

## Expert Profile

### Michael Foster-Turner

Director

#### QUALIFICATIONS & ASSOCIATIONS

- Incorporated Member of Chartered Institute of Building

#### CONTACT DETAILS

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## Previous Expert Appointments

A representation of examples of disputes that have been referred to arbitration and adjudication.

### Adjudication – Quantum and Delay

Appointed by a USA modular housing company supplying housing to a European contractor and who had cost and prolongation dispute arising out of change. Provided detailed contractual, cost and time analyses to lawyers representing his client and achieved a favourable settlement.

### Arbitration – Quantum and Delay

Appointed by the employer of 1st phase of a sewage treatment plant, 40m deep pumping station and 53km network who was in dispute with the tunnelling contractor over scope definition and consequential time and cost increases. Provided expert witness at the arbitration hearing in Thailand demonstrating the contractor had knowledge of all alleged scope changes. The contractor lost his case based on Michael's findings.

### Adjudication – Quantum and Delay

Appointed by a European contractor who was engaged by a Middle Eastern government to construct 2 No 50m high water catchment dams. Michael's role was to provide contractual support on numerous large scale scope changes resulting in cost and/ or cost and prolongation. The commission involved notification and preparation of each change, negotiation with the employer to find a resolution and finally expert witness statements to the contractor's lawyers. The contractor received a favourable result before hearing.

### Dispute – Quantum and Delay

Appointed by the contractor on a large scale social housing and water infrastructure project covering both the south and east of Romania to review early contractual disputes and to prepare and submit cost and prolongation claims. Resolution was found for the contractor through redefinition of the contract scope and adjustment of quantum.

### Dispute – Quantum and Delay

Appointed by the employer to review and respond to contractor's claims for both quantum and delay on an offshore wind farm in Europe. The commission required analysis of the contractual arguments put forward by the contractor and the preparation of Engineer's Decisions prior to arbitration. Resolution was found and the employer position improved.

*Confidentiality prevents our disclosing details of the parties to the above contracts.*

## Professional Profile

Michael trained and qualified as a Quantity Surveyor with Taylor Woodrow in the UK and then has spent the last 35 years primarily working internationally (USA, Eastern Europe, Middle East, Far East and North Africa), for a mix of contractors, employers and Consultants of different sizes and disciplines. Michael has worked on a wide cross section of projects with the last 20 years in a senior or directors' role.

- Refurbishment of historic buildings
- Modular and social housing
- Sewerage Treatment and network systems
- Water infrastructure and distribution
- Dams
- Coastal marine works
- High rise accommodation
- Commercial buildings
- Prisons
- Rail
- Offshore wind

Working in the Governmental, Public and Private Sectors, and in conjunction with Michael's broad international experience on a number of different types of projects with a mix of standard and bespoke contracts forms gives rise to an in-depth understanding of both the technical and commercial aspects of construction contracts. Experience allows Michael to quickly assimilate disputes and to work on resolution individually or as part of a team.

Michael has worked on claims, adjudications and arbitrations in various capacities and has worked for both contractors and employers giving him the ability to approach and couch arguments to suit. His strong international background allows him to get to the facts of a case and to present them to suit the local sensibilities.