## Commercial & Contract Management / Delay Analysis /Claim Management

**Peter Kidd** 

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#### **EXPERIENCE**

Contract consultant with over 37 years experience providing; - commercial, program and dispute management services as well as specializing in forensic delay analysis with extensive experience in providing claims and / or rebutting subcontractor and main contractor claims. Experienced in a range of procurement forms e.g. PPP, EPCM, traditional and lump sum fixed price. Extensive experience of contracts such as FIDIC, NEC, JCT, ME GT&C and the VOB. Representing parties at arbitration, adjudication, ADR and litigation, determining contractual liabilities & obligations, drafting claim submissions, for extensions of time and /or loss and expense. Having been appointed to provide expert opinion on matters of delay and contract scope specifically for rail, signalling, conservation refurbishment works and infrastructure works. The projects involved with range from; - general construction, roads and infrastructure, rail, car plants, airports, power stations, tunnels, utilities, oil and gas, pharmaceutical plants, telecommunication networks, MEP and signalling works and off shore wind-farms. The projects have been located through out;- UK, Europe, Scandinavia, Middle East, Africa and the Far East including managing a project management practice in Berlin for six years. Having trained with a major international contractor in the estimating & planning departments before being transferred to the Middle East for a commercial role on various projects located in Bahrain, Oman, Egypt, Sudan and Dubai.

#### PROFESSIONAL OUALIFICATIONS

- FCIArb Fellow of the Chartered Institute of Arbitrators
- CIOB Member Chartered Institute of Building
- MSCL Member of the Society of Construction Law
- MCIM Member of the Chartered Institute of Management
- RICS Member Royal Institution of Chartered Surveyors
- MIACCM- Member International Association for Contract and Commercial Management
  - PG Dip in Contract Law and Arbitration
  - PG Dip in Quantity Surveying
  - HND in Construction Management

### **EMPLOYMENT HISTORY**

**Sept 91-Jun 93** 

Mar 2014 – To-date.	Kidd Consultants – Dispute Management Services
Jun 12 – Feb 14	Details of the specific assignments are listed on the attached schedule of Recent Assignments.  Systech International – Dubai – Director of Programme & Delay Analysis – ME & Africa  Appointed expert delay analyst and claim manager in connection with a major tunnel works and a new chemical plant in Abu Dhabi & Dubai as well as a new gold mine development in the Congo and a three new power stations in South Africa
Jun 09 – Mar 12	Kidd Consultants Ltd-Dispute Management Services
	Details of the specific assignments are listed on the attached schedule of Recent Assignments.
Nov 08- May09	Greyhawk (New York) Delay Analysis Experts – UK Director
	Responsible to the CEO based in New York to develop and operate the UK, Europe and Middle East markets.
Jan 99- Nov 08	Kidd Consultants LtdDispute Management Services
	Details of the specific assignments are listed on the attached schedule of Recent Assignments.
Jan 97- Dec 98.	RWS Project Services Ltd (Hong Kong) - Associate Director.
	Responsible for Korea and Indonesia managing a dedicated teams providing and successfully negotiating contractor's claims, for loss and expense delay and disruption through out the Far East on a range of projects; - production plant in Indonesia, the main steel structure at Chep Lap Kok airport and a Telecommunications network for the new mass transit system in and the mechanical and electrical works on two new power stations in Singapore.
Jul 93- Dec 96	Bruce Shaw Partnership Berlin-Partner
	Responsible for the Berlin office providing project and commercial management services to East

German clients as well as UK developers contractors and subcontractors. Projects ranged from oil

and gas installations to residential developments. All documents were prepared in German.

VW Spain - Commercial Manager Barcelona- New Car Plant \$960m

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Responsible for managing all contractual disputes and successfully negotiating subcontractors' claims with over 500 specialist sub-contractors (from civil works to communications and computers networks). The contract language was German.

Sept 89 – Aug 91 H.H Robertson Cladding and Curtain Walling-Claims specialist

Responsible for handling all disputed accounts through to amicable settlement, provided a number of

detailed claims and represented HHR in arbitration hearings.

Feb. 85-Sept 89 Kingsmead Limited - Director

KL carried out high-quality refurbishments and conversions of residential properties in the centre of

London working on period properties demanding restoration provisions of quality finishes.

Sept 73- Feb 85. Cementation International /AW Galadari Construction

**Estimator to Commercial Director (Middle East)** 

Employed in London in the position of estimator, following successful work in Poland I was appointed as Commercial Manager to the Middle East operating in Oman, Qatar, Bahrain, Cairo and Dubai. Responsible for;- all general construction, engineering, oil and gas support facilities throughout the Middle East Africa and the Far East. Managing a total staff of over 50 head office personnel plus all site based quantity surveyors. Handling all commercial affairs, contract negotiations and risk analysis, submitting all necessary interim and final accounts. The company successfully executed major projects through out the UAE, Middle East, Africa and the Far East.

Software

Experienced in working with primavera P6, primavera P3, MSP and Safran software.

### Claims Preparation / Commercial Management / Delay Analysis

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3 Feb 16 - 30 Jul 16	Chemical Plant Portugal Expert Delay Analysis appointment for Thyssen Krupp
01 Nov15 – 28 Feb16	Olympic Stadium Conversion to West Ham Football Stadium- Expert Delay Analysis – report for mediation. Appointed by Balfour Beatty.
25 Aug 15 – 30 Nov15	Adjudication appointment – Residential Property Surrey UK dispute over building works.
07 Jun 14 – 31Aug 15	Wind-Farm-Dolwin II AC/DC Converter Platform North Sea – ABB - Delay Analysis Expert to provide a claim for EOT and loss and expense supported by a forensic delay analysis.
Mar 2014 – 06 Jun 14	East Coast Main Line – Virgin & Stagecoach – Contract Specialist – conducting a due diligence on over 500 contracts for analysis of the risk and exposure for a future take over of the operation.
Dec 2013 – 31 Jan 14	Kibarli Power Station South Africa –prepare a claim proposal for the formulation of an EOT claim document.
Nov 2013 – Dec 2013	Northgate Shopping Precinct Doha – Review the contractor's claim for an EOT analysis the Impacted As Planned delay analysis and provide a robust rebuttal supported by the facts.
Mar 2013 – Oct 2013	Samsung Engineering Abu Dhabi –Tunnel; - provide a claim for EOT and expenses incorporating a forensic delay analysis.
Sep 2013 – Dec 2013	DRC (Congo) Goldmine; - Claim Consultant – provides a claim for delay and disruption in respective of the construction works to set up the mine for future mass- mining production.
Aug 2010 – Feb 2012	Ultra Engineering Qatar – Utilities infrastructure head a team to provide a claim for EOT incorporating a forensic delay analysis and presented in a multimedia format to a DAB committee.
Jan 2010 –July 2010	Depa Interior Burj Khalifa Dubai – Fit out works -provide a claim for EOT supported by a forensic delay analysis.
Sept 2009 – Dec 2009	ETA 12 Tower Blocks Dubai – Concrete works - reviewed the claim submission and redrafted the submission once the facts were established.
Mar 2009 – Sept 2009	Shell – LNG Plant Qatar – Heavy civil works - to review the contractor's claims and provide a robust rebuttal.
Feb 2009 – Apr 2009	Power Line Engineering Qatar – Residential New build the Pearl Doha – appointed to provide a claim for an extension of time and related costs.
Sept 2008 – Nov 2008	RLE Mechanical Subcontractor for the Dubai Metro appointed to provide an independent review of the Contractor's claim for an extension of time and loss and expense.
May 2008 – Dec 2008	Eddie Stobart Rail appointed to prepare a claim for an extension of time and related costs in connection with main line will works IIV

in connection with main line rail works-UK.

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Sep 2005 – Mar 2009	Metronet Rail LUL UK lead consultant to manage the provision and rebuttal of all track related claims for Loss and Expense in connection with the PPP contract for the maintenance and upgrade of the six lines of the LUL network London.
May 2004 – Feb 2005	Amec Rail – South East UK - appointed to analyse the extension of time claim and provide a detail Loss and Expense claim in connection with the redevelopment of national railway engineering facilities
Feb 2003 – Apr 2004	Alstrom Rail & Power appointed to provide contractual advice and details claims for EOT and Loss and Expense in connection with the Pendolino tilting train.
May 2002 – Oct 2002	Bombardier, Siemens & Balfour Beatty JV Malaysia –New Central Rail Network - appointed to provide an independent assessment of Contractor's loss and expense claim.
May 2001 – Aug 2001	KPN/Quest – Construction of a New Telecommunications Cyber Centre UK- appointed to review the Contractor's EOT claim.
Sep 2000 – Apr 2001	Babcock Borsig Power – Taiwan Three new Waste Burning Power Stations – Appointed to prepare the Contractors claims for extension of time and related costs.
May 2000 – Aug 2000	El Seif Saudi Arabian Contractor – appointed to prepare a claim for an extension of time and related costs in connection with a \$500 million multi-purpose fifty two story, complex incorporating a hotel, offices, shopping malls, sports club along with restaurants and a exhibition complex located in the centre of Riyadh.
Aug 1999 – Jan 2000	Westinghouse Signals – North Kent Line Upgrade – appointed to independently review all subcontract claims for extension of time and related costs for mediation purposes.
Jan 1999 - July 1999	Westinghouse Signals – Jubilee Line Extension –LUL Network UK – appointed to independently review all subcontract claims for extension of time and related costs for mediation purposes.
Oct 1998 – Dec 1998	Peter Birse Contracting – Power Station refurbishment – appointed to provide contract advice and prepare a claim for loss and expense for an Arbitration tribunal seated in Germany. The project was a power station located in England the contract was the German standard VOB and all correspondence was conducted in German.
Jul 1998 – Sep 1998	Kvaerner Contracting – Sports Stadium -Beirut – appointed to provide a contractor's claim for an extension of time and related costs in connection with the construction of a new sports stadium and sports complex.
Dec 1997 – Jun 1998	Associate Director for RWS Chartered Surveyors responsible for the following appointments; - Hanjung Steel appointed to provide a contractor's claim for an Extension of Time and Loss and Expense in connection with a new \$600 million cement plant located in Central Indonesia. Watson Nippon Steel appointed to provide a contractor's claim for an extension of time and related costs in respect of the structural steel roof works at the new Chep Lap Kok airport.
	GCE Singapore – New Gas Fire Power Station at Truas Singapore appointed to provide contract advice and a contractor's claim for an extension of time and related costs in connection with the Mechanical Electrical and Heating and Ventilating sub-contract works.
	Nishimatsu – Hong Kong Power-Sub-station, appointed to provide a contractors claim for an extension of time with related costs
Sept 1996 - Dec 1996	Kittelberger GmbH (AMEC) Appointed to produce documentation in support of a claim for extension of time with costs, in connection with a DM75 million mixed development in Leipzig.

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to analyse the extension of time claims and provide a detailed EOT and / or Loss and

Expense claims in connection with the specialist contracts

### **Claim Management & Mediations**

Sept 1991- Jul 1993	VW new Car Plant in Barcelona – appointed to review, report and conduct ADR process to
	settle subcontractor's claims for variations and extension of time with costs all in
	accordance with the VOB/B form of Contract.

### **Expert Appointments**

3 Feb 16 – 30 Jul 16	Chemical Plant Portugal Expert Delay Analysis appointment for Thysson Krupp Industrial
	Solutions GmbH

25 Aug 15 – 30 Nov15 Adjudication appointment – Residential Property Surrey UK dispute over building works.

Mar 2014 – Jun 2014 Residential Property in London – appointed expert in a dispute being presented in adjudication.

June 2009 –Nov2009 Qatar Gas (Gas to Liquid) Shell - appointed to prepare an independent assessment of the contractor's entitlement to extension of time and additional payment.

Jan 2009 – Aug 2009

Nacap Land & Marine JV appointed expert witness for Delay Analysis – in respect of the new gas main to a power station in South East UK

June 2008 – Feb 2009 Transformation Architects Construction & Tech Court, London; Litigation proceedings over a disputed EOT award, appointed by the solicitors for the defendant to give an Expert

opinion for delay analysis.

May 2006 – Jan 2007 Signalling Works to Channel Tunnel Rail link appointed by the solicitor for the specialist

Subcontractor to give an opinion on Scope Creep in connection with the signalling

installation of the.

Jun 2000 - Dec 2000 Altbau - London - Member of the Expert Witness team for Delay Analysis in respect of

the Contractor's claim for EOT in connection with multi-purpose construction at bank

central London.

### **Litigation Appointments**

Sep 2003 – Aug 2004	RLE – Channel Tunnel Rail Link UK – appointed to provide an independent assessment of
	the contractor's entitlement to extension of time and loss and expense.

Nov 2002 – Dec 2002 Mechanical & Electrical Processing Contractor HK- appointed to conduct a due diligence exercise for the Hong Kong Dock Yards Company in arbitration. The exercise focused

upon their contract liabilities in the Water and Gas industries.

Feb 2000 - May 2000 Robert Heath Heating UK - M&E contractor - alleged breach of HSE requirements -

appointed to review facts and contract and liaise with solicitors to formulate defence.

**Arbitrations** 

Sept 2001 – Apr 2002 Balfour Beatty – M60 Motorway - appointed to conduct an independent forensic delay analysis of the contractor's entitlement to an extension of time and additional payment.

Dec 2000 - Apr 2001 MW Kellogg- TSKJ - arbitration - appointed to provide an independent review of the subcontractor's claims for EOT and Loss and Expense and provide an independent

submission to the client in respect of the LNG installations on Bonny Island Nigeria.

May 1990 – Oct 1992

H.H. Robertson Specialist Contractor claimant appointed to provide independent entitlement for an EOT and related costs in connection with the new Esso headquarters UK.

Jun 1988 – Aug 1991 Kingsmead Construction claimant in respect of variations to the Contract sum.

**Contractual Advice:** 

Jan 2003 – Feb 2003 Network Rail – appointed to provide contract documentation for contract appointment for the refurbishment of all fuel storage depots through out the SE UK network.

Mar 1995- Aug 1996

Adviser to Schal project management team, for a residential development park in Berlin.

Responsible for: - producing all claim for an extension of time, settling sub-contractor final accounts. All documentation prepared in accordance with the VOB form of contract.

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Dec1992-Mar 1995

Bruce Shaw Partnership Berlin, responsible for the technical operation of the Berlin office, providing:- Contract advice, Cost planning, Financial management, Feasibility studies & Value Engineering, Production of Contract Documentation & Bills of Quantities, estimating, tender submissions, final accounts and contractors claim under the VOB form of contract