

# CURRICULUM VITAE

**Andrew Bayne, Independent Delay Analyst**

BSc, MSc, LLM (Construction Law), FCIQB, MCI Arb

## **MAIN DISCIPLINES**

Delay Analysis  
Project Planning  
Arbitration  
Adjudication  
Expert Reports

A chartered construction professional specialising in Delay Analysis and the preparation of extension of time submissions for the purpose of resolution of construction disputes. Over thirty years experience working for contractors and consultants involved in civil engineering, building, water, nuclear, gas, defence, industrial facilities, housing, education and leisure - both in the UK and overseas. Has produced expert reports for the purposes of court action. Has a Masters degree in construction law. Has been cross-examined in international arbitration. Has been cross examined in Court in relation to two disputes and given expert evidence to assist the Judge.

## **RELEVANT EXPERIENCE**

### **Expert Reports Includes:**

<b>Luxury Hotel Extension and Refurbishment</b>	Preparation of Expert Report on Causes of Critical Delay on Behalf of the Employer. Involved in international arbitration. Cross Examined by KC and Tribunal.
<b>Historic Building Refurbishment and Extension</b>	Preparation of Expert Report on causes of critical delay. Involved in Court process. Expert Meetings and Preparation of Agreed Matters Schedule.
<b>Police Facility, London</b>	Preparation of Independent Expert Delay Report.
<b>Community Heat Facility, Cardiff</b>	Preparation of Independent Delay Report. Expert Evidence as part of Adjudication Process.
<b>Off-Shore Power Facilities</b>	Preparation of Independent Reports Relating to Delays on Off-Shore Power Generation Facilities Constructed in Royal Dockyard
<b>Hotel Development, Glasgow</b>	Expert Report in Relation to the Effect of Remedial Works on High Rise Building to Address Fire Safety
<b>Highway Bridge Construction, Stirlingshire</b>	Preparation of Expert Report on causes of critical delay. Gave evidence in two Adjudications
<b>Harbour Project, Orkney</b>	Preparation of Expert Report on causes of critical delay. Gave evidence in Court of Session
<b>Hospital Projects, Northern Ireland</b>	Preparation of Expert Reports in relation to Extension of Time issues
<b>Office Development, Aberdeen</b>	Preparation of Expert Report and delay analysis in relation to causes of critical delays.

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<b>Motorway and Bridge, Scotland</b>	<b>Rail</b>	Provision of an Expert Report in relation to Extension of Time matters pursuant to a DBFO contract.
<b>Vivergo Fuels, Hull</b>		Preparation of an Expert Report in relation to Extension of Time and Loss and Expense pursuant to a dispute relating to a large process installation.
<b>Power Facility, Glasgow</b>		Preparation of an Expert Report in relation to Extension of Time matters regarding the construction of a new power facility in Glasgow.
<b>Demolition Project, Edinburgh</b>		Preparation of an Expert Report in relation to Extension of Time issues relating to a large facade retention project in Edinburgh.
<b>Housing Development</b>		Provision of an Expert Report in relation to the appropriate Extension of Time due to a Contractor under the terms of the Building Contract.
<b>Refurbishment of Historic Building</b>		Expert report for professional indemnity insurers in a court action by a local authority against a designer. The issue settled during the court action just before evidence was due to be given.
<b>Office Block Central Scotland</b>		Assistance with an expert report on delay and cost issues arising from works carried out to an alleged defective building, claim value £15M.
<b>Large Residential Refurbishment, Edinburgh</b>		Assistance with an expert report on delay and cost issues arising from works carried out to a large residential building in Central Edinburgh, claim value £1M.
<b>Road Project, West Lothian</b>		Preparation of an Expert Report on delay and time related matters pursuant to road contract. Contract value £500k.
<b>Airport Runway Works, Scotland</b>		Preparation of an Expert Report on delay and time related matters in relation to airport runway works.
<b>Leisure Facility, Scotland</b>		Preparation of an Expert Report on delay and time related matters in relation to the construction of a mixed use leisure facility. Contract Value £5M.

## **Adjudication/Dispute Resolution Experience Includes:**

<b>Windfarm Development, Argyll, Scotland</b>	Preparation of delay analysis and Expert Report. Gave evidence at Adjudication hearing.
<b>Vivergo Fuels, Hull</b>	Involved in delay analysis works both defending the Employer and pursuing other parties relating to adjudications and court proceedings.
<b>Large Leisure Development, Glasgow</b>	Preparation of a time related claim document for new build leisure development in Glasgow.
<b>Highway Improvement Works, England</b>	Preparation of a delay analysis under an NEC Option C for the purposes of Adjudication.
<b>Airport Extension Works</b>	Preparation of an Extension of Time report in relation to airport runway extension works for the purposes of mediation.
<b>Flood Defence Works</b>	Involved in programming issues in relation to flood defence works. NEC Option A.
<b>Quayside Works, Glasgow</b>	Defending an adjudication on behalf of the Employer on an NEC contract in relation to a dispute over revision to the Accepted Programme.

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Harbour, Scotland	Defending an adjudication on behalf of the Employer in relation to claims for an Extension of Time and associated Loss and Expense.
Harbour Project, Scotland	Defending an adjudication on behalf of the Employer in relation to claims for an Extension of Time and associated Loss and Expense.
Office Development, Glasgow	Preparation of delay analysis on behalf of main contractor in dispute with Employer. Represented contractor at hearing to ensure that his time related position was properly presented to the Adjudicator.
PPP Schools	Preparation of delay analysis on behalf of main contractor in dispute with specialist contractor. Represented contractor at hearing to ensure that his time related position was properly presented to the Adjudicator.
Demolition Contract	Defending an adjudication against the main contractor by demolition sub contractor. Prepared delay analysis to set out main contractor's defence.
Gas Production Platform, Bay of Mexico	Assisted in time related matters and delay analysis pursuant to dispute relating to a gas platform in the Gulf of Mexico. Dispute value circa \$300m.
Residential Building Glasgow	Preparation of time impact analysis for an adjudication between the main contractor and the developer on a large residential development in central Glasgow.
Housing Contract, Central Belt Scotland	Preparation of time-related analysis and claim document on behalf on Main Contractor for referral to adjudication. Contract value circa £10m.
Various	Numerous small adjudication submissions for smaller contractors.
Mediations	Has been involved in a number of mediations relating to Extension of Time issues.

## Claim Preparation Experience Includes:

Offshore Installation, Fife	Preparation of delay analysis and claim document
Large Leisure development, Glasgow	Preparation of a delay claim for a large leisure facility in Glasgow. Gave evidence in Court of Session
Rising Main Installation, Scotland	Preparation of a delay analysis for the purpose of submitting Compensation Event Quotations under an NEC Contract.
Harbour Project, Scotland	Preparation of a time impact analysis to set out Contractor's Extension of Time position in relation to events which caused delay to the completion of the works.
Leisure and Educational Centre, Glasgow	Preparation of time impact analysis to demonstrate the effect of delays to the works. The analysis enabled an accurate apportionment of delay liability between the parties and also the calculation of the effect that mitigation measures had in improving the completion date.
Mixed Use Development, Anguilla, British Virgin Isles	Preparation of an interim delay analysis and extension of time claim on behalf of the main contractor. The analysis demonstrated the effect of late information and late release of work areas for construction.

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## **New Doha International Airport, Qatar**

Prepared a major delay analysis to set out the contractor's position in terms of his entitlement to an extension of time. The contract master schedule had over 5,500 activities which resulted in a substantial claim document.

## **Mixed Use Development, Belgrade, Serbia**

Prepared collapsed as-built delay analysis for local Contractor for large residential and office development in central Belgrade. Co-ordinated local staff for the preparation of narrative submissions to substantiate the analysis.

## **Government Offices, Port of Spain, Trinidad**

Prepared time impact analysis to demonstrate effect late nomination of sub contractor's had on the completion date for project involving high rise tower. Secured full extension of time requested.

## **Ninewells Hospital, Dundee**

Time impact analysis to demonstrate sub contractor's extension of time claim in dispute with main contractor. Facilitated successful resolution.

## **Embassy Building, Abuja, Nigeria**

Preparation of an 'impacted as planned' delay analysis and extension of time claim on behalf of contractor with limited progress records.

## **Mixed Use Development, South Ayrshire Port Facility, London**

Preparation of an extension of time claim on behalf of main contractor in dispute with developer.

Preparation of a time impact analysis and extension of time claim on behalf of main contractor in dispute with employer.

## **Hospital Building, Glasgow**

Preparation of a time impact analysis and extension of time claim on behalf of sub contractor in dispute with main contractor. Mechanical and electrical works.

### **Contractual Advice Includes:**

#### **Media Building Glasgow**

Provided advice to contractor relating to contractual basis for an extension of time submission.

#### **Car Showroom and Maintenance Facility**

Time-related contractual advice to contractor seeking to establish entitlement to an extension of time

#### **PPP Schools**

Time-related contractual advice to a contractor who was suffering deductions from a complete **PPP** Schools project. Also have provided advice to contractor in dispute with design team consultants.

#### **Housing Development East Lothian**

Time-related contractual advice to a contractor engaged in the construction of a housing development for a developer.

### **Contracting Experience**

#### **PLANNING & PROCUREMENT**

Worked on £100m Schools **PPP** Project from ITN stage through to preferred bidder, contractual close and commencement of works on site. Involved in the preparation of project delivery strategy for inclusion in the Contractor's Proposals.

Planning and procurement work for delivery of Prison Service facilities at a number of locations, city centre high rise developments, mixed use, industrial, leisure, auditoriums, housing.

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Tender planning and prelim preparation for bids on a variety of civil and building projects for major UK contractor. Provision of in-house time-related claims services.

## **CONTRACTS ENGINEERING/PROJECT MANAGEMENT**

Have been responsible for the day to day running of a number of civil engineering and building projects including sewerage, water treatment, highway works, nuclear facilities, industrial buildings and high rise residential projects. Included the preparation of the monthly valuation, measurement surveying, preparation of claims and monthly cost versus value reports. Wide variety of Clients including Local Authorities, NHS Estates, West of Scotland Water, Coca Cola Enterprises, HBG Construction and Scottish Nuclear.

## **PROFESSIONAL MEMBERSHIPS**

Fellow of the Chartered Institute of Building  
Member of the Chartered Institute of Arbitrators