

BEng Civil Engineering, BEng (Hons) (Structures), MSc Project Management
FIDIC President's List of Approved Dispute Adjudicators
Dispute Avoidance and Resolution Practitioner
Dispute Board Member, Adjudicator and Mediator

CURRICULUM VITAE - DISPUTE AVOIDANCE AND RESOLUTION

Mr Anton van Langelaar, in addition to being a Professional Engineer and Project Manager, is an Accredited Adjudicator, Mediator and Arbitrator and a Dispute Board and Contracts Specialist. Formal education includes engineering, project management, mediation, adjudication, arbitration and financial management qualifications.

PRESENT POSITION

2019 Dispute Avoidance and Resolution Practitioner and Dispute Board and Contracts Specialist.

SYNOPSIS OF EXPERIENCE

Total professional experience - 36 years

- 2011 to present Dispute Board (DB) Member, Adjudicator, Mediator and Contracts, Project Management and Dispute Board Specialist.
- 2009 to 2013 Project Manager (incl. FIDIC "Engineer") for bulk water supply design and construction; DB member; Contracts and Project Management Specialist.
- 2002 to 2009 Director and Head of Claims Section for US\$ 19,000 million high speed rail project.
- 1990 to 2002 Regional Manager, Senior Associate, Associate, Principal Engineer – Engineering design and construction.
- 1981 to 1990 Resident Engineer, Site Agent, Senior Engineer, Engineer in Training – Roads and bridge design and construction.

PROJECT EXPERIENCE

High Speed Rail (US\$ 19,000 mil), Commuter and Freight Rail Immersed Tube, Tunnels and Stations (US\$ 2,200 mil), Intercity, Commuter and Freight Rail (US\$ 1,800 mil) (rail projects inclusive of TBM, NATM, D&B and C&C tunnels; heavy civil works; bridges, viaducts and other structures; track, stations and depots, incl. buildings and roads; core systems, incl. rolling stock, traction power, signalling, wayside E&M, overhead catenary system, OCC, SCADA, MMS, PIS, EFCS, etc.), River Bridge Project (US\$ 282 mil), Bulk Water Supply (US\$ 2,600 mil) (large diameter steel pipelines, pump stations, WTW, dams, tunnels), Acid Mine Drainage (US\$ 210 mil), Roller Compacted Concrete and Earth Fill Dams (US\$ 100 mil), TBM and D&B Water Transfer Tunnels and Weir (US\$ 220 mil), Clear and Waste Water Treatment Works (US\$ 100 mil), National, Provincial and Major Municipal Roads (US\$ 150 mil), Mining Project (inclusive of ancillary works) (US\$ 350 mil), One Stop Border Post Facility (US\$ 30 mil), various road and airport maintenance and rehabilitation projects, public buildings, shopping malls, property development, municipal and labour intensive construction projects. DB, programme and project manager for dealing with heavy civils, dam, tunnel, road, railway, pipeline, pump station and building specific claims/variations for additional payment and extension of time totalling some US\$ 2,300 million. Jurisdictions of experience include Roman-Dutch Law, Common Law, Civil Law and State of New York Law.

DISPUTE AVOIDANCE AND RESOLUTION AND OTHER SPECIALIST ASSIGNMENTS

- Contracts Expert Advisor on US\$ 1,400 mil bulk water supply project consisting of dam, pump station, 33 km tunnel, water treatment works and large diameter steel pipeline (FIDIC 2017 Red Book / 2019 Emerald Book)
- DB sole member on package of US\$ 282 mil river bridge project, incorporating embankments, PC I-Girders, Steel I-Plate Girders and Steel Box Girders (FIDIC Pink Book)
- Member of DB Panel on multibillion US\$ multinational water transfer project consisting of Main Works:- Diversion and Transfer Tunnels (Twin 800 m, 7 m and 9 m diameter river diversion tunnels and one 28 km, 5 m nominal bore water delivery tunnel) and Dam (164 m high concrete-faced rock-fill (CFRD) dam and 50 m high CFRD saddle dam) and Advance Infrastructure:- 70 km of new/upgraded Class A access roads and road rehabilitation; 50 m, 150 m, and 600 m bridges; 60 km of 132kV and 33kV transmission lines and substations; Telecommunications (including 60 km of OPGW); Lodges, recreational and

- school facilities; Civil works for permanent and temporary housing (including local access roads and water treatment plant); Operations / Visitors' Centre and permanent facilities (FIDIC Pink Book)
- DB member on US\$150 mil irrigation project, incorporating construction of the main conveyance system and related structures (FIDIC Pink Book)
 - DAB member on US\$ 2,200 mil railway project - TBM, NATM and C&C tunnels (11.9 km), immersed tube (1.4 km), civil works, stations (4 no.) and related E&M works (FIDIC Silver Book)
 - DAB member on US\$ 1,800 mil railway project - civil works (including roads), bridges and other structures (160 no.), track (76 km of which 63 km is 3 track), stations (36 no.), depots (3 no. incl. substantial buildings, roads and OCC), core systems (incl. traction power, signalling, wayside E&M, overhead catenary system, SCADA, etc.) (FIDIC Silver Book)
 - Mediator on national road project dispute regarding delay and associated costs and extension of time (FIDIC Red Book)
 - DB sole member on US\$ 33 mil national road rehabilitation project (FIDIC Pink Book)
 - DB sole member on US\$ 30 mil national road rehabilitation project (FIDIC Pink Book)
 - Opinions on contractual and legal matters for various Road Rehabilitation and Road Markings National Roads projects, South Africa (FIDIC Red Book)
 - Accepted as DB chair for US\$ 530 mil railway electrification upgrade project – c. 520 km existing railway line traction power conversion from 3 kV DC to 25 kV AC (IBRD)
 - DB member on US\$ 30 mil one stop border post facilities project, including various buildings, roads and other civil works (FIDIC Pink Book)
 - DAB member on US\$ 65 mil national highway rehabilitation project (FIDIC Red Book)
 - Specialist contracts advice for mechanical and electrical works for upgrading of wastewater treatment works (FIDIC Yellow Book)
 - Specialist contracts advice for PSP design and construction of sedimentation plant at pump station (FIDIC White Book 2004)
 - DAB sole member on two wastewater treatment projects (FIDIC Red Book)
 - Specialist contracts advice and preparation of submissions and presentations (US\$ 25 mil disputes) to DAB – pipeline project (FIDIC Red Book)
 - Specialist contracts advice for development agency – roads project (GCC 2010)
 - DAB sole member on US\$ 8 mil steel pipeline project (FIDIC Red Book)
 - DAB member on US\$ 90 mil clear water treatment works (FIDIC Yellow Book)
 - Specialist contracts advice for US\$ 55 mil steel pipeline project (FIDIC Red Book)
 - Specialist contracts advice for US\$ 210 mil acid mine drainage projects (FIDIC Red Book)
 - Strategic contracts advice and preparations for US\$ 60 mil mediation (FIDIC/Bespoke mediation agreement)
 - Specialist contracts advice and preparation of submissions and presentations (US\$ 15 mil disputes) to DAB – pipeline project (FIDIC Red Book)
 - Adjudicator - various disputes (FIDIC and SAICE GCC)
 - Mediator – roads projects disputes, commercial developments disputes (FIDIC, SAICE GCC 2004 and PROCSA)
 - Contracts Specialist on US\$ 180 mil bulk water supply project (FIDIC Red Book)
 - DAB member on US\$ 100 mil RCC dam project (FIDIC Red Book)
 - Specialist contracts advice on US\$ 350 mil mining project – dam, water treatment plant, roads, processing plant, harbour facility, ship loader (FIDIC Red Book (IV and 1999))
 - Contract close-out negotiations - US\$ 3,650 mil high speed rail core system contracts (Bespoke contracts)
 - Quantum expert for arbitration on a railway track dispute (US\$ 25 mil dispute) (ICE Design Build)
 - Conciliation Representative for two railway track conciliations/adjudications (US\$ 50 mil disputes) (ICE Design Build)
 - Specialist contracts advice for depots and stations disputes conciliation/adjudication (US\$ 155 mil disputes) (ICE Employer Design)
 - Taking-Over Certificate negotiations with parties on railway project - US\$ 525 mil (Bespoke contract)
 - Negotiate US\$ 950 mil claims with parties on railway project (ICE Design Build / Employer Design /Bespoke contract)
 - Prepare and present at railway operations conciliation/adjudication hearings on valuation of US\$ 100 mil Change Order dispute (Bespoke contract)
 - Programme manage and undertake US\$ 270 mil rail conciliations/adjudications (ICE Design Build)

- Manage preparation for US\$ 120 mil railway project arbitration (ICE Design Build)
- Manage and undertake US\$ 160 mil TBM tunnel claim entitlement and quantum (time and money) evaluation (FIDIC IV Red Book)
- Manage and undertake loss / cost / delay / disruption / prolongation / acceleration / DD claim assessments - US\$ 2,300 mil (various forms of contract)

DISPUTE AVOIDANCE AND RESOLUTION EXPERTISE

DB Member / Adjudicator

DB member for international and domestic projects which include rail, road reconstruction and rehabilitation, bridges, TBM, NATM, D&B and C&C tunnels, immersed tube, significant buildings, dam, steel pipeline, waste and clear water treatment works and border post facilities as set out under “Dispute Avoidance and Resolution Specialist Assignments” above. Adjudicator for various disputes. Accepted to FIDIC President’s List of Approved Dispute Adjudicators. Dispute Resolution Board Foundation Country Representative for South Africa.

Mediator / Conciliator

CEDR (UK) and CD / ACDS (RSA) Accredited Commercial Mediator. Strategic advice and preparations for US\$ 60 million successful mediation. Successful mediations of engineering (roads and buildings) and commercial disputes. Significant international conciliation experience as set out under “Dispute Avoidance and Resolution Specialist Assignments” above.

Dispute Management, Avoidance and Resolution

Programme and project manager for dispute avoidance and resolution.

- Preparation for, and implementation of, dispute avoidance and resolution processes, claims avoidance and management, negotiation, risk assessment and provision of contractual and strategic advice.
- First-hand experience with dispute avoidance and resolution processes, including DB, conciliation, adjudication, arbitration and mediation.
- Ability to successfully plan, undertake, implement and control assessment, preparation and development of claims, variations and responses (ER/Engineer’s determinations and decisions) to and on behalf of claimants and also written and oral submissions to international dispute resolution (including arbitration, adjudication and conciliation) panels/tribunals, by professionals which include lawyers, quantity surveyors, engineers and experts.
- Briefed and worked with experts from around the world on various issues including legal, contractual, seismic, structural, geotechnical, rock mechanics, TBM, railway operations (including signalling, railway maintenance management, power, communications, computer software development and computer hardware), valuation, disruption and extension of time.
- Quantum expert in international arbitration.

TUTORING / LECTURING / TRAINING / MENTORING / COACHING

Presenter and tutor at introductory and advanced workshops on Dispute Boards. Guest lecturer at annual Construction Management Programme on the subject matter of dispute avoidance and Dispute Boards at Stellenbosch University, Department of Civil Engineering. Guest lecturer at post graduate programmes – Construction Contract Law (Stellenbosch University), Construction Adjudication Programme (Pretoria University) and Dispute Resolution (Witwatersrand University). Post graduate external examiner, moderator for post graduate courses in Construction Contract Law at Stellenbosch and Witwatersrand (appointment pending) Universities. Responsible for a number of technology transfer, training, mentoring and coaching programmes in Lesotho, South Africa and Taiwan. FIDIC Interim Accredited Trainer and Registered Training Mentor, Engineering Council of South Africa.

SIGNIFICANT LONG DURATION PROJECTS in PROJECT MANAGER / ENGINEERING / CONTRACTS ROLE

MCWAP Pipelines and Pump Stations (2009-2013) - Project Manager for the design (tender and detail), procurement and construction supervision of some 200 km bulk water steel pipeline and pump stations of US\$ 1,000 million; also FIDIC “Engineer”. Phase 1 includes a 43 km steel welded pipeline of dia. 800 mm

to 1,100 mm and high lift pump station (three 0.6 MW suction horizontal split-casing centrifugal booster pump sets and three 1.2 MW horizontal split-casing centrifugal high lift pumps plus backup pumps) delivering some 30 mil m³ per annum; Phase 2 (still to finalise design and to construct) includes high and low lift pump stations, balancing dams and some 160 km of large diameter (up to c. 2,000 mm dia.) welded steel pipeline. Responsible for multidisciplinary team peaking at some 60 staff.

Taiwan High Speed Rail Project (2002-2009) – Director and Head of Claims Section. US\$ 19,000 million, 345 km, 300 kph operating speed (350 kph design speed) high speed rail project, consisting of twin track (4.5 m o/c), bi-directional operation permitted with degraded modes, twelve design/build civil works contracts which included 251 km piled viaducts and bridges (incl. special steel truss bridges), 31 km cut and fill embankments and 46 km 15 m dia. tunnels (39 km NATM mined, 8 km cut and cover), eight design/bid/build station contracts, four design/bid/build depot contracts (including substantial buildings), five design/build track contracts and two design/build core systems contracts (incl. 31x12 trainsets, SCADA, signalling, wayside E&M, traction power, 25 kV OCS, DWS, communications, PIS, EFCS, OCC); largest BOT project in the world at the time. Responsible for Claims Section, peaking at some 25 full time staff comprising quantity surveyors, engineers, lawyers, barristers and other technical and administrative support staff and specialists as and when required.

Lesotho Highlands Water Project, Mohale Tunnel (1995-2002) - Contracts Manager/Engineer. Mohale Tunnel is a 32 km c. 4.66 m nominal dia. TBM bored and concurrently segmental lined tunnel transferring c. 9.8 m³/s of water. The 100 m intake gate shaft was raised-bored. The tunnel is part of the US\$ 2,400 million Phase I of the Lesotho Highlands Water Project (ultimately transfer capability 70 m³/s). The TBM's were two hard rock double shielded machines, which also constructed the five-segment plus keystone 60 MPa concrete lining rings. During design and tender phase responsible for construction contract procurement (incl. pre-qualification and tender document development, tender evaluation, contract negotiations and contract document development), design and indicative construction programmes and technology transfer. During construction phase responsible for contract administration including dispute avoidance and resolution, all claims and variations and technology transfer. Also, construction supervision of costing, planning, programming, contractual HR requirements, health and safety, environmental and community liaison aspects. Unique approach to contractual management of underground risk (principles now incorporated into the new FIDIC 2019 “Emerald Book”).

Various Roads, Bridge, Airport and Water Supply design and construction projects (1981-1995) – Project Engineer, Resident Engineer and Site Agent. Projects include some 210 km provincial roads (including bridges and other structures), substantial length of rural roads rehabilitation and maintenance, airport runway rehabilitation, public buildings and water supply projects.

DISPUTE RESOLUTION AND OTHER PANELS LISTED

- FIDIC President's List of Approved Dispute Adjudicators (Geneva)
- South African Institution of Civil Engineers (SAICE) President's Panel of Mediators / Arbitrators / Adjudicators (RSA)
- Consulting Engineers South Africa (CESA) President's Panel of Mediators / Arbitrators / Adjudicators (RSA)
- Association of Arbitrators SA (AoA) Arbitrator, Adjudicator and Mediator Panel (RSA)
- Engineering Professions Association National Adjudicator's List - Senior Adjudicator (Namibia)
- Centre for Effective Dispute Resolution (CEDR) Mediation Panel (UK)
- Conflict Dynamics (CD) Mediation Panel (RSA)
- Member of DB Panel for Multinational Water Transfer Project (Lesotho)
- Panel of Expert Advisors for Dispute Resolution of Large-scale Engineering Projects (RSA)
- MCC/MCA Member of Bid Challenge Appeals Committee / “Master List” of Independent Reviewers (Global)

EDUCATION

- Commercial Mediation Training, Conflict Dynamics / African Centre for Dispute Settlement (CD/ACDS) & Centre for Effective Dispute Resolution (CEDR), 2013
- NEC3: NEC – ECC Early Warnings & Compensation Events; PSC, 2013

- DRBF Training Workshops, including for advanced practitioners, 2010 / 2011 / 2012 / 2013 / 2017(PPP)
- Certificate in Financial Management (distinction), University of South Africa, 2003
- Certificate in Personal Financial Management (distinction), University of South Africa, 2002
- Association of Arbitrators (Southern Africa) - Fellowship Certificate in Arbitration (2002), Certificate in Specialisation in Construction Law (GCC & JBCC) (2001), Certificate in Arbitration (2000)
- MSc (Project Management) (distinction), Cape Town University, South Africa, 2001
- Project Management Professional (PMP®) certification (distinction), Project Management Institute (USA), 2000
- CMP (Construction Management Programme) presented by four South African universities, 1991
- B Eng Hons (Structures), *cum laude*, Stellenbosch University, South Africa, 1980
- B Eng (Civil), Stellenbosch University, South Africa, 1979

PROFESSIONAL CREDENTIALS AND REGISTRATIONS/LICENSES (all current)

- FIDIC – Accredited Adjudicator, President’s List of Approved Dispute Adjudicators (Geneva)
- FIDIC – Affiliate Member (Geneva)
- FAArb - Accredited Arbitrator and Fellow, Association of Arbitrators (Southern Africa) (RSA)
- CEDR - Accredited Commercial Mediator (UK)
- CD / ACDS - Accredited Commercial Mediator (RSA)
- MCI Arb - Member, Chartered Institute of Arbitrators (UK)
- PMP® - Certified Project Management Professional (USA)
- Pr. Eng – Professional Engineer, Engineering Council of South Africa (Reciprocity with ICE, UK)
- MSAICE - Member, SA Institution of Civil Engineers (RSA)
- PMI - Member, Project Management Institute (USA and RSA)
- DRBF – Member and Country Representative for South Africa, Dispute Resolution Board Foundation (USA)
- SCL – Member, Society of Construction Law (UK)
- CEDR– Member, CEDR Exchange Network (UK)
- ECSA - Registered Training Mentor, Engineering Council of South Africa (RSA)

LANGUAGES: English (fluent), Afrikaans (fluent), Flemish (read/understand), Dutch (read/understand), Mandarin Chinese (beginner), isiXhosa (beginner).

COUNTRIES OF WORK EXPERIENCE: Turkey, Taiwan, Myanmar, Lesotho, South Africa, Uganda, United Kingdom, Kenya, Tanzania, Eritrea, Democratic Republic of Congo, Zambia, Botswana, Namibia, Eswatini (previously Swaziland).

PAPERS/PUBLICATIONS

- Van Langelaar, A 2019. The New FIDIC 2019 Emerald Book – Conditions of Contract for Underground Works. Civil Engineering, June.
- Van Langelaar, A 2018. Dispute Boards – Pertinent Aspects of Operation, Part 2: DB Jurisdiction. Civil Engineering, June.
- Van Langelaar, A 2018. Dispute Boards – The new FIDIC 2nd Edition 2017 DB Provisions. Civil Engineering, February.
- Van Langelaar, A 2017/2018/2019. Series of Articles on Dispute Board Ethics. Civil Engineering, July/August/September 2017; March/May/August/September 2018; January/February/March/June/July 2019.
- Van Langelaar, A 2017. Dispute Boards – Pertinent Aspects of Operation, Part 1: DB Decisions. Civil Engineering, November.
- Van Langelaar, A 2014/2015. Series of six Articles on Dispute Boards. Civil Engineering, Aug to Nov, Jan/Feb and March.
- Van Langelaar, A 2014. Dispute Avoidance Standard Form Contract Provisions presented at DRBF Regional Conference and Workshop, Johannesburg, South Africa.
- Van Langelaar, A and Tobin, P 2006. Project-managing Dispute Resolution. Arbitration. 72(4), Nov.
- Van Langelaar, A 2005. Assessment of Settlement Risk. Arbitration. 71(1), Feb.
- Van Langelaar, A 2004. Dispute Boards as an Alternative Dispute Resolution Mechanism on Construction Projects in Southern Africa. Arbitration. 70(2), May.

- Van Langelaar, A 2001. Dispute Boards as an Alternative Dispute Resolution Mechanism on Construction Projects in Southern Africa. MSc Thesis. University of Cape Town.
- Van Langelaar A, 1999. Tunnelling Contract Sets an Example. South African Tunnelling.
- Van Langelaar, A 1995. Development of Simplified Tender Documentation for Small Contractors, for presentation at Constructex, 1995.
- Van Langelaar, A and Veldman, B 1993. Routine Road Maintenance Contractors in Transkei – A Status Report, presented at Annual Transport Convention (ATC).

BOOKS - Quoted/referenced in:

- Chern, C Dr. 2015. Chern on Dispute Boards Practice and Procedure, third ed. Informa law from Routledge.
- Berger, KP 2015. Private Dispute Resolution in International Business Negotiation, Mediation, Arbitration Volume II: Handbook. Kluwer Law International.

OTHER:

- Interim Accredited Trainer – FIDIC.
- Reviewer - FIDIC Conditions of Contract for Underground Works, First Edition 2019.
- Contributor to CIDB draft Standards for Prompt Payment and Adjudication for Construction Contracts.
- Contributor to National Treasury project regarding standard form contracts.

AWARDS

- Best student award for Programme in Financial Management, University of South Africa, 2003
- Eyvind Finsen Prize, Best student Fellowship Course in Arbitration, Association of Arbitrators (SA), 2002
- Abe Hyman Prize, Best student Certification Course in Arbitration, Association of Arbitrators (SA), 2000
- Best final year thesis, Stellenbosch University, 1979
- Academic merit bursary, Stellenbosch University, 1978

PERSONAL

Year of Birth : 1958
Nationality : South African