

CURRICULUM VITAE of Dr DEREK ROSS

DISPUTES RESOLVER & EXPERT WITNESS employing the skills of a Chartered Arbitrator, Registered Adjudicator, Accredited Mediator and Chartered Civil Engineer.

PERSONAL DETAILS

NAME: John Derek Layng Ross **NATIONALITY:** Irish

QUALIFICATIONS: BA, BAI (Civil Engineering), MSc(Construction Law), PhD, DipICarb, CEng, CArb, FDBF, FCICES, FIEI, FCI Arb

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DATE OF BIRTH: 3 November 1947 **WEBSITE:** www.layngross.com

EMPLOYMENT RECORD AS A DISPUTES RESOLVER

Feb 1997 **LAYNG ROSS**
- to-date **CONSTRUCTION DISPUTES RESOLUTION, Weybridge, UK.**

Chartered Arbitrator, Adjudicator, Accredited Mediator & Conciliator specialising in the resolution and/or avoidance of financial and technical disputes within the construction industry. Methods employed comprise negotiation, mediation, conciliation, dispute review boards, early neutral evaluation, adjudication or arbitration, as appropriate, with emphasis on dispute avoidance techniques where possible.

Work undertaken involves reviewing and assimilating extensive documentation comprising conditions of contract, contemporaneous correspondence, financial and factual records, interim and final payment valuations, and claims for extra payment for additional work and/or damages for breach of contract.

Recent dispute resolution neutral assignments include:

- ICE appointed Sole Member of Moldovan Roads Standing Dispute Board.
- IEI/Party appointed Conciliator of Roads disputes of values €5.5m to €115m.
- FIDIC appointed Member of 2 no. Romanian Railways ad-hoc DABs.
- FIDIC appointed Mediator of Asian Hotel dispute under Singapore law.
- Adjudicator of numerous UK construction disputes concerning contract interpretation, quantum, delay, harbours, dredging, piling and subsidence.
- Arbitrator of NHBC and numerous Arbitration Schemes disputes
- Civil & Structural Expert Witness on roads & retail centre disputes.
- Early Neutral Evaluator of multi-million euro sewerage scheme dispute.
- Quantum Expert on UK harbour authority measured term contract dispute.

Party Representative services offered previously included construction contract and claims advice, technical reports and legal assessments, preparation of claims, defence of counterclaims, final account negotiations, and where negotiation proves unsuccessful, preparation of submissions, advocacy and case management of mediations, adjudications and arbitrations. Previous party representative assignments included:

- Numerous Case Statements in UK Construction Adjudications regarding construction defects, time delay, quantum and breach of contract issues.
- Resolving long running final account dispute without recourse to adjudication
- Persuading domestic employer to reinstate and pay dismissed contractor.
- Recovery of contractor's loss of profit after improper termination of contract.
- Advising contractor on presentation of evidence concerning modified NEC target price conditions rail signalling dispute.
- Advising subcontractors on their contractual risks on a major civils contract in Wales and a major building contract in London Docklands.
- Technical and factual research for €40 million ICC arbitration relating to a shopping centre dispute in Warsaw, Poland.

May 1994 **JAMES R KNOWLES**

- Jan 1997 **CONSTRUCTION CONTRACTS CONSULTANTS, Weybridge & London**

Senior Consultant providing a range of construction contract advice including audit of clients' management and administrative procedures, evaluation of work-in-progress and advice on appropriate means of recovering outstanding book debts, preparation of claims for extensions of time and extra payment arising from delay, disruption and contract variations, negotiation support to resolve financial and contractual disputes, comprehensive arbitration management and expert witness services in connection with building, civil engineering and quantum issues.

May 1990 **LAYNG ROSS**

- Apr 1994 **CONSTRUCTION CONTRACT CONSULTANTS, Southampton, UK**

Freelance Consultant principally providing rapid due diligence investigations of the value of the book debts and work-in-progress of insolvent construction companies, the preparation of final accounts and claims and the recovery of sums due on behalf of Insolvency Practitioners, including PwC and Fanshawe Lofts. Also provided project management and expert witness services.

EMPLOYMENT RECORD AS A CHARTERED CIVIL & PROJECTS ENGINEER

Apr 1988 **THEW (U.K.) LIMITED, CIVIL ENGINEERING CONTRACTORS**

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- Apr 1990 **Director & General Manager** of Southampton based company engaged in civil & building projects for London Underground, Hampshire Local Authorities and Industrial Clients.

 - Feb 1985 **SAUDI CONSULTING SERVICES, CONSULTING ENGINEERS**
 - Feb 1988 **Project Manager** on Housing, Roads & Infrastructure associated with Hail Power Station Project, Kingdom of Saudi Arabia.

 - Aug 1980 **ROSS & CO, CONSULTING CIVIL ENGINEERS, Cork, Ireland**
 - Jan 1985 **Freelance Consulting Civil Engineer** providing project supervision, structural & hydraulic designs, planning, arbitration & expert witness services.

 - Jan 1979 **IRISHENCO LTD, CIVIL ENGINEERING CONTRACTORS, Dublin**
 - July 1980 **Site Manager** on Rosslare Harbour Pier Project, Rosslare, Co Wexford.

 - Dec 1975 **PUBLIC WORKS LTD, CIVIL ENGINEERING CONTRACTORS**
 - Dec 1978 **Section Engineer** on Cork Harbour and City Water Supply Project and **Site Manager** on Verolme Cork Dockyard Fitting Out Jetty Project.

 - Apr 1975 **Writing PhD Thesis**
 - Sep 1975 entitled “Arklow Rock – A Shifting-Bed Hydraulic Model Study”.

 - Jan 1974 **McCABE, DELANEY & ASSOCIATES, CONSULTING ENGINEERS**
 - Mar 1975 **Resident Engineer** on Arklow Harbour Development Project, Co Wicklow.

 - Oct 1972 **IRISH INDUSTRIAL TANKS LIMITED, TANK ERECTORS, Dublin.**
 - Dec 1973 **Contracts Engineer** responsible for tank erection operations and training.

 - Jan 1972 **ROADSTONE LTD, STONE, CONCRETE & ASPHALT SUPPLIERS**
 - Oct 1972 **Resident Engineer** on Belgarde Quarry Development Project, Dublin.

 - Sep 1969 **McCABE, DELANEY & ASSOCIATES, CONSULTING ENGINEERS**
 - Jan 1972 **Research Engineer** on Shifting Bed Hydraulic Model Study, Dublin.

QUALIFICATIONS

- 2015 FCICES, Fellow, Chartered Institution of Civil Engineering Surveyors
- 2010 DipICarb, CIARB Diploma in International Commercial Arbitration
- 2005 CARb, Chartered Arbitrator, Chartered Institute of Arbitrators
- 2003 Accredited Mediator, Chartered Institute of Arbitrators
- 2000 MSc (Construction Law), King’s College, London University
- 1993 FCIARB, Fellow of the Chartered Institute of Arbitrators
- 1993 FIEI, Fellow of the Institution of Engineers of Ireland
- 1980 CEng, Chartered Member of the Institution of Engineers of Ireland
- 1976 PhD, Trinity College, Dublin University
- 1969 BA, BAI (Civil), Trinity College, Dublin University

KEY QUALIFICATIONS

Chartered Engineer with honours degree in Civil Engineering:

Broad civil engineering design and construction experience gained with contractors and consultants. Areas of expertise include harbours, buildings, roads, pipelines, drainage, earthworks, structural steel, concrete works (reinforced, insitu, precast, prestressed and underwater), crane rails, industrial tanks, foundations, bridges, piling (steel and reinforced concrete), cofferdams, post-tensioning and rock anchors, grouting, quarrying and underwater rock blasting, dredging, reclamation and revetment, land and hydrographic surveying and hydraulic models.

Particular Specialisms

Particular specialisms include harbour works, pipelines, project management, contract accounts and quantum, interpretation of contracts and disputes avoidance and resolution by negotiation, mediation, conciliation, dispute boards, adjudication and arbitration.

DISPUTE RESOLUTION PANELS MEMBERSHIP

2015	DJEI	Irish Government's Panel of Construction Adjudicators
2015	CIArb	Panel of Dispute Adjudication Board Members
2012	FIDIC	President's List of Adjudicators
2011	RMIF	Independent Panel of Arbitrators
2008	RICS	Panel of Construction Adjudicators
2008	CIArb	Panel of FAS Conciliators
2007	ResoLex	Panel of Mediators
2006	ICE	Panel of DRB Members
2005	CIArb	Panel of Chartered Arbitrators
2002	CIC	Panel of Construction Adjudicators
1999	CIArb	Panel of Construction Adjudicators
1998	ICE	Panel of Construction Adjudicators

CONSTRUCTION CONTRACT EXPERTISE

Knowledge and understanding of the following Contract Forms:

- FIDIC (Red, Yellow, Orange, Silver, Gold, White, Emerald, Short, Dredging);
- ICE 5th, 6th & 7th, D&B, MW & FCEC/CECA S/C;
- NEC/ECC2&3&4;
- IEI 2nd, 3rd & 4th and Irish Public Works Contract 2007
- GC/Works/1, GC/Works S/C
- JCT: SBC98/05/11/16, DB98/05/11/16, IC98/05/11/16, MW98/05/11/16, JCT MPF03, JCT Home Owner, JCT S/C, DOM/1&2, NSC/4, NAM/SC, IN/SC;
- IChemE; PPC2000 & Bespoke.

OTHER POSITIONS HELD & OTHER AFFILIATIONS

- Past Master of the Worshipful Company of Arbitrators (2013-14).
- Member of the Society of Construction Arbitrators.
- Member of the London Court of International Arbitration.
- Past Chairman & Treasurer of the South East Branch of the CIArb.
- Founder Member of the CIArb South East Branch Mediators Focus Group.
- Chartered Membership Panel Interviewer for the Institution of Engineers of Ireland.
- Past Course Director of Adjudicator Training at the Chartered Institute of Arbitrators.
- Past Chairman of Students of the Worshipful Company of Arbitrators Pupillage Scheme.
- Past Trustee of the Worshipful Company of Arbitrators Charitable Trust (2003-2014).
- Voluntary Mediator of Neighbour Disputes with Mediation North Surrey since 2006.
- Member & Past Council Member of the Society of Construction Law.
- Fellow of the Chartered Institution of Civil Engineering Surveyors
- Member of the Dispute Resolution Board Foundation.
- Fellow of the Dispute Board Federation.
- Member of the Adjudication Society.
- Restorative Justice Facilitator.
- Inter Generational Mediation Mediator
- Past Commodore of the City Livery Yacht Club.
- Past Captain of Sunbury Red Lions Veterans Hockey Team.