

Champion Pearce LLP

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KEY EXPERIENCE

Ronan is a Partner of Champion Pearce LLP. Ronan has extensive experience in analysis of delay, loss, damage and performance of construction professionals arising from construction and engineering matters. Work carried out includes undertaking forensic investigations and acting as expert on time and quantum on disputes involving variations, final account, valuation, payment, procurement, time matters, delays, contract administration, defects, cost of repair and performance of professionals. He maintains a particular interest in quantum in property damage actions and claims arising from acceleration.

He has been regularly appointed Expert Witness and Single Joint Expert in construction disputes, acting for both claimant and defendant/respondent, working on matters arising from large scale insurance claims and involving loss adjusters, working with many of the major firms of solicitors and barristers. He has given evidence before tribunals and has participated in successful mediations.

Recent commissions have involved projects or claims arising from work in UK, Ireland, Dubai, Italy, Germany and France.

PROFESSIONAL QUALIFICATIONS AND MEMBERSHIPS:

Trinity College Dublin

Bachelor of Science (Honours) 1986

Master of Arts 1988

University of London

Bachelor of Laws (Honours) 1992

PhD (King's College) Thesis: Acceleration in Construction Contracts) 2005

Royal Institution of Chartered Surveyors

Member 1988

Fellow 2000

Member of the Quantity Surveyors' Divisional Council
and Executive Board 1996 - 1999

Member of the Public Affairs Committee 1999 - 2002

Member of the International Governing Council 2002 - 2006

Member of the Strategy and Resources Board (Vice Chair from 2004) 2002 - 2008

Member of the Faculties and Forums Board 2005 - 2009

Chartered Institute of Building

Member	1988
Fellow	2002
Bar of England and Wales	
Barrister (non-practising)	1992
Member of Chartered Institute of Arbitrators	1999

CLT Publications, Construction and Engineering Law

Member of Editorial Board	1999 - 2002
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Society of Construction Law

Member	1999
Member of Council (Chairman 2009/2010)	2006-

Other professional commitments

Part-time lecturer/tutor:

- University of Reading, UK (MSc in Construction Management)
- Brunel University, UK (BEng in Civil Engineering with Sustainability))
- University of Salford, UK (MSc in Construction Law)
- King's College London, UK (MSc in Construction Law and Management)

PROFESSIONAL HISTORY

2010 – Present	Champion Pearce LLP: Partner
2008 – 2010	Acutus: Director
2002 – 2007	EC Harris LLP: Partner from 2005
2000 – 2002	Currie & Brown Consulting Ltd: Associate
1988 – 2000	Northcrofts Management Services Ltd: Analyst
1986 – 1988	Henry Cooper & Sons: Quantity Surveyor

PARTICULAR COMMISSIONS AND RESPONSIBILITIES

Property damage/Subrogated claims

- Expert review of quantum claims/cost of rebuilding made from fire damage to restaurant (TCC action)
- Appointed as Expert on quantum in claims arising from a collapse at a cold storage unit (TCC action)
- Appointed as expert on quantum to evaluate fire damage and repair claims to a luxury house in Holland Park London, and at a Brewery redevelopment site in Wolverhampton
- Appointed as Expert on quantum acting jointly for two defendants on £3m property damage action arising from a fire to a superstore in Corby. (Commercial Court action: *Safeway v McAlpine & Others*)

- Appointed jointly by defendants as expert on quantum in £26m property damage action arising from a fire to a chemical plant in Birkenhead, UK (TCC action: *BASF v Nu-WAY*)
- Appointed jointly by defendants as expert on quantum in £11m property damage action arising from Gas explosion at a residential estate (TCC action: *Lambeth v Staward*)
- Appointed as expert on quantum, acting for claimants, in a £3m property damage matter arising from collapse of an earth bank at a housing development in Essex.
- Appointed by a Government Agency to prepare a forensic review of potential liability of project participants following collapse of structures on a £125m water infrastructure project.
- Appointed as expert on quantum: dispute arising from Fire damage to a School. Prepared reports for use in mediation.
- Acted as Single Joint Expert on quantum in a dispute over the proper value of work done arising from flood remediation works to apartments in London (*Environtec v St George plc*)
- Acted as expert on quantum for insurers with respect to cost of repair and losses arising from fire damage to a UK Supermarket. (TCC action: *Tesco v Costain & Others*)
- Acted as expert on time and quantum with respect to insured losses following flooding of a leisure complex under construction. Assisted in mediation proceedings

Defects/Loss and Expense/Delay claims

- Appointed as quantum expert for NEC3 final account assessment for rail franchise holder. Disputed final account from rail refurbishment works to 186 stations. Claims exceeded £18m.
- Expert on quantum evaluating defects and cost of repair to LPG gas network (TCC action)
- Expert on quantum to evaluate costs of repair to roofing to industrial units, Lincoln
- Expert on quantum to review final account disputes involving variations and defective works to a house in Fulham, and to a storage unit in Harlow.
- Expert on time and quantum in disputes arising from construction of a house in London, N6. The dispute involved valuation of work, forensic analysis of contested accounts and payments, extensions of time, loss and expense, defects and valuing consequences of termination. (TCC Action 2007: *G Middleton v Berry Creek Overseas Ltd*)
- Expert on quantum in final account and defective works dispute arising from refurbishment to a Country House Hotel in Bucks. UK
- Acting for rail infrastructure business in analysis and evaluation of NEC/ECC-based time and cost claims arising from shift working patterns, variations, stoppages, to civils, mechanical and electrical works. Value of claims exceeded £11m.
- Appointed as expert on time and quantum on disputes arising from construction of a health centre: dispute involved variations, loss and expense, time at large issues, time extensions and time claims. (TCC action: *Neilcott v LPHCT*)
- Acted as Expert on Time, evaluating complex time claims and NEC compensation events arising from on water infrastructure project in Yorkshire. Delays incurred were approximately 14 months.
- Analysed and reported on claims for loss and expense, time claims and defects issues and performance of professionals in disputes arising from a £20m luxury residential development in central London.
- Acted for UK Government Agency: advising on resolution of NEC2 time and quantum disputes in adjudication arising from tunnelling delays; evaluating contractor's claims on a flood relief scheme; and advising in mediation on losses arising from alleged liability of consulting engineers.
- Led an appointment as expert on time and quantum for a mechanical engineering subcontractor from erection of an air-cooled condenser at Kings Lynn power station.

- Undertook a detailed evaluation of claims on time and quantum and reported on potential exposure arising from construction of a University's new faculty building.
- Led a team reporting on time matters and failures following termination of a PFI incinerator project. Acting as expert, Ronan aided settlement at mediation.
- Acted as expert on quantum by UK contractor regarding subcontractor's claims from fit-out of a swimming pool.

Other Professional negligence/performance of professionals

- Expert on QS matters (procurement, contract administration and valuation of work) in action against consulting engineers arising from coastal defences project. Claims exceeded £20m. (TCC action)
- Expert on QS matters in Professional Negligence action against a leading QS firm arising out of delays to completion and additional cost of a central London office refurbishment project.
- Acted as Expert on Quantum in dispute between owner's insurers, developer and consultants arising from underpinning failures.
- Acting as Expert in claims against contract administrator and fund's surveyor on a residential development project in Buckinghamshire, in disputes involving certification issues, defects and valuation of the cost of repair.
- Acted as expert on quantum in action against architect advising on the cost to install replacement oak flooring to a luxury dwelling in Fulham, London.
- Led a team reviewing performance of a construction manager, and cost and time overruns, following completion of a cement Kiln. The project was completed over a year late and £40m over budget.

Commercial/non-expert commissions

- Review, analysis and reporting on contested valuation of telecommunications installations, UAE.
- Analysis of claims arising from late completion of new trunk road. NEC3 contract claims totally £9m.
- Managed a final account and settlement on a marine/port pumping station and outfall for a civil engineering construction group
- Acting for Government department in assessing performance of the contractor and advising on losses arising from termination of M&E FM contract,
- Advised on claims strategy and time and quantum claims made by contractors following late completion of the Ritz Carlton Hotel in Qatar.
- Advising University Estates on restructuring of facilities management operations and performance improvement issues following claims for additional costs.
- Led a team evaluating the state of progress and the contractor's potential exposure on time and cost on a \$300m commercial and accommodation centre in Cairo.
- Advised a tenant on potential time and cost exposure under agreement for lease and development agreements following delays to completion of an office development.
- Audited payments and commercial arrangements by UK FTSE oil and energy group following termination of gas-powered CHP plant under construction.
- Advised UK plc on resolution of disputes and financial provisions required from delays during construction of Bristol International Airport.
- Advised various groups on contractual provisions and evaluation of time claims: Air BP regarding Oil storage facilities; Enel Power SA arising from construction of two UK CHP power stations, Southern Water regarding the £90m Havant water scheme; University of Kent following construction of new teaching facilities; assisted an adjudicator colleague in evaluation of large claims.

- Undertook contractual due diligence for underwriters before issue of £110m cost overrun policy cover for a central London office development.
- Worked on a number of expert commissions on time and quantum including: Mechanical contractor's disputes from new paper mill project; action against engineering construction manager following construction of 600MW power station in Humberside; and pipework subcontractor's action following late completion of work to Power station along Thames Estuary.
- Advised leading French-based Oil Group on issues arising from a €2.6bn new oil refinery in Eastern Germany, Europe's largest refining project that also involved pipelines, storage and power stations. Responsible for establishing a team of consultants and advising the Project Board on commercial policy and procedures, contractual issues, progress evaluation, and evaluation of disputes arising from construction of a major refinery in eastern Germany.
- Worked as senior analyst evaluating claims on time and quantum, including action against a construction management group following construction of a shopping centre in Bristol, action against consulting engineer arising from a shopping centre in London. Included presentation before mediation tribunals and at ADR mini-trials.
- Ronan worked as a claims Analyst, assisting with evaluation of data and disputes and drafting expert's reports for litigation: Projects included the MISR bank tower in Cairo, New Women's Hospital in Doha, and National Exhibition Centre in UK. Also evaluated claims arising from construction of the Singapore mass transit railway and disputes from sale of a USA cinema operator's UK business and development portfolio.

Ronan started his career as a graduate surveyor, undertaking a wide variety of studies and exercises, and acted as project surveyor on a local authority nursing home redevelopment. Ronan acted as project surveyor on a multi-storey extension of the Royal Courts of Justice and on a variety of refurbishment projects.

PUBLICATIONS, SEMINARS AND PAPERS:

Publications/Books

“Tendering and Procurement in Construction” co-authored with Ellis Baker of White & Case. The book is one of the RICS Case in Point book series.

Contributor to ISurv, an RICS publication, described by RICS as being “The premier information resource from the RICS” and “The most comprehensive property service currently available...”

Presented papers on a variety of subjects including:

- “Prolongation Costs: Where now after *Costain v Haswell?*” Talk for Society of Construction Law, March and May 2011
- “Electronic Documents in Construction Litigation: Lessons from Experience” (2011) 27 Const. L.J. 227-243
- “Time and delay in construction contracts” Presentation at Reading University in December 2009
- “Presenting evidence in Adjudication – an expert’s view”: Presentation and Paper to the RICS/SCL conference in Leeds, 6 March 2009
- “A ‘New Approach’ to assessing claims for Delay and Disruption?”: Presentation and Paper to the RICS/SCL conference titled “Resolving disputes in Construction.” in Leeds 9 March 2008
- “Dealing with Disruption: Best practices for dealing with and analysing delay in the international arena “: Presentation and Paper to IBC Conference in London “Construction Law 2008: Projects, Procurement, Disputes and Contracts” held on 5 March 2008
- Presentation on Contracts and Claims to Expo Italia Real Estate in Milan in May 2007.
- “Variations, Time Limits and Unanticipated Consequences” Paper for SCL Hudson prize 2006, Second Prize awarded. Paper published in May 2007
- “Retention, Bonds and Warranties” RICS Conference in London, 12-13 October 2006
- Adjudication issues (Adjudication seminar, London; 2005)
- Use of retention and bonds (SGCL conference in Cambridge, 2005)
- “Do we need Retention?” (2005) 21 Const. L.J. 403-418
- “Barkin’ Back: A new view of Betterment?” Paper for Society of Construction Law, Hudson Prize, Commendation 2005.
- Time related provisions of construction contracts (Lecture to King’s College London, July 2005);
- Problems arising from use of Single Joint Experts (CLT publications, 2000)
- Construction Procurement, (Paper for FIG World Congress, 2000)

Papers and presentations

“Time and delay in construction contracts” Presentation at Reading University in December 2009

“Presenting evidence in Adjudication – an expert’s view”: Presentation and Paper to the RICS/SCL conference in Leeds, 6 March 2009