



Tudor Rose Consultancy Limited
Curriculum Vitae

LANCE BUCHANAN

BA (Hons) MSc MRICS MCIInstCES ACI Arb
Consultant

Profile

Lance is a Chartered Quantity Surveyor with experience in commercial and project management in addition to claims management on a variety of projects.

Prior to joining Tudor Rose, Lance fulfilled the role of quantity surveyor and project manager in a family run construction business. He gained experience in the provision of pre-contract duties such as the preparation of estimates, the undertaking of feasibility studies, advising on viability of projects and the negotiation of contract terms. Following contract award, Lance was responsible for establishing the project including programming the works, forecasting project cash flow, producing documentation required by the contract and the procurement of materials and subcontractors.

Post-contract, Lance has experience for the management of all facets of the project including responsibility for the administration of contract documentation, the valuation of works for both the main contract and the assessment of subcontractor applications, as well as monitoring progression of the works. Post-completion, Lance would prepare and negotiate the final account including the preparation for any claims for extension of time and associated loss and expense as well as the settlement of all subcontractor accounts and any associated claims.

This breadth of experience has given Lance a keen eye for the early identification of potential issues and a sound commercial awareness of construction.

Since joining Tudor Rose, Lance has played a key role in providing claim support for a broad spectrum of projects adopting both NEC and JCT contracts.

As well as providing commercial advice, Lance has prepared claim documents including formal quantum loss and expense submissions, the valuation of variations, reviewing information relating to extension of time claims, providing interim assessments on complex valuation payments as well as engaging with numerous final accounts.

In addition, Lance has provided support in producing quantum analysis for expert reports and adjudications.

Lance is currently undertaking an MSc in Construction Law at King's College London from 2019.

Qualifications and Professional Membership

MRICS Member of The Royal Institution of Chartered Surveyors
MCIInstCES Member of The Chartered Institute of Civil Engineering Surveyors
ACI Arb Associate of The Chartered Institute of Arbitrators
MSc (Distinction) Quantity Surveying (Portsmouth University)
BA (Hons) Geography (King's College London)

Career History

2017 to date Consultant at Tudor Rose
2013 - 2017 Quantity Surveyor at a Main Contractor

Assignments and Achievements

Claims Management

On behalf of the main contractor, carried out interim assessments of a subcontractor's monthly application for payments on two simultaneous NEC3 Option C Target Cost sub-contracts for installation, testing and commissioning of a new twin water aqueduct/pipeline (combined claimed value from the subcontractor in excess of £15m). Tasks included the correction of incorrectly calculated Defined Cost, adjustments for and calculations of Disallowed Costs pursuant to amended Subcontract conditions, review of subcontractor notification of compensation events, commercial advice reporting and correspondence writing on all commercial aspects of the project

Reviewed contemporaneous progress data of subcontractors engaged on a project on behalf of a main contractor (main contract value in excess of £800 million), leading to settlement of subcontractor claims for extension of time and loss and expense.

Assisted in the preparation of an independent assessment of a contractor's extension of time for design and construction of a high specification (winner of a regional prize) new build residential property under JCT Design and Build 2011 contract.

Undertook a take-off measure and assisted in the preparation of a detailed quantum claim submission on behalf of a subcontractor in a claim of professional negligence against its engineer, relating to the engineer's deficient tender design of a circa 4km gravity fed pipeline connecting two wastewater treatment facilities.

Undertook the valuation of variations as part of a final statement submitted by a main contractor under a JCT Design and Build 2011 contract (valued in excess of £11m). Assessed whether submitted variations constituted a change under the contract and thereafter valued variations from first principles. Prepared detailed primary and alternative narratives with corresponding supporting documentation in the event that the account was referred to adjudication. Participated in the process of ensuring that correct contractual mechanisms were adopted, particularly with respect to liquidated damages and the final statement. Assisted in drafting subsequent adjudication submissions.

Prepared detailed loss and expense quantum submission (approximately £1.8m), as part of a final account, on behalf of mechanical and electrical subcontractor. Claim included prolongation, disruption for uneconomic use of labour incorporating an earned value analysis, and non-productive overtime as well financing charges. Prepared detailed narrative in support of the claim.

Prepared a forecast loss and expense claim on limited information as required by a bespoke form of contract for a mechanical and electrical subcontractor. Claim included prolongation, disruption, financing etc. and valued at approximately £3.3m.

Prepared a claim for planned preventative maintenance and reactive maintenance works at various sites relating to unpaid disputed works. Detailed positions of the parties and presented further information to substantiate payment. The claim was valued at approximately £0. 56m. Attended a mediation which led to settlement.

Assistance with the preliminary review of 19 compensation events on behalf of railway subcontractor under an NEC contract for additional works with resulting delay suffered (valued at approximately £1.2m) which assisted settlement of the account.

Key role in delivering a mixture of commercial and residential projects including construction of a four-storey building incorporating 9 no. flats and commercial use at ground floor, complete five floor storey extension on a seafront hotel, structural steelwork packages for new MRI rooms at various hospitals, strip out and conversion of an existing building to create a new boarding school, groundworks for 9 no. houses including

formation of basements. In addition to managing all aspects of these projects, Lance also provided regular advice regarding claims for additional payment presented by the subcontractors in addition to negotiation and settlement upstream on behalf of the main contractor.

Adjudication

Engaged with two related, albeit separate, adjudications on behalf of the responding party, the employer, against the main contractor referring party. Applied case law for a successful jurisdictional challenge. Provided forensic analysis on the financial aspects of the projects, including the contract sum(s), valuations and transactional documents and payments and reconciled figures according to the matter of the adjudication (valued in excess of £10m) and ensured a favourable decision where no further payment owing to the referring party was due.

Involved in latter part of an adjudication on behalf of a referring party who had undertaken office refurbishment works under a JCT Design and Build 2016 contract in Central London and sought that practical achievement had been achieved when the Employer had provided no such certification. Attended hearing between the parties, drafted surrejoinder and gained favourable result in being awarded practical completion and resulting relief of delay damages in excess of £1.3m.

Assisted in preparing responses on behalf of a main contractor for two adjudication referrals received on different sites from the same subcontractor. Although the parties settled prior to the submission of the responses, Lance had valued variations and actively engaged in preparing figures that ultimately formed the basis of the settlement.

Assisted in the preparation of an adjudication referral disputing the contract administrator's final certificate for a residential property. Prepared narratives, collated supporting documentation, updated the main contractor's loss and expense claim and gained a favourable decision determining a practical completion date and final payment to the main contractor.

Expert Appointments

A dispute over the contractor's statement valued in excess of £5.4m under a JCT Standard Building Sub-Contract with sub-contractor's design 2011 for provision of an underground district heat network enabling works. Appointed as claim consultant in order to progress quantum claim. Reviewed 177 variations and formed loss and expense claims. Attained favourable settlement agreement in mediation where the mediator largely adopted points of principle and valuations forwarded by Lance.

Assisted in production of an expert report setting out the position with respect to quantum relating to section 1(5) of the 1938 Leasehold Property Repairs Act to forfeit a lease of considerable commercial units adjoining a railway track. Carried out quantum work prior to the meeting between the parties' expert quantity surveyors involving assessment of landlord costs to repair present-day vs in 10 years' time. Worked in close coordination with other experts appointed by the client and requested necessary information that would be relied upon in the quantum expert work.

Assisted in the preparation of an expert quantum report on behalf of a main contractor to assess its liabilities under the Construction Industry Scheme (CIS) to HMRC on payments made to subcontractors over the course of three years.

Assisted in the preparation of an expert quantum report relating to damages/loss claim as a result of a fire in an underground tunnel (valued at approximately £6.7m).

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