

David G Waddle

DiplCarb, FCIQB, FAPM, AMICE, MCI Arb, Chartered Construction Manager,
Cardiff University Expert Witness Certificate

Director – Programme & Construction Management Expert Witness

Professional Profile

David learned the construction process – including work study, construction planning and project management - over 22 years working for Tier 1 National civil engineering, building and management contractors as a senior planner, site agent and as a project manager.

In 2000, he made the move to consulting and his reports have been presented in various tribunals including the Technology and Construction Court (TCC), Court of Session (Scotland), in arbitration and adjudication; and also instructed by the Dutch Court. David has been cross-examined and has established himself as a delay expert with a successful track record – disputes are regularly settled in favour of his client, often through a negotiated settlement - and as a project manager experienced in the restructuring of distressed projects

In a civil engineering adjudication his analysis demonstrated a 120-week delay against an original 104-week contract period. The adjudicator agreed entirely with David’s analysis and commented that David had “*articulated his analysis clearly and comprehensively*”.

David is a Chartered Fellow of the Chartered Institute of Building (‘CIOB’). The CIOB states: “*Gaining Fellowship status from the CIOB demonstrates a very high level of achievement: Fellows are among the most experienced and knowledgeable professionals in the industry*”.

Full UK MoD Security Clearance (SC).

CSCS Professionally Qualified Person White Card holder.

Core Skills

Delay Analysis
Project Management
Expert Witness
Claims Management
Troubleshooting

Sector Experience

Roads & Bridges
Energy
Utilities
Process Engineering
Water Treatment
Railways
Port & Marine Works
Hotels & Leisure Facilities
Commercial Developments
Education, Government &
Culture
Airports
Residential
Hospitals & Healthcare
Defence

SPECIFIC SECTOR EXPERIENCE – CIVIL & ENGINEERING

Roads & Bridges

- Coastal Pedestrian Route NE England. Instructed on behalf of the contractor on a project involving extensive temporary works to construct a walkway down a steep embankment (21.0m drop). This matter was successfully negotiated with the Employer. NEC3 (A).
- Wind Farm Access Infrastructure, Scotland. Instructed on behalf of the civil works contractor in Adjudication against the Employer. A bespoke contract based on FIDIC Red Book 1999.
- Trunk Road Improvement Scheme, England. Instructed Expert in an adjudication involving the assessment of compensation events. NEC3 (A).
- A second separate Instruction on this project to carry out a Loss of Productivity analysis and Expert Report.
- A66 Trunk Road Junction Improvement Scheme, England. Appointed by the main contractor as an advisor to its project team. NEC3 (B).
- A1 Trunk Road Widening Scheme, England. Delay analyst on behalf of the main contractor. NEC3 (C).
- Major City Outer Ring Road, England. Assess compensation events for the main contractor. NEC3 (C).
- Trunk Road Bridge Refurbishment, England. Appointed by the main contractor for a project executed under the NEC 2 Form of Contract.
- Trunk Road New Build, Scotland. Instructed as Delay Expert in Mediation which was successfully concluded utilising mass haul diagrams and time/chainage programmes. Form of Contract NEC 3 (D).
- Forth New Crossing M90 Junction. Appointed by the civil works contractor to assess sub- contractor delays. Form of Contract FIDIC EPC (1999).
- Highway Rehabilitation Project, St Lucia. Delay analysis for arbitration proceedings – settled through negotiation.
- Due Diligence, Toll Roads, Spain. Management Expert: Technical due diligence appointed by an international bank which was buying a global toll route constructor and operator.
- Artxanda Tunnels, Spain. Management Expert: Project Management and programme review of the construction of 3Km of NATM tunnels.
- Highway Construction and Rehabilitation, UK. Site agent and project manager for the national civil engineering and surfacing contractor: representative projects include M4 and M6 Lane Rental, A16 Spalding Bypass, M25 Maple Cross, A4 Talgarth Road Reconstruction.
- Highway Structures, UK. Planning engineer and project manager for new build bridges & retaining structures.

Energy

- Energy from Waste Power Plant, UK. Instructed expert on behalf of the civil works contractor.
- Nuclear Power Plant, UK. Review of compensation events for the civil works (NEC3).

Curriculum Vitae

- Nuclear Power Plant, Europe. Appointed as Expert Advisor to the pipework sub-contractor in a DIS / ICC Arbitration. This was concluded by negotiation.
- Biomass Power Plant, Netherlands. Appointed by the Court to advise in matters of delay in the action *Standardkessel GmbH v AVR Afvalverwerking BV* [2014]. Settled out of court.
- CCGT Power Plant, England. Appointed as Expert Advisor to the Electrical and Instrumentation Installation contractor to advise on the effects of various delay events.
- Biomass CHP Power Plant, Scotland. Expert Advisor to the Civils Contractor. The project is to construct a new power plant on the site of an existing coal fired plant (NEC3).
- Offshore Wind Farm, UK. David provided delay analysis on this 'live' project for the supplier of the wind turbines. The information was then used as a tool to aid a negotiated settlement.
- Onshore Wind Farm, Scotland. Review of the civil work programme for major base remedial works at a recently commissioned operational wind farm.

Utilities

- High Pressure Gas Pipeline, UK. 10Km, 12" dia overland gas pipeline including HDD crossings. Appointed as delay expert on behalf of the Employer.
- Oil Pipeline, Iraq. Appointed as Expert Advisor by the European main contractor to assess its EoT entitlement and present its position to the Employer – a well-known Global oil company.

Process Engineering

- Vitamin C Plant, UK. Instructed to assess the contractor's compensation events in relation to detailed design, procure, installation works, submitted to the Project Manager. NEC3 (C).

Water Treatment

- Water Treatment Works, England. Assessment of the SCADA and software development compensation event on behalf of the Construction JV. The dispute was resolved amicably.
- Waste Water Pipeline, Scotland. Overland pipeline transporting waste water to the treatment plant and subsequent outfall to the Irish Sea.
- Wastewater Tunnel, Scotland. Advisor to the construction JV for a 5km, 5.0m dia tunnel using a Slurry Pressure Balance TBM method.
- WwTW, Pumping Station & Sea Outfall, Scotland. Advisor to the design/construct JV Company.
- Water Treatment Works, UK. Project manager briefed to turn the troubled and much delayed project around and complete it as early as possible whilst re-establishing Client relationships.
- Waste Incineration Plant, UK. Programme analysis and preparation for adjudication on behalf of the electrical sub-contractor.

Curriculum Vitae

- Water Treatment Plants, UK. Project planner and project manager for civils contractors.

Railways

- Power Supply Upgrade, UK. Advisor to the Alliance designing and constructing the Main Line power upgrade and distribution works.
- London Underground, London, UK. Appointed as the planning expert for a dispute involving a building project carried out the NEC2 form of contract. Settled by negotiation.
- Railway Station Pedestrian Bridge. Appointed as Expert Advisor by the main contractor.
- Railway Communications, England. Appointed as Expert on behalf of the Employer, this dispute was settled in Mediation.
- London Underground, UK. Delay analysis relating to the M&E upgrade to the stations and tunnels.
- Taiwan High Speed Rail. Delay analysis for the Tsoying Station project using linear programming technique (Time/Location).
- Rolling Stock Manufacturer, UK. Development of a new set of Project Management procedures.
- Rolling Stock Manufacture, Derby, UK. Delay analyst on a project to manufacture and deliver new passenger rolling stock to a UK Train Operating Company (TOC).
- Channel Tunnel Rail Link, UK. Section Project Manager for the civil engineering JV contractor.

Port & Marine Works

- Wet Dock Redevelopment, UK. Instructed on behalf of the Employer to review the Contractor's claim for a revised Completion Date (NEC3 (A)).
- Flood Protection Scheme, Scotland:
Originally instructed in 2010 to advise the main contractor on its extension of time claim in adjudication. Form of Contract ICE 5th Edition. This was the subject of a successful adjudication. The adjudicator remarked in his Decision that David's analysis was "*clear and comprehensive [and] articulated his analysis quite clearly. [The contractor has] enjoyed total success.*"
- On completion of the Works, David was instructed as Expert Advisor to the main contractor in preparation for Mediation [2015].
- A further but separate instruction on behalf of the Employer in a Court of Session Action against the Designer and Engineer's Representative. This matter was settled in mediation, early 2019.
- Niddrie Burn River Restoration, Scotland. Advisor to the contractor; involving major earthworks [Mass haul diagram], flood attenuation structures and new highways. NEC3 (A).

Curriculum Vitae

- New Passenger Port, Greece. Management Expert: Review, investigation and subsequent report of all operational aspects, SWOT analysis and recommendations for the reprogramming of the Works, a revised management structure, introduction of project controls and the implementation of health and safety procedures for the main contractor.
- New Container Port Construction, UK. Advisory services to the main E&I contractor on new deep-sea port development.
- Humber Sea Terminal, UK. Delay Expert for the main contractor - ICE 5th Contract.
- Coastal Protection Works, Yorkshire, UK. Expert Advisor to the PM to assess the Contractors Compensation Events under an NEC 2 Form of Contract.
- Lymington Quay, UK. Forensic analysis of the as-built programme in preparation for adjudication.

Industrial Engineering / Manufacturing

- Deep Sea Mining Vehicles, UK. Appointed by the design and build manufacturer to determine the cause and effect of the delay on the delivery of the vehicles. The analysis and Advisory Note were used to achieve a successful settlement.
- International Shipbuilding, UK & Italy. Assisted the appointed Expert in a dispute on behalf of Cammell Laird (in Administration) (KPMG) in arbitration in Italy relating to the Costa Classica, the World's largest cruise ship conversion, valued at £75.0m (2000).

Building Heavy Construction & Engineering

- Mixed Use Development, Leeds. Instructed by design build contractor to review the structural concrete foundations and frame sub-contract claim.
- Head Office Development, Birmingham. Review of delay claim submitted by the RC Frame sub-contractor. Successfully defended on behalf of the main contractor in adjudication.
- SSE Hydro, Scotland. Instructed as delay expert on behalf of the r.c frame sub-contractor in *Heyrod Construction Ltd v Lend Lease EMEA Construction Ltd* Court of Session. The dispute was successfully settled out of court.
- Silken Hotel, London. Assisted the delay expert in developing an as-built delay analysis for Adjudication covering retained façade, demolition, contiguous piling and heavy foundations. The dispute was subsequently referred to the TCC before Mr Justice Akenhead *Cantillon Limited v Urvasco Limited* [2008] EWHC 282 (TCC).
- Research Laboratory, UK. Instructed on behalf of the engineering contractor in Adjudication with its mechanical subcontractor. This commission required full UK Security Clearance (SC).

SPECIFIC SECTOR EXPERIENCE - BUILDING

Commercial Developments

- Mixed Use Development, Leeds. Instructed for the contractor in relation to a multi-storey concrete frame dispute.
- Office Development, Surrey. Instructed on behalf of the Developer review the contractor's EoT claim on a post-tensioned RC frame office which was the subject of an adjudication.
- Office Development, Birmingham. Instructed on behalf of the Developer to review the contractor's loss of productivity claim (due to COVID).
- Head Office Development, Aberdeen, Scotland. Appointed as independent advisor by the main contractor in matters of adjudication.
- Head Office Building, Scotland. Appointed to provide an independent view of delay liabilities.
- *Aedas Architects Ltd v Skanska Construction UK Ltd*. Acting as planning expert in a dispute between the Architect and Main Contractor. This was settled in Mediation.
- Mixed Use Development, Wimbledon, UK. This was an expert advisor appointment by a developer to provide a review of the causes of delay to Completion Date and negotiate an appropriate settlement.
- Office Development, London, UK. Informal expert appointment by the developer to provide an independent view of the causes of delay and negotiate an amicable resolution to the dispute.
- Morley Hall, UK. David provided an expert report regarding the method of delay analysis used by the other party in adjudication. This adjudication had a successful outcome for our client.
- White City, London, UK. A member of the team representing the main contractor in the preparation of extension of time claims on a £1.5Bn mixed use regeneration scheme. The analysis was used to help negotiate an amicable settlement.
- City Centre Shopping Development, Belfast. Project Management expert review of the contractor's master programme.
- Tunis, Tunisia. Management Expert: for the preparation of a bilingual master programme for the City Centre regeneration scheme.
- Holyrood Offices, Edinburgh, UK. Management Expert: of the 'Front-end' programme management for a speculative office development in Edinburgh.
- Rochester Riverside Redevelopment, Kent, UK. Management Expert: of the Master programme for a £200.0m 30Ha brown field mixed use regeneration scheme.

Curriculum Vitae

Education, Government & Culture

- Exhibition & Conference Facility, UK. Adjudication: Instructed to consider Project Manager's alleged breach of duties on an NEC3 contract.
- Theatre & Conference Facility, UK. Managed the review of the contractor's time critical recovery programme and provided advisory services to the Employer.
- Museum, Cambridge. Independent advisor to the main contractor. Settled in mediation.
- Local Authority Leisure Centre, West of Scotland. Instructed on behalf of the Employer to review and advise on the Contractor's claim. This was successfully concluded by negotiation.
- Local Authority Leisure Centre, North East England: First instructed as Delay Expert on behalf of the main contractor to review the whole of the Works. This was successfully concluded in adjudication against the Employer [2014]. Instructed on behalf of the main contractor (Respondent) in an arbitration with a subcontractor (Claimant).
- Aquatic Centre, Scotland. Instructed on behalf of the main contractor in adjudication. Settled in favour of the main contractor.
- Leisure Project, London. Expert Advisor to the Architect assessing the contractor's claims.
- Cambridge University, Cambridge, UK. Assisted the appointed Expert in the analysis of the master programme and the impact of additional works and late information, on behalf of the main contractor. This led to a successfully negotiated settlement between the two Parties.
- New City Academy, UK. David prepared the entitlement to an extension of time document for the main contractor on this £20.0m school.

Defence

- Research Laboratory, UK. Instructed on behalf of the engineering contractor in Adjudication with its mechanical subcontractor. This commission required full UK Security Clearance (SC).
- GCHQ, UK. Management Expert: Leading the JV planning team on the new build project at the critical pre-commissioning stage.

Airports

- Manchester Airport, UK. Planning manager on the new build Terminal 2 project.
- Heathrow Airport Terminal 3, UK. Planning engineer for the refurbishment of the terminal building which was carried out while still fully operational.

Hotels & Leisure Facilities

- Fountain Park Edinburgh, UK. Following the hearing at the Court of Sessions, the main contractor and the engineer's PI Company agreed to appoint an Expert team to provide a determination. David was appointed as the Planning Expert in that team to determine the programme liabilities.
- Park Plaza Hotel, Southbank, London, UK. Appointed as Planning Expert by the main contractor in contemplation of litigation in the TCC 2007 before HHJ Havery QC.
- Marriott Canary Wharf Hotel, London. Prepared an analysis of the validity of an extension of time claim.
- Wembley Stadium, London, UK. Assistant to the expert analysing the delays to the R.C. frame.

Hospitals & Healthcare

- Residential Care Home, North West England. Instructed on behalf of the building contractor.
- Hospital PFI, West Midlands, UK. Prepared an expert report on behalf of the main contractor engaged in the construction of a multi-million-pound hospital. The project involved both new build and refurbishment of the existing building; as a result, there existed a complex series of interfaces and interdependencies between the various phases of the work.
- New Hospital, Gibraltar. Critical review of programme and method statement.

RECENT EMPLOYMENT HISTORY

- 2019 – Present
DGA Group
 Director

 - Delay and construction management expert witness. Project advisory services.

- 2009 - 2019
Driver Group / Diales
 Technical Director

 - Delay expert witness for Scotland. Project advisory services.

- 2005 - 2009
Brewer / FTI Consulting
 Senior Consultant

 - Forensic delay analysis for a range on building and civil engineering projects.

- 2003 - 2005
NBA Quantum
 Head of Planning

 - Responsible for the management of the planning team. Forensic planning, risk analysis and project planning. 3D visualisation.

- 2000 - 2003
High-Point Rendel
 Managing Consultant

 - Forensic delay and project management analysis, due diligence and project consulting services to various international clients.

- 1999 - 2000
Norwest Holst (VINCI Grands Projets)
 Project Manager

 - Project manager for various major UK civil engineering projects – major earthworks & highways.

- 1998 - 1999
John Mowlem & Company (Civil Engineering)
 Project Manager

 - Project manager for various regional civil engineering projects – highways, structures & water treatment.

- 1993 - 1998
Amey Construction (Civil Engineering)
 Agent

 - Agent, managing various highways projects, including the direct workforce and sub-contractors.

- 1990 - 1993
Kyle Stewart (BAM Construct)
 Senior Planning Manager

 - Site based Design/Build construction planner with added responsibility for team management on complex highly serviced design & build projects.

- 1984 - 1990
AMEC Projects (Management Contractor)
 Planning Manager

 - Site based planner responsible for design and procurement planning, work package planning and co-ordination and progress reporting.

- 1982 - 1984
John Laing UK Civil Engineering
 Production Controller

 - Work study, cost and bonus and planning on various civil engineering projects – highways, structures & water treatment.

- 1978 - 1982
Sunderland City Council
 Project Trainee

 - Management trainee in various aspects of estimating, quantity surveying, planning and site management.