



# PETER ATKINSON MSc MRICS FCI Arb

## PARTNER

### BIOGRAPHY

Peter Atkinson is a Chartered Quantity Surveyor with nearly 40 years of experience supporting owners, contractors and sub-contractors on a variety of major projects in the energy, infrastructure and building sectors.

Peter provides independent expert advice or acts as an Expert Witness in matters of quantum and damages on international projects and has testified in formal proceedings on a number of occasions. Peter also has extensive experience of providing a variety of construction cost, commercial, contract and dispute related services and supporting clients in the international arena.

Peter has a wide range of experience at various stages of the construction process from inception to settlement of disputes on claims and final accounts. He has extensive construction contract knowledge gained from working on most domestic UK and international based standard forms of contract, such as the suite of FIDIC contracts, as well as bespoke contracts. Peter has experience of a variety of methods of measurement and valuation.

In 39 years as a quantity surveyor working on or providing advice in relation to international projects, Peter's expertise is in matters of quantity surveying practice, valuation, damages, contract administration, contract management, commercial management and cost management all in connection with on- and off-shore construction and engineering projects.

To date, Peter's geographical experience includes Australia, Bahrain, Brunei Darussalam, China, Ghana, Guinea, India, Indonesia, Iran, Japan, Korea, Malaysia, Mongolia, Nepal, Nigeria, Oman, Philippines, Qatar, Singapore, South Africa, Taiwan, Trinidad, Vietnam, the United Arab Emirates, United Kingdom and the United States of America.

### AREAS OF EXPERTISE

- Quantum Expert Witness
- Contracts Management
- Claims & Dispute Management
- Contract Review and Opinion
- Cost Management
- Commercial Management
- Strategic Project Procurement Advice
- Risk Identification and Management
- Valuation and Measurement Issues
- International Adjudicator/Third Party Neutral Evaluator
- International Construction Insolvency and Restructuring

### HIGHLIGHTED SECTOR EXPERIENCE

- Energy - Power Generation, Oil and Gas, Pipelines, Exploration
- Mining and Process
- Infrastructure - Roads and Bridges, Rail, Airports, Ports, Petrochemical and Pharmaceutical
- Marine & Offshore - Reclamation and Dredging, Subsea Construction, Shipping and Marine Structures
- Building - Commercial, Retail, Residential, Industrial and Leisure

## PROJECT EXPERIENCE

### EXPERT WITNESS APPOINTMENTS (INDICATIVE)

- Appointed as the quantum expert on a dispute heard in Arbitration in Singapore between a power plant owner and the contractor in connection with a termination on a contract to refurbish a geothermal power plant in South East Asia. Disputes arose out of significant changes in the scope of work and defects.
- Appointed as the quantum expert on a dispute heard in Arbitration in Singapore between the owner and the contractor relating to the termination and retendering of an EPC contract for a power project in Indonesia.
- Appointed as the quantum expert on a dispute between the owner and EPC contractor in connection with a fertilizer plant in South Asia. The dispute is in respect of the valuation of claims for scope changes, damages arising out of delays to the construction works and other claims. Total value of claims is in excess of US\$ 65m
- Appointed as expert quantum adviser to provide initial appraisal of quantum claim status for a German international contractor on a tunnelling and river diversion project associated with a hydroelectric power scheme in Nepal.
- Appointed as the quantum expert in a dispute to be heard in the TCC in London in connection with a US\$300m claim arising out of a termination on a gas process and on/offshore pipeline project in West Africa.
- Acting as a quantum expert advising the contractor on a dispute concerning entitlement to payment on a cost reimbursable contract for the enabling works, base camps and infrastructure works as part of a US\$ multi-billion mining project in West Africa. The dispute arose following termination of the contract and was decided by Expert Determination.
- Appointed as the quantum expert on a dispute heard in Arbitration in London between a mine owner and the EPCM contractor in connection with a cost reimbursable contract for a mine project in North Asia. The dispute arose out of contract termination.
- Appointed as the quantum expert on a dispute between the insurer and a marine contractor over losses sustained arising out of incidents in connection with a subsea pipeline installation in SE Asia. The dispute to be heard by an arbitral tribunal in Singapore.
- Appointed a quantum expert on a dispute heard in Arbitration in Singapore in connection with the termination of a ship repair contract for work carried out in a repair yard in Thailand. Specific issues involved the calculation of hire charges and running costs of dredging vessels.
- Appointed as the quantum expert on a dispute between the owner and operator of an offshore drill ship and specialist equipment vendor over damages arising out of equipment failure.
- Acted as the quantum expert on a dispute between an international pipeline subcontractor and the main contractor on a major LNG process installation in Europe. Value of claims in dispute in excess of £20m.
- Appointed as the quantum expert on a dispute over the evaluation of change orders between an international engineering contractor and the owner/operator in connection with an EPC contract for the upgrade of a major petrochemical facility in Trinidad.
- Appointed as the quantum expert on a dispute between an owner and an EPC contractor on a petrochemical process facility in UK. The dispute was in respect of a £17m claim for additional works and prolongation costs and was resolved under ICC Arbitration heard in London.
- Acted as the quantum expert on a dispute to be heard in the Western Australia Supreme Court in connection with measurement and valuation issues on a 150km pipeline project.
- Appointed as quantum expert on a dispute between a main contractor and a specialist roofing contractor on an Asian Games sports stadium in Korea under ICC Arbitration proceedings in Seoul.

### COMMERCIAL AND CONTRACT SERVICES APPOINTMENTS (INDICATIVE)

- Provided technical advice and support services to lawyers appointed by Japanese engineering company in an arbitration on a combined cycle power project in Singapore.
- Advised Japanese turnkey contractor on claim for loss and expense and delay against owner on US\$ 1.6bn coal fired power station in Java, Indonesia;
- Providing strategic commercial and contractual advice to the appointed civils contractor on a \$250m hydro-electric project in Indonesia. The contractor was negotiating the cost and time implications of a delayed start and additional scope to the project with a view to the agreement of an appropriate contract amendment.

- Supported a site based consultant, supervised and prepared an initial appraisal of claim status for an international contractor on a tunnelling and river diversion project associated with a hydroelectric power scheme in Indonesia.
- Led a team providing initial independent strategic quantum and planning review and advice to the concessionaire ahead of a potential dispute on a \$3.5bn rail construction and concession project in S Africa.
- Providing high-level commercial advice to a contractor and supporting a site based consultant on an energy from waste project in Singapore. Advice includes day to day commercial issues, preparation of independent assessment of extension of time and loss and expense claim to owner.
- Led a team providing early strategic entitlement, quantum, planning and settlement advice to the project owner in connection with anticipated claims and disputes on a confidential multibillion dollar offshore LNG project in the Asia Pacific region.
- Carried out an audit of and recommended actions to resolve subcontract accounts in connection with the installation of sub-sea pipelines for a wellhead platform project in the South China Sea.
- Provided strategic procurement advice to an oil and gas services company contemplating a series of small oil and gas production facilities in the South China Sea. The brief being to assist the client to select a low risk fast track contracting route for an EPC contract combining target cost and GMP mechanisms.
- Provided claims support to a FPSO contractor/operator in relation to the construction of two FPSO vessels in a yard in Singapore. For one of the vessels the support provided was an independent assessment of a \$150m claim ahead of a bespoke dispute resolution process. For the second vessel, the support was in relation to identifying potential heads of claim and their quantum.
- Providing strategic advice and preparing claims for an international dredging and reclamation contractor for submission to the Engineer on a new port facility in Oman.
- Provided strategic advice in connection with the preparation of claims arising out of variations to the specification on a dredging and reclamation project in Hong Kong. Responsible for managing site based staff for the duration of the project.
- Provided quantum advice to a European international contractor in respect of claims for variations and loss and expense arising on an onshore oil and gas pipeline project in central Asia. Total value of claims under review in excess of \$150m.
- Provided technical quantum and planning advice and support services to an international engineering contractor defending claims from a major subcontractor on a petrochemical project in Qatar.
- Appointed as a single DAB member on a \$260m contract for the design, supply and construction of a crushing and conveying system in connection with a mining operation in Indonesia.
- One of a team of four senior expert advisers who provided early strategic quantum advice ahead of potential arbitration proceedings in relation to multibillion dollar claims on a major transport infrastructure project in the Middle East.
- Acting as an independent quantum expert providing advice, in advance of potential implementation of formal dispute resolution procedures. Advice being provided on the strengths and weaknesses and potential recovery of a USD multimillion claim on an infrastructure project in SE Asia. Peter's role is part of a strategic review team and involves working alongside other technical and legal experts.
- Preparation of extension of time and loss and expense claims on a \$200m sewage treatment plant for a Korean international contractor in Singapore.

## EDUCATION & MEMBERSHIP

### Education

- MSc in Construction Law & Arbitration, King's College, University College London, United Kingdom, 1998;
- Dip in Quantity Surveying, Kingston Polytechnic, 1978

### Professional Memberships

- Accredited Expert;
- Member of Royal Institution of Chartered Surveyors (MRICS);
- Fellow of the Chartered Institute of Arbitrators (FCIArb);
- Member of the Society of Construction Law (Singapore)