

Curriculum Vitae

William Dorsch

MSc Construction Law & Dispute Resolution, LLB (Hons), BEng (Hons) Civil & Environmental, GDLP, FCIArb

Director**Professional Profile**

Will Dorsch is a dual-qualified civil engineer and solicitor (Australia qualified) with 15 years of experience in the engineering and construction industry. He is based in Melbourne, Australia. He has been appointed as independent quantum expert and has acted as lead assistant to the named expert on multiple occasions across both arbitral and civil proceedings in Australia, Asia, Europe and the UK.

Will has gained extensive experience in contractual claims and quantum expert witness services on complex and high value projects in the building, infrastructure and energy sectors.

Will has assisted both quantum and technical experts in preparing expert evidence and giving evidence across a wide range of dispute resolution forums including mediation, adjudication, arbitration and court proceedings. He has acted as an expert advisor for contractors, designers, developers and government bodies, undertaking independent assessments of claims pursued on the basis of changes, variations, delay, disruption, acceleration, defective works and quantum meruit.

In addition to his quantum expert experience on construction and engineering projects, Will has worked as a solicitor in London (assisting in disputes resolved in mediations, arbitrations and High Court proceedings); and as a consultant with a multi-discipline firm in Australia specialising in civil engineering design and project management.

Core Skills

Claims Management
Commercial Management
Contract Administration
Contractual Advice
Expert Witness
Project Management

Sector Experience

Airports
Commercial Developments
Energy
Hotels & Leisure Facilities
Hospitals & Healthcare
Industrial
Port & Marine Works
Railways
Residential
Roads & Bridges
Utilities
Water Treatment

SPECIFIC SECTOR EXPERIENCE

Airports

- International Airport, UAE. Acted for JV Contractors in an arbitration pursuing claims valued at more than US\$1 billion for delay/disruption, extensions of time and variations, arising out of the construction of a new terminal at a major international airport. Responsible for the preparation of detailed claims and supporting information. Review of records in relation to detailed design, variation claims, and measurement and pricing in order to substantiate the claims.

Commercial Developments

- Commercial market development, Sydney, NSW. Assisting the Quantum Expert engaged by Contractor in disputes with heavy civils subcontractor under Security of Payment adjudication proceedings. Review and analysis of subcontractor's claims valued at more than A\$3 million for delay, disruption and additional mobilisation costs.
- Commercial and Government Complex, Melbourne CBD. Appointed by mechanical and electrical subcontractors to provide independent advice in relation to claims concerning major up-the-line design changes, variations, access/logistics disruptions, and disruption to MEP fitout works on multi-storey commercial office and government complex.
- Various commercial development projects as civil design engineer, including: Adelaide Entertainment Centre (AEC); Holsworthy Army Base, NSW; Home HQ Bulky Goods Store, Adelaide; Western Grandstand Development, Adelaide Oval.

Energy

- Wind Farm Projects, Victoria. Assisting the Quantum Expert engaged by WTG Installation Contractor across multiple projects pursuing claims against wind farm developer in two separate Victorian Supreme Court proceedings running in parallel. Preparing independent report and quantum analysis on variation claims, delays, resequencing, acceleration, damages for breaches of contract, quantum meruit; as well as counterclaims arising from liquidated damages, component delivery issues, defects and installation delays.
- Greater Gabbard Offshore Wind Farm, UK. Assisting the Quantum Expert engaged by steel fabricator defending claim for more than £250 million in damages in the Technology and Construction Court, arising out of welding defects discovered during installation at an offshore

Curriculum Vitae

wind farm in the North Sea. Case considered awards resulting from previous LCIA arbitrations and quantum assessments based on the Court's findings on liability arising from breaches of contract (relating to workmanship obligations). Quantum Expert gave evidence at hearing in TCC, London. Reported judgments: Fluor v Shanghai Zhenhua Heavy Industry Co, Ltd [2018] EWHC 1 (TCC); and [2018] EWHC 490 (TCC).

- Gorgon LNG Project, Australia. Assisting the Quantum Expert engaged by EPC Contractor for marine works package, in an arbitration concerning the Contractor's multi-billion dollar claims for variations, extension of time, and delay/disruption due to adverse weather and changing project requirements. Prepared expert report on the Contractor's anticipated costs to complete the contract works under a go-forward settlement agreement. Prepared further expert report on assessment of counterclaims relating to defect issues and backcharges.
- Western Australia Offshore Gas and Condensate Project, Australia. Part of a consulting team of expert advisors that assisted a global subsea equipment specialist to reach a negotiated commercial outcome for its claims for c. US\$300m in negotiations with the Operator. Management and coordination of team of multi-discipline experts in technical disciplines as well as delay and quantum. Assisted with the preparation of detailed submissions, position papers and negotiation preparations. Review of Operator's counterclaims for c. US\$325m concerning delay, defective work and performance and interface management.

Hotels & Leisure Facilities

- Luxury Hotel Development, Perth. Appointed by integrated service subcontractors to provide independent quantum expert advice to advance claims against head contractor concerning variations; delay and prolongation; and disruption to installation works for scaffolding, formwork and façades. Luxury hotel development in Perth CBD. Prepared independent quantum reports, including *quantum meruit* assessment, and analyses to support subcontractor's formal claims for negotiation and subsequent adjudications.
- Major Hotel and Residential Development, London, UK. Assisting the Adjudicator appointed by the parties in several statutory adjudications as a claims and quantum advisor. The adjudications concerned complex contract interpretation issues, and the D&B Contractor's claims for variations, prolongation/delay, unforeseen site conditions and the Developer's counterclaims for liquidated damages, set-off and contra charges.

Curriculum Vitae

Hospitals & Healthcare

- Cancer treatment facility, Sydney. Assistant to the appointed quantum expert on a dispute concerning rectification works to remedy widespread pipe failures and contamination issues throughout potable water distribution pipework in a cancer treatment facility in Sydney, NSW. Expert report prepared to provide expert opinion on the total rectification and replacement cost for all potable water pipework in functioning health facility.
- Health facility, Canberra. Assistant to the appointed quantum expert on a dispute concerning rectification works and betterment on a multistorey health facility located in Canberra, ACT. Review and analysis of actual costs incurred in replacement and improved works, preparation of elemental cost breakdown for counterfactual scope of design and construction works.
- Various healthcare projects as civil design engineer, including: Flinders Hospital Redevelopment; Tennyson Cancer Care Centre, Adelaide.

Industrial

- Steel Mill & Treatment Plant, Algeria. Advising civil subcontractor on legal issues and claims management arising out of termination of its subcontract by EPCM contractor, and disputes over interim payments and defects during construction of new steel mill facility in Algeria.
- Industrial Port Development, Adelaide, Australia. Carried out an independent audit of detailed design and contract administration undertaken by the consulting engineer to assist with commercial settlement negotiations with the facility owner.

Railways

- Major Rail Infrastructure Project, Sydney. Assisting the Quantum Expert engaged by JV contractor for a design, construct, finance, operate and maintain urban metro project valued at approx. A\$3.7bn. Disputed claims valued at approx. \$250m against the design consortium over additional construction costs and delays as a result of alleged design failings and design changes.
- Major Light Rail Infrastructure Project, Sydney. Assisting the Quantum Expert engaged by JV contractor in arbitration proceedings against other JV contractor concerning disputed cost share provisions on subcontractor costs and management costs, JV contractor cost management and reporting, and project delays. Quantum expert gave evidence in arbitration hearing in Sydney.
- Metro Rail Project, Middle East. Assisting the Quantum Expert engaged by a design

Curriculum Vitae

subcontractor in two parallel ICC arbitrations (London and Geneva) to assess claims valued at more than US\$180m for changes in scope, design execution and significant delay and disruption arising out of a major rail infrastructure project in the Middle East. Disputes across several design subcontracts and counterclaims valued at more than US\$750m arising from the construction of rail viaducts, depots, underground and at-grade stations. Preparation of expert reports; multiple expert joint statements; review of contemporaneous cost and time recording systems; cost audit processes; change orders; pricing and tender build-ups; programme review for delay and disruption claims.

- Metro Rail Project, Vietnam. Appointed by joint venture contractor constructing new metro rail line in Vietnam under modified FIDIC Contract to prepare significant claims for prolongation/EOT, extension and disruption to contractor's packages of works across elevated and underground sections, and claims for mitigation measures and contra-charges. Preparation of detailed claim submission; claim evaluations; review of substantiation and contemporaneous cost and time recording; analysis of actual and forecast recoverable costs.
- Major Rail Infrastructure Project, Melbourne. Appointed by the State's legal advisors to provide independent technical and expert advice in relation to a D&C contract on major rail infrastructure project. Review and analysis on formal claims, potential disputes, potential contract mitigation strategies; and provision of cost planning / estimating advice.
- Rapid Transit System, Taiwan. Advising the Contractor in its disputes with the Owner over its claims for additional costs and extensions of time arising from noise and vibration assessments completed during construction of a mass transit railway.

Residential

- Land acquisition dispute from residential development, Kensington, Victoria. Appointed by the State's solicitors (Herbert Smith Freehills) as independent quantum expert to prepare expert report with cost estimates for a proposed multi-storey mixed-use residential development in suburban Melbourne. Appointed as expert in disputed land acquisition claim under proceedings in the Supreme Court of Victoria. Involved in preparing joint report which was agreed between quantum experts, and subsequently parties reached a commercial settlement.
- Residential development, Doncaster, Victoria. Appointed by Principal's solicitors (Holding Redlich) as independent quantum expert in VCAT proceedings to prepare expert report in respect of the valuation of contra-charges / negative variations, and costs for rectification of

Curriculum Vitae

defects, at a residential apartment complex development in Doncaster, Victoria.

- Residential Tower, Sydney NSW. Assisting the Quantum Expert appointed by the Contractor's legal advisors in NSWSC proceedings concerning disputed claims for rectification costs to address widespread defects on building facades. Prepared expert report and analysis on estimated costs for façade rectification works under different methodologies.
- Residential development, NSW. Appointed by Principal's solicitors to prepare independent assessment and cost estimates for rectification works on hundreds of building defect items, based upon scope of works established by multiple technical experts.
- Single storey residence, Sydney, NSW. Appointed by owner's solicitors to prepare cost estimates for rectification works on insurance claim arising from fire at residence.
- Luxury Residential Development, London, UK. Engaged by D&B Contractor to advance its claims for loss and expense arising from project delays/disruption, disputed variations and practical completion in multiple adjudication proceedings (arising out of JCT Intermediate Building Contract).

Roads & Bridges

- Major roads projects in NSW and Queensland, class action dispute involving Tier 1 Contractor. Assisting the Quantum Expert appointed by Contractor in NSW Supreme Court proceedings concerning investor class action on company reporting on several road infrastructure projects.
- Major roads intersection upgrade, Melbourne. Assisting the Quantum Expert appointed by the Contractor's legal advisors in domestic arbitration concerning claims for variations and delay and disruption on intersection upgrade works on major arterial roads in suburban Melbourne. Contractor's claims valued at more than A\$14 million. Parties reached a commercial settlement prior to arbitration hearing.
- Road Tunnel Project, Melbourne. Appointed by the Contractor's legal advisors to provide independent expert advice in relation to a D&C contract on major road tunnel infrastructure project. Support to project and legal teams with programming and commercial expert advice; review and analysis on potential disputes and claims, evaluation of quantum meruit, and contract mitigation strategies.
- Motorway project, New Zealand. Assisting the JV contractor preparing detailed claim submissions in dispute with design JV entities, related to claimed additional construction costs caused by design defects, changes in design and other design issues.

Curriculum Vitae

- Road Bypass Project, Romania. Assisting the Quantum Expert engaged by JV Contractor in an arbitration claim for approximately €20 million arising out of a motorway bypass project in Romania where the Contractor was engaged under a FIDIC Yellow Book Contract. Assessment of Contractor's claims arising out of delays and suspension of works; and preparation of independent expert report. Assisted Quantum Expert at ICC arbitration hearing in Paris.
- PFI Contract for Highway Maintenance and Repairs, Birmingham, UK. Acted for a PFI Contractor in merits advice and preparation of a claim in a contractual dispute over maintenance and operating works for road infrastructure pursuant to a long-term PFI contract. Assisted legal team preparing Court challenge to adjudication decisions and analysis of technical evidence.

Utilities

- QCLNG Onshore Pipeline Project, Australia. Assisting the Quantum Expert engaged by the Owner/Operator in an ICC arbitration concerning the main contractor's claims valued at more than A\$800 million for breach of contract, quantum meruit, thickening and prolongation of resources, delay/disruption and variations arising out of the construction of major gas pipelines and associated plant facilities in Queensland, Australia. Responsible for drafting of expert reports and joint statements. Assisted Quantum Expert at multiple arbitration hearings in Qld.
- Pumped hydro scheme, Eastern Australia. Assisting the JV EPC contractor as quantum advisors in preparing detailed claim submissions and advising on disputes, relating to cost overruns, delays, design inadequacies, and variations.
- OCENSA Pipeline Group Litigation, London, UK. Acted for a major energy company in High Court (TCC) proceedings, defending a group action brought by Colombian landowners claiming compensation for environmental damage allegedly caused by the construction of OCENSA pipeline in Colombia. The case culminated in a trial over 63 hearing days. Involved in the preparation of expert reports in nine disciplines including geotechnical engineering, various environmental sciences, project management and economics; preparation of factual witness statements; disclosure review; and mediation. All claims were dismissed at trial: Ocesa Pipeline Group Litigation, Re [2016] EWHC 1699 (TCC); and [2016] EWHC 3348 (TCC).
- Biodiesel Plant, Rotterdam, the Netherlands. Assisting the Quantum Expert engaged by owner/operator of biodiesel plant in an ICC arbitration in connection with claims by piping contractor for additional costs, delay, disruption and acceleration in the construction of biodiesel plant in Rotterdam, the Netherlands. The contractor's claim was valued at more than

Curriculum Vitae

€40 million, which was rejected wholly in the arbitration award. Assisted Quantum Expert at ICC arbitration hearing in the Netherlands.

- Transmission and distribution infrastructure project, Victoria. Advising the Operator of significant electricity and gas infrastructure in Victoria on quantum scenarios from potential contractual disputes with several maintenance and operations contractors.

Water Treatment

- Recycled Water Treatment Plant, Victoria. Assisting the Quantum Expert appointed by the utility's legal advisors in Supreme Court of Victoria proceedings concerning claims against main contractor for rectification costs to address civil, electrical, mechanical, chemical and process defects established at a recycled water treatment plant. Confidential settlement reached.
- Wastewater Treatment Plant, Queensland. Assisting the Quantum Expert appointed by the Subcontractor's legal advisors in arbitration proceedings concerning claims relating to plant defects, delays to completion, and contract termination at a new sewage water treatment plant.
- Breakout Creek Wetland, Adelaide, Australia. Site engineer during a wetland construction project within a major river in Adelaide, which aimed to improve water quality and create recreational spaces. Responsible for site supervision and contract administration, including tracking of programme, progress payments and project deliverables.

RECENT EMPLOYMENT HISTORY

2022 – Present

DGA Group

Director

2020 – 2021

HKA

Director

2017 – 2019

HKA

Associate Director

2015 – 2017

Hill International

Senior Consultant

2011 – 2015

Curriculum Vitae

Freshfields Bruckhaus Deringer LLP

Legal Assistant (Australian-qualified solicitor)

2007 – 2010

Aurecon (formerly Connell Wagner)

Civil Engineer