

DAVID RICHARDS

BSC FRICS FCIARB

Aquila Forensics Ltd.,
4th Floor, 22 Upper Ground,
London, SE1 9PD

T +44 (0) 20 8004 3513

E david.richards@aquilaforensics.com

W aquilaforensics.com



SKILLS

Expert witness – Delay

Procurement

Claims

Litigation

Arbitration

Adjudication

Mediation



He has vast experience and is skilfully able to interrogate and interpret complex delay analysis issues.

- WWL 2021



PROFILE

David Richards has over 40 years' experience as a Chartered Quantity Surveyor and over 20 years' experience as a Chartered Arbitrator. The first 15 years of his career was spent on construction projects including; hotels, hospitals and prisons. He has been a member of Council of the Society of Construction Law and is a past chairman of the (UK) Southern Branch of the Chartered Institute of Arbitrators.

David Richards is widely experienced in UK and international engineering and construction claim and dispute resolution. He has been appointed as arbitrator on approximately seventy occasions and adjudicator on thirty-five occasions and has, on many occasions, given expert opinion evidence in the area of delay and disruption assessment and cost evaluation, his main area of occupation. He has also been appointed member of Dispute Resolution Boards and has undertaken expert determinations.

David Richards was on the Society of Construction Law committee for the development of the 2002 Protocol on Delay and Disruption. He has been responsible for the provision of dispute related services to employers, contractors and subcontractors, dealing with structural steelwork, mechanical and electrical work, piling and diaphragm wall work and earthworks as well as the more general areas of building and civil engineering projects. David Richards has particular experience in delay analysis and complex disruption valuation, disentangling global claims to establish the relationship of particular cause and effect. He has been involved in a number of high profile cases that have been featured in the construction press and law reports.



Construction Expert Witnesses 2021

WWL Ranking: Recommended

Experts - Construction - Quantum & Delay 2020

WWL Ranking: Recommended

ACADEMIC

- BSc in Quantity Surveying, Bristol Polytechnic.

MEMBERSHIPS

- Fellow Royal Institution of Chartered Surveyors
- Fellow Chartered Institute of Arbitrators
- Fellow Association of Arbitrators Southern Africa (1994 - 2018)
- Fellow Chartered Institution of Civil Engineering Surveyors (2004 - 2018)



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DISPUTE EXPERIENCE

ENGINEERING & INFRASTRUCTURE

- Delay Expert to Contractor on assessment of design delays on 14km regional highway scheme requiring extensive ground improvement. (FIDIC Contract).
- Delay Expert to Employer on assessment of delays on 3,950,000m³ RCC dam for hydroelectric scheme. (FIDIC Contract). Evidence given.
- Delay and Quantum Expert to Contractor on assessment and valuation of delay and disruption on 60km road and bridges upgrading scheme (FIDIC Contract).
- Delay Expert to Employer on assessment of delay on 44km road and bridge rehabilitation project (FIDIC Contract).
- Delay Expert to Employer on assessment of delay on 29km road and bridge rehabilitation project (FIDIC Contract). Evidence given.
- Quantum Expert to Contractor on valuation of termination costs relating to 78km railway rehabilitation project (FIDIC Contract). Evidence given.
- Delay and Quantum Expert to Contractor on assessment and valuation of delay and disruption on 76km three lane dual carriageway road scheme (FIDIC Contract).
- Quantum assessment for Respondent Employer on £30M claim for 'overarching variation / cardinal change' on mine infrastructure scheme. (FIDIC Contract). Evidence given.
- Delay Expert to Contractor on assessment of delay on port road scheme.
- Quantum Expert to Contractor on assessment and valuation of delay and disruption on bypass scheme. Evidence given.
- Extension of time and disruption assessments for boiler Contractor on two 4800MW coal fired power stations. (FIDIC Contract). Evidence given.
- Delay and Quantum Expert to Contractor on assessment and valuation of delay and disruption due to soil replacement requirements and variations to structures on scheme comprising 5km of dual carriageway and associated structures (FIDIC Contract). Evidence given.
- Quantum Expert to Contractor on assessment and valuation of delay and disruption on motorway widening scheme (FIDIC Contract).
- Delay and Quantum Expert to Contractor on assessment and valuation of delay and disruption on 120km new road scheme (FIDIC Contract). Evidence given.
- Delay and Quantum Expert to Contractor on assessment and valuation of delay and disruption on 36km road upgrade scheme (FIDIC Contract). Evidence given.
- Quantum Expert to Employer on assessment of damages in claim against consulting engineer for default in design of motorway. Evidence given.
- Delay and Quantum Expert to Contractor on assessment and valuation of delay and disruption due to soil replacement requirements on scheme comprising 19.1km of motorway and 24 structures (FIDIC Contract). Evidence given.
- Quantum Expert to County Council on valuation of development-related improvements.
- Quantum Expert to Employer on valuation of disruption and prolongation arising from delays in possession, drawing issues and variations on the rehabilitation of 96kms of national road (FIDIC Contract). Evidence given.
- Quantum Expert to Employer on valuation of variations, disruption and prolongation on road schemes in mediation and subsequent arbitration.
- Quantum Expert to main contractor JV, valuing site and head office overheads resulting from delays in laying seabed sewage pipeline (FIDIC Contract). The pipeline is the longest single pull curved submarine pipeline in the world.
- Independent expert determination on liability, extent and quantum of delay and disruption relating to unforeseeable physical conditions affecting the 30 month programme and execution of a \$60million roads project of 21kms of single and dual carriageway road and various bridges, access roads and junctions.

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DISPUTE EXPERIENCE CTD

- World Bank approved Contract Claims Specialist to Ugandan Government on claim for assessment of extension of time and valuation of delay, variations and disruption on 145km regional highway upgrading project.
- Quantum Expert to claimant contractor on £40m claim for valuation of variations and disruption arising from rock instability on 64km regional highway dualling project (FIDIC Contract).
- Quantum Expert to claimant subcontractor (South African) on £8m claim for disruption arising from variations to sequence and timing of work. Evidence given.
- Quantum and Delay Expert to South African/UAE JV subcontractor on £35m claims related to late issue of materials and information, delay, disruption and inefficiencies due to instructions on manning levels on a ULG extension to a refinery. Evidence given.
- Delay and Disruption Expert to main contractor, assisting in preparing presentation on delay and disruption for conciliation to recover £8m losses on sewage treatment scheme consolidating whole island's facilities (FIDIC Contract).
- Quantum Expert to claimant JV contractor on £10m claim for prolongation costs, disruption and labour escalation on arch dam construction (FIDIC Contract). Evidence given.
- Delay and Quantum Expert to respondent on £5m claim for prolongation and disruption to road construction arising from piling difficulties.
- **BUILDING & CONSTRUCTION**
- Delay Expert to Contractor in claim related to two year delay to cancer hospital project (FIDIC Contract).
- Quantum Expert to Employer in claim against Engineer for over-certification on hotel and residential project. Evidence given.
- Quantum Expert to Main Contractor in subcontract arbitration concerning prolongation and disruption claim and valuation of variations on 26,000T roof steelwork subcontract. Evidence given.
- Quantum Expert to Contractor in arbitration concerning delay and disruption claim and valuation of variations on 110 houses.
- Delay and Quantum Expert to Employer in arbitration concerning termination of contract for delay on mixed use development scheme (FIDIC Contract). Evidence given.
- Delay and Quantum Expert to Employer on assessment and valuation of delay and disruption due to variations on scheme comprising 8 blocks of luxury apartments (FIDIC Contract).
- Delay and Quantum Expert for Respondent in arbitration on delay and disruption to £300m development comprising construction of three levels of basement car parking, a retail mall in a three level podium structure, commencing at ground floor level, and above the podium level, two tower structures, one for a hotel and the other for serviced apartments (FIDIC Contract).
- Programming Expert to Defendant in mediation on claim for damages due to delay on shopping centre.
- Programming Expert to Main Contractor in adjudications and mediation concerning claims for extension of time against Employer and by subcontractors on motoring experience centre
- Programming Expert to Claimant on claim for extension of time on residential development. Evidence given.
- Quantum Expert to Respondent on claim for extension of time and loss and expense on hotel project.

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NON-DISPUTE/PROJECT EXPERIENCE

- Dispute Review Board member for \$73million, 70km road upgrading project (FIDIC Contract).
- Review, for insurer, of £1m cost increase due to suspension of work following discovery of design error on bridge refurbishment.
- Dispute Review Board member for \$68million, 11km dual carriageway road with six grade separated interchanges, twenty four slip roads, ten footbridges and adjacent service roads, all in mountainous terrain (FIDIC Contract). The project also includes construction of more than 200 new houses in resettlement areas.
- Delay analysis for Employer on extension of time claim and claims for prolongation costs and valuation of variations on wind farm scheme.
- Advice to contractor on extension of time claim and claims for prolongation costs and valuation of variations and fluctuations on water treatment plant, pipeline and water storage scheme.
- Consultant to contractor for extension of time assessment on delays to 717 townhouse and villa project arising from delayed possessions, delayed building permits, concrete shortages, etc. (FIDIC Contract)
- Consultant to contractor for extension of time assessment for variations resulting in delay to watertightness on hospital project.

ADDITIONAL

- "FIDIC Claims" Papers on delay and disruption assessment and valuation for Cornerstone Seminars, 2007 to present, 2 to 4 times per year, primarily at European, Middle East and African venues.
- "Concurrent Delay and Liquidated Damages? Dream On..." Institution of Civil Engineering Surveyors' Construction Law Review July 2005.
- "Methods of Analysing Delay" Institution of Civil Engineering Surveyors' Construction Law Review July 2006.
- "Delay Analysis" Institution of Civil Engineering Surveyors' Construction Law Review July 2007.
- "Global Claims" Institution of Civil Engineering Surveyors' Construction Law Review July 2009.
- "Valuing Disruption" Institution of Civil Engineering Surveyors' Construction Law Review July 2015.