

# Carlo Madeddu

BSC (Hons) MSc MCI Arb  
Director



## Profile

Carlo is a Quantity Surveyor who specialises in establishing entitlement for both quantum and time matters with a particular focus on project strategy and dispute resolution.

Commencing his career as an architectural steel fabricator specialising in bespoke steelwork where he gained a wealth of practical site experience, Carlo quickly progressed his career and was offered a position as a Quantity Surveyor for an M&E contractor, before moving to a Quantity Surveying practice. Carlo has performed a variety of roles such as estimator, procurement manager, commercial manager and contract administrator. This breadth of experience has given Carlo a keen eye to analyse construction projects and establish entitlement. Carlo has a detailed understanding of the use and administration of all major standard form contracts and has provided guidance at all stages of construction projects.

Since joining Tudor Rose, Carlo has provided contractual and commercial advice to clients, contractors and subcontractors alike. He is frequently appointed by his clients to provide strategic support on live commissions with a focus on the identification and management of commercial risk. He is also experienced in the assessment of time related matters using all delay analysis techniques and the calculation of associated damages. Carlo is well versed in the preparation of detailed final account documentation and frequently supports his clients to ensure that entitlement is captured. He has also been appointed as both quantum and delay expert in a number of disputes and has given evidence to the tribunal when required.

Carlo has played a key role in the settlement of a variety of disputes without the need of formal proceedings, by preparing robust forensic analyses and supporting documentation for both delay and quantum matters. This has led to the successful negotiated settlement of disputes where Carlo has provided input during the negotiation and the settlement agreement. On occasions where Carlo has been appointed in the later stages of a project or when a dispute cannot be resolved amicably, Carlo has acted as a party representative in a number of successful adjudication and mediation proceedings acting for both the referring and responding parties.

In addition to his consultancy services, Carlo provides a variety of training courses to his clients on matters such as contract updates, measurement and delay principles. Carlo is also a guest lecturer at UCL's Bartlett School of Construction and Project Management.

## Qualifications and Professional Membership

<b>MCI Arb</b>	Member of the Chartered Institute of Arbitrators
<b>MSc (Merit)</b>	Construction Law and Dispute Resolution (King's College)
<b>BSc (Hons)</b>	Quantity Surveying and Commercial Management (Oxford Brookes University)

## Career History

<b>2018 to date</b>	Director at Tudor Rose
<b>2016 - 2018</b>	Associate Director at Tudor Rose

2015 - 2016	Senior Consultant at Tudor Rose
2013 - 2015	Consultant at Tudor Rose
2011 - 2013	Quantity Surveyor (Team Manager) in Private Practice
2009 - 2011	Quantity Surveyor in Private Practice
2005 - 2009	M&E Quantity Surveyor in Private Practice
2004 - 2005	Trainee Quantity Surveyor for a Mechanical and Electrical Contractor
2001 - 2004	Architectural Steel Fabricator

## Assignments and Achievements

### Quantum Analysis

- Appointed by civil engineering contractor to analyse. Project Manager's assessment of Defects in an NEC3 Framework Contract. Consider liability for defect and analysis of the same in accordance with the Contract. Prepare alternative assessment for use in adjudication proceedings.
- Instructed by M&E Contractor to calculate entitlement to damages consequential on delays by other trade contractors under a construction management contract. Undertake forensic analysis of costs which were demonstrably incurred as a result of the matters which cause delay. Prepare report for use in negotiated settlement.
- Engaged by main contractor to undertake preliminary analysis of M&E contractor's claim for loss and expense. A number of anomalies were discovered which led to the preparation of a full analysis. This was used to successfully defend against the M&E contractor's claim in adjudication proceedings.
- Instructed by civil engineering contractor to provide assistance in the preparation of a number of disputed compensation events totalling c.£50m in an MEC3 Option C contract. Provide advice in respect of potential entitlement and the calculation of the same.
- Appointed by main contractor to analyse claims for compensation events and Defined Cost under an NEC3 Option C subcontract. Consider claims in light of actual works undertaken and evidence of claimed delays. Prepare analysis for use in Contractor assessments.

### Delay Analysis

- Appointed by M&E Contractor engaged in a bespoke Construction Management contract to undertake preliminary expert analysis of potential entitlement/liability for delay experienced at a mixed use development. Subsequently engaged to undertake a full delay analysis involving forensic examination of site records and interviews of site personnel.
- Engaged by civil engineering contractor to undertake full delay analysis of a significant highways scheme undertaken as part of a NEC3 Framework. This included analysis of changes to the design and their impact on sequencing, and forensic analysis of contemporaneous records. Once causes of delay were established, those for which the Employer were found to culpable were apportioned to compensation events as applicable.
- Appointed by M&E contractor to undertake preliminary independent expert analysis of entitlement to an extension of time under a JCT 2016 Sub-Contract. That report was sufficient to reach a negotiated settlement, thereby avoiding formal dispute resolution proceedings.

- Appointed by main contractor to undertake analysis of delay caused to a project as a consequence of the deficient design of a timber frame structure and consequential remedial works. Report was subsequently used in adjudication proceedings.
- Engaged by the main contractor of a significant infrastructure project using the NEC3 Option A contract. The project was to construct a pipeline which traversed a number of urban and rural properties for which access was not granted in accordance with the Accepted Programme. A full analysis of the project was undertaken. The findings of that analysis was subsequently used to apportion entitlement to revisions of the Completion Dates to the appropriate compensation events.
- Preparation of an extension of time claim for an M&E contractor engaged in the construction of mixed use development under the JCT D&B Sub-Contract. Prepare full report including as-built programmes and contemporaneous records to demonstrate the main contractor's culpability for the delays experienced at the project. Assist in the negotiation of the final entitlement.

## Adjudication

- Representation of main contractor in claim against Employer under NEC3 Option A contract. The dispute turned on the assessment of a compensation event relating to the late provision of design information and the inadequacy of the same. Procured independent Expert advice in respect of the design provided by the Employer and counsel opinion in respect of the extent of CDP. Successfully secured a revision to the Completion Date and associated Defined Cost.
- Representation of Sub-Contractor in a claim against a main contractor in which significant deductions had been made for alleged critical delay. Successfully demonstrated that delays were not critical and/or the damages claimed by the main contractor were not caused by the Sub-Contractor. Damages were dismissed in their entirety.
- Defence a main contractor against adjudication proceedings commenced by Sub-Contractor under an NEC3 subcontract. Oversaw the compilation of evidence by the client team and preparation of all submissions to the tribunal.
- Representation of main contractor in adjudication in respect of the correct assessment of compensation events under NEC3 Option B. undertook forensic delay analysis of events and successfully secured an extension of the completion date.
- Representation of a main contractor engaged under a JCT SBC. The dispute turned on the assessment of the final account. A delay analysis was prepared to demonstrate entitlement to an extension of time and associated Loss and Expense was subsequently calculated. Variation account was also considered with further information provided as necessary. Main contractor successfully secured a full extension of time and a significant proportion of its claims for the Variations and Loss and Expense.

## Commercial Management

- Provide strategic support to main contractor in a dispute regarding the correct assessment of compensation events on the installation of a new water main with a contract sum of £85m. carry out analysis of disputed compensation events, establish correct means of assessment and oversee implementation project wide. Support project team through the negotiated settlement of the dispute and agreement of terms. Implement new processes across project and provide on-going support to the team.

- Oversaw preparation of Contractor claim for entitlement to Defined Cost under NEC3 Option C including reassessment of disputed compensation events (both analysis of delay and assessment of associated Defined Cost). Also prepared detailed rebuttal of Employer's counter claims for disallowed cost and defects. Provided key strategic support to board of Directors to achieve negotiated settlement.
- Appointed by a main contractor in dispute with a government body in relation to the costs incurred in a significant infrastructure project. Undertake preliminary analysis of entitlement and advise client on options available for dispute resolution. Manage client team in the preparation of a robust claim for negotiation.
- Engaged by a main contractor involved in a significant redevelopment project which was not being administered in accordance with the NEC3 Option A contract by either party creating a significant difference between the parties. Based on site to oversee commercial management of the contract and management of existing team. Took overall responsibility for the preparation of notices, compensation even quotations and applications for payment. Project was subsequently concluded successfully.
- Appointed by client to resolve a number of trade contracts following the removal of the Construction Manager from the project. This included the following contracts: mechanical, electrical and controls, joinery, architectural steel work and groundworks. All contracts were resolved under budget without the need for formal dispute resolution proceedings. Also appointed to prepare discrete elements of the damages claim against the Construction Manager.

## Expert

- Appointed by international law firm to undertake Expert Quantum analysis of the amount due to an M&E Sub-subcontractor at a given due date. The Subcontractor was responsible for discrete works at a water treatment facility undertaken pursuant to an NEC3 Option A contract and was the respondent in adjudication proceedings. The report was required to determine whether the assessment by the subcontractor was in accordance with the subcontract. Report was subsequently used in the successful defence of an adjudication commenced by the Sub-subcontractor.
- Instructed by international law firm to undertake Expert analysis of delay for the demolition of works in London. Report was used in claim for an extension of time with supplementary analyses being prepared during the proceedings as new information was made available.
- Instructed by international law firm to prepare Expert quantum report in respect of the scaffolding to a data centre which was subject to significant increase in quantities and hire periods. Attended two hearings to give verbal evidence.
- Appointed by international law firm to prepare Expert quantum report in respect of damages suffered as a result of incorrect design information being provided to a main contractor for the preparation of a tender by its incumbent design consultants.
- Assisted the name Expert in the preparation of a quantum report for the mechanical works to a biomass energy plant. Report considered additional costs incurred as a result of negligent project management and procurement of trade contractors.

## Training

- Provided "Introduction to Commercial Management" training to an M&E Sub-Contractor specialising in security systems.

- Prepared and provided training regarding the recording of progress and management of data to a main contractor, including the preparation of bespoke suite of documents for use by site teams. This was followed by an introduction to delay analysis for the preparation of extension of time claims.
- Provided “Introduction to NEC4” training to a main contractor at all regional locations.
- Current guest lecturer at UCL’s Bartlett School of Construction and Project Management.

## Contact Details

<b>Address</b>	Tudor Rose Consultancy Limited 1 Adam Street London WC2N 6LE	<b>Telephone</b>	+44 (0)203 434 2070
		<b>Fax</b>	+44 (0)207 930 9923
		<b>Email</b>	<a href="mailto:cmadeddu@trconsult.co.uk">cmadeddu@trconsult.co.uk</a>
		<b>Website</b>	<a href="http://www.trconsult.co.uk">www.trconsult.co.uk</a>