

DANIEL MILES

MSC MRICS MCIARB HON FIAT

Aquila Forensics Ltd.
4th Floor, 22 Upper Ground,
London, SE1 9PD
T +44 (0) 20 8004 3513
M +44 (0) 7751 914 607
E dan.miles@aquilaforensics.com
W aquilaforensics.com



SKILLS

Expert witness – Quantum

Procurement

Claims

Litigation

Arbitration

Adjudication

Mediation

PROFILE

Daniel is an experienced chartered quantity surveyor and testifying Expert Witness with over fifteen years' experience working on high-value, complex disputes and has given evidence on multiple occasions on various International Arbitrations. He specialises in the provision of quantum advice and opinion in mediation, adjudication, arbitration and litigation. He has had numerous appointments as both Expert Witness and claims advisor in disputes relating to construction, professional negligence claims and quantification of damages under NEC, FIDIC, JCT, TPC 2005 and PPC 2000 forms of contract.

Daniel continues to work on large-scale live projects and is engaged to provide board-level strategic advice, as well as providing senior advisory commercial and advisory services. Daniel has also acted as mediator.

Daniel initially started his career in the civil engineering and infrastructure sectors before working on large marine, civil engineering and construction projects including hospitals, schools, community centres and residential developments in senior commercial management roles. He has provided services in connection with financial and quantum matters in infrastructure, building, civils, energy, tunneling, nuclear, marine, mineral extraction, highways and utilities disputes in the UK and overseas.

Daniel lectures at both Stuttgart University and Derby University on contract administration and assessment of quantum and delay in disputes on a number of courses. He also provides training for firms on the commercial management of contracts under all major forms of contract. Before becoming a quantity surveyor, Daniel worked as a geophysicist with experience of both land and marine based techniques as well as providing remote sensing services.

“
He is an exceptional
testifying witness.
”
- WWL 2021



Construction Expert Witnesses - Future Leaders 2021
WWL Ranking: Future Leader

Arbitration 2021 - Future Leaders - Expert Witnesses
WWL Ranking: Future Leader

ACADEMIC

- MSc in Construction Law & Arbitration from King's College London.
- BSc (Hons) Geography from University of Southampton.

MEMBERSHIPS

- Member of the Chartered Institute of Arbitrators [MCIARB].
- Member of the Royal Institution of Chartered Surveyors [MRICS]
- Honorary Fellow of the Institute of Asphalt Technology [Hon FIAT]

DANIEL MILES
MSC MRICS MCIARB HON FIAT

DISPUTE EXPERIENCE

HIGHWAYS & INFRASTRUCTURE

- Quantum Expert for a dispute regarding the termination of a Contractor in Africa during the construction of a new highway under a FIDIC red book, including a claim for prolongation due to civil war.
- Quantum Expert for a dispute regarding the termination of a Contractor in the Balkans during the construction of a new bypass under a FIDIC red book.
- Quantum Expert for a dispute regarding the termination of a Highways contract in Africa.
- Quantum Expert for a dispute regarding the termination of a Contractor in the Balkans during the upgrading of an existing road under a FIDIC red book.
- Quantum Expert for a dispute regarding the valuation of VAT under a FIDIC red book where the price did not stipulate its inclusion. The works were undertaken on a highway project in Africa.
- Quantum Expert for a dispute regarding the assessment of commuted sums under a S278 agreement for the construction of a new bridge to a new town development.
- Quantum Expert for a dispute regarding the assessment of Compensation Events for the reconfiguration of a motorway junction in southern England.
- Appointed quantum Expert on a claim arising from the rectification of surface dressing works to a county-wide road network in England. The claim was valued at £10m.
- Quantum support services to a contractor in dispute arising from the maintenance of the UK motorway network in North West England. The claim was valued at £110m.
- Quantum support services to contractor in dispute arising from maintenance of highways in London, UK.
- Quantum support services to contractor in dispute arising from the interpretation of Bill of Quantity items on a highway maintenance contract in London.
- Assistant to Quantum Expert on a dispute in arbitration in the middle east for the construction of service tunnels below a new city master plan.
- Appointed quantum Expert on a dispute regarding damage to Crown property. The claim was served in Manchester County Court. The dispute involved the assessment of reasonable cost arising from an insurance claim.
- Appointed Single Joint Expert (quantum) for three joined matters arising from damage to crown property. The matter regarded the assessment of reasonable cost arising from insurance claims.

AIRPORTS

- Provision of quantum advice on a dispute in arbitration in the Middle East regarding the construction of a new passenger terminal building on a replacement airport. Daniel provided the assessment of disruption and thickening claims valued at approximately £120m.
- Provision of quantum advice and analysis in relation to a dispute (arbitration) in the Middle East pertaining to the construction of new runway and roads for a replacement airport. Responsible for the assessment of all measurement claims and the prolongation claim (valued in excess of £400m).
- Quantum advisory services to contractor negotiating terms and price for the extension of an airport in Brunei.
- Quantum services to contractor in dispute arising from the refurbishment of an airport in West England.

POWER & ENERGY

- Quantum Services on a large Combined Cycle Power Plant in Australasia (>US\$500m in dispute) in arbitration.
- Quantum Expert on a Scottish windfarm project under a bespoke contract.

CONSTRUCTION

- Quantum Expert for a dispute regarding defects and the final account for works to a historical heritage building in the UK.

DANIEL MILES
MSC MRICS MCIARB HON FIAT

DISPUTE EXPERIENCE CTD

- Quantum Expert for a dispute regarding the termination of a Contractor in Malta for the construction of a long term care facility consisting of 504 beds and associated specialist care facilities.
- Appointed quantum Expert for developer in adjudication arising out of a side letter to a mixed-use construction project in London, UK. The claim was valued at £40m.
- Expert services for the assessment of damages arising from changes to the design of an over-site development under a Land and Works Agreement. Assessment of both direct and indirect losses including the interpretation of measurement under a Deed of Variation. The works impacted both the construction of an underground building and multiple egress and ingress tunnels (claim value £240m).
- Expert Witness for housing association in pre-action protocol arising from a negligence claim against the employer's agent for the construction of affordable housing units in Southern England.
- Expert Witness for tenant management organisation in pre-action protocol arising from a contractor's claim regarding the maintenance of housing stock in West London.
- Expert Witness for owner in mediation arising from the refurbishment and development of residential housing in Southern England.
- Quantum support services to developer in adjudication arising from the late completion of high value flats by a subcontractor in West London.
- Quantum Expert appointed to undertake an Expert Determination for the valuation of repair works under a reactive maintenance term service contract for repairs to properties within a city in England.
- Quantum Expert for a subcontractor, in a dispute regarding the Mechanical and Electrical works to the conversion of a Grade II listed hospital constructed in the 1800's to a 5-star spa hotel.

MARINE

- Quantum Expert in relation on a dredging project in the UAE under a FIDIC contract.
- Quantum Expert for a dispute regarding the assessment of variations, loss and expenses resulting from design changes to the performance specification of manufacturing facilities.
- Expert services in relation to the demolition of existing dock pier and dredging of an international port in United Kingdom. The claim was valued at £2.5m.
- Expert services in relation to the construction of new wharf at a port in the United Kingdom, quantifying design errors and unforeseen materials contained within the dredging pocket. The claim was valued at £4m.
- Quantum support services to subcontractor in dispute arising from the damming of watercourses for the installation of fish passes, penstocks, weirs and lock refurbishments in the UK.
- Quantum support services to subcontractor in dispute arising from the maintenance of rail structures in watercourses in North West England, including the construction of temporary cofferdams.
- Quantum support services to contractor in dispute arising from construction works to a container port in Southern England.

UTILITIES

- Expert Witness in relation to a dispute regarding the use of selected excavated material for the reinstatement of trenches. Settled at Mediation. The claim was valued at £2.1m.
- Expert Witness for contractor in mediation in dispute arising from the construction of drainage to a highway-widening project in Northern England.
- Expert Witness for contractor in dispute arising from waste collection and sorting of recyclables in Wales.

DANIEL MILES
MSC MRICS MCIARB HON FIAT

DISPUTE EXPERIENCE CTD

- Quantum support services to a subcontractor in dispute arising from the construction of concrete bays to rail service yard, London. The claim was valued at £300,000.
- Quantum support services to subcontractor in dispute arising from the construction of a waste water culvert attenuation scheme in Southern England.
- Quantum analysis for material supplier in dispute arising from the supply of defective precast concrete chamber units.
- Quantum support services to contractor in adjudication arising from the removal of asbestos during the decommissioning of a nuclear reactor.
- Quantum Analysis to client in pre-action protocol arising from defective installation of fire stopping measures to a complex of flats in London.
- Quantum support services to contractor in adjudication arising from changes in law affecting the productivity of utility installation and maintenance services.
- Quantum support services to client in adjudication arising from the remediation of contaminated land in Northern England.
- Quantum support services to contractor in dispute arising from the construction of a waste water sequence batch reactor in North-west England.
- Quantum support services to contractor in adjudication arising from the construction of a new warehouse in East England.
- Quantum support services to contractor in adjudication arising from the construction of a new supermarket in East England.

NON-DISPUTE/PROJECT EXPERIENCE

- Appointed to Dispute Avoidance Panel during the construction of a mast cable stay opening bridge in Southern England.
- Regular provision of procurement advice and drafting assistance to in-house legal teams for tendering of construction projects.
- Produced cost plans for client organisations for construction of public realm projects in Central London including London Olympics legacy projects.
- Significant cost review of alternative engineering solutions to the construction of a major rail infrastructure project through the Chilterns, England.
- Tendering support to a contractor for the construction of a substantial flood alleviation tunnel below London.
- Provided tendering support to a contractor for the construction of a high speed railway.
- Worked on a varied range of live construction projects, including the following seconded appointments:

CONSTRUCTION:

- » Bewley Homes - Various sites in Hampshire.
- » Botes Construction - Construction of residential units in Southern England.
- » Blu Construction - Construction of high density residential developments in Greater London.
- » Interserve - appointed as Senior Commercial Manager on the following accounts providing FM, Renewal and Construction works:
 - MET Police
 - UK Border Agency
 - DEFRA
 - HM Prisons
 - MOD

DANIEL MILES
MSC MRICS MCIARB HON FIAT

NON-DISPUTE/PROJECT EXPERIENCE CTD

HERITAGE:

- » OS for Subcontractor undertaking the brick work package for the refurbishment and upgrade of Kings Cross Station.
- » Provided cost plans and OS services for a number of projects to Crown Property.
- » Reconstruction of parapets to the historic stone bridge at Houghton.
- » Excavation and reconstruction of a historic victorian bridge over the Blue Bell railway. Bridge was buried when the railway was disbanded and the cutting filled with refuse. As part of the restoration of the Blue Bell Railway, the cutting was excavated exposing the bridge.

HIGHWAYS:

- » May Gurney – East Sussex Term Maintenance Contract – EEC 2 - £40m per annum
- » May Gurney – West Sussex Term Maintenance Contract – NEC 3 - £40m per annum
- » May Gurney – Essex Term Maintenance Contract – Bespoke - £50m per annum
- » Aggregate Industries – West Midland Framework – Bespoke - £20m per annum
- » Aggregate Industries – M27 Junction Improvements – NEC 3 - £4m
- » Aggregate Industries – M6 Carriageway Widening – NEC 3 - £6m
- » Clancy Docwra – Junction Improvements – NEC 3 - £1.2m
- » West Sussex County Council – Term Maintenance Contract – NEC 3 - £40m per annum.

MARINE:

- » May Gurney - Environment Agency Term Contract - Bespoke.
- » May Gurney - Canals & Rivers Trust Term Contract - Bespoke.
- » Herbosch Kiere - Port of London Authority - Various Contracts - NEC 3.
- » A C Bennets - Thames Tideway Project - Barge and Marine Services - NEC 3 - £20m.

UTILITIES:

- » Clancy Docwra - Mid Kent Water Contract - NEC 3 - £5m per annum.
- » Skanska - Electrical Power Laying Contract - NEC 3 - £12m.
- » Clancy Docwra - Southern Water Term Contract - AMP Contract - £4m per annum.

ENERGY:

- » Hochtief - Energy Recovery Facility - Bespoke - £125m.
- » Costain - Nuclear Power Station Decommissioning.
- » PFI SPV - Power Station.

RAIL:

- » May Gurney - Embankment Stabilisation - Bespoke - £200k.rail:
- » May Gurney - Embankment Stabilisation - Bespoke - £200k.

TUNNELING:

- » Murphy Construction - Beckton Relief Tunnel Tender Team
- » A C Bennets - Thames Tideway Project Subcontract
- » PBA - Feasibility studies for Chiltern Tunnels for HS2

DANIEL MILES
MSC MRICS MCIARB HON FIAT

ADDITIONAL

- Appointed Associate Lecturer at Derby University for the department of Mineral Extractives. Daniel provides lectures and course material on contract administration, covering project management, commercial management, claims and dispute resolution, as well as lectures to mature students currently working in all aspects of highway contracts.
- Associate lecturer at Stuttgart University for its International Construction Practice and Law MBE, lecturing on assessment of project delay and prolongation.
- Frequent trainer on the commercial management of contracts, for all major forms of contract.