

Colin Pellatt

MSc MCIQB PGCertAdj
Managing Director



Profile

Colin is an experienced Quantity Surveyor and Project Manager with extensive experience in the management of projects and settlement of major construction disputes.

During his career, Colin has worked within contracting, consultancy and client organisations. This has provided him with broad experience and understanding of the issues affecting the successful delivery of construction projects for many different types of organisation.

Prior to specialising in the field of dispute resolution, Colin trained as a Quantity Surveyor and subsequently achieved specialist expertise managing the delivery of construction projects on behalf of large technology and financial services organisations on an international basis. Colin has successfully delivered many construction projects, ensuring that primary organisational objectives, within the parameters of time, cost and quality, are met on every occasion. Colin continues to provide specialist support and advice on the delivery of construction projects.

Colin has extensive experience and expertise in the management and settlement of major construction disputes. He has advised and supported employers and main contractors in the preparation and commercial settlement of substantial and complex contracts. Colin's expertise in this field has enabled him to provide regular advice to clients on matters of effective contract strategy and procurement. This work has routinely required the undertaking of detailed delay analysis exercises and the preparation of claim documents and submissions.

He has also advised, represented and supported numerous parties in structured negotiations, mediations and adjudication proceedings, including the drafting of submissions.

Colin's extensive experience has also led to a number of Expert Adviser and Expert Witness appointments in respect of both delay and quantum issues. He also routinely provides bespoke training and ad-hoc advisory services to his clients.

Qualifications and Professional Membership

MSc	Master of Science in Construction with Construction Law
PG Dip	Post Graduate Diploma in Management Studies
PG CertAdj	Post Graduate Certificate in Adjudication
MCIQB	Member of the Chartered Institute of Building

Career History

2007 to date	Director at Tudor Rose Consultancy Limited
2002 - 2007	Senior Consultant/Associate Director – Consultancy, UK
2001 - 2002	Projects Manager – Energy Trading Organisation, Europe, Middle East & Asia
1999 - 2001	Project Manager – Major Real Estate Consultancy, Europe & Middle East
1993 - 1999	Project Manager – Local Authority, UK
1987 - 1993	Quantity Surveyor – Main Contractor, UK

Assignments and Achievements

Delay Analysis

- Provided support and advice on numerous occasions to main contractors researching and investigating the causes of delays to projects and preparing supporting narratives and programmes to demonstrate entitlement to extensions of time. This has included interviewing site personnel and detailed reviews of project documentation. Work undertaken in respect of various delay matters for projects ranging from £2.5 million to £100 million.
- Undertook the role of Expert Adviser for various employers in relation to commercial projects ranging from £40 million to £80 million that had suffered delays, resulting in significant claims for extensions of time and payment of loss and expense.
- Undertook a detailed delay analysis exercise, on behalf of an international client, in respect of a claim submitted for an extension of time by a main contractor for a major cinema fit-out project. This work included the critical review of delay programmes presented by the main contractor in support of its claim.
- Carried out independent assessments of contractors' entitlement to extensions of time for a number of clients carrying out office refurbishment projects, valued in the range of £40 million to £60 million.
- Prepared 'as-built' programmes from first principles for various projects ranging from £6 million to £30 million, including the collation of as-built data from contemporaneous site records.
- Provided commercial and planning advice throughout the course of a project to a contractor in respect of a laboratory project valued at £16m. Prepared notices and extension of time claims and assisted with the preparation of the final account.
- Prepared final account documentation and a claim for extensions of time and loss and expense arising under the DOM/1 form of subcontract for a major M&E services contractor. This was in respect of 2 projects with a combined subcontract value of £18m.
- Worked as a member of a team of consultants in respect of disputes under two PC/Works/1 contracts. Total dispute value approximately £8 million. This entailed time and quantum analysis and the drafting of numerous submissions. Subsequent negotiations resulted in successful settlement of both projects.
- Prepared detailed claim submissions for extensions of time arising under JCT forms of contract for hospital and educational facilities valued at approximately £9 million each. Subsequent negotiations resulted in successful settlement of both projects.
- Worked as a member of a team of consultants developing extensive case documents on behalf of the contractor for a major city development that had originally been tendered at approximately £35 million (1st stage), against which the contractor was seeking an increase in price of approximately £25 million (2nd stage). The case was complex involving responsibility for delays of about a year against a background of considerable contractual uncertainty and dispute as to the contractor's time and the employer's payment obligations. The dispute was successfully resolved in mediation on the basis of the submitted case statements.

Commercial Management

- Provided assistance to Employers on several occasions in terminating contracts in circumstances of poor performance/insolvency.
- Appointed to investigate losses on various NEC based framework agreements (contract values £50-£100m) and assist with the implementation of effective processes to improve record keeping and recovery of entitlements through compensation events and target cost mechanisms.
- Led a team of Qs in the preparation of interim valuations under an NEC Option C contract and NEC Professional Services Contract.
- Provided commercial support to a contractor working under a bespoke PFI contract in dealing with claims relating to a complex 'non-availability' charging mechanism.
- Supported and advised an Employer and his professional team in the commercial management of a major dispute under a JCT contract.
- Assisted a client in agreeing terms for an NEC Option A Subcontract and provided commercial management support throughout the contract duration to lead the project to a successful commercial outcome.
- Assisted a main contractor in the preparation of various claims against design consultants on JCT Design and Build contracts.
- Led a team of consultants and quantity surveyors in the preparation, presentation and successful negotiation of a £7.5m variation account in respect of a £50m data centre project under the JCT form of contract.
- Led a team of consultants and quantity surveyors in the preparation and presentation of a complex final account for an underground rail project under the NEC2 form of contract, including the review of many hundreds of quotations for Compensation Events. In the event a negotiated settlement was achieved for this project.
- Acted as lead consultant in the pursuit of entitlements arising from a NEC3 (option C) contract to the value of approximately £160m on a Channel Tunnel rail link project. The focus was on upstream compensation events (target adjustments) and contesting disallowed costs. The work also involved the drafting of a mediation/settlement document that was subsequently used in account settlement negotiations.
- On-going provision of advice and support to a number of main contractors in respect of commercial management and claims management issues, including the drafting of contractual correspondence and preparation of claim submissions.

Expert/Audit

- Acted as Expert Adviser in relation to project delays. The project involved the change of use of a building from offices to a hotel in central London. The contract value was £60 million and was delayed by in excess of 6 months.
- Appointed as Delay Expert by a main contractor in respect of a £100m data centre project that was delayed by in excess of 12 months. Prepared independent reports for use in Adjudication proceedings.
- Acted as Quantum Expert in an adjudication relating to refurbishment work at a major international airport.

- Acted as assistant to a Quantum Expert for a major dispute in respect of a £60 million hotel refurbishment project. Acting on instructions from a law firm, assisted with the preparation of the Expert report, which assessed the validity of the value of claims made within the pleadings.
- Acted as assistant to a Quantum Expert, reviewing final account submissions in respect of two projects under PC/Works/1 contracts with a total value of approximately £28 million. Provided an opinion on the contractor's entitlement.

Adjudication

- Represented Employers on several occasions as respondent in adjudication proceedings in relation to matters of delay, extensions of time, entitlement to be paid loss and expense and the valuation of variations.
- Represented main contractors on numerous occasions as respondent in adjudication proceedings against subcontractors, including subcontracts for professional services, fit out and mechanical and electrical design and installation works.
- Represented a major M&E services subcontractor as the Referring Party, including the preparation of referral documentation, in respect of disputes with a main contractor to the value of £5m.
- Acted as assistant to Adjudicators for a number of disputes including the assessment of the value of an interim application for payment in respect of a large fit out project in central London, the valuation of an interim payment for a multi-million pound facilities management contract and assessment of entitlement in respect of a number of smaller disputes between main contractors and subcontractors.

Training

- Provided 'awareness' training to the entire project team working under an NEC (Option A) project valued at £60m.
- Prepared and delivered bespoke training courses to a client's commercial team on a number of key topics including valuation principles, Payment Notices, NEC contract administration, preparation of loss and expense claims and record keeping.

Contact Details

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