





## **PLANNING & EXPERT SERVICES**

## CONSTRUCTION CONTRACT CONSULTANTS

## Discipline

Claims Management & Advisory, Forensic Delay Analyst

## Grade

Director

## Qualifications

Bachelor of Civil Engineering Curtain University, Western Australia

Professional Chartered Engineer

## Memberships

Member of Institution of Engineers, Australia

## **Regional Engineering experience**

six years
two years
two years
eighteen years
twelve years

## Nationality

Australian Dutch National Hong Kong Permanent Resident Date of Birth – 29 December 1959

## **Capability summary**

Experience over the past forty years as a Civil Engineer has encompassed a variety of civil engineering projects and tendering throughout Australia, England, Pakistan, Hong Kong, Indonesia, Malaysia, Singapore, Philippines, UAE, and Republic of China.

Experience over the past twenty-eight years has been devoted extensively to all aspects of project management, structural design, programming, value engineering solutions, tender submissions, prequalification submissions, forensic detailed analysis, computer system implementation, estimating, final accounts, cost control and contract management.

Experience has been gained on a variety of large-scale projects for building, railway stations, railway depots, reclamation, underground tunnels, major earthworks, road works, immerse tubes, bridges, piling works, marine port facilities and other infrastructure projects.

## Key technical competencies:

- Dispute Resolution
- Arbitration
- Mediation
- Litigation Support
- Expert Witness Reports
- Expert Reports Contract Engineering Support
- Project Monitoring Support
- Training Courses in Planning and Management
- Training of Planning Software Primavera
- Building Information Modelling (BIM)

## Highlighted sector experience:

- Civils Rail works, Depots, Bridge, water, Airports, remediation, roads and rails
- Property Education, health, commercial, sports and leisure

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## **Contract Standards Experience**

- FIDEC
- NEC 3
- Various Bespoke Contracts

## Systems and tools capability

- Primavera P3 to P6v16.3
- Microsoft Project
- Microsoft Excel and Access

## **Projects**

#### Fujita Corporation YANGON - MANDALAY RAILWAY IMPROVEMENT PROJECT MYANMAR (PACKAGE CP101) (September 2020 to present)

Claims Consultant and preparation of Extension of time for 70.8km railway project which includes rehabilitation and construction of track system, earthworks and earthwork structures, rehabilitation of bridges, new construction of railway bridges, box culverts, pipe culverts, signalling system works and telecommunication.

Role included the development of Baseline Programmes and Updated Baseline Programmes, preparation of correspondences related to claim and time events.

### Frey Fil and Toshiba Water Solutions HINULUGANG TAKTAK SEWAGE TREATMENT PLANT, Philippines (June 2023 to present)

Claims consultant for the preparation of time and cost claims for the design and construction of Hinulugang Taktak Sewerage Treatment Plant (16 MLD). Project comprises of process, control, mechanical, electrical, and civil/structural works.

Roles include the preparation of detailed analysis and project management of the Project.

#### Fujita Corporation DOHA METRO PHASE 1 SYSTEMS ARBITRATION (November 2019 to June 2023)

Claims consultant for the preparation of time and cost claims for the Depot (Redline) and Stabling Yard Depot (Green Line) of Doha Metro Rail Project.

The Project included multiply buildings, stabling hall, maintenance facilities, roadworks, infrastructure, and track works.

Role included the preparation and detailed analysis of asbuilt data for the Quantum and Planning Experts in both tabulated and graphical form to assist the arbitration process. In addition, preparation of time and cost analysis of potential entitlement for management.

### Legal Advisory Division (Works) HKSAR FOOTBRIDGE NETWORK IN TSUEN WAN (April 2019 to January 2022)

Planning Expert Witness for the dispute between Sun Fook Kong (Civil) Itd and Government of HKSAR – Contract HY2007/03 for the Footbridge A along Tai Ho Road.

The project for the sum HK\$118.3m to construct 570m of 3m wide covered footbridge and 50m of 4m wide covered footbridges.

## KPMG Australia Sydney Metro and Southwest (January 2022 to March 2022)

Appointed by KPMG Australia to provide delay analysis assessment with the focus on the rail for Sydney and Southwest COVID assessment.

### Gulf Precast Construction Company MIDFIELDS AIRPORT, ABU DHABI, UAE (June 2016 to May 2021)

Claims Manager and preparation of Extension of Time claims for the Design and Construction of the subcontract works associated with the approach bridges and ramps.

### Leighton (Macau) WYNN PALACE COTAI MACAU, SAR (March 2016 to July 2016)

Preparation of Extension of Time claims for the Design and Construction of the luxury hotel with 1,700 rooms, a casino, an 8-acre performance lake, gondolas, meeting facilities, spa and salon, and retail and dining venues, in Macau, China.

### Legal Advisory Department, HKSAR SHEK O QUARRY (January 2015 to June 2015)

Planning and Engineering Expert witness for the dispute between Shek O Quarry Limited and Government of HKSAR – Contract No. GE/93/14 Shek O Quarry, Hong Kong.

#### Legal Advisory Department, HKSAR STONECUTTERS BRIDGE (June 2013 to December 2016)

Planning and Engineering Expert witness for the dispute between Maeda-Hitachi-Yokogawa-Hsin Chong Joint Venture and Government of HKSAR –Contract No. Y/2002/26: Stonecutters Bridge, Hong Kong.

### Legal Advisory Department, HKSAR CENTRAL RECLAMATION PHASE III (April 2012 to April 2013)

Planning and Engineering Expert for the dispute between Leighton-China State-Van Oord Joint Venture and Government of HKSAR –Contract No. 12/02: Central Reclamation Phase III, Hong Kong.

#### PORT BATANGAS PROJECT – PPA YARD 2 BATANGAS, PHILIPPINES (June 2013 to July 2014)

**Project Director,** responsible for the management of the design and construction of the 45-hectare module assembly yard for the client AG&P.

The project encompassed the site development, 700,000 m3 earthworks (including rock fill) and building formations for major fabrication shops in the yard development.

These facilities included a Blast & Paint Shop, Fabrication Shop, Pipe Assembly Shop, Canteens, Offices, Load out facilities, underground drainage, mechanical services.

# BUILDING INFORMATION MODELLING (BIM) (June 2008 to present)

Actively involved in establishing procedures and practices for Building Information Modeling ("BIM") for the construction industry and programming issues (tender, construction, and forensic delay analysis).

The highly detailed structural models created in BIM software enables the highest level of constructability and production control. Centralizing model and non-modelbased data into the model allows for more collaborative and integrated project management and delivery. This translates into increased productivity, elimination of waste, and an enhanced value for structural modeling.

### HABTOOR MURRAY & ROBERTS JOINT VENTURE ST REGIS, SAADIYAT BEACH RESORT, ABU DHABI (August 2009 to January 2010)

**Technical Manager** responsible for the initial establishment of reporting systems, document control management and processes. Establish EOT claim analysis and reporting formats.

Provided claims consulting advice and preparation of an Extension of Time claim for the Contractor.

### AL HABTOOR MURRAY & ROBERTS JV ETIHAD INTERIM FACILITY, ABU DHABI Terminal 3 Airport Car park (May 2008 to January 2011)

**Technical Manager** responsible for the design and coordination of Precast works, MEP Works and submission of time extension claims.

## AL HABTOOR MURRAY & ROBERTS JOINT VENTURE TAMEER TOWERS, ABU DHABI

(February 2009 to July 2009)

**Technical Manager** responsible for the management if value engineering proposals related to the building structure and faced envelope.

#### AL HABTOOR MURRAY & ROBERTS JOINT VENTURE SORBONNE UNIVERSITY, ABU DHABI (July 2008 to January 2010)

**Engineering Manager / Project Co-ordinator** responsible for the design and coordination of Precast works & MEP Works.

## AL HABTOOR MURRAY & ROBERTS JOINT VENTURE

ETIHAD INTERIM FACILITY, ABU DHABI Terminal 3 Airport Extensions (October 2006 to January 2011)

**Engineering Manager / Project Co-ordinator** responsible for the design and coordination of three major contractors for the airport's façade works, precast, structural and MEP Works.

Involvement includes the coordination and monitoring of the ThyssenKrupp's Passenger Boarding Bridges & Fixed Link Bridges and Seimen's Baggage Handling System. The project involves the construction of Terminal 3 Extension of existing Abu Dhabi Airport comprising of some 60,000m2 of additional floor space to operate

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additional eight passenger loading bridge connections to a newly constructed Pier structure.

### MURRAY & ROBERTS JOINT VENTURE DUBAI INTERNATIONAL AIRPORT EXPANSION Dubai Concourse 3 Airport Extension (Phase II) AX124 (February 2007 to June 2007)

**Planning Manager** involved in for the preparation of the tender Master Construction Schedule for the structural, Architectural and Finishes for Dubai Concourse 3 Airport Extension.

### MURRAY & RONSCC & SOLENTACHE BACHY FRANCE Expert Witness SAFINA PROJECT – SHIP LAUNCH & RECOVERY FACILITY

(June 2007 to July 2007)

Preparation of planning and quantum reports for the Arbitration between National Services & Contracting Company (NSCC) LLLC and Soletanche Bachy France - Middle East V Dubai Drydocks, for the construction of Safina Project.

The works included the piling and civil works for the construction of a ship launch and recovery facility.

#### OBAYASHI CORPORATION One Raffles Quay Commercial Complex and Underground Pedestrian Mall. (March 2005 to August 2006)

**Planning Consultant** responsible for the preparation Master Construction Schedules (in Primavera format). Management of weekly programme updates, preparation of delay analysis programmes and monitor overall progress of the Works.

The project involves the construction of two office towers (30 Storey and 50 Storey)., deep basements and an underground pedestrian mall linking the development to an existing underground railway network.

#### DRAGAGES (Hong Kong) Ltd Hong Kong Exhibition Centre Manufacturing Process for Steel Trusses, She Kou, Republic of China (September 2004 to December 2004)

Establish Weekly Control schedules, Time Motion Studies, Control and Monitor progress for delivery to Hong Kong for 102 steel trusses (11,500 tonnes) to be manufactured in Ske Kou and Pan Yu, Republic of China.

#### LG Engineering and Construction Corporation, Taiwan, Republic of China (July 2004 to July 2007)

ICC Arbitration Case No. 1308/MV/AVH between

LG Engineering & Construction v Chinese Petroleum Corporation

Preparation of Expert "Planning" for the Arbitration in respect of Delays of the Works associated with the Design, Construction, Delivery and Installation of a Residue Fluid catalytic Cracking Unit at Toayuan Refinery, Taiwan, Republic of China.

- Plaintiff Advocates & Solicitors "Drew & Napier LLC"
- Respondents Advocates & Solicitors "Allen & Gledhill"

#### China Insurance Co Ltd, Hong Kong (Seconded to Berkeley Consulting (Hong Kong Ltd) (May 2004 to October 2004)

Suit No HCCT 48 of 1999 Malayan Banking Berhad v China Insurance Co Ltd

Preparation of Expert "Planning" for the High Court litigation in respect of Termination of the Works associated with the Design, Construction, Delivery, and Installation of 21 Storey Hotel Complex, Singapore.

## YKK AP Hong Kong Ltd (Pearce, Lau & Associates Ltd) GRAND STANDFORD HOTEL, HONG KONG (February 2004)

Preparation of Extension of Time claims for the Design and Construction of the external façade of Grand Standford Inter-Continental Hotel consisting of 14 Storeys of guest room floors on a 3- storey high podium in Kowloon, Hong Kong.

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# Penta Ocean Construction, Singapore (January 2004)

Preparation of Independent Report for the Extension of Time element for Claim Settlement / Contemplation of Arbitration for the Physical Unforeseen Ground Conditions encountered for the Design and Construction of 7.7km Sewer Tunnel for the Deep Tunnel Sewerage System Contract T02 Bedrock Tunnel.

## Lian Teck Construction, Singapore (December 2003 to December 2006)

Preparation of independent report in consultation with Advocates and Solicitors "Wong Partnership" on behalf of the Subcontractor for the Extension of Time element for Claim Settlement / Contemplation of Litigation for the delay and disruption / Issuance of Overall Recovery Programme for the Earthworks / Disposal of materials associated with Construction of Four (4) underground stations and tunnel for Contract 825 Circle Line in Singapore.

Preparation of the final account for Claim Settlement on behalf of the Subcontractor to the Main Contractor.

Wishing Star Limited, Singapore MULTI\_USER BIOMEDICAL RESEARCH DEVELOPEMENT COMPLEX (September 2003 to January 2005)

# Suit No S31/2003/D Wishing Star Limited v Jurong Town Corporation

Preparation of Expert "Planning" and Supplementary Reports for the High Court litigation in respect of Termination of the Works associated with the Design, Supply, Delivery and Installation of Curtain Walling and Cladding System, Linkway, Canopy and Roof Trellis to 7 Tower Blocks of Multi-User Biomedical Research and Development Complex at North Buona Vista Drive, Singapore.

### HIGH POINT RENDEL, PHILIPPINES Shimizu Corporation / FF Cruz & Co.., Inc (Seconded from High Point Rendel) (June 2001 to August 2003)

**Contracts Manager** for a \$US 70 million project for Port Batangas Phase II Development Project located 100km south of Manila, Philippines comprising of 6.4 million cubic meters of dredging and reclamation, Container terminal berths and infrastructure buildings.

Duties Include;

- Preparation of estimates, budget analysis for the piling works and associated structures.
- Preparation of Cost and Planning Monthly Reports
- Development & Implementation of Clause 14
  Programme
- Identify potential risks, contractor's time, and money claims.
- Preparation of \$US 2 million claim for the Right of Way problems linked to approved works programme and negotiated an approved entitlement of 180 calendar days and associated costs.

### FF Cruz & Co.., Inc (Seconded from High Point Rendel) (June 2001 to February 2002)

Planning and Contract Management for Major Contracts in Manila, Philippines. Projects include Port facilities, pumping station / Flood gate works with associated piling works, 40km Road and associated Bridge construction (Concrete Paved Road) and multi storey building adopting pre-cast structure and façade works.

Duties Include;

- Identify potential risks, contractor's time and money claims, labour escalation and peso devaluation.
- Quantum Analysis of Extension of Time issues
- Extension of Time Programming Analysis
- Preparation of Commercial Correspondence to the Client.

# AMEC INTERNATIONAL (HONG KONG) LIMITED (June 1999 to May 2001)

**Planning Manager** for the construction of US350 million West Rail Contract Stations CC212 Siu Hong Station and CC213 Tuen Mun Station, Tuen Mun, Hong Kong involving major piling, concrete structure, external tiling, curtain walling, glass facades and roof structures external tiling, curtain walling, glass facades and roof structures.

## Duties include;

- Management of Senior Planning Engineers of each Station.
- Develop Time Chainage programmes to illustrate float and the resources required to meet contract Key Dates.
- Restructuring the Works Programme in a format that easily understood by management to overcome the initial site delays.
- Management of the procurement process of major subcontractors for the concrete, façade and finishing works.
- Develop control systems to ensure that all site works are included in the monthly programmes.
- Identification and preparation of commercial claims.
- Preparation of detailed claim programmes for the unforeseen ground conditions and all other related disputes with the client. Developed the principle and causation of the rock strata hardness and layering argument that lead to a successful supplementary agreement with KCRC. The value of the claim for the piling works was in the region of \$US25 million which substantiated the principle for the additional costs associated for the accelerated programme of works for an additional sum of \$US55 million.
- Time extension and quantum analysis for the claim associated for the piling rock strata and layering issue.
- Planning Manager for the preparation of a bid proposal for an 88-story building including unitized curtain walling system in Central Hong Kong.
- Provided detailed estimating and planning, including engineering alternatives for the successfully award MTRC Depot project in Tsuen Kwan O, Hong Kong.

## COSTAIN INTERNATIONAL (HONG KONG) LIMITED (March 1992 to May 1999)

**Regional Planning Manager** (Hong Kong) for the arbitration planning submissions for the concrete impossibility claim for the Tsing Ma Bridge, Hong Kong.

- Assisting planning expert on development of computerized planning programmes for the Arbitration.
- Compile graphical presentations of the Works to demonstrate the joint ventures claim for delay and disruption.
- Review Tribunal Planning Expert planning reports.
- Review Window Analysis Techniques, Measured Mile and other formats to demonstrate delay and disruption.

**Planning Manager** for the tender planning preparation works associated with two large MTRC tunnel projects within Hong Kong. Projects included MTRC 611 Pak Shing Kok tunnel comprising of 6390m of tunnelling works.

- Development with the Technical Team the overall programme and detailed analysis of the production and manpower requirements to construct the works.
- Cycle Time analysis for dumper truck and loaders at the rock face for the disposal of approximately 125,000 BCM.
- Manpower analysis for Labour teams working day or night shifts.
- Preparation of detailed Time Chainage programmes.
- Preparation of tender programme in Primavera format with the associated milestone and key date completions.
- Preparation of cost analysis
- Assisting Planning expert for the Arbitration case associated with Tsing Ma Bridge.

**Regional Planning Manager** for Southeast Asia based in Hong Kong

- Site programming, tender programming, engineering solutions, tender submissions, prequalification submissions on a variety of large-scale projects.
- Development of the PAA Contract 410 Landside

Infrastructure Contract Programme after a successful detailed tender programme submission. Works comprise of bridges, buildings, roads, and services for Hong Kong new international airport.

 Identification and preparation of Commercial Claims and detailed evaluation of entitlement for both planning and costs.

**Planning Manager** The Lantau Link, carries a railway as well as roads, comprises the Tsing Ma suspension bridge linking Tsing Yi to Ma Wan; viaducts crossing Ma Wan and the Kap Shui Mun cable-stayed bridge linking Ma Wan to Lantau.

The Tsing Ma Bridge has become internationally known and a major Hong Kong landmark. Its main span of 1,377 metres is the world's longest carrying both road and railway, and its concrete towers are 206 metres tall. Construction of Tsing Ma Bridge commenced in May 1992 and completed in May 1997.

- Development of the Tsing Ma Bridge Contract Programme and detailed interface programmes at various stages through the project.
- Implementation of Planning Control System
- Site logistics management during various stages of the project.

## **MOWLEM GROUP**

(July 1986- January 1992)

Mowlem International, Karachi, Pakistan (August 1990 to January 1992)

**Engineering Manager** for the construction of a 1500m long jetty with approach bridges supported on 1000 precast piles. Land works includes service buildings, drainage and roadways.

## Mowlem Civil Engineering (United Kingdom) (October 1988 to July 1990)

**Senior Planning Engineer** for the construction of Canary Wharf Station, Dockland Light Railway, London, England. The project included the construction of a new high standard architectural Railway Station at the Docklands, London.

## Barclay Mowlem (Northwest, Western Australia) (July 1986 to October 1988)

## MAIN ROADS DEPARTMENT (WESTERN AUSTRALIA) (1982-1986)

Site Engineer for various road construction.

MEDIATION, ARBITRATION & HIGH COURT EXPERIENCES

**Witness of Fact**: Tsing Ma Bridge, Hong Kong (Arbitration, London)

**Programming Expert Witness**: Biopolis Project, Singapore (High Court, Singapore)

ProgrammingExpertWitness:Commercial/Residential Development at Nos 138-144Sai Yeung Choi Street, Mong Kok, Kowloon, HongKong. (Arbitration. Hong Kong)

**Planning Expert Witness**: ICC Arbitration Case No. 1308/MV/AVH between LG Engineering & Construction v Chinese Petroleum Corporation (ICC Arbitration, Singapore.

**Planning Expert Witness**: Arbitration between China Construction Fourth Engineering Division and Bovis Lend Lease Projects Pte Limited, for a ASMC Fab 3 Works of Shanghai Advanced Semiconductor Integrate Circuit CMOS Chip, China.

**Programming Expert Witness**: Arbitration between Permasteelisa Pacific Holdings Limited and Hyundai Engineering & Construction Co., Ltd, for the construction of Orchard Scotts Condominium, Singapore.

**Programming Expert Witness**: High Court Proceedings between Clinton Engineering Limited and Tridant Engineering Company Limited, for the construction of construction of Dong Jun Plaza, China.

**Programming Expert Witness**: Arbitration between Hyundai Engineering & Construction Co., Ltd and TPC Nghitam Village Tourist Development Co Ltd, for the construction of Lien Westlake Resort Hotel at Nghitam Village, Vietnam.

**Programming Expert Witness**: Arbitration between National Services & Contracting Company (NSCC) LLLC And Soletanche Bachy France - Middle East V Dubai Drydocks, for the construction of Safina Project, comprised the construction of a ship launch and recovery facility, Dubai.

**Programming Expert Witness**: Mediation between Downer and Government of HKSAR – Water Supplies Department (WSD) Contract No. 25/WSD/00: Mainlaying for Extension of North Point Low Level Saltwater Supply, Hong Kong. **Programming Expert Witness**: Arbitration between Brington Engineering Ltd. v. HKSAR - Water Supplies Department (WSD) Contract No.20/WSD/00: Mainlaying between Sai Ying Pun and Kennedy Town, Hong Kong.

Quantum and Programming Expert Witness: Arbitration between TCL Piling Specialist Limited and Hong Kong Construction (Holdings) Limited for the Subcontract works related to the Piling works for Tai Hang Bridge, Pak Shek Kok Bridge and Northern Access Bridge on the Tolo Highway, Hong Kong.

**Programming Expert Witness**: Arbitration between Lap Kai Engineering Co. Ltd v Sui Chong International Resources Ltd for the foundation works associated with the Residential Development at 38 Conduit Road, Hong Kong.

**Programming Expert Witness**: Mediation between Leighton-China State-Van Oord Joint Venture and Government of HKSAR –Contract No. 12/02: Central Reclamation Phase III, Hong Kong.

**Programming Expert Witness**: Arbitration between Maeda-Hitachi-Yokogawa-Hsin Chong Joint Venture and Government of HKSAR –Contract No. Y/2002/26: Stonecutters Bridge, Hong Kong.

**Programming Expert Witness**: Arbitration between Shek O Quarry Limited and Government of HKSAR – Contract No. GE/93/14: Shek O Quarry, Hong Kong.

**Engineering Expert Witness**: Arbitration between Maeda-Hitachi-Yokogawa-Hsin Chong Joint Venture and Government of HKSAR –Contract No. Y/2002/26: Stonecutters Bridge, Hong Kong.

**Programming Expert Witness**: Arbitration between Sun Fook Kong (Civil) Ltd and Government of HKSAR – Contract No. HY/2007/03: Extension of Footbridge Network in Tsuen Wan Footbridge A along Tai Ho Road, Hong Kong.