

# David Clancy

MRICS BSc (Hons) MSc  
Associate Director



## Profile

David began his career as Quantity Surveyor for a main contractor working on a number residential and commercial projects. David was responsible for sub contract procurement and management including assessing variation and loss and expense claims. David furthered his learning of quantity surveying by becoming a professional member of the RICS.

David moved to Australia in 2011 to pursue an opportunity with a large multinational contractor. Here he was exposed to large rail and civil projects before progressing quickly to become the lead commercial resource for the rail business unit in Sydney. During this time, he gained vast experience in negotiating contractual terms, loss and expense claims and agreeing final accounts.

David then began work for a construction consultancy where he worked as a senior consultant on the resolution of large construction disputes. His role included, assisting in the drafting of Expert Witness reports (delay and quantum), preparing loss and expense claims, submitting and agreeing variation and extension of time claims along with preparing training manuals and providing general contractual advice to clients. David also has a comprehensive knowledge of different delay analysis techniques and is proficient in the use of Primavera P6 and Powerproject to prepare detailed delay analyses and in the preparation of extension of time claims.

David has a keen attention to detail and is well versed in the preparation of 'adjudication ready' final accounts. His first-hand experience of working on site for a main contractor along with his work in the preparation of expert witness reports ensures that David has a full breadth of understating of dispute resolution processes. This, in turn, enables David to provide guidance to clients at all stages of construction projects.

## Qualifications and Professional Membership

MRICS	Professional Member of the Royal Institution of Chartered Surveyors
BSc (Hons)	Quantity Surveying and Construction Commercial Management (Nottingham Trent University)
MSc	Construction Law and Dispute Resolution

## Career History

2022 – to date	Associate Director Tudor Rose
2018 - 2022	Senior Consultant Tudor Rose
2016 - 2018	Senior Consultant at Construction Consultancy (Australia and UK)
2012 - 2016	Senior Quantity Surveyor at Contractor (Australia)
2007 - 2011	Quantity Surveyor at Contractor (UK)

# Assignments and Achievements

## Delay Analysis

- Assessed entitlement to extension of time and loss and expense claim on behalf of a Main Contractor on a data centre project (project value approximately £500 million) for 'up the line' claims against the employer. Claims included assessing entitlement for COVID-19 related issues.
- Undertaking a detailed delay analysis and the preparation of an extension of time claim in contemplation of adjudication proceedings for a high end central London residential project.
- Undertaking detailed delay analysis of a number of sub-contractor extension of time claims on a high rise central London commercial project.
- Undertaking delay analysis and preparing an independent assessment of variations and extension of time claims for a Main Contractor on a live hospital project
- Undertaking delay analysis and preparing an extension of time claim for a Sub-Contractor on a large civil infrastructure project.
- Preparing a detailed claim for a M&E Sub-Contractor to recover costs from a Supplier arising from the supply of defective M&E goods on a large civil infrastructure project. This included preparing a delay analysis to determine the applicable prolongation periods.
- Preparing an insurance claim including extension of time assessment and additional costs following a flood event for a Main Contractor on a live project.
- Preparation and submission of a delay and disruption claim including the quantification of associated loss and expense for a Mechanical & Electrical Contractor.
- Submission of a delay claim including quantification of prolongation costs under a FIDIC subcontract. Including as planned vs as built delay analysis.

## Commercial Management

- Provide ongoing support to a Managing Contractor on a live project. Ensuring that all records are being maintained and drafting and issuing contractual notices and correspondence to Trade Contractors to ensure that all obligations are being adhered to.
- Providing ongoing commercial support to a Main Contractor on a live project, including the submission of extension of time claims, loss and expense claims and variations in accordance with the timebar provisions of a bespoke contract.
- Providing commercial advice to a Main Contractor in relation to the discovery of potentially defective cladding on a previously completed project.
- Prepared a termination claim for a Main Contractor against an Employer to an 'adjudication ready' standard. This included a valuation of the Account inclusive of all loss and expense arising from the termination.
- Provided commercial assistance to a Developer on a high-end hotel refurbishment project. This Included the assessment of variations and extension of time claims, and strategic commercial advice.

- Undertook the assessment of extension of time claims on behalf of Developer on a new leisure project.
- Prepared a Final Statement under a JCT 2011 B&B contract for a main contractor on a large new build residential project. This included the valuation of a large number of variations and loss and expense claim to an 'adjudication ready' standard.
- Commercial Manager placement for a Developer. Following the termination of the main contractor, David was responsible for re-procuring all sub-contractors and managing the sub contracts through to the completion of the project. David also assisted in the preparation of the termination claim against the previous main contractor.
- Various commissions to provide training manuals on newly executed contracts for main contractors including providing pro-forma notices and flow charts to depict contractual procedures.
- Working for a large telecommunications contractor who was contracted under a schedule of rates contract, David was tasked with reviewing all payment claims to ensure that all items under the schedule of rates were being properly invoiced. There were 1000's of individual job sites and David devised a pro-forma macro enabled payment template which captured all of the additions. This resulted in a significant financial benefit to the client.
- Working as the lead Commercial resource for the rail business unit in Sydney of a large multinational contractor, David was responsible for securing new work, negotiating terms and conditions, monthly financial reporting, agreeing variations and final accounts.
- Working as a Contract Administrator in Sydney on a \$80 (AUD) rail stabling yard, David was fully responsible for issuing all variation and extension of time claims to the client in line with the contractual time bars. David's astute management of the process ensured that all the contractual entitlements were realised.
- Working as a quantity surveyor on a large residential design and build project in London (£80m). David was on the project from inception to final account and was responsible for procuring subcontract packages, managing subcontracts including monthly valuations and reviewing variation claims through to completion.
- Working as a quantity surveyor on a residential project (£10m) David was responsible for the procurement of new packages.

## Expert

- Assisting the Expert in the preparation of a delay claim on a large Power Generation project including assisting in the analysis and presentation of findings in the Expert Report.
- Lead assistant to the expert on the preparation of an Expert Witness report. Appointed by the lawyers representing the main contractor, David assisted in drafting a delay report, including the entitlement to extension of time claims, and the valuation of delay damages.
- Lead assistant to the expert on the preparation of an Expert Witness report. Appointed by the lawyers representing the main contractor, David assisted in the valuation of variations, provisional sum valuation and opinions as to the conduct of the Superintendent
- Assistant to the expert on the preparation of an Expert Witness report. Appointed by the client on a large civils project, David assisted in the preparation of the delay report. Including entitlement to extension of time claims and a rebuttal of a disruption claim submitted by the contractor.

# Contact Details

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