

Mark Hamber

LLM BSc (Hons) HND Civil Engineering MCIArb
Senior Consultant



Profile

During his time with Tudor Rose Mark has acted on behalf of main contractors during formal proceedings under several forms of contract, producing reports demonstrating both quantum and delay entitlement. Additionally, Mark has assisted in the production of expert reports demonstrating similar entitlement and regularly assisted both counsel and solicitors with complex quantum issues.

Furthermore, Mark has also worked with several main contractors achieving additional cost and time entitlement under JCT, NEC and GC/WORKS forms of contract. Mark has managed project teams to correctly identify, demonstrate and agree compensation events during a projects lifespan, instigate and maintain the required standard of record keeping, and subsequently drafting reports demonstrating entitlement, both time and cost, in principle, regarding disputed variations or compensation events.

Prior to joining Tudor Rose, Mark began his career a quantity surveyor for national main contractors across a broad range of construction project types. Through this breadth of experience, he has had the opportunity to experience and understand the particular characteristics of different types of construction projects, along with the associated problems which may arise during the course of the works. Mark's role during this time has encompassed all aspects of commercial management within contracting organisations, at both project and corporate levels.

During his career, Mark has gained extensive first-hand experience of delay and quantum claims. He has been involved in all aspects of claim preparation for the purpose of pursuing claims, as well as defending claims initiated by others. He is well versed in all aspect of claims management from claim preparation, assessment of entitlement and negotiation through to agreement, without the need to seek recourse through a tribunal. Mark continues to put this experience to good use, combining it with his knowledge and understanding of formal dispute resolution processes.

Following his initial undergraduate studies, Mark completed a Masters degree in Construction Law and Arbitration, receiving a distinction for his final year dissertation, and is now working towards fellowship status within the CIArb. His professional knowledge and experience, combined with this continuing academic progression, gives him a firm basis to get to grips with any commercial issues and provide clear advice, together with suitable strategies to either minimise risk or maximise opportunity, as the situation requires.

Qualifications and Professional Membership

LLM	Construction Law and Arbitration (Robert Gordon University)
BSc (Hons)	2:1 Quantity Surveying and Commercial Management (Portsmouth University)
HND	Civil Engineering (Portsmouth University)
MCIArb	Member of the Chartered Institute of Arbitrators

Career History

2017 to date	Senior Consultant at Tudor Rose
2013 - 2017	Managing/Senior Quantity Surveyor

2008 - 2013 Project Surveyor
2000 - 2008 Quantity Surveyor

Assignments and Achievements

Commercial Management

- Provided project monitoring services to several main contractors, giving contractual and commercial advice to staff, developed systems for the reporting and managing of issues, identified commercial risks and managed any claims arising to ensure the client's position is fully protected. Under JCT, NEC3 and GC/Works contracts.
- Acted on behalf of several main contractors identifying, costing and justifying in principle additional entitlement under several forms of contract. By working with and managing the main contractors project team, the analysis of contract documentation, review of records and the like.
- Provided independent cost estimates relating to cladding, insulation and firestopping remediation in respect of several residential accommodations for a main contractor. Estimates varied between £2 - £5 million.
- Carried out independent large scale remeasurement of groundworks and mechanical and electrical accounts for a main contractor as part of final account assessment and agreement.
- Provided commercial support to main contractor including the negotiation, preparation and agreement of critical subcontracts, warranties, bonds and the like on several large-scale projects under both JCT and NEC3 contracts, (£40-£45 million).
- Led a team of surveyors responsible for the delivery of multiple projects, typically six at any one time, (£1-£2 million each). Also acted on behalf of the main contractor regarding the assessment and management of various subcontractor delay or quantum claims concerning these projects.
- Lead Project Surveyor for a main contractor on several projects including a bespoke University Research Facility, (£9 million), Special Needs School, (£10 million), and Multi Use Sports Pavilion (£1 million).

Expert/Audit

- Acted as assistant to a Quantum Expert for a dispute in respect of the redevelopment of a museum and art gallery in Exeter. The contract value was £8 million and was delayed by 13 months. Assisted in the preparation of the Expert report and led the assessment of the main contractors true loss and expense entitlement and assessment of costs attributable to prolongation or abortive works.
- Acted as an assistant to a Delay Expert for a dispute in respect of a £100 million data centre project which was delayed in excess of 12 months across 3 phases. Led the assessment of the associated prolongation costs and provided an opinion on the main contractors entitlement.
- Provided support and advice to Legal Counsel, Expert Witnesses etc with complex quantum issues in respect of the same project. Prepared reports assessing the true value of the main contractors variation claims.
- Prepared delay reports on behalf of a main contractor demonstrating critical delay/adjustment to sectional completion dates following the rejection of related compensation events by the project manager, under NEC3 (Option A) form of contract.

- Acted on behalf of a main contractor in the production of witness reports on matters of quantum and time.

Adjudication

- Acted on behalf of both employers and main contractors during the management and settlement of construction disputes, negotiations, adjudication, arbitration, mediation and formal proceedings.
- Represented a main contractor as respondent in adjudication proceedings regarding matters of delay, extensions of time, entitlement to be paid loss and expense and the valuation of variations claimed by a subcontractor, along with the main contractors counter claims. In respect of disputes with a sub-contractor to the value of £2.5 million.
- Represented a main contractor as respondent regarding matters of delay, and in the preparation of his own delay and quantum counter claims, relating to a commercial development. In respect of disputes to a value of £2 million.
- Represented several main contractors in the production of detailed claims demonstrating both quantum and delay entitlement and prepared reports concerning the effects of delays and contractual disputes.

Training

- Prepared presentation regarding the correct completion and presentation of compensation event quotations under NEC3 Option A

Contact Details

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