



Curriculum Vitae

Name:

David John Shuttleworth

BSc. (Hons) Dip Arb, FRICS, FCIIOB, FCIArb, FSIArb

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Commercial Management/Quantity Surveying/Dispute Resolution activities:

A chartered quantity surveyor and chartered builder with extensive experience in preparation and defence of claims, commercial management, position & strategy reports including expert witness work and provision of contractual advice with respect to building, civil & structural engineering, infrastructure & transportation, tunnelling and petrochemical projects.

- Claims Management
- Arbitration & Litigation Support
- Dispute Resolution advice
- Expert Witness
- Project Management Support
- Delay and Disruption
- Contract terms & conditions
- Commercial Management
- Mediator
- Adjudicator

Responsibilities:

- Managing Director of own construction consultancy practice.
- Preparation and submission of expert reports/position & strategy reports/evidence relevant to construction methods and procedures progress and quantum issues.
- Preparation of Risk Assessment Reports.
- Advice to clients on commercial and contractual problems.
- Claims preparation, defence, assessment and negotiation.
- Direct participation in mediation, adjudication, arbitration and litigation proceedings, acting for either claimant or defendant.

Qualifications:

BSc. (Hons) Building Economics and Measurement
CEM Post Graduate Diploma in Arbitration (DipArb)
Fellow of the Chartered Institute of Building (FCIOB)
Fellow of the Royal Institution of Chartered Surveyors (FRICS)
Fellow of the Chartered Institute of Arbitrators (FCIArb)
Fellow of the Singapore Institute of Arbitrators (FSIArb)
Accredited Mediator Hong Kong and New South Wales
Panel of Arbitrators, Adjudicators and Mediators (AIAC)

Associations:

Ex Committee member & Director of CIArb in Singapore
Past President of CIOB Singapore (2009 – 2012)
Ex Committee Member of Society of Construction Law Singapore

Key Experience:

Quantity Surveyor, Commercial Manager, Mediator and Contracts/Commercial/Claims Consultant with over 40 years experience working with major contracting organisations and consultants in the UK and overseas, eight and a half years of these based in Hong Kong and over 17 years based in Singapore. Experience includes a wide range of Asian countries on complex construction projects, both in building and civil engineering with major M+E involvement. Many of these were joint ventures and large infrastructure projects of a fast track nature involving roads, bridges, tunnels, land reclamation, power plants, airports, LRT, MRT and railway systems. Building experience includes residential accommodation, university facilities, office blocks, hospitals, hotels, stadiums, exhibition centres, laboratory complexes, industrial warehouses, rail stations, fuel and pipeline installations, refurbishment and minor works. Clients include both contracting, consultants and employers.

Contractual and commercial work involves advice, preparing, defence and negotiation of claims, risk assessment, reviewing tender documents and negotiating and settling problematic final accounts. Acting as Expert Witness as necessary and preparation of position and strategy reports for clients. Extensive dispute resolution experience.

Job History:

Feb 2005 - Present	Foremost Consultants Pte Ltd (Managing Director)
May 1997 - January 2005	High Point Rendel (Managing Consultant / Technical Director / Director/ Country Manager)
March 1995 - May 1997	Dragages et Travaux Publics Ltd (Contracts Manager)
Sept 1993 - March 1995	Amec Civil Engineering (Principal Quantity Surveyor)
March 1988 - Sept 1993	Amec Building (Senior Project Surveyor)
Oct 1979 - Feb 1988	Mowlem Building Ltd (Quantity Surveyor/Senior QS)
July 1978 - Sept 1979	Norwest Holst Southern Ltd (Assistant Quantity Surveyor)
October 1973 - June 1978	George Wimpy & Co. Ltd (Trainee QS/Undergraduate)

Expert Witness and Position & Strategy Reports:

- For main contractor client, expert witness appointment for quantum on a dispute with the Employer on a D&B building project. Arbitration Hearing in August 2020. Value in dispute approx. S\$4 million.
- For specialist marine contractor client, expert witness appointment for quantum on dispute with shipyard concerning costs of delay and disruption. Arbitration proceedings pending. Value in dispute approx S\$2,500,000.
- For specialist contractor client, expert witness appointment for quantum on dispute with Main Contractor. Arbitration commenced but settled immediately before Hearing. Value in dispute approx S\$230,000.
- For Main Contractor client, independent position report on evaluation of reinforcement variations for use in possible dispute proceedings. Value in dispute approx. S\$500,000.
- For residential property owner client, expert witness appointment for quantum on dispute with contractor concerning costs of alleged defects repairs and variations in High Court litigation proceedings. Value in dispute approx S\$200,000.
- For contractor client, expert witness appointment for quantum on dispute in High Court litigation concerning costs of alleged building defects repairs. Value in dispute approx S\$35,000,000.
- For residential property owner client, expert witness appointment for costings on dispute with contractor working at adjoining property concerning costs of damage repairs. In Mediation and then Subordinate Court litigation proceedings. Value in dispute approx S\$150,000.
- For residential property owner client, expert witness appointment for EOT and quantum on dispute with contractor. High Court litigation. Value in dispute approx S\$500,000.
- For residential property owner client, expert witness appointment for remedial works costings on a dispute in High Court litigation between two adjoining property owners. Value in dispute approx S\$400,000.
- For contractor client, expert witness appointment on delay and quantum dispute in arbitration on a ground engineering project in. Value in dispute approx S\$9,000,000.
- For owner client, expert witness appointment for a dispute in High Court litigation with developer concerning defects in new residential property. Value in dispute approx S\$100,000.
- For contractor client, expert witness appointment on quantum for a dispute concerning variations and defects costings on an A & A works contract. Subordinate Court litigation proceedings, resulted in mediation settlement. Value in dispute approx S\$100,000.

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- For specialist contractor client, expert report for dispute in arbitration concerning delay and loss and expense on Changi Terminal 3 Project.
- For developer client, expert witness appointment on dispute in arbitration for quantum, delay and defects on factory unit in Singapore. Value in dispute S\$3 million.
- For specialist Japanese civil engineering contractor, expert report on entitlement to quantum and loss & expense for dispute in arbitration concerning a waste water scheme in Bangkok, Thailand. Value in dispute Baht 1 billion.
- For building & civil engineering contractor, expert report on quantum for dispute in arbitration concerning contractual entitlement to major variation on a factory project in Singapore. Value in dispute S\$2.5 million.
- For specialist contractor, position and strategy report on contractual entitlements for extension of time and loss and expense on tunnelling project, provision of advice on actions to pursue recovery. Amount in dispute approximately S\$1+ million.
- For specialist contractor, expert report on quantum for dispute in High Court litigation with employer on alleged wrongful termination, under payment and consequential cost claims. Amount in dispute approximately S\$11+ million.
- For civil engineering contractor, position and strategy report on contractual entitlements and recommendation for future course of action for recovery on underground construction project. Contract value approximately S\$60 million.
- For civil engineering contractor, due diligence report on contractual entitlements for tailings dam project in Kalimantan, Borneo, Indonesia where dispute proceedings were being contemplated. Amount of dispute approximately US\$15 million.
- For building contractor, due diligence report on contractual entitlements in respect of major dispute with sub-contractor in anticipation of dispute resolution proceedings.
- For employer client, preparation of position and strategy report on contractual entitlements and recommendation for future course of action to manage potential dispute on airport project.
- For civil engineering contractor, tendering for Istanbul Bosphorus Submerged Crossing project, preparation of contractual risk assessment report.
- For civil engineering contractor, tendering for state airline engineering hangers project at Dubai International Airport, preparation of contractual risk assessment report.
- For building contractor, risk assessment report and recommendation on settlement strategy in order to avoid pending legal action. Amount of dispute approximately S\$15 million.

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- For general construction group client, due diligence report on contractual entitlements and potential liabilities in respect of construction projects carried out by subsidiary companies, in contemplation of sale.
- For property developer client, report on potential liabilities in respect of delays to residential project in Hong Kong. Contract value approximately HK\$500 million.
- For Mainland Chinese contractor client, due diligence report on management of major civil Engineering project in severe difficulty including recommendation and strategy for complete reorganisation of management structure. Contract Value US\$190 million.
- For building contractor, tendering for university campus project in Kuala Lumpur Malaysia, preparation of contractual risk assessment report. Contract value approximately RM50 million.
- For specialist sub-contractor client, position and strategy report on contractual entitlements and recommendation for future course of action on recovery of monies due in respect of works carried out on airport railway project. Amount in dispute approximately HK\$10 million.
- For civil engineering contractor, contractual review and preparation of position report in respect of 3 No. projects, advising on contractual entitlements where dispute resolution proceedings were anticipated.

Contractual, commercial, claims, dispute management and other activities:

- Claims preparation and contractual advice to contractor working on residential nursing home project in Singapore. (current)
 - Claims preparation and contractual advice to contractor working on major tunnelling project in Singapore. (current)
 - Contractual and commercial advice and claims preparation for international contractors on several major hospital projects across Singapore. (current)
 - Advice on claims preparation to Joint Venture contractor on major infrastructure project in Jakarta, Indonesia.
 - Contractual and commercial advice and claims preparation for specialist contractor client on various residential projects in Singapore.
 - Contractual advice and claims preparation for specialist sub-contractor on major combined hospital/hotel project in Singapore.
 - Contractual and commercial advice and claims preparation for international specialist sub-contractor on major hospital project in Singapore. (current – dispute proceedings pending)
 - Contractual and claims advice to international contractor on factory project in Tuas, Singapore.
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- Contractual and commercial advice to European client owner of high value storage facility addressing counter claims to contractor. Now in arbitration. (current)
- Contractual and commercial advice and claims preparation for international contractor on major shopping and residential development, Orchard Road in Singapore.
- Contractual and claims advice to contractor on high value condominium project at Nassim Hill, Singapore.
- Contractual advice and contract drafting for European client developing a petrochemical facility (EPC) in Johor, Malaysia.
- Contractual advice to several contractors working on Integrated Resort Project in Singapore.
- Contractual and commercial advice to clients bidding for Integrated Resort Projects, Singapore.
- For building and civil engineering contractor, contractual advice, research and drafting of contractual correspondence and claims submissions in respect of MEP works on Dubai Airport Terminal 3 project.
- For EPC civil engineering and process contractor, contractual and commercial advice and claims preparation for 110MW geothermal power plant in West Java, Indonesia. Disputes with both owner and design consultants.
- For specialist M&E contractor, contractual and commercial advice and claims preparation on major airport terminal construction project in Singapore. Claims approximately S\$8 million.
- For loss adjusters, provision of quantum advice on insurance claims received in respect of fire damage to 5 star resort hotel in the Maldives.
- For civil engineering contractor, contractual advice and representing client in arbitration hearing on major reclamation project in Penang, Malaysia. Dispute approximately RM 66 million.
- For building contractor, contractual advice and management of the preparation of all delay, disruption and loss and expense claims on major office development in Singapore in anticipation of dispute resolution proceedings. Dispute approximately S\$75 million.
- For civil engineering contractor, preparation of claims and provision of contractual advice on LTA project in Singapore. Amount in dispute approximately S\$10 million.
- For civil engineering contractor, management of the preparation of delay, disruption and loss and expense claims on Deep Tunnel Strategic Sewer (DTSS) project in Singapore. Amount in dispute approximately S\$40 million.

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- For Joint Venture building contractor, preparation of EOT and loss and expense claims on the new Bangkok International Airport in respect of the terminal and concourse buildings.
- For Joint Venture building contractor, contractual advice and management of teams of consultants preparing claims and providing project management input on Taiwan High Speed Railway projects. Value of contracts approximately US\$250 million.
- For a turnkey civil engineering contractor, management of all delay, disruption and loss and expense claims on major phase of the Manila LRT system. Amount in dispute approximately US\$25 million.
- For insolvency practitioner client, project management to successful completion of construction project where Liquidator had taken control of contractor's projects.
- For property developer client, preparation of loss and expense claim against the contractor in respect of defects and subsequent management of negotiations between the parties. Amount in dispute approximately HK\$15 million.
- For specialist piling contractor, in dispute with Housing Authority employer, provision of contractual advice concerning alleged defective work and culpable delay.
- For civil engineering contractor, provision of contractual advice and preparing loss and expense claims in anticipation of arbitration, construction of coal mine in Bangladesh.
- For Joint Venture building contractor, management of teams of specialists preparing due diligence report, subsequent preparation of delay, disruption and loss and expense claims and mediation support in respect of a cable stayed bridge project.
- For specialist computer installation company, management of team of consultants preparing EOT and loss and expense claims in respect of a contract to install system wide computerised SMART card system to transport network in Hong Kong.
- For specialist sub-contractor, preparation of delay and loss and expense claims in anticipation of litigation proceedings in respect of termination of sub-contract on airport terminal building extension. Amount in dispute approximately HK\$15 million.
- For specialist sub-contractor, preparation of delay, disruption and loss and expense claims in anticipation of arbitration in respect of airport runway surfacing contract.
- For National Railway Corporation employer, management of all EOT and loss and expense claims on major station redevelopment in conjunction with the Management Contractor and the Project Manager with brief to avoid arbitration. Amount of claims approximately HK\$100+ million.
- For specialist contractor, preparation of delay and loss and expense claims on baggage handling system of airport railway project.

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- For specialist sub-contractor, provision of contractual advice and preparation in anticipation of mediation in respect of Airport Express Baggage Handling Centre.
- For property developer client, provision of contractual advice in anticipation of arbitration proceedings against the contractor and/or architect.
- For building contractor client, provision of contractual advice and preparation of loss and expense claims in respect of residential property project. Contract value approximately HK\$ 500 million.
- For condominium Owner's Committee client, representing client in dispute with building refurbishment contractor, preparation in anticipation of mediation. Approximate amount of dispute HK\$15 million.
- For building and civil engineering contractor, commercial contracts and claims management of major convention and exhibition centre project. Contract value approximately HK\$ 3 billion.
- For civil engineering contractor, commercial management and the preparation of loss and expense claims on motorway widening scheme in UK. Contract value £10 million (over 10 weeks).
- For civil engineering contractor, claims management and the preparation of loss and expense claims on major trunk road scheme in UK. Contract value £35 million.
- For building contractor, team member working with counsel on major arbitration case in respect of development project in the Docklands London, UK. Amount in dispute approximately £20 million.
- For building contractor, preparation of loss and expense claims for delay and disruption concerning university halls of residence project, UK. Contract value approximately £15million.
- For Joint Venture building and M+E contractor, Project Quantity Surveyor managing all commercial aspects and preparation of loss and expense claims on hospital project in UK. Contract value approximately £20 million. Witness of Fact on subsequent litigation cases arising.
- For building contractor, Project Quantity Surveyor managing all commercial aspects and preparation of all loss and expense claims on hospital project in UK. Contract value approximately £15 million.
- For building and civil engineering contractor, management of commercial and contractual aspects and preparation of loss and expense claims on major section of the new Mount Pleasant Airport, Falkland Islands. Contract value approximately £400 million. Preparation of counter claims against specialist sub-contractors.

Professional background:

FOREMOST CONSULTANTS PTE LTD

Jan 2005 - Present

Managing Director

Construction consultants specialising in commercial and contractual management and dispute resolution. Claims management on major office development and preparation of claims and advice on LTA and other projects in Singapore and representing clients on major arbitration cases in Malaysia, Singapore and Thailand. Commercial & contractual advice on power plant in Indonesia. Claims and contractual advice on Dubai Airport Terminal 3 Project for JV Contractor. Several Expert Witness Appointments on Quantum and defects.

HIGH POINT CONSULTANCY (S) Pte LTD

Aug 2003 - Jan 2005

Director/Country Manager

Multi-disciplinary firm of construction consultants and engineers. Responsible for the management of the Singapore office and also overseeing the ongoing operations in Malaysia and Indonesia. Continued involvement in Taiwan operations. Considerable business development and Client liaison carried out in South East Asia and this involved sourcing opportunities, frequent presentations, preparation, submission and negotiation of proposals at the highest level. In addition to management and sourcing new work my responsibilities also included an amount of high level consultancy work and directing staff on assignments.

HIGH POINT RENDEL (HK) LTD

May 1997 - July 2003

Managing Consultant /Technical Director/Director

Responsible for the Business Management Services Division of the company in Hong Kong managing consultants advising and working for clients from all areas of construction and also outside the industry such as accountancy and insolvency practitioners. Dealing with commercial and contractual issues, claims management & resolution and project management in Hong Kong. Assignments carried out in other Asian countries such as China Bangladesh, Taiwan ROC, Malaysia, Thailand, Indonesia and the Philippines.

Extensive dispute resolution work carried out involving mediation, arbitration and litigation support in Hong Kong.

DRAGAGES et TRAVAEUX PUBLICS LTD

March 1995 - May 1997

Commercial Contract Manager

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Hong Kong Convention and Exhibition Centre joint venture project. Managing the team responsible for all main contract contractual aspects, claims notifications, preparation, submission, negotiation and agreement of all EOT and financial claims including acceleration, major variations and Supplemental Agreements. In addition dispute resolution, adjudication, legal problems, contract administration, risk analysis and management advisory duties carried out. Negotiation and agreement of Supplemental Agreements, liaison, negotiation and agreements with specialist subcontractors on contractual matters. Administration of major insurance claims. Contract Value HK \$3 billion.

VARIOUS CONTRACTING ORGANISATIONS, UK July 1977 - March 1995

Working as QS in progressively more senior positions on major projects across the UK and also a period of 2+ year's secondment in the Falkland Islands (South Atlantic) on major airport, harbour and military base construction project following the UK war with Argentina in 1982.

UNIVERSITY OF ASTON, BIRMINGHAM, UK Oct 1973 - June 1977

4 years sandwich honours degree course at university with 3 periods spent in industry.