



CURRICULUM VITAE
BENJAMIN HIGHFIELD
PARTNER

QUALIFICATIONS

BSc (Hons), Civil Engineering, University of Manchester, Manchester, UK
MEng, Civil Engineering, University of Manchester, Manchester, UK
LLM, Construction Law and Arbitration, Robert Gordon University, Aberdeen, UK
Chartered Engineer

MEMBERSHIPS

Member, Institution of Civil Engineers
Fellow, Chartered Institute of Arbitrators

PROFILE

Benjamin Highfield is a Partner and claims and disputes specialist at HKA. Based in Dubai, Ben is responsible for business development in emerging markets throughout the Middle East, Africa and Asia.

Ben possesses more than 15 years' major project experience in the construction industry, spanning buildings, transport infrastructure, oil and gas, power and water markets. Additionally, he regularly advises clients on commercial and contractual matters, as well as claims management and dispute resolution.

Ben has led teams on multiple oil & gas, water and power projects and has negotiated high value settlements with major governmental organisations. With his extensive experience of many of the major standard forms of contract, Ben has been employed by government bodies and large private companies to advise on a range of broad and diverse matters.

Ben is an experienced delay and quantum analyst and has prepared multiple claims for extension of time, disruption, prolongation, acceleration and has drafted detailed contractual arguments for disputed variations, termination, suspension, arbitration amongst others. He is a chartered civil engineer, a Member of the Institution of Civil Engineers and a Fellow of the Chartered Institute of Arbitrators.

EXPERIENCE

BUILDINGS

King Abdullah Projects, Riyadh, Saudi Arabia (2015)

Assignment Director with the responsibility of overseeing teams on three projects for the Ministry of Interior in Saudi Arabia. Provided risk analysis services, delay analysis and cost claims, as well as implementing risk management systems.

King Abdullah Financial District, Riyadh, Saudi Arabia (2013)

Assignment Director responsible for internal auditing for a contractor related to the project. The scope of services involved auditing the compliance of contractual, commercial, engineering and procurement departments.

King Abdulaziz, Dhahran, Saudi Arabia (2013)

Assignment Director, responsibilities included preparing financial claims for prolongation costs in relation to delay and disruption costs which were incurred due to changes on the complex's design and construction sequence.

King Saud University, Saudi Arabia (2012)

Assignment Director with the responsibility of preparing extension of time and financial claims for the SAR6bn extension at the university, a purpose-built facility for female students and staff. Claims arose due to engineering failure on this "construct only" contract.

King Abdulla Petroleum Studies and Research Centre, Saudi Arabia (2012)

Assignment Director responsible for preparing financial claims for prolongation costs; a result of delay and disruption costs which were incurred due to changes in the design and construction sequence. The project was for a community complex attached to the research centre.

Four Towers in Jebel Ali, Dubai, UAE (2010)

Assignment Director, led a team of four consultants in preparing the contractor's final report due to conflict over termination on the project. Responsibilities included preparing an extension of time claim to particularise more than 500 days of delay, as well as providing advice on entitlement in regards to recovering losses for variations, prolongation and disruption claims.

Six Towers in Jebel Ali, Dubai, UAE (2010)

Appointed as Assignment Director and led a team of six consultants in preparing an extension of time claim. Responsible for itemising the events that led up to over a one year delay on the six towers after the contractor had AED 130m of delay damages erroneously deducted from their final account.

Palm Jumeirah/Palm Jebel Ali Projects, Dubai, UAE (2010)

Assignment Director leading a team of 14 consultants to prepare claims on three major projects which were terminated for the developer's convenience, in response to the financial crisis. Responsible for the output of five teams preparing claims for extension of time, prolongation, acceleration, escalation, disputed variations and costs arising out of the termination. Total value of claims was in the region of AED1b. Subsequently appointed as the Arbitration Project Manager leading the respective legal counsel and expert team in preparing for major arbitration for seven projects scheduled for termination. Managed and reviewed the statement of claim and the supporting claims that were to be issued during the arbitration.

Hotel Resort & Spa, Muscat, Oman (2010)

Commissioned by the developer of the prestigious resort in Muscat, to review the contractor's claims for extension of time and associated costs. Also provided advice on counterclaims made against the contractor.

Residential & Commercial Development, Raha Beach, Abu Dhabi, UAE (2010)

Led a team in preparing an extension of time claim for a AED160m cladding subcontract for a mixed residential development that comprises of 13 towers, villas and townhouses in Abu Dhabi. Drafted numerous letters on behalf of the client to improve contract compliance and reduce their exposure to liquidated and other damages.

Residential Tower at Business Bay, Dubai, UAE (2010)

Commissioned to prepare a detailed claim for extension of time, cost and damages due to a fundamental breach of contract on a AED200m building project in Dubai. Acted as a special advisor upon submission of the claim and successfully negotiated an amicable settlement by assisting with the drafting of a supplementary agreement focused on restarting works on site and overturn a termination of the contract.

OIL & GAS

Ichthys Project, Geoje, Korea (2017)

Special advisor on the preparation of claims on two major packages of work totalling in excess of USD6bn. Provided advice on the central processing facility and the floating production storage & offloading vessel. Advised on contractual arguments, method of delay analysis and loss and expense claims.

Sha Gas Facility, Abu Dhabi, UAE (2017)

Responsible for advising on contractual matters and method of analysis for extension of time and prolongation claims.

Al Ruwais Refinery, UAE (2016)

Oversight on four packages of this new refinery complex. Advised on strategy for developing ground condition claims under circumstances where a third party altered the geotechnical environment,

Nghi Son Refinery, Thanh Hóa Province, Vietnam (2016)

Appointed as Project Partner to oversee contractual correspondence and claims drafting for the USD8bn project. The role includes addressing all of the various contractual and commercial matters that have frequently arisen since the project started.

Jazan Refinery, Jazan, Saudi Arabia (2014)

Assignment Director responsible for overseeing a team preparing a variation order for the delayed commencement of the project, as well as additional scope of works. The variation order includes time related costs as well as procurement losses.

Wasit Gas Projects, Jubail, Saudi Arabia (2014)

Wasit is the largest gas production facility being constructed in the Kingdom and is part of a major downstream in the Jubail region. Appointed as Assignment Director responsible for overseeing a team preparing extension of time, prolongation and disruption claims, as well as variations for changes in procurement requirements.

Karan Refinery, Jubail, Saudi Arabia (2012)

Assignment Director delivering strategic contractual and commercial advice on a complex oil and gas project. Provided the client with insight and methods in a bid for them to legitimately recover their fair entitlement under the terms and conditions of the contract after huge changes on the project caused serious disruption.

POWER & UTILITIES

Combined Cycle Power Plants, Various Locations, Algeria (2016)

Appointed on six contracts in various locations in Algeria, with the task of managing claims preparation for extension of time, prolongation, disruption and variation disputes. The client required dual language claim reports in English and French, respectively.

Yanbu III Power Station, Pakistan (2015)

Appointed as Assignment Director to oversee a team preparing claims for the oil fired steam power plant with adjoined desalination plant. Specification changes and difficulties with procuring approved vendors led to claims arising.

UCH Power Station, Pakistan (2015)

Oversaw a team as Assignment Director, preparing claims for the combined cycle power plant in Pakistan. The claims arose due to force majeure events which led to significant delays on the project.

Water Treatment Plant, Ras Al Khafji, Saudi Arabia (2014)

Assignment Director responsible for overseeing a team preparing claims for the project, located in the shared zone between Saudi Arabia and Kuwait. Claims arose due to the late access to site, as well as the late delivery of engineering drawings & failure to provide permanent power solutions.

TRANSPORT

Riyadh Metro, Riyadh, Saudi Arabia (2016)

Led claims team on the USD20bn project. The role involved providing strategic input into delay analysis and productivity loss assessments, as well as other major scope change issues.

Nariya Workshop, Eastern Region, Saudi Arabia (2013)

Assignment Director responsible for overseeing the contracts management of the rail depot project in the eastern region of Saudi Arabia. HKA's role involved all elements of contractual, commercial and programme management, as well as attending numerous commercial negotiation meetings with the client.

Haramain Rail Project, Various Locations, Saudi Arabia (2012)

Assigned as Project Director across multiple assignments for four stations (based in Medina, Mecca, Jeddah and King Abdullah Economic City) for different clients. Commercial and contractual support was provided to the respective cost and extension of time claims.

Metro Project, Mecca, Saudi Arabia (2011)

Led a team to prepare all claims on the prestigious project in Mecca. Responsible for overseeing the preparation and finalisation of all HKA deliverables for extension of time, prolongation, acceleration and disputed variation matters.

Metro Project, Mecca, Saudi Arabia (2011)

Led a team to undertake a review of the contractor's entitlement to time and cost matters for the politically important rail project that connects the holy sites in Mecca. Devised a strategy on how to recover the contractor's entitlement under the contract and Saudi law. Also reviewed subcontractor's claims and advised on possible entitlement and counterclaims. The total value of the claims was in the order of AED3.5bn.

Middle East Metro Project, Saudi Arabia (2007-2009)

Initially appointed as Project Claims Consultant in 2007 with the responsibility of managing the extension of time claims on behalf of the client. Developed contractual arguments and was responsible for numerous reports that were required to be of arbitration standard. Subsequently, the client requested the role be elevated to Claim Manager, where the responsibilities involved incorporating various delay analysis techniques and valuation methodologies, which eventually led to an amicable

settlement process. Later, appointed to the role of Project Manager to coordinate a team of around 40 expert consultants. Coordinated the scopes of work between the respective claims, expert and legal teams.

ADVISORY

Restructuring of Major Contractor, Eastern Province, Saudi Arabia (2012)

As Assignment Director responsible for devising and implementing a strategy to assist with claiming back losses and negotiating new contractual arrangements. Also provided “cost to complete” forecast on behalf of the contractor’s lenders.

GEOTECHNICAL

Environmental Improvements Phase 2, Lyme Regis, UK (2006)

Part of the supervision team focused on landslide stabilisation earthworks, piling, drainage, jetties, breakwaters and road construction. Responsible for ensuring that construction of all land-based works were in accordance with the contract. Reviewed contractor claims, contract programmes and construction method statements, as well as supervising construction activities.

Environmental Improvements Phase 1, Lyme Regis, UK (2005)

Assigned as the Construction Supervisor for the landslide stabilisation scheme. Responsible for reviewing the contractor claims and valuation of compensation events. Also reviewed and approved contract programmes and construction method statements, as well as supervising construction activities in accordance with the contract.

A3055 Road Stabilisation Scheme, Isle of Wight, UK (2004)

Provided an impartial assessment of the commercial viability of the stabilisation of the A3055 road in the Isle of Wight. Carried out the assessment and produced report in accordance with the Department for Transport’s “Guidance on the Methodology for Multi Modal Studies”. The project was ultimately awarded funding due to the findings stated within the report.

A3055 Road Stabilisation Scheme, Isle of Wight, UK (2004)

Worked on the project as a graduate design engineer. The project was a technically challenging scheme; stabilising a major road on the south coast of the Isle of Wight. Responsibilities involved designing landslide stabilising piles, ground drainage system, earth embankments, ground anchors and soil nails.

EMPLOYMENT RECORD

2017-present

HKA

Dubai, UAE

Partner

2010-2017

Hill International

Dubai, UAE

Senior Vice President

2002-2010

High-Point Rendel

UK and UAE

Senior Consultant

2001-2002

BPP Technical Services

UK

Engineer

LANGUAGES

English (native)

Spanish (conversational)