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David Feehan

BEng (Hons), DipArb, CEng, FCI Arb, MICE, HKIAC General Accredited Mediator, NEC4 Accredited Project Manager
Director

KEY EXPERIENCE

David is a Chartered Civil Engineer with over thirty years' experience on projects in Hong Kong, North America, Thailand and the United Kingdom, with a solid background in engineering, construction and design management. David specialises in claims and dispute management, negotiation and dispute resolution. David has successfully represented contractors in the resolution of large-scale multi-million dollar disputes through negotiation, mediation and arbitration, managing large multi-disciplinary teams in the claims and dispute process. He is an Accredited NEC4 Project Manager.

CAREER SUMMARY

2007 to date - Director, Contract Dispute Consultants, Hong Kong

David oversees the operation of all company activities on projects worldwide, providing oversight to team members and liaising with clients on their requirements. He advises clients on contractual and commercial matters for a variety of heavy civil engineering, building and E&M projects. He undertakes the preparation of claims, NEC quotations and position papers, advises clients on negotiation and dispute strategy and advocates for clients in mediations. His current assignments include:

- Advice to an international power transmission company regarding delays to a nuclear power plant.
- Advice to a contractor on multiple delays impacting the construction of an airport ancillary building constructed under a design and build contract;
- Advice to a joint venture and preparation of supporting papers and quotations for a disputed compensation event affecting the construction of a sewage treatment plant under an NEC4 Target Cost contract;
- Advice to a contractor on delays to an urban highway tunnel fit-out project being constructed under an NEC3 Target Cost contract;
- Advice to an international construction contractor on claims recovery for numerous US infrastructure projects;
- Advising a major Hong Kong contractor on claims and disputes across a portfolio of completed and ongoing projects including design changes affecting the construction of a luxury hotel; delay issues on a large-scale advanced manufacturing plant; programme and EoT advice on a large-scale, high-rise residential development;
- Advising a major Hong Kong contractor on various building and infrastructure projects;
- Contractual and dispute advice to a contractor on three contracts on a high-profile cultural development including unforeseen ground conditions affecting the basement construction and design issues on the superstructure contract;
- Advice to a contractor undertaking an urban highway tunnel project including issues affecting tunnel shaft construction and spoil disposal;
- Negotiation and dispute support to an E&M contractor involved in the provision of traffic control systems for a major road and tunnel project in mediation proceedings; and
- Strategic and claim advice to a contractor on a large, ongoing airport construction contract

2005 to 2007 - Commercial Manager, Claims, Hsin Chong Construction Stonecutters Bridge

David was seconded to the Maeda Hitachi Yokogawa Hsin Chong Joint Venture (MHYHJV) on the Stonecutters Bridge project. He assembled and managed the claims team and was responsible for managing and successfully concluding, through mediation, a multi-million dollar dispute with the client. During the mediation, David was involved in the preparation of documents and presentations and advised the project management team on negotiation strategy. David was heavily involved in the presentation of the contractor's case and advocated for the contractor during negotiation sessions. He then assisted in the drafting of the Supplemental Agreement. David also managed the identification and



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preparation of all claims for extension of time and additional payment and the identification of pursuit of disputed variations. He also managed a major subcontract dispute. His role involved briefing and managing legal teams, identifying and briefing experts, managing external consultants and advising the construction, technical and senior management teams on contractual and claims issues.

**2004 to 2005 - Claims Manager, Gammon Construction Limited
Shenzhen Western Corridor**

David was seconded to the HK\$2.2 billion Hong Kong Shenzhen Western Corridor project and was responsible for identifying and notifying time and cost claims on the 3km long elevated marine viaduct and 300m cable-stayed bridge. David advised and directed the construction and commercial teams on contractual and claim issues and provided assistance and advice to senior management. David managed and directed joint venture and external consultancy staff in the preparation of extension of time and additional payment claims submissions to the client, as well as managing the defence of claims from subcontractors.

**2002 to 2004 - Claims Engineer, Balfour Beatty
KCRC West Rail - Nam Cheong Station**

David was seconded to the Balfour Beatty - Zen Pacific Joint Venture on the HK\$2.2 billion KCRC Nam Cheong Street Station project. David was initially responsible for working with the construction teams to identify, notify and prepare time and cost claim submissions on the station structure. David subsequently managed the preparation for final contract negotiations with the engineer and the employer. David was also involved in the preparation of forecast and budget reporting for claims recovery.

**2000 to 2002 - Engineering Manager, Hyundai - Kier Joint Venture
MTRC Tseung Kwan O Extension**

David was initially employed as Project Engineer for the joint venture on the HK\$456m Pak Shing Kok design and build tunnel project, part of the MTRC Tseung Kwan O extension. David's initial role involved design management for the tunnel lining and temporary works design. David also liaised with all the parties to the contract in the design development, engineering and construction. David subsequently became involved in research and preparation of claim submissions, narrative drafting and final contract negotiations with the engineer, client and designer on extension of time, additional cost issues and PII issues.

**1998 to 2000 - Section Engineer, Nishimatsu - Costain - China Harbour Joint Venture
1996 to 1998 - Site Engineer, Hong Kong International Airport**

David was initially employed as site engineer to manage the excavation, installation, testing, and commissioning of 66km of ductile iron pipework and 8km of large diameter drainage pipeline on the HK\$1.4 billion Landside Infrastructure project for Hong Kong International Airport. David was subsequently transferred to the commercial department to prepare submissions for additional cost and time due to disturbance to the works including major grade separated junction and roads and utility construction. David was also involved in an ongoing dialogue with the client to progress settlement of the claims.

1993 to 1995 - Sub Agent/ Engineer, Andrew Scott Civil Engineering, Port Talbot, UK

David worked on numerous projects in and around South Wales, most notably the refurbishment of an existing storage warehouse to house a new steel rolling mill and production line involving piling works and foundation construction (£3m). David was involved in all aspects of the construction projects including liaison with the client, project management and planning, management of subcontract and direct resources.

1989 to 1993 - Undergraduate Training Scheme, Andrew Scott Civil Engineering, Port Talbot, UK

David was sponsored by Andrew Scott Civil Engineering during his degree course and spent his year in industry and vacation periods working on various sites.



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ACADEMIC QUALIFICATIONS

Post-Graduate Diploma in Arbitration (Distance learning)
College of Estate Management, Reading, UK (1999-2000)
Bachelor of Engineering (Honours) Degree in Civil Engineering - 2:1
University of Glamorgan, Treforest, UK (1989-1993)

PROFESSIONAL QUALIFICATIONS

NEC4 Project Manager Accreditation Course (2023)
ENS two day negotiation and influencing course (2007)
Fellow of the Chartered Institute of Arbitrators (2006)
Chartered Civil Engineer and Member of the Institution of Civil Engineers (2002)
Qualified Mediator registered on the Hong Kong Mediation Council Panel of General Accredited Mediators (2001)

CONTACT DETAILS

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