport Renovation. If selected by CMPA, however, Mr. Pemberton looks forward to dedicating all of his time to this project, and protecting the interests of CMPA and the City of Pensacola.

BTI was recently founded by Mr. Pemberton out of entrepreneurial necessity. If Fluor's LaGuardia proposal fails, Fluor will request Mr. Pemberton move to the Middle East; however, he would prefer to relocate his family to an area with less political risk. In the current market, there is a high likelihood Mr. Pemberton would be unable to find employment with another company due to widespread hiring freezes and staff cuts; therefore, he started a small company with low overhead, capable of offering professional services at a cheaper price than competitors carrying a workforce and monetary burden.

BTI's COR business strategy is (1) to maintain client focus (2) to drive down costs wherever possible without sacrificing quality (3) to complete projects in a timely manner at an efficient pace and (4) to provide project updates in a manner that is concise, accurate, and transparent. BTI strives to build relationships through successful implementation of these practices, establishing a foundation for the future. BTI is fully insured to meet the risk management guidelines defined in RFQ No. 2009-01.

The Community Maritime Park opportunity is a perfect fit between BTI's offerings and CMPA's needs. BTI is an economical choice and a bargain for the knowledge and experience to be shared. BTI will soon be a licensed General Contractor in the State of Florida (expected mid to late June, 2009), and has local knowledge of the project area. BTI shares the City of Pensacola's long term outlook for the community and our businesses, and it understands the vision behind this project. If done properly, the Community Maritime Park will boost the economy and improve the quality of life for the city, region, and nation.

2 Company Background and Strategy

2.1 Founding Officer

Mr. Pemberton's experience covers a well balanced spectrum of commercial & institutional building and site improvement projects. Clients have been profit and non-profit corporations, as well as municipal governments. In chronological order from the most recent, Mr. Pemberton's projects, positions, and achievements follow:

Project: Camana Bay Mixed Use Development

Location: Grand Cayman, Cayman Islands

Client: Dart Realty (Cayman) Ltd

Position(s): Cinema Project Manager /
Development Project Controls Lead

Employer: Fluor Corporation

Time Period: December 2006 to Present

Fluor provides Owner's Representation, Program Management, and Construction Management services to Dart Realty (Cayman) Ltd for a \$250 million, 500-acre resort and mixed-use development

Mr. Pemberton currently supervises a department of three individuals managing project cost controls and contract change management for all construction of the development. He also helps supervise and provides direction to seven individuals in the construction engineering department. Upon taking his current position, after his predecessor was released and the organization was restructured, he immediately reduced the volume of open change orders by 1,300 from 2,500 and doubled the processing volume with 2/3 less people. He streamlined processes, improved reporting mechanisms, and improved user functionality of the management database to save time for all departments.

He negotiates change orders with suppliers and installers and shares credit with the team for generating more than \$3.6M in savings from



Aerial Shot of the Camana Bay Development – Marina Side

change order invoices over the past year. He presents change orders to Dart Realty (Cayman) Ltd. for approval, and provides them with cost forecasting.

Prior to his current role, Mr. Pemberton managed all aspects (construction, procurement, contracting, scheduling, shipping, and logistics) of building the \$10M multiplex cinema at Camana Bay. He managed more than forty contractors, and made decisions under pressure on a daily basis to optimize time versus money impacts. He generated the Primavera construction schedule for the Cinema, managed his contractors to it, and his



Camana Bay Cinema Interior Corridor

contractors finished the Cinema’s extremely fast track schedule on time for \$1M less than budgeted.



Camana Bay Block 03 Courtyard

Throughout construction, he coordinated with Hollywood Theaters and Government Inspectors, while providing update reports to Dart Realty (Cayman) Ltd. Both Hollywood and Dart were highly satisfied with Mr. Pemberton’s services, and to date the Cinema is still viewed as a benchmark of success for the Camana Bay development.

Project: Renée & Henry Segerstrom Concert Hall

Location: Orange County, CA

Client: Orange County Performing Arts Center (OCPAC)

Position(s): Construction Manager / Construction Engineer

Employer: Fluor Corporation

Time Period: March 2004 to December 2006

Fluor provided Design Management, Construction Management, and Program Management services to OCPAC for new construction of a \$200 million, state-of-the-art concert hall.

Mr. Pemberton oversaw \$30 million worth of construction contract work on the Concert Hall project. He provided in depth management of the \$3 million glass and ornamental metals

scope after the awarded contractor defaulted six months prior to the Concert Hall’s grand opening. He managed fragmented supply and installation by multiple contractors for the remaining \$1.5M worth of work on a highly compressed schedule, and he ended up producing fabrication drawings himself for the glass rails at two primary stairs. His replacement contractors and vendors completed the work on schedule and without OCPAC or Fluor losing money to the defaulting contractor.

While on this project, Mr. Pemberton also managed construction of the concrete, masonry, stone, structural steel, miscellaneous metals, waterproofing, roofing, seismic joint assemblies, and third-party surveyor scopes of work. With the third-party surveyor, he successfully developed and implemented innovative techniques for lay out and coordination of building elements to achieve the design intent, which often called for aligned joint patterns and parallel radii among light fixtures, glass panels, stainless steel rails, stone tile, finished drywall, aluminum cladding, and concrete slab edges. Mr. Pemberton is proficient in AutoCAD, building control, and site surveying. He planned and monitored gridline and elevation benchmarks to ensure mitigation of conflicts between trades, ensuring the proper root causes for all errors were always determined.



Concert Hall Lobby

In addition to his contracts, he identified hundreds of upfront design errors/omissions to minimize schedule impacts to all building trades – including mechanical, electrical, and plumbing work. Despite significant early design delays flushed out by Fluor, the project was completed in time for the originally scheduled grand opening. Mr. Pemberton developed and implemented a new turnover process for project completion and client hand over, which now serves as a model for Fluor completion procedures on commercial & institutional projects.



Concert Hall North Facade

Mr. Pemberton coordinated the work of all trades on the Concert Hall Project, and for the last year of construction, took over the role of general superintendent. He ran the daily contractor coordination meetings, and became the primary point person for every subcontractor, Government Inspector, and Fluor team member regarding field issues.



Concert Hall Interior



City of Charlotte Vintage Trolley/ Light Rail Project

Project: Vintage Trolley/ Light Rail Project
Location: Charlotte, NC
Client: City of Charlotte
Position(s): Superintendent / Construction Engineer
Employer: Fluor Corporation
Time Period: August 2003 to March 2004
 March 2003 to May 2003

Fluor provided Construction Management and General Contracting services to the City of Charlotte for the \$14 million Vintage Trolley/ Light Rail Improvements Project, which was a renovation and addition to the existing, operational convention center to accommodate trolley and light rail transit through the building.

Mr. Pemberton supervised day and night shift construction of all trades, often working 90 – 100 hours per week, as construction work progressed 24 hours a day, seven days a week. He scheduled and coordinated all contractors on-site to expedite construction, while avoiding interference with existing facility operations. He coordinated site logistics and mitigated field issues, wrote and tracked all project RFI's, daily reports, safety reports, notices to comply, Fluor punch lists, and meeting minutes. He reviewed and tracked all submittals, A/E punch lists, and closeout documentation, and he was the primary point person for field issues for subcontractors, the client, and the design team. This project was completed on schedule, within budget, and with approximately 1/3 of the contingency returned to the owner.

Project: Summit Arena
Location: Hot Springs, AR
Client: City of Hot Springs
Position(s): Site Superintendent / Construction Engineer
Employer: Fluor Corporation
Time Period: May 2003 to August 2003



Summit Arena Exterior

The Summit Arena Project was a \$27 million expansion of the existing, operational convention center. New construction included a 120,000SF / 6,500 seat arena that doubles as an exhibit hall for the existing convention center. The new structure also connects to an Embassy Suites by way of an “over-street” pedestrian walkway.

Mr. Pemberton supervised day shift construction of all trades. He focused on the mechanical, electrical, plumbing, and controls scopes of work, and generated completion lists to drive these contractors to timely completion. During his time on this project, he identified design errors/omissions, resolved field issues, drove quality control, and ensured all close-out documentation was received and provided to the client. He also enforced site wide safety and clean up procedures.

Project(s): Various
Location: Greenville, SC
Client(s): Various
Position(s): Procurement Specialist / Construction Engineer
Employer: Fluor Corporation
Time Period: January 2003 to March 2003

Mr. Pemberton worked in Fluor’s estimating

and procurement departments at Fluor’s Greenville office. As an estimator, he performed quantity take-offs for all building elements of the Fairmont Resort in Puerto Rico, the Pfizer Pharmaceutical Plant in Egypt, and the Ritz Carlton in Grand Cayman. As a procurement specialist, he solicited bids from vendors, negotiated the lowest possible prices, and purchased materials for the Ritz Carlton Project in Grand Cayman.

Project(s): EPCOT Mission Space Post Show, MGM Studios AFI Showcase, and Miscellaneous Capital Improvement Projects
Location: Lake Buena Vista, FL
Client: The Walt Disney Company
Position(s): Construction Management Intern
Employer: Walt Disney Imagineering
Time Period: May 2002 to August 2002



EPCOT Mission Space Entrance

Mr. Pemberton worked on various attractions projects for WDI ranging in value from \$1 million to more than \$30 million. His largest project for which he had sole accountability for the construction budget and schedule was the \$3 million AFI Showcase museum at Disney-MGM Studios. Mr. Pemberton reviewed the design for completeness, identified errors/omissions, and cleared a constructible path for

defining contract scopes and commencing the work. He defined the scopes, developed and managed the Primavera schedule, and coordinated his contractors through commencement, construction, and completion. He resolved field problems, coordinated with park operations personnel, ensured the accuracy of submittals, wrote contract change directives, issued deficiency notices, and generated punch lists. He also oversaw completion of various custom fabrication trade packages that were part of the EPCOT Mission Space Post Show, paying visits to various shop vendors around Central Florida to ensure the accuracy and timeliness of work in progress, before payments could be made. He reported status updates to Disney management for all work under his umbrella. All projects were fast track and completed on or ahead of schedule. Mr. Pemberton decided to turn down WDI's offer to continue his career there, pursuing an international career with Fluor instead.

Project(s): EPCOT Icon, MGM Studios Sorcerer's Hat Icon, Mickey Avenue Bypass, and Miscellaneous "100 Years of Magic" Capital Improvement Projects

Location: Lake Buena Vista, FL

Client: The Walt Disney Company

Position(s): Project Management Intern

Employer: Walt Disney Imagineering

Time Period: January 2001 to August 2001



MGM Studios Sorcerer's Hat Icon

Mr. Pemberton worked on various attractions projects for WDI ranging in value from roughly \$4 million to more than \$30 million. He developed procurement strategies for multiple projects, wrote contract scopes of work, reviewed bids, and awarded contracts for all trades. HE supervised 1st and 3rd shift construction work for all trades, identified design errors and omissions, ensured accuracy of submittals, solved field problems, coordinated contractors, and ensured project logistics ran smoothly between contractors and parks personnel. He wrote contract change directives, deficiency notices, and punch lists, and he reported progress to Disney management at regular update meetings. All projects were fast track and completed on or ahead of schedule.



EPCOT Icon – Above Spaceship Earth

2.2 The Business Strategy

BTI's business strategy is to listen closely to clients, to provide them with what they are requesting, and to provide them with more than they are requesting whenever possible. BTI is customer focused and results driven. BTI strives to help its clients achieve their goals. Toward that end, BTI's operations and approach to doing business ensure the client is kept in mind always. BTI's goal is to protect its clients from unexpected costs and schedule delays, and to provide its clients with a way to mitigate risk. By successfully mitigating risks, BTI can

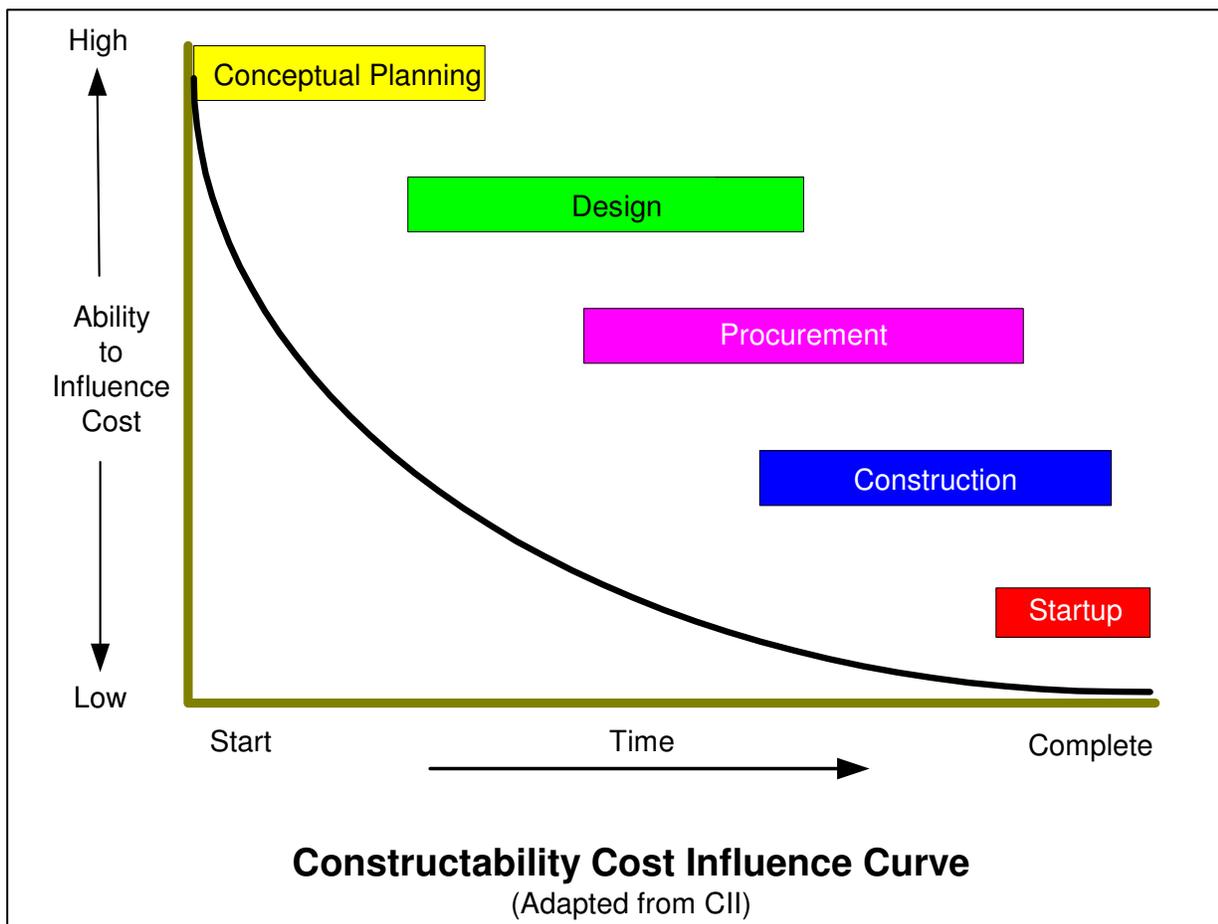
earn the trust of its clients and the respect of its counterparties. A healthy level of trust and respect can improve the efficiency of doing business, saving time and money for everyone.

With its expertise covering a wide spectrum of capabilities in the realm of construction management, owner’s representation, and contracting, BTI offers a professional level of service guaranteed to save the client money by minimizing design errors/ omissions and optimizing the efficiency of construction. In today’s economic environment, BTI realizes that cost reduction is one of the primary focuses of its clients. Through efficient phasing, efficient scheduling, value engineering, validating contractual prices, validating change order prices, and ensuring proper contractual language – among other methods – BTI is capable of finding many ways to generate savings.

BTI focuses on identifying design errors/ omissions as early as possible in the design and construction of a project. Research shows the later in the project life that design discrepancies are discovered, the more difficult they become to contain, and the more likely they are to cause high and unexpected costs (see figure below).

Clients also need to generate revenue streams as soon as possible; therefore, BTI is focused on phasing and scheduling construction work to allow revenues to flow into new business ventures as soon as possible. BTI can also develop contract incentive structures that are performance based to meet client scheduling and cost savings needs.

Large and sustained profits from healthy revenue streams are the byproduct of excellent business strategies and facility operations, but



they are also the byproduct of high quality construction that appeals to consumers and minimizes maintenance. To that end, BTI maintains a focus on high quality construction throughout the project, as well as an eye on potential operations & maintenance issues that are often not considered by designers and construction contractors. Proper warranty coverage and proper access for cleaning and maintaining building elements are simple and frequent issues that require focus to ensure the client is properly protected when receiving a finished building. If not fully considered in the design stage, the cleaning and maintenance costs of a new building can be high and unexpected.

3 Project Approach and Understanding

3.1 Core Scope of Services Offered

BTI agrees to:

- 1) Represent and protect the CMPA's and City of Pensacola's interests in all words and actions.
- 2) Meet with the CMPA Board and staff to ensure the purpose and background of this project is completely understood.
- 3) Coordinate with CMPA as required and scheduled.
- 4) Coordinate with City staff and City Consultants as necessary.
- 5) Recommend approaches, implement processes, and negotiate a Design-Build Contract(s) and Guaranteed Maximum Price (GMP) contract(s) on behalf of the CMPA and City of Pensacola, in an effort to make Contracts "bullet proof" in addressing deliverables.
- 6) Monitor the preconstruction phase to ensure issues implying risk, cost, quality, or delay are adequately addressed, and that competitive, market-reasonable pricing is attained, including input on staging, contracting approach and arrangements.
- 7) Provide and/or coordinate cost estimation services at various stages of design/value engineering and contracting process to verify reasonableness of Master Developer's pre-construction estimates and proposed GMP budgets.
- 8) Serve as the CMPA's Owner's Representative throughout design and construction.
- 9) Provide assistance, counseling, and reports to the CMPA regarding project progress, including but not limited to construction timelines, deadlines, quality, safety, cost estimates and expenditures, as well as participation of small, minority, and local businesses.
- 10) Conduct meetings with the Master Developer, CMPA City, and others as required.
- 11) Assist CMPA staff with approval and oversight of the Master Developer's design/engineering and construction general contracts.
- 12) Enforce the Design Criteria Package as approved by the CMPA.
- 13) Ensure compliance with all regulatory approvals, including all environmental permits, zoning, and land use regulations.
- 14) Review and recommend, along with CMPA and City staff, any changes to the Design Criteria, project scope, program, and change orders to the CMPA.
- 15) Review plans and specifications and special instructions to the contractors.
- 16) Verify and approve project payments.
- 17) Review and recommend expenditures from project contingencies.
- 18) Complete regular, ongoing on-site inspections and written progress reports.
- 19) Provide dispute resolution services for CMPA following contract dispute resolution procedures.
- 20) Make final inspections, report on completed projects, and oversee close-out procedures.

3.2 Additional Recommended Scope of Services Offered

Additionally, BTI recommends the following scope of services to be offered, and will agree to:

- 1) Provide and administer construction management IT operating system for processing and tracking project communications between CMPA and its counterparties; including but not limited to design change management, contract change management, pay applications or draw requests, contractor notices, and formal correspondence.
- 2) Provide “cost loaded” Primavera construction scheduling services for purposes of contracting, coordinating, reporting, and ensuring completion of construction in an efficient manner that achieves desired milestones.
- 3) Develop a buy list from the estimate for tracking costs against the budget, and ensuring the completeness of all contract scopes of work (i.e. elimination or awareness of “scope gaps”).
- 4) Provide cash flow forecasts based on contract(s) and “cost loaded” schedule to assist CMPA with financial arrangements.
- 5) Drive the focus of the project toward generating revenue streams for the City of Pensacola as soon as possible. Search for possible ways to generate income while construction is still in progress. Phasing should be done in a manner that opens up sources of revenue as soon as possible where feasible, without “aggravating” sources of revenue while construction is still in progress.
- 6) Both propose and review contractor substitution requests for materials which save time and money, without sacrificing either quality or design intent.
- 7) Through design review, recommend value engineering options which save time and

money, without sacrificing either quality or design intent.

- 8) Provide a Punch List for completion.

3.3 Proposed Pre-Construction Plan

BTI understands (based on the “Exhibit D” Project Schedule included with the April 16, 2009 DRAFT Agreement between CMPA and MPDP), that much of the design is still in the early stages or not yet started; therefore, a notable portion of time will be spent on constructability review of design drawings during phases prior to issuance for construction. These reviews will potentially be coordinated with the Design/Build Contractor through its design phases. BTI proposes the following step-by-step initial approach during each pre-construction portion of the overall project, as well as prior to executing the design/build contract.

- 1) Complete a thorough estimate of the current design to validate current cost expectations.
- 2) Review the design for completeness and potential errors/omissions.
- 3) Develop a detailed construction schedule that targets (1) cost reduction (2) opening up revenue streams, and (3) accelerating final completion to occur as quickly as possible. The “Exhibit D” Project Schedule included with the April 16, 2009 DRAFT Agreement should be reviewed further and revised.
- 4) Review again the latest draft of the Agreement between MPDP and CMPA, having completed the estimate, reviewed the current design, and developed CMPA’s preferred schedule.
- 5) Confer with CMPA, City staff, and City Consultants as applicable on findings and recommendations from BTI’s cost analysis, design review, scheduling analysis, and review of the latest Agreement between CMPA and MPDP.
- 6) After conferring with the City of Pensacola’s representatives, develop and negotiate the

final terms, conditions, and specific scopes of work for remaining contracts to be awarded.

BTI has scheduling recommendations to offer with this statement; however, BTI qualifies these recommendations with the understanding that sound reasoning is likely already in place for the current phasing strategy in the “Exhibit D” schedule. BTI’s observations are only based on a cursory review and do not have the benefit of discussion with the parties involved.

With the above clearly stated, BTI recommends that stadium construction should proceed prior to the other areas, and its design and construction should commence as soon as possible. Out of the project elements, the stadium structure will require the most mobile heavy equipment, the most areas for staging materials, and the most means of access for deliveries and structural erection. Any surrounding parks or buildings will become a hindrance to building the stadium (and surrounding elements would very likely be damaged), if they are allowed to commence first. Additionally, the stadium will likely be the largest revenue stream, and already has a committed paying tenant. Tapping this revenue flow as soon as possible should be a priority.

The parks should be the last elements completed. Prior to their being landscaped, the park areas should be used to stage materials for constructing the surrounding buildings. Landscaping the parks should only be done after nearly all construction is complete, and the site is being cleaned up. The parks may draw people to the area and may create enjoyment, but they do not generate revenues on their own to pay for construction.

Also, in the publicly disclosed Agreement between CMPA and MPDP, the current fee structures are typically fixed. While MPDP has an overall incentive to complete construction as soon as possible to start generating its own

revenues from facility operations; BTI recommends incentivizing cost reduction and schedule completion goals in remaining contract(s) to be awarded, by developing performance based fee structures that mutually benefit the City of Pensacola and MPDP. As BTI becomes more familiar with the project, it will continually develop and improve upon its plan.

3.4 Proposed Construction Plan

BTI proposes the following recommendations for the COR’s plan of attack during construction, including but not limited to:

- 1) Maintain an office located at or very close to the jobsite.
- 2) Closely monitor the design/build contractor and/or general contractor at the jobsite for their focus on safety, cost reduction, efficient coordination, schedule completion, quality of workmanship, and adherence to the design.
- 3) Recommend to contractors possible improvements they may make, as applicable.
- 4) Issue to contractors notices to comply with contractual requirements, as applicable.
- 5) Report progress and noteworthy issues to CMPA.
- 6) Provide design change management and contract change management services, as applicable.
- 7) Closely monitor the status of Authorities Having Jurisdiction (AHJ) inspections and Contractor adherence to AHJ requirements.

Many other recommendations are pending BTI’s meeting and observing MPDP’s qualifications, capabilities, and approach to doing business.

4 List of References

Contact information for any and all of the following individuals will be provided upon request:

Darrell Waters
Director - Fluor Corporation
Currently the Executive Sponsor of the World Trade Center Project and Los Angeles Metro-Rail Project.

Robert Sheriff
Director - Fluor Corporation
Currently the Regional Head of Operations for Fluor's United Arab Emirates work, and the Head of Construction for the Cleveland Clinic Project in Abu Dhabi.

Justin Howe
Executive Vice President – Dart Realty (Cayman) Ltd.

Kerry Madden
Executive Vice President – Kennedy Center (Formerly Executive VP at OCPAC)

Gordon Mahoney
Operations Manager – Hot Springs Convention Center

Mike Ostendorf
Executive Vice President of Construction Operations – Cumming Corporation (Formerly Senior Project Manager for Walt Disney Imagineering)

Mike Barrow
Director – Fluor Corporation

Paul Almy
Deputy Project Manager – Fluor Corporation

Tim Pinkerton
Senior Construction Manager – Fluor Corporation

Bob Medinger
Senior Construction Manager – Fluor Corporation

5 Proposed Fee Structure and Provisions for BTI (Subject to Negotiation)

The following fee structure and provisions are requested by BTI for this scope:

US\$144,000 per year, payable in monthly draws of US\$12,000

20% of value engineering and substitution request savings (savings to be determined by the difference between the quoted costs of the two options from legitimate sources)

Three opportunities to earn US\$10,000 bonuses for timely completion of three separate, major milestones yet to be determined

Provision of a field office with electricity, potable water, Ethernet connection, and telephone connection (for fax machine)

This fee structure provides BTI with the working capital necessary to effectively meet the requirements of RFQ No. 2009-01. It also provides BTI with the ability to perform its additional recommended scope of services described above. The fee structure also includes provisions for hiring another individual to assist Mr. Pemberton if required. Any additional employee would be subject to CPMA review and approval prior to being hired.

6 Additional Information Worth Noting

6.1 Small Business Enterprise

If selected as COR for this project, BTI will conform to the definition of a Small Business Enterprise (SBE) as defined in RFQ No. 2009-01. BTI's only business address will be in the 325 zip code area. BTI employs one person, and BTI has a net worth less than \$1,000,000.

6.2 Further Supporting Evidence of Capacity

Mr. Pemberton is scheduled to take the State of Florida's General Contractor Licensing Examination in mid-June; and assuming a passing score, this contracting license could potentially be used for this project if the need arises.

Mr. Pemberton has relationships with dozens of low cost contractor and vendor contacts in the construction industry that will perform well if called upon.

Mr. Pemberton has the technical expertise to enforce the approved design criteria.

Mr. Pemberton has the scheduling and field experience to set up and coordinate the work efficiently, particularly toward an optimal phasing and scheduling strategy.

Mr. Pemberton is a highly productive individual with the ability to take on a substantial work load. This statement is strongly supported by the year he spent single-handedly managing construction of the \$10 million cinema at Camana Bay (overseeing all of the work for more than forty construction contracts), while also working toward an MBA every night in a 2-year distance learning program offered by the University of Florida.

Mr. Pemberton is a cohesive force and has strong conflict resolution abilities. He excels as motivating people, bringing people together, finding common ground, and striving toward team goals.

Mr. Pemberton also excels at ensuring counterparties fulfill all of their contractual obligations without limit. He is highly experienced at defending contracts, and excels at both avoiding and resolving claims.

While on the Segerstrom Concert Hall Project, a seasoned Fluor Construction Manager with more than 30 years of General Contracting, Construction Management, and Owner's Representative experience once told Mr. Pemberton, "You are the best damn natural born plan reader I've ever seen. I've never seen anything like it."

7 Insurance and Indemnification

BTI guarantees it will meet or exceed all insurance and indemnification requirements as defined by Section F of RFQ No. 2009-01.

Nicholas M. Pemberton

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SUMMARY

Nick recently earned an MBA from the University of Florida, while working for Fluor full time on the \$250m Camana Bay project in Grand Cayman. He is offering extensive business knowledge and eight years of international construction management experience. He hopes to continue learning and growing with a good company, while developing or continuing productive team camaraderie.

CORE COMPETENCIES

- Project Management
 - Construction Management
 - P3 Schedule Creation & Management
 - Contract Development & Administration
 - AutoCAD & MSFT Access Databases
 - Budget/Cost Allocation and Control
 - Business Finance
 - Business Analysis & Marketing
-

SIGNIFICANT EXPERIENCE

FLUOR CORPORATION

Project Controls Manager, Cayman Islands, April 2008-Present

Supervisory position overseeing project cost controls and contract change management for all construction of \$250M "Camana Bay" development. Upon taking position, immediately reduced the volume of open change orders by 1,300 from 2,500 and doubled the processing volume with 2/3 less people. Streamlined processes, improved reporting mechanisms, and improved user functionality of the management database to save time for all departments. Negotiated change orders with suppliers and installers generating more than \$3.6M in savings from invoices over the past year. Presented change orders to developer for approval.

Cinema Project Manager, Grand Cayman, Cayman Islands, December 2006-April 2008

Managed all aspects (construction, procurement, contracting, scheduling, shipping, and logistics) of building a \$10M multiplex cinema at Camana Bay. Managed more than forty contractors. Made decisions under pressure on a daily basis; optimized time versus money impacts, finished extremely fast track schedule on time for \$1M less than budgeted. Coordinated with Hollywood Theaters during construction, reported updates to the developer, and received accolades from both.

Construction Manager/ Engineer, Orange County, California, March 2005-December 2006

Oversaw \$30 million worth of construction contract work on the \$200m Renee & Henry Segerstrom Concert Hall. After breach of contract by ornamental metals contractor, managed fragmented supply and installation by multiple contractors for about \$1.5M worth of work on a highly compressed schedule. Completed work on schedule and without losing money to the defaulting contractor. Identified upfront design errors/omissions to minimize schedule impacts for concrete, structural steel, waterproofing/ roofing, exterior stone, miscellaneous metals, metal studs & drywall, doors & hardware, elevators, and theater equipment contract work. Despite significant early design delays, completed all work in time for originally scheduled grand opening.

Construction Manager/ Engineer, Orange County, California and SE U.S., January 2003-March 2005

In '04 to '05, oversaw more than \$20 million worth of construction contract work on the Renee & Henry Segerstrom Concert Hall, and developed and implemented new turnover system for project completion. In '03 to '04, supervised day and night shift construction of \$12 million and \$27 million Convention Center expansion projects in Charlotte, NC and Hot Springs, AR respectively while also administering project RFI's, Submittals, and Punch Lists. In early '03, estimated costs and procured materials for international projects from Greenville, SC office.

Nicholas M. Pemberton

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SIGNIFICANT EXPERIENCE (*continued*)**WALT DISNEY IMAGINEERING**

Project Management Intern, Orlando, FL, January 2001-August 2001, May 2002-August 2002
Defined contract scopes of work for more than \$3 million worth of renovation and fit-out projects in the four Disney World theme parks. Supervised day and night shift construction and managed these projects to completion. Wrote RFI's and Change Directives for the \$27 million MGM Studios "Sorcerer's Hat" marquee, the \$15 million "EPCOT" marquee, and the \$8 million post show fit-out of "Mission Space".

KOEHNEMANN CONSTRUCTION

Apprentice Carpenter, Panama City, FL, May 2000 – August 2000
Framed residential and commercial buildings between school semesters.

EDUCATION

M.S. in Business Administration, April 2009
The Warrington College of Business Administration at the University of Florida

B.S. in Construction Management, 2002
The M.E. Rinker School of Building Construction at the University of Florida
Emphasis: Sustainable Development Minor: Real Estate

SKILLS AND HONORS

Proficient in AutoCAD, Timberline, Primavera P3 & Expedition, ProjectTalk/ProLog, Complete It, and MS Office, including MS Access database design and development

Proficient Building Control and Site Surveyor

OSHA 30-Hour Certified

Placed in Fluor "High Potential" group for employees under age 35 identified as promising by executives.

"Thomas Edison Society Award for Young Ingenuity" for project: "Efficiency of Simple Structures in Response to Earthquake Stress"

"Yale Science & Engineering Award" for project: "Efficiency of Simple Structures in Response to Earthquake Stress"

Awarded an engineering internship from the Department of Defense in 1997; worked with engineers on experimental equipment for U.S. Navy Special Forces.

REFERENCES

References available upon request.