

MICHAEL KING

LLM FRICS MCIArb ICIOB

POSITION DIRECTOR
DATE OF BIRTH 1961
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KEY FACTS

- ✓ Chartered Quantity Surveyor
- ✓ 30 years' experience in the construction and engineering industries
- ✓ Numerous Quantum Expert Appointments
- ✓ Member of RICS Panel of Experts in Scotland
- ✓ Specialist in all aspects of commercial issues in construction
- ✓ Experience in Europe and Middle East

SKILLS AND EXPERIENCE

Michael is a Chartered Quantity Surveyor with 30 years experience within the construction & engineering industries. Before joining Driver Consult in 2008 Michael worked for a competitor firm and prior to that was Commercial Director of a major international contractor based in Glasgow. He has experience of many forms of contract including JCT, FIDIC, ICE and NEC and his commercial background has exposed him to many industry sectors.

Michael's particular specialisations are as follows:-

- ⊕ Acting as Quantum Expert in all forums
- ⊕ Preparation of final accounts and loss & expenses claims including liaison with Delay Experts
- ⊕ Preparation of Adjudication Referral & Response
- ⊕ Advising clients & solicitors in respect of method & preparation of documents in Adjudication / Arbitration / Litigation

RELEVANT EXPERT COMMISSIONS

A selection of high profile appointments for which Michael has provided Expert Services are listed below:

- ⊕ Currently Michael is appointed to advise Insurers on a major city development in relation to the quantum on a Latent Defects Insurance claim for £15m;
- ⊕ Michael was appointed as a Court of Session Single Expert (Man of Skill) to determine certain quantum matters in relation to a dispute on a luxury house development in SW Scotland. The dispute is proceeding to Mediation;
- ⊕ For a major UK civils contractor Michael advised on and prepared Mediation Position Papers in a £8m dispute on a NEC3 Option D road project in Glasgow. The dispute settled following the Hearing;

- ⊕ Michael was appointed Quantum Expert by the Defenders in Court of Session case C R Smith Glaziers (Dunfermline) Limited v Toolcom Supplies Limited;
- ⊕ Michael was appointed Quantum Expert in Arbitral proceedings for a contractor in relation to a £6m final account dispute on a hospital project in Yorkshire;
- ⊕ Michael acted as Quantum Expert in an Arbitration relating to a housing scheme in Greenock. The value of the claim was £2m;
- ⊕ Advising a major civils contractor in relation to loss and expense claims on a flood relief scheme in Fife and preparation of Adjudication Referrals;
- ⊕ Michael was appointed Quantum Expert for the Respondents in adjudication proceedings on a £10m housing scheme in Greenock. The value of the claim was £1.8m;
- ⊕ Appointed as Quantum Expert in the Court of Session case of Aedas Architects Ltd v Skanska Construction (UK) Ltd, a £2m Professional Negligence case relating to a £40m PFI Schools Development on the outskirts of Edinburgh. The dispute settled at Mediation;
- ⊕ Michael was instructed by a main contractor to review and advise on the quantum relating to a defective flooring installation in a major out of town store. On the basis of Michael's advice the claim was settled;
- ⊕ Appointed by a firm of Glasgow lawyers to review a fit-out subcontractors final account and claim valued at £750k and to advise on the strength and weakness relating to the provision of an Expert Report in Adjudication proceedings;
- ⊕ Michael assisted the appointed Quantum Expert in the TCC Case of Eskom v Alstom. The case involved a turbine failure in a power station in South Africa and claim value of £48m;
- ⊕ Appointed as Quantum Expert by the Claimant's lawyers in relation to Arbitration on a project in Lincoln. The Claimant was a specialist glazing contractor and the Defendant the main contractor. The Arbitrator was the former High Court Judge His Honour David Gilliland QC. Michael had drafted his Quantum Expert Report and had met the opposing expert with a view to issuing a Joint Statement when the parties settled;
- ⊕ Appointed as Quantum Expert for the Defendants in a further action raised by a Canadian contractor against the Employer on a landfill site in St Lucia. The contract is a FIDIC Design and Build Turnkey (Orange Book). The value of the claim was \$4.8m;
- ⊕ Appointed Quantum Expert for the Defendants, the St Lucia Solid Waste Management Authority, in a series of actions raised by a Canadian contractor against the Employer on a landfill site in St Lucia. The value of the claims was \$12m. The contract was a FIDIC Design and Build Turnkey (Orange Book). He issued his Expert Report and subsequently attended the Dispute Adjudication Board Hearings in London, gave evidence and was cross-examined by Queens Counsel;
- ⊕ Appointed as Quantum Expert by a firm of Manchester lawyers acting for insurers in relation to a Professional Negligence claim against a firm of PQS's on a head office development in Nuneaton. The Employer pursued this action through Adjudication and Michael's report was submitted as part of that process. The value of the claim was £250,000;

- ⊕ Michael also reviewed claims for the contractor on a £30m development at Jumeirah Beach and also advised the construction manager on possible costs associated with delays by Utilities companies on a multi million villa development at Al Barari;
- ⊕ Whilst working in Dubai Michael was instructed by a firm of US M&E Consultants to assess and prepare a claim for additional fees in relation to the proposed 1km tower;
- ⊕ In conjunction with a delay expert Michael was instructed by a local enterprise agency to assess the claims submitted by a contractor in relation to the refurbishment and upgrading of a listed Crane Structure in Clydebank. Michael was also instructed to advice on the accuracy of the QS Cost Reports;
- ⊕ Appointed by solicitors acting on behalf of a Scottish local authority to review a Variation Account and Loss and Expense claims submitted by a D& B Contractor on a Leisure Centre development in Campbeltown. The basis of the contract was JCT WCD with bespoke amendments valued at £7.5m. The claims totalling £1.5m were settled on the basis of Michael's report;
- ⊕ Appointed Quantum Expert by Port of Tilbury (London) Ltd in relation to a Newsprint Storage and Distribution facility for Stora Enso at Tilbury Docks. The contract was an amended ICE Design and Construct valued at c £16m. The main contractor completed the works and during the final account period went into Administration. Subsequently a claim for £2.7m was issued on behalf of the Administrator. Michael was instructed by the Employer to review these claims and issue his Expert Report. The dispute has been decided at Adjudication.