



ROBERT BURT

BSc (QS),LLM (Const. Law), DipArb, FRICS, MCI Arb

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SPECIALISATIONS

Detailed quantum and delay analysis skills practically applied in building and engineering projects. Sound commercial acumen and contractual knowledge gained through 25 years in the construction industry and formal study of construction law. Ability to work to tight deadlines and direct members of a project team with a view to obtaining optimum performance from individuals. Analytical, thorough and highly organised.

HIGHLIGHTS

Arbitration - successfully identifying, and subsequently working with solicitors in prosecuting in arbitration, arguments relating to the unenforceable nature of liquidated damages provisions. Arbitrator's decision upheld by TCC judgement.
Litigation - Testified as Quantum Expert in Technology and Construction Court.

Litigation - Detailed analysis of quantum issues, comprising preparation of a highly complex spreadsheet 'model' for use during litigation proceedings and also in settlement negotiations; Including analysis of the complex interaction and effect of extensive possible settlement 'variables' / scenarios. Insurance dispute; value £160M.

EDUCATION AND PROFESSIONAL STATUS

Fellow of the Royal Institution of Chartered Surveyors; Bachelor of Science degree in Quantity Surveying (with commendation); Masters Degree in Construction Law (with distinction), from the University of Strathclyde; Postgraduate Diploma in Arbitration from the College of Estate Management, Reading; Member of the Chartered Institute of Arbitrators; included in the Law Society of Scotland Directory of Expert Witnesses.

BRIEF SUMMARY

Robert has over twenty-eight years experience in the construction industry, working initially in private surveying practice (1986 - 1989), making the progression into general contracting (1989 - 1996) and more recently into contract consultancy (1996 to present). Experience has been gained on a variety of building, civil engineering and M&E engineering projects working in the UK and also overseas. Prepared several expert witness reports on both quantum and delay issues and has also given expert witness evidence in court. In addition, Robert has considerable experience in adjudication proceedings and has provided comprehensive oral and written testimony on numerous occasions. Also provided tactical mediation support to solicitors and clients alike in a number of disputes.

EXAMPLES OF EXPERT AND CONSULTANCY ROLES

- Oil & gas: Quantum Expert (litigation) on issues relating to platform construction costs
- Edinburgh Trams, assisting client body on both Utilities contract and main Tram contract; detailed quantum and delay advice and analysis
- Wind Farm, provision of contractual and commercial advice to BOP EPC Contractor in respect of main and sub- contract disputes; including involvement in arbitration process
- Park & Ride facility (quantum & delay)
- Brunel University Sports Facilities, Quantum Expert
- Insurance dispute, Litigation Support to Solicitors - detailed analysis of quantum issues
- Water Treatment Works, Quantum Expert in prof. negligence claim against designer
- Major Bridgeworks: Delay Expert in relation to bridge strengthening works delays
- Oil & gas: Quantum Expert (litigation) on multiple offshore platform decommissioning project
- Private School project, Adjudication, Delay Expert
- Professional negligence claim, Litigation, Quantum Expert
- PFI Schools Projects, provision of advice in adjudication proceedings, quantum and delay
- Hospital extension (contractual/strategic/commercial advice re possible professional negligence claim)
- Hospital project, Quantum analysis for M&E Contractor
- Local Authority, Detailed quantum analysis for local authority in dispute with Scottish Executive

EXAMPLES OF EXPERT AND CONSULTANCY ROLES (Cont'd)

- Manufacturing Facility, Delay & Quantum Expert
- Water Treatment Plant, Delay Expert
- Roadworks project, Delay Expert in professional negligence claim against designers
- Water Treatment Works, Pumping Station project Cumbria, quantum and delay advice
- Construction of Sports Pitches, prosecuting case in adjudication proceedings
- Port development, civil engineering works, prosecuting contractor's negligence claim against designer in adjudication proceedings
- Tollcross Winter Gardens, Delay Expert
- New build Tertiary Education College, Detailed advice and analysis on delays incurred
- Residential Development, quantum and delay expert evidence
- PFI High Schools project, quantum advice
- Combined heat and power plant, detailed delay analysis
- PFI High Schools project, quantum advice
- Hopetoun Street Residential Development, contractual advice
- Residential Development, quantum and contractual advice
- Secondary School, Preliminary advice on labour disruption to Local Authority
- Office and Commercial Development, advice on quantum and delays

CAREER SUMMARY

- 2005 - Present **Director of Acutus.** Key commercial player in core team responsible for developing Acutus as a market leading consultancy in the provision of expert services to the construction and dispute resolution markets.
- 1999 - 2005 **Senior Associate Director with Trett Consulting, Stirling.** Preparation of expert reports - acting for claimants and defendants in relation to extensions of time, direct loss and / or expense and other quantum related issues, for use in arbitration and litigation proceedings.
- Detailed review and appraisal of claimant's delay analysis and interrogation of claimant's submissions concerning loss and / or expense incurred.
- Preparations of various claims for direct loss and expense on various building and civil engineering contracts.
- Provision of contractual advice in connection with disputes arising on various contracts. This work was carried out for a wide range of clients including solicitors, contractors and public authorities on a variety of projects within the construction and engineering industries.
- 1996 - 1999 **Senior Consultant with James R Knowles.** Provision of contractual advice to contractors and sub-contractors on a variety of standard and bespoke main and subcontract forms on a wide range of contractual issues associated with the building and civil engineering construction industries. Involved in the detailed preparation and negotiation of contractual claims for contractors, sub-contractors and detailed delay analysis on various building and engineering projects.
- 1990 - 1996 **Commercial Manager with Mosko's Construction Company Ltd, Bahamas.** Fulfilled an overall commercial management role with responsibility for co-ordination and liaison with clients / consultants. Undertook traditional pre- and post-contract quantity surveying duties and also the roles of Estimator, Purchasing and Shipping Manager. Projects included a wide range of commercial and in-house office developments (\$2M-\$6M); quality new build and refurbishment hotel projects (\$10M-\$20M); and quality private residential projects (\$2M-\$20M).
- 1989 - 1990 **Quantity Surveyor and Estimator with Rush & Tomkins NV, Bahamas.** Responsible for traditional pre-contract and post-contract quantity surveying duties on a variety of building projects ranging from \$500,000 to \$6M in value.
- 1987 - 1989 **Quantity Surveyor with Mackay Entwistle and Ford.** Traditional private practice quantity surveying services provided with particular extensive experience in rehabilitation / refurbishment projects, as well as factory refurbishment and new build housing works.
- 1986 - 1987 **Assistant Quantity Surveyor with Muirheads.** Traditional private practice quantity surveying services provided on a range of building projects including new-build housing, nursing homes, hospital projects and factory units.